

UNITED STATES OF AMERICA (US)

I. LEGISLATIVE PROFILE



1. National Legislation

a. Industrial Property

Capital: Washington, D.C.
Population: 283,962,000

Patents:

- United States Code, Title 35 – Patents, as last amended by Public Law No. 105-358, November 1998.

Trade Marks:

- United States Code, Title 15 – Trademarks, as last amended by Public Law No. 105-330, October 1998.

Industrial Designs:

As above, under Patents.

b. Copyright and Related Rights

Copyright:

- United States Code, Title 17 – Copyright, Public Law No. 94-553, October 1976, as last amended by Public Law No. 105-304, October 1998.

Related Rights:

As above, under Copyright.

c. Other Country-Specific Legislation or Activities

Design Protection:

- Vessel Hull Design Protection Act, Public Law No. 105-304, October 1998 (administered by the U.S. Copyright Office).

Computer Programs:

- Semiconductor Chip Protection Act of 1984, Public Law No. 98-620, November 1984 (administered by the U.S. Copyright Office).

Plant Variety Protection:

- United States Code, Title 7 – Plant Variety Protection Act, as last amended by Public Law No. 103-349, October 1994. (Administered by the U.S. Department of Agriculture).

d. Sources for Information on National Laws

U.S. Patent and Trademark Office (USPTO)
 As below, under Industrial Property Office.

U.S. Copyright Office
 As below, under Copyright Office.

2. Membership of International Bodies

a. Membership of WIPO Treaties:

- WIPO Convention, since August 1970.
- Paris Convention (Industrial Property), since May 1887.
- Berne Convention (Literary and Artistic Works), since March 1989.
- PCT (Patents), since January 1978.
- PLT (Patent Law Treaty), Signatory since June 2000.
- Madrid Agreement (International Registrations of Marks), since November 2003.
- Singapore Treaty (Law of Trademarks), since March 2009.
- Nice Agreement (International Classification of Goods and Services), since May 1972.
- Strasbourg Agreement (International Patent Classification), since October 1975.
- Geneva Convention (Unauthorized Duplication of Phonograms), since March 1974.
- Brussels Convention (Distribution of Programme-Carrying Signals Transmitted by Satellite), since March 1985.
- Budapest Treaty (Deposit of Micro-organisms), since August 1980.
- TLT (Trademarks), since August 2000.
- WCT (WIPO Copyright Treaty), since March 2002.
- WPPT (WIPO Performances and Phonograms Treaty), since May 2002.

b. WTO: Member and Signatory to TRIPS Agreement, since January 1995.

c. Membership of other bodies/treaties: APEC, NAFTA, UCC, UPOV.

- Member of APEC since November 1989.
- Member of NAFTA since January 1994.
- Member of UCC since September 1955.
- Member of UPOV since November 1981.

II. ADMINISTRATION

1. Industrial Property

Supervisory Ministry:

United States Department of Commerce

Industrial Property Office:

For Patent and Trade Mark Policy Activities:
 U.S. Patent and Trademark Office (USPTO)
 600 Dulany Street
 Alexandria, VA 22314
Title of Head: Commissioner for Patents and
 Commissioner for Trademarks

Tel.: (1.703) 272.86.00
 (Commissioner)
 272.93.00
 (Office of International
 Legislative and Affairs)

Fax: (1.703) 273.04.64

Internet website: <http://www.uspto.gov>

Mailing Address:

P.O. Box 1450
 Alexandria, VA 22313-1450

2. Copyright and Related Rights

Supervisory Ministry:

As above, under Supervisory Ministry for Industrial Property.

Copyright Office:

For Copyright Policy Activities (Executive Branch):

As above, under Industrial Property Office.

For Copyright Policy and Registration Activities (Legislative Branch):

U.S.Copyright Office

Library of Congress

Department 17

Washington, D.C. 20540

Title of Head: Register of Copyrights and Associate Librarian for Copyright Services

Tel.: (1.202) 707.50.00

(General)

707.83.50

(Register)

Fax: (1.202) 707 8366

E-mail: copyinfo@loc.gov

Internet website:

<http://www.loc.gov/copyright>

Collective Management Societies:

Private organizations are not directly affiliated with or sponsored by the United States government. Information can be obtained from the Copyright Office.

III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY

Industrial Property Tribunal

Patents: appeals from claims rejections, interference proceedings

Board of Patent Appeals and Interferences (BPAI)

P.O.Box 15647

Arlington

VA 22215-0647

Title of Head: Chief Administrative Patent Judge

Tel.: (1.703) 308.97.97

(General)

Fax: (1.703) 308.79.53

Internet website: <http://www.uspto.gov>

Trade Marks: opposition, cancellation and interference proceedings; appeals from final trade marks refusal:

Trademark Trial and Appeal Board (TTAB)

2900 Crystal Drive

South Tower Building, 9th floor

Arlington VA 22202

Title of Head: Chief Administrative Trade Mark Judge

Tel.: (1.703) 308.93.00

Fax: (1.703) 308.93.33

Internet website: <http://www.uspto.gov>

For judicial review of BPAI or TTAB decision:
United States District Courts located throughout
the U.S.

