

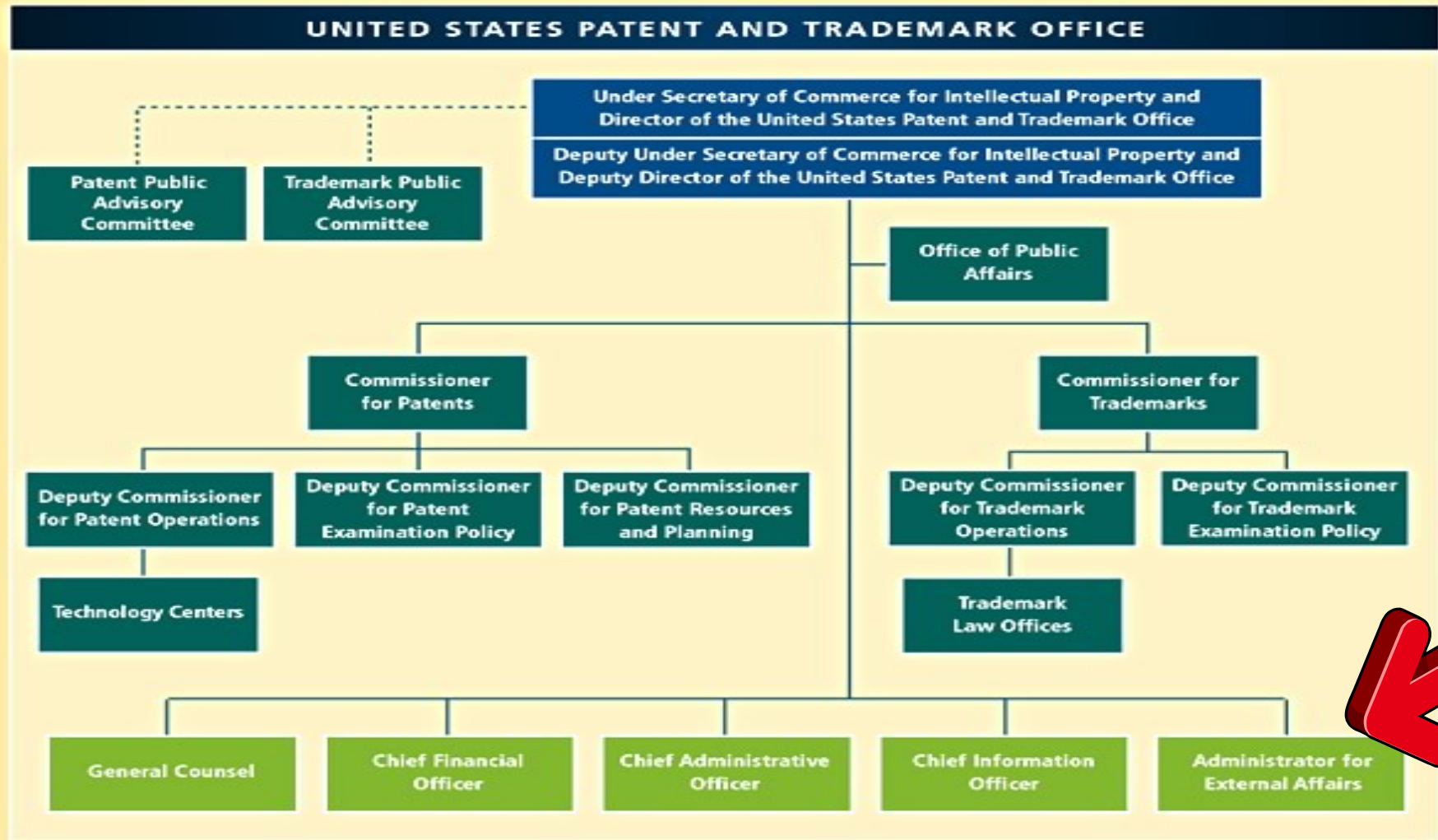
Role of IP Administrations in International Negotiations: Formulating Appropriate IP Legislation, Regulations and Procedures; Capacity Building for Enforcement



