

**UNITED STATES
PATENT AND TRADEMARK OFFICE**



Welcome! The TPAC public meeting will start at 1:00 p.m. ET

Please send all questions via email to
TPAC@uspto.gov

UNITED STATES
PATENT AND TRADEMARK OFFICE



Elisabeth Escobar

Chair, Trademark Public Advisory Committee

July 24, 2020

Introduction and welcome by TPAC Chair

Laura Peter

Deputy Under Secretary of Commerce for Intellectual Property and
Deputy Director of the United States Patent and Trademark Office

Opening remarks

David Gooder

Commissioner for Trademarks

The Trademark office: Driving forward in an uncertain time

The Trademark office: Driving forward in an uncertain time

- Trademarks (TM) office operations
- Fee rule
- Notable legal developments
- Initiatives update
 - CARES Act
 - Priority Examination for anti-Covid-19 products/services
 - Anti-counterfeiting campaign launch
 - Misleading/scam solicitations
- Improper Behavior Task Force update
- TM5



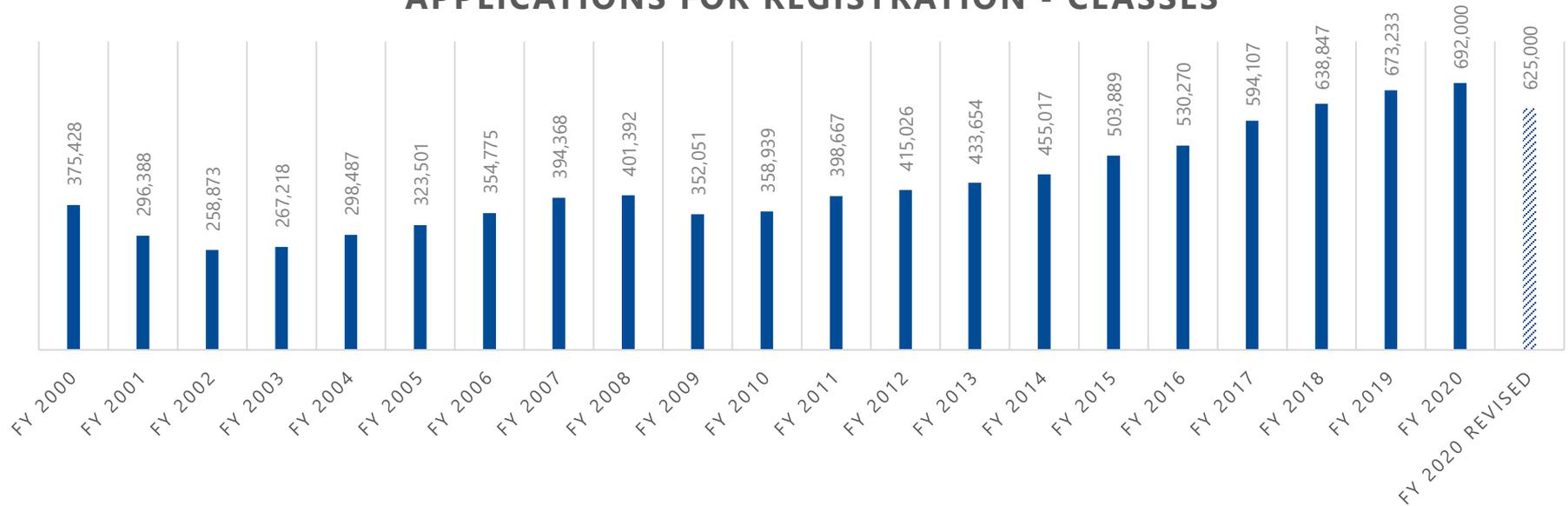
Trademarks operations update

Trademark monthly filings v. S&P 500 monthly average closing price



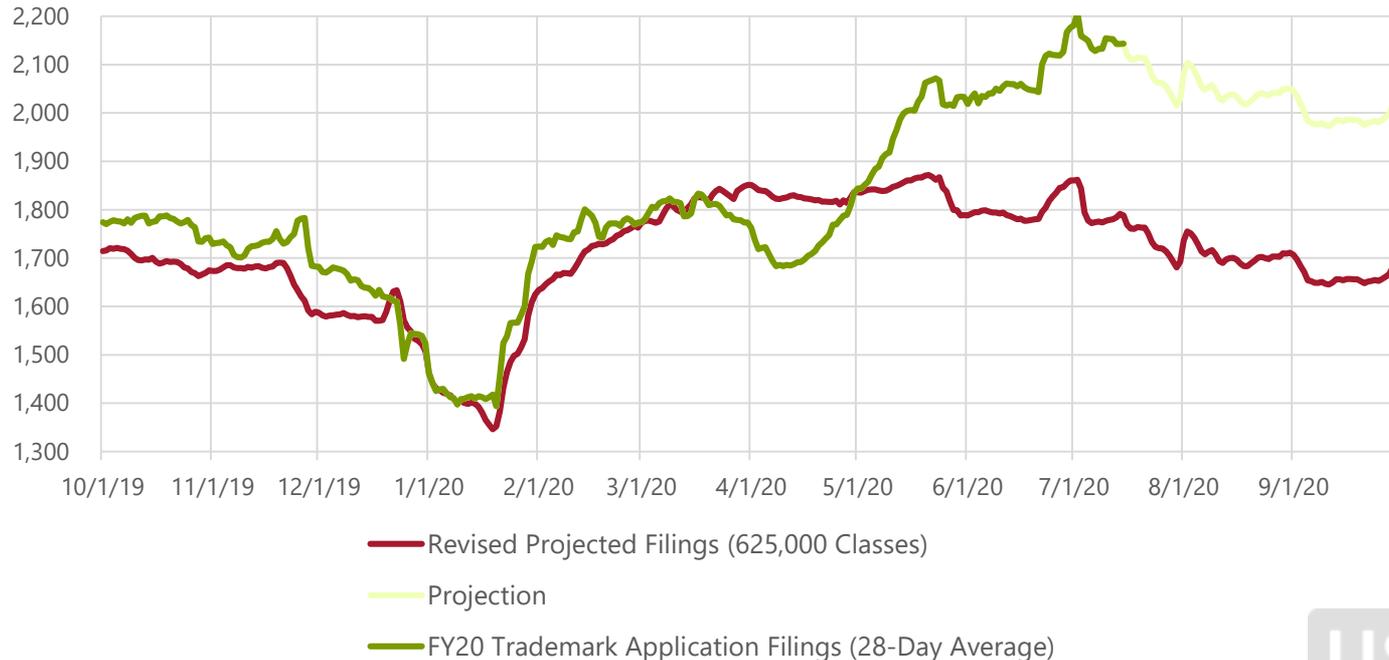
TM applications: Historic trend

APPLICATIONS FOR REGISTRATION - CLASSES



FY20 daily trademark application filings

Actuals compared to revised plan (625,000 classes)