*Alternatively, for judicial review of BPAI or
TTAB decision:*

United States Court of Appeals for the Federal
Circuit (CAFC)

717, Madison Place N.W.

Washington D.C. 20439

Title of Head: Chief Judge of the Federal Circuit

Tel.: (1.202) 633.65.50

Fax: (1.202) 633.96.23

Internet website: <http://www.fedcir.gov>

Copyright Tribunal

Enforcement is handled through the administrative agencies, such as the Federal Bureau of Investigation (FBI), Customs and the Department of Justice, and through the judicial system, both civil and criminal.

For further information contact the U.S. Copyright Office, as above, under Copyright Office.

Other

Main contact point:

Office of the United States Trade Representative

Executive Office of the President

600 17th Street, NW

Washington, D.C. 20508

Contact Official: Mr. P. Claude Burcky

Deputy Assistant USTR for IPR

Tel.: (1.202) 395.68.64

Fax: (1.202) 395.38.91

Additional contact points for notifications:

Office of Legislative and International Affairs

U.S. Patent and Trademark Office

As above, under Industrial Property Office.

Contact Official: Mr. Robert Stoll

Administrator

Tel.: (1.703) 305.93.00

Fax: (1.703) 305.88.85

Contact point for TRIPS:

United States Mission to the World Trade

Organization

Avenue de la Paix 1-3

1202 Geneva

Switzerland

Contact Official: Mr. David R. Nicholson

Attaché

Tel.: (41.22) 749.52.81

Fax: (41.22) 749.53.08

Additional contact point for notifications related to border enforcement:

International Organizations and Agreements Division	Tel.:	(1.202)	927.14.80
	Fax:	(1.202)	927.68.97

Office of International Affairs
 U.S. Customs Service, Room 2118
 1301 Constitution Avenue, NW
 Washington, D.C. 20229
Title of Head: Director

Domestic enforcement and other issues are addressed by the United States Department of Justice and the United States Department of Treasury.

For further information contact the U.S. Patent and Trademark Office, Office of Legislative and International Affairs, as above, under Industrial Property Office.

IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY

Institutions, Universities and Colleges located throughout the country including George Washington University Law School, Washington, D.C., University of Houston Law School, University of California, Berkeley and the New York University Law School. The information given is not evaluative or exhaustive.

Internet website of the American Bar Association which accredits Law Schools in the United States: <http://www.abanet.org/>

Educational institutions teaching intellectual property can be found in the list of programs by category.

Headquarters (Chicago Office):

American Bar Association	Tel.:	(1.312)	988.50.00
750 N. Lake Shore Drive	Fax:	(1.312)	988.62.81
Chicago, IL 60611	E-mail:	info@abanet.org	
	Internet website:	http://www.abanet.org	

Consultant's Office:

Consultant on Legal Education	Tel.:	(1.317)	264.83.40
American Bar Association	Fax:	(1.317)	264.83.55
550 West North Street, Suite 349	Internet website:	http://www.abanet.org/legaled	
Indianapolis, IN 46202			

University of Washington		Tel.:	(1.206)	685.29.96
School of Law		Fax:	(1.206)	685.78.10
1100 NE		E-mail:	toshiko@.washingtton.edu	
Campus Parkway				
Seattle WA 98105-6617				

University of Baltimore
 School of Law
 1420 N. Charles St.
 Baltimore MD 21201

Tel.: (1.410) 837.45.53
 Fax: (1.410) 837.45.60
 E-mail: wfryer@ubmail.ubalt.edu
 (Professor W. T. Fryer)
UBIPLJ@ubmail.ubalt.edu
 (IP Law Journal)
 Internet Website: <http://www.ub.edu>
 (University)
<http://www.law.ubalt.edu/iplj>
 (IP Law Journal)

V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 2005 and 2002:

		Patents (direct filings)	Trade Marks	Industrial Designs <u>2002</u>
Applications by:	residents	202,776	224,269	13,001
	non-residents	149,661	28,359	7,903
Grants to:	residents	73,279	99,377	9,325
	non-residents	56,688	21,943	6,126

PCT-2005

Applications by residents and non-residents: 38,296 (National Phase Entries)
 Grants to residents and non-residents: 13,839 (1,358 residents, 12,481 non-residents)

Madrid System – 2005

International Registrations:

Total applications: 11,882 (non-residents only)
 Total registrations: 1,840 (non-residents only)