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U.S. Patent and Trademark Office
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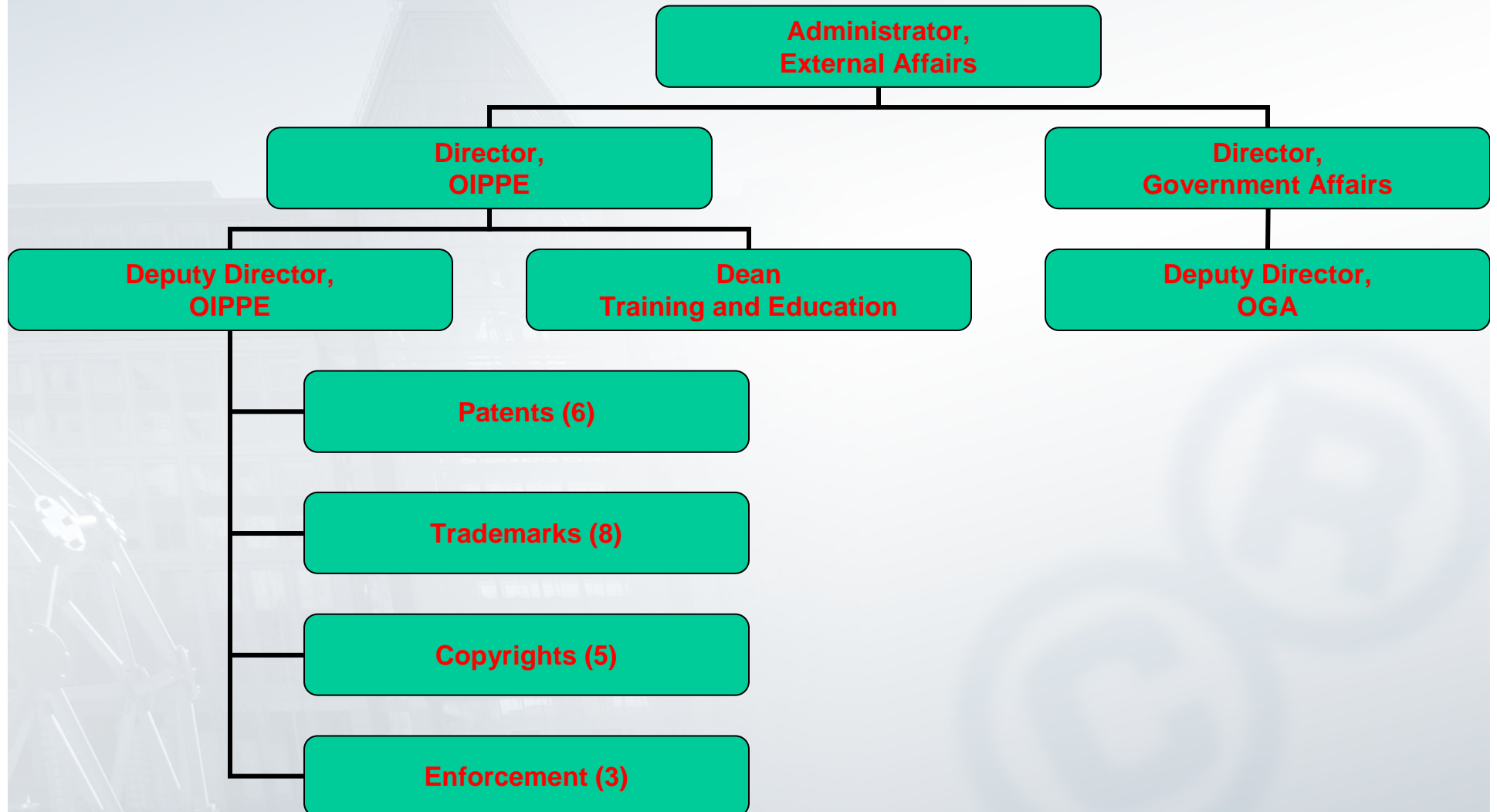