Trademark application filings compared FY19 v. FY20

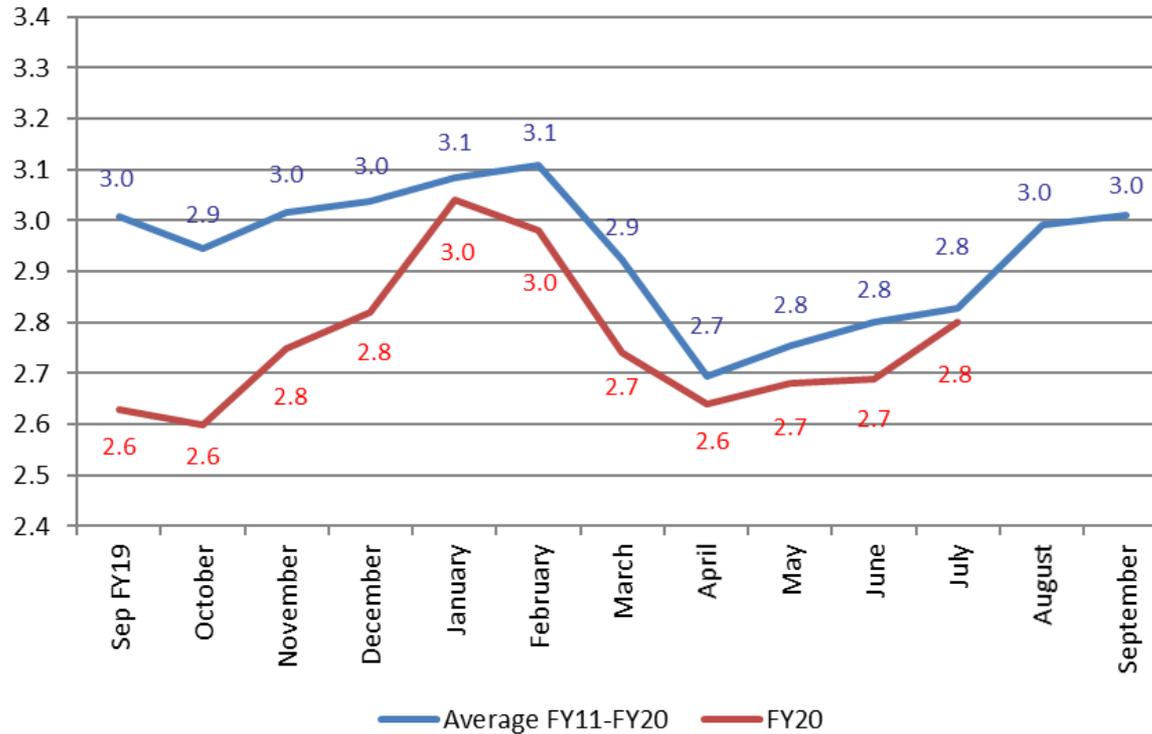
U.S. and non-US: 28-day average



Trademarks performance: pendency

FY 2020 Trademarks performance measures	FY 2020 targets	FY 2020 results (end of Q3)
First action pendency First action pendency from date of filing to the first office action in months	2.5-3.5	2.7
Disposal pendency Disposal pendency from date of filing to issuance of a notice of allowance, registration, or abandonment — excluding suspended and inter partes proceedings	12.0	9.8

FY20 First action pendency vs. 10-year average



Trademarks performance: quality

FY 2020 Trademarks performance measures	FY 2020 targets	FY 2020 results (end of Q3)
First action compliance In-process review evaluation of the statutory bases for which the USPTO raises issues and/or refuses marks for registration based on the first office action	95.5%	95.8%
Final action compliance In-process review evaluation of the statutory bases for which the USPTO raises issues and/or refuses marks for registration based on the examining attorney's approval or denial of the application	97.0%	97.8%
Exceptional office action Measure indicating the comprehensive quality of the first office action search, evidence, writing, and decision making	50.0%	51.2%

Rulemaking

NPRM: Fee rule

- Notice of Proposed Rulemaking published in the Federal Register on June 19, 2020
- Comment period ends on August 3, 2020
- Notice is posted in the Federal Register at:
www.govinfo.gov/content/pkg/FR-2020-06-19/pdf/2020-13262.pdf

NPRM: Fee Rule

- While the proposed fee structure would increase fee **collections** overall...
 - Individual fee increases remain low. For example:
 - TEAS Plus TM application will increase \$25 (\$225 to \$250)
 - Less than 3% increase on average year-over-year since the fee was last changed
 - TEAS Std TM application will increase \$75 (\$275 to \$350)
 - Less than 7% increase on average
 - Renewal will increase \$100 (\$425 to \$525)
 - Less than 6% increase on average
- Historically nearly 2/3 of the TTAB's costs have been subsidized by TM filings
 - This proposal reduces the subsidy
- Total fees remain lower than many other major trademark offices around the world

Legal updates

USPTO v. Booking.com

- The USPTO asked the Supreme Court to decide a very narrow issue
- Supreme Court held that the mark Booking.com is capable of registration
 - The Court did not rule that “generic + .com” must be capable
 - The Court did not rule that “generic + .com” must be generic
- The determination of whether any “generic.com” is generic is based on “consumer perception” of the mark
 - “Do consumers...perceive the term as the name of a class or...as a term capable of distinguishing members of the class?”
- Examination Guide is being drafted



