

# INTA Bulletin

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## CTC Briefing and a “View from the Outside”

On October 11, INTA, along with the U.S. Chamber’s Global IP Center, hosted a United States Congressional Trademark Caucus (CTC) briefing at the Capitol Visitor Center (CVC) on Trademarks and Brands with a focus on intellectual property enforcement, outreach, and education.

The CTC is a bipartisan, bicameral caucus that seeks to provide education, outreach, and engagement to consumers about trademarks and brands. In a packed room with Capitol Hill staff, government officials, and brand owners, the briefing provided insights on how the stakeholder community can work together to help combat the challenges presented by counterfeiting.

The briefing included keynote speeches from CTC House of Representatives Co-Chairs, Rep. John Ratcliffe (R-TX-4th) and Rep. Ted Deutch (D-FL-22nd), who both focused on the consumer and business harms caused by counterfeiting. Mr. Ratcliffe noted his role in relaunching the CTC this year on World IP Day. He discussed how consumers can be injured from counterfeit products and, therefore, the immense importance of educating consumers to only buy legitimate goods. Mr. Deutch added that counterfeiters are criminals who are affecting the ability of honest small businesses to survive and these criminals are not paying taxes on the goods they sell. Thus, they are stealing revenue that is needed by governments.

The briefing included a panel of INTA brand owners and focused on IP education and enforcement efforts. The panel was moderated by Fabricio Vayra (Perkins Coie, USA) and featured Ayala Deutch (NBA Properties, Inc., USA), Paul Brown (UL, USA), and Anthony Zook (Merck, USA). The panelists explained some of the industry programs and responses to counterfeiting, including work by the National Basketball Association (NBA) to educate consumers about counterfeit NBA products and an “online IP crime conference education series” that UL has created for the IP community and law enforcement.

USPTO Commissioner for Trademarks, Mary Boney Denison, talked about the USPTO’s work on IP enforcement, including the role of IP Attachés and the agency’s Stop Fakes program. Deputy Director of the National Intellectual Property Rights Coordination Center (NIPRCC), William Ross, spoke about the NIPRCC’s role in working with brand owners and the U.S. government’s role in investigating and prosecuting counterfeiters. Mr. Ross noted the creation of industry sector groups which are working together with government to help provide information and guidance as the NIPRCC investigates counterfeiters.

INTA looks forward to further discussions and briefings as government officials and the stakeholder community continue to develop strategies to help address the ever-increasing challenges presented by counterfeiters.

### INTA Hosts USPTO Dialogue: A View from the Outside

On October 2, four INTA members who had previously worked at the USPTO held a panel discussion about their engagement and work with USPTO trademark examining attorneys. The panelists included Susan L. Heller (Greenberg Traurig, LLP, USA) and Jennifer Fraser (Dykema Gossett, PLLC, USA), both from the Trademark Office Practices Committee; Scott Woldow (Smith, Gambrell & Russell, LLP, USA) from the Government Officials Training Committee; and Christopher Turk, a member of INTA’s Board of Directors.



Left to Right: Ayala Deutch, NBA Properties, Inc. (USA), and Fabricio Vayra, Perkins Coie (USA), presenting at the CTC briefing



Left to Right: Susan L. Heller, Greenberg Traurig, LLP (USA), Scott Woldow, Smith, Gambrell & Russell, LLP (USA), Christopher Turk, INTA Board of Directors (USA), and Jennifer Fraser, Dykema Gossett, PLLC (USA)

The group facilitated a lively and engaging dialogue about the trademark examination process, including discussions with trademark examiners about communication and legal requirements under the U.S. trademark system.

With more than 75 USPTO employees in attendance and a webcast to the teleworking trademark examining corps, the session provided a great opportunity for INTA members who formerly worked at the USPTO and understand the trademark examiners' work requirements, to share their perspectives on the examination process. Additionally, the panelists shared insights about their careers and transitions from government service to the private sector.

INTA's Senior Director of Government Relations, Debbie Cohn, stated, "This event provided a unique opportunity for INTA members to lead a productive dialogue with insiders' knowledge from former USPTO trademark examiners who are now part of the private bar. We hope to host this program again in the future at the USPTO and to expand the concept to other regions."

INTA is grateful for the time and dedication from its member speakers, who had a great perspective on, and respect for, the function and role of the trademark examining corps. Both USPTO management and attendees shared positive feedback on this successful program.

Although every effort has been made to verify the accuracy of items in the *INTA Bulletin*, readers are urged to check independently on matters of specific concern or interest.

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