Office of Intellectual Property Policy and Enforcement





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Office of Intellectual Property Policy and Enforcement Mission

- Promoting development of intellectual property systems
 - nationally and internationally
- Advocating
 - improvements in and
 - more cost-effective means of
 - protecting intellectual property rights of United States nationals in the United States and throughout the world



Role of USPTO Policy Advisors

- Develop, negotiate, and maintain multilateral systems for protection of IP rights (e.g. treaties).
 - Negotiate WIPO administered Treaties and Participate in Working Groups
- Assist Department of State: management of U.S. membership in various international organizations, such as WIPO.
 - WIPO; WHO; UNESCO; UNCTAD
- Provide advice and guidance on domestic and international intellectual property issues to U/S, DOC, and other USG Agencies.
 - All substantive IP legislative issues and Enforcement; High Profile TM or patent applications; TRIPS Council issues; Special 301 Input;
 - Assist with IP aspects of trade negotiations and implementation.
 - WTO TRIPS Council; WTO Dispute Settlement; EU-US Wine Bilaterals; Free Trade Agreements; WTO accession; other IP bilaterals



Role of USPTO Policy Advisors

- Assist with formulation and analysis of legislative proposals.
 - Dilution; piracy/counterfeiting; patent reform; treaty implementation;
- Guide the establishment and administration of agreements with other IP offices.
 - MOUs; Trilaterals; PPH
- Provide technical assistance and training to countries and other IP offices – laws, regulations, administration and processing.



Developing Policy Positions

- Stakeholder consultations:
 - US Government/Administration Priorities
 - TM and Patent Operations
 - IP lawyer associations (foreign and domestic)
 - IP owner associations (foreign and domestic)
 - National IP Offices

What policy initiatives would be useful for owners and offices, attainable, sustainable, cost effective, and simple (if possible)?



Achieving Efficiencies Through Harmonization and Cooperation

- Reduce barriers for stakeholders:
 - Domestically
 - Propose and/or evaluate domestic legislative or regulatory initiatives, keeping in mind international norms, trends, and best practices.
 - Internationally
 - Training of foreign officials on efficient office practice including training on examination and administrative procedures.
- Strategic cooperation initiatives to exchange information and to identify areas where cooperation would benefit stakeholders.
 - Work sharing
 - Trilateral Classification List
 - Electronic processing and workflow
 - Collaborative Filing
 - Common data exchange standards



Trade and IP

- Demands for training have increased significantly after TRIPS and bilateral FTAs since the obligations in these agreements raise difficult implementation issues for every country.
 - Well-Known Marks
 - Geographical Indications
 - WIPO Internet Treaties
- It can prevent problems with implementation if IP Offices are involved in trade negotiations to advise on implementation obstacles early on.



STOP: Strategic Targeting of Organized Piracy

- In October of 2004, the Bush Administration announced the Strategy Targeting Organized Piracy (STOP!). STOP! brings together the entire IP interagency team. The five-point plan under STOP!:
 - 1. Empower American innovators to better protect their rights at home and abroad
 - 2. Increase efforts to seize counterfeit goods at our borders
 - 3. Pursue criminal enterprises involved in piracy and counterfeiting
 - 4. Work closely and creatively with U.S. industry
 - 5. Aggressively engage our trading partners to join our efforts



STOP Initiative

STOP Hotline (1-866-999-HALT)

www.stopfakes.gov

Intellectual Property Attachés



USPTO's Global Intellectual Property Academy

- GIPA Training programs
- Raise Awareness of the Benefits of IP
 - Social and economic development tool
 - Strong IP regime promotes foreign direct investment
- “Two-Way Street”
 - Promoting interactive discussion & exchange of information.
 - Sharing Best Practices > harmonization.



Developing GIPA Training Programs

- Special 301
- Trade Agreement Commitments
- Trade issues
- Examination
- MOU Commitments
- Stakeholder-Raised Issues
 - Oppositions
 - Enforcement
 - Specialized courts

FEEDBACK FROM PAST ATTENDEES!



Thank You!

www.uspto.gov

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