Initiatives

COVID-19: Stakeholder relief

- Extension of deadlines
 - On March 31, the USPTO announced deadline extensions, ultimately through June 1, for certain trademark- and TTAB-related filings and fees due to delays caused by the COVID-19 pandemic
- Waiver of fees
 - For petitions to revive abandoned applications or reinstate cancelled registrations
 - Fee refunded or waived in 322 cases
- More information at the USPTO's COVID-19 Response Resource Center
 - www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center

COVID-19: Priority examination

- On June 15, the USPTO announced a program to advance the initial examination of applications for marks used to identify qualifying COVID-19 medical products and services
 - USPTO will waive petition fee
 - To date, we have received 60 petitions
 - 46 granted, eight pending
 - Additional information and FAQs are on the USPTO website at: www.uspto.gov/trademark/laws-regulations/covid-19-petition-prioritize-applications



Anti-Counterfeiting Campaign

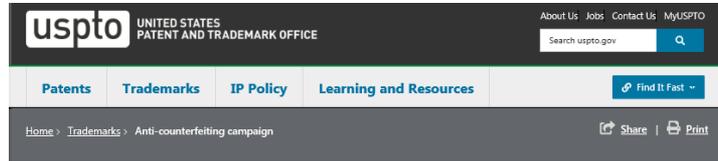
- ❖ USPTO partnership with National Crime Prevention Council (NCPC)



- ❖ June 2020 virtual launch of the **GO FOR REAL** anti-counterfeiting campaign aimed at educating teens, tweens and their parents on the dangers of counterfeit goods and how to spot them
- ❖ <https://www.uspto.gov/trademark/anti-counterfeiting-campaign>



Anti-Counterfeiting Campaign Webpage



Anti-counterfeiting campaign



Whether it's knockoff electronic devices with faulty batteries that catch fire or foods and perfumes containing poisonous substances, counterfeiting has the potential to cause real harm. We're working with the National Crime Prevention Council to raise awareness about the dangers of counterfeit goods and merchandise. Our [Go for Real campaign](#) reaches audiences across the United States and the world through various mediums, including:

- Social media and online advertising
- Interactive web content
- Radio ads
- Handouts, posters, and other print material

These materials are available for your household, classroom, or organization to help promote anti-counterfeiting awareness. Learn more about the Go for Real campaign at the campaign website.

[Visit the Go for Real campaign website](#)

Web

A full line of online media and content will help you understand what to watch out for.



Social

Use the hashtag #GoForReal to let people on social media know about the dangers of counterfeits.



Print

Campaign posters and handouts can be used to spread anti-counterfeiting awareness.



Misleading/Scam Solicitations

- Scam solicitations are designed to mislead applicants and registrants, e.g.
 - Solicitations appearing to originate from or be affiliated with the USPTO
 - Offering unneeded or untimely services for a fee
- USPTO has limited legal authority to take action against scam solicitations
 - Cases may be handled by DOJ, USPIIS, FTC, state consumer protection agencies, etc.
- That said, USPTO can and does engage in efforts to combat scams
 - Education and outreach
 - Webpage resources with listing of known solicitation scams
 - Warnings to filers in Office actions and at registration
 - Topic of discussion at events with bar groups and business owners
 - Dedicated mailbox to report solicitations to USPTO – TMScams@uspto.gov
 - Interagency cooperation (USPTO, DOJ, USPIIS, FTC)
 - [United States v. Suhorukovs, No. 6:20-cr-00210-DCC \(D.S.C.\)](#)



Addressing improper behavior

U.S. Counsel Rule

- Implemented August 3, 2019
 - One of multiple initiatives to protect the integrity of the trademark register
- Requires a U.S.-licensed attorney to file trademark documents with the USPTO
 - Applies to foreign-domiciled trademark applicants, registrants, and parties before the TTAB

Fake specimen refusals: Rate of issuance in 1(a) applications

	May FY19	June FY19	July FY19	Aug FY19	Sept FY19	Oct FY20	Nov FY20	Dec FY20	Jan FY20	Feb FY20	Mar FY20	Apr FY20	May FY20	June FY20
Digital specimen refusal	974	1,640	1,676	2,243	2,816	6,250	2,565	1,520	1,272	1,146	1,690	1,132	1,046	1,011
Percentage of total 1a apps	4.1%	7.7%	4.5%	9.0%	15.3%	31.2%	14.4%	8.58%	6.4%	6.5%	8.4%	5.3%	4.3%	3.7%

Digitally Created/Altered or Mockup Specimens

- Policy/procedure being revised
 - Response to feedback from TM community
- Issuing a revised specimen exam guide
 - Draft complete
 - Will be seeking feedback from practitioners
 - Via Ideascale

Current improper schemes and activities

- Unauthorized use of attorney information
- Improper signatures/use of credentials
- Mail drops and false domiciles (to circumvent U.S. Counsel Rule)
- False applicants
- Unauthorized changes of correspondence information

Combatting improper behavior

- Developing policies, procedures, and technology solutions
- Special task force on improper activities
 - Formed in 2019 to deal with a growing number of suspicious specimens, clearly improper/unauthorized submissions, and other questionable activities
 - Reviews weekly data analytics reports to identify suspicious surges in foreign representation
- Issuance of Show Cause orders—341 to date
- IT solutions
 - TEAS mandatory login with authentication and authorization

User tools to monitor application and registration activity

- Tools enable users to search for trademark applications and registrations and monitor activity
- Choose from a variety of status change alerts
- Available in the Apple App Store and Google Play

- **MyUSPTO**
 - Set up an account and log in
 - Provides updates on status changes every 24 hours
- **USPTO app** 
 - Does not require a USPTO account
 - Provides updates on status changes in 15 mins or less

International collaboration

TM5

- **The five largest trademark offices:**
 - China National Intellectual Property Administration (CNIPA)
 - European Union Intellectual Property Office (EUIPO)
 - Japan Patent Office (JPO)
 - Korean Intellectual Property Office (KIPO)
 - USPTO
- **Focus:**
 - Exchange of information
 - Collaboration and
 - Harmonization projects regarding trademark matters to benefit users
- **Projects include (among others):**
 - Combatting bad faith filings
 - Common status descriptors
 - ID list
 - Non-traditional marks
 - Image searching
 - Anti-counterfeiting
 - Misleading (fraudulent) solicitations
- **TM5 user meeting was held in June**
- **USPTO will be Secretariat (host) for the TM5 Annual Meeting in late 2020**





Thank you!

David S. Gooder

Commissioner for
Trademarks

www.uspto.gov

Office of Policy and International Affairs Update

Shira Perlmutter

July 24, 2020

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Trade negotiations

- Phase One U.S. – China Trade Agreement implementation
- USMCA implementation
- U.S. – U.K. FTA negotiations
- Kenya – U.S. FTA negotiations

Upcoming requests for comments

- Sovereign immunity
- Secondary liability
- Public awareness campaigns for anti-counterfeiting

Plain packaging developments

On June 9, the World Trade Organization (WTO) Appellate Body (AB) issued a report upholding the findings of a Dispute Settlement Panel that Australia's "plain packaging" regime for tobacco products is consistent with its international obligations, including its trademark commitments under the TRIPs Agreement.

OPIA TM webinars

June 2: US Embassy Moscow, IP event

June 3: US Embassies in Middle East/North Africa region, series on TM Law

June 8: Peru/INDECOPI, TM5 ID List Project and the Common Status Descriptors Project

June 9: El Salvador AG's office, Judicial Council, national IP office, 3 webinar series on TM law/exam

June 12: Chile/INAPI, non-traditional mark examination

June 16: US industry, "Recent Trademark and Copyright Decisions from China"

June 19: EUIPO, CIPO, and USPTO, IT modernization

June 23: ASIPI (Latin American IP attorney association), U.S. counsel rule

June 25-26: SBIR/STTR Awardees, US trademark practice, Madrid Protocol

July 2: US Embassies in Sub-Saharan Africa, series on Trademark Fundamentals and on Trademarks Hot Topics

July 10: IMPI Online Summer School, "The route to register your mark in Mexico and the world"

July 16: ASEAN region members, overview of the USPTO Trademark Trial and Appeal Board (TTAB) practice

July 21-22: Foreign Service Institute, "Fundamentals of IP for FSOs" (trademark law and policy)

July 23: US industry, "Using Overlapping IP Protection for Product Design in China"





Legislative/governmental affairs update

Branden Ritchie and Kimberly Alton

July 24, 2020

Trademark Public Advisory Committee quarterly meeting

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Legislative activity

116th Congress

- **Telework for U.S. Innovation Act (H.R. 7448/S. 4138)**
 - Introduced in both the House and the Senate on July 2, 2020
 - Would make the USPTO's authority to conduct TEAPP permanent
- **FY2021 Appropriations bill status: Provide \$3.7 billion for the USPTO**
 - Reported favorably from the House, Commerce, Justice, Science and Related Agencies Appropriations Subcommittee, and the full House Appropriations Committee
- **Congressional updates regarding fee revenues and projections**
- **Trademark Modernization Act 2020 (H.R. 6196/S. 3449)**
- **SHOP SAFE Act**



116th Congress

- House and Senate Judiciary Committee inquiry
 - In April, the USPTO received an inquiry from the chairmen and ranking members of the Senate and House Judiciary Committees and relevant subcommittees seeking a status update on our transition to full-time telework as well as the level of trademark filings, the effect of the decreased filings on the agency in the long-term, and our financial contingencies

116th Congress

- State Sovereign Immunity Study
 - In response to the Supreme Court’s decision in *Allen v. Cooper*, Sens. Tillis and Leahy sent a letter to the USPTO requesting that it “study the extent to which patent or trademark owners are experiencing infringement by state entities without adequate remedies under state law”
 - Study is due no later than April 30, 2021
 - The USPTO is currently conducting legal research into this question and will seek feedback and relevant evidence from external stakeholders, including the states, IP owners, and others.
 - The U.S. Copyright Office has been asked to conduct a similar study relating to copyright infringement

Legislative activity

116th Congress

- USPTO's legislative priorities
 - Continuity of service issues
 - IP attaché rank
 - TEAPP extension
 - Monitor/provide technical assistance regarding pending trademark-related legislation



Thank you!

Branden Ritchie

Office of Government
Affairs and Oversight

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571-272-7300

www.uspto.gov

Trademark Public Advisory Committee USPTO budget update

Jay Hoffman

July 24, 2020

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Agenda

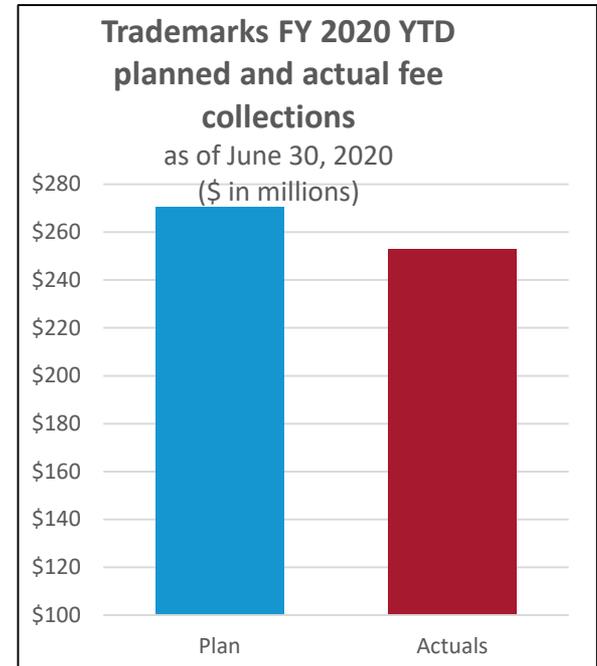
- FY 2020 status
- FY 2021 status
- FY 2022 budget
- Fee rulemaking

FY 2020 status: Trademark financial outlook

- Fee collection revenues
 - Trademark revenues forecasts are between \$331M to \$339M
 - Through June 30, trademark fee collections were 93% of plan
- Expenses
 - Trademark expenses are \$372M in FY 2020, down from \$427M at the beginning of the year
 - The agency recently reduced trademark expenses in response to revenue risks
 - Reductions to trademark expenses were \$45.4M and include:
 - Deferring support business unit hires
 - Deferring trademark examining attorney hires
 - Deferring and reducing direct trademark spending, to include IT projects

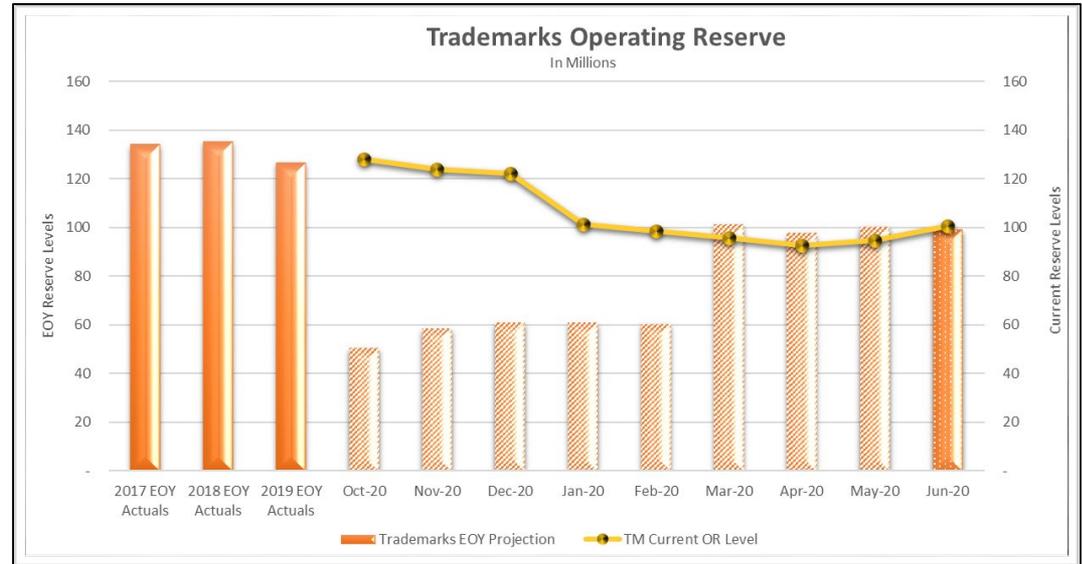
FY 2020 status: Year-to-date fee collections

- Trademark collections through June 30 are \$252.9M
 - This is 6.5% or \$17.7M below the year-to-date planned collections of \$270.6M based off the estimate in the FY 2021 PB
 - Fee revenue in May and June were stronger than anticipated under the current economic environment, especially application filings



FY 2020 status: Operating reserve

- Currently, the trademark reserve is projected to be between \$95M and \$98M by the end of FY 2020
 - The current trend of monthly operating reserve levels support this end-of-year projection



FY 2020 status: Percent change in daily fee collections from 2019 (20-day moving average)



FY 2020 status: USPTO fee relief—status and impact

- The USPTO implemented targeted relief for trademark-related deadlines and fee payments as authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which expired on May 31, 2020
- Not all eligible deferred fees have subsequently been paid. The impact of the relief has been approximately \$2.5M

(Millions)	Total trademark fees				Eligible trademark fees			
	Plan	Actual	\$ Variance	% Variance	Plan	Actual	\$ Variance	% Variance
April	\$31.9	\$27.7	-\$4.2	-13.2%	\$10.8	\$9.3	-\$1.5	-13.8%
May	\$29.1	\$28.1	-\$1.1	-3.6%	\$9.9	\$8.9	-\$0.9	-9.5%



FY 2021 status

- **Requirements**
 - The agency has reviewed and revised its FY 2021 spending requirements in consideration of projected revenue collections and targeted operating reserve levels
 - The agency projects that the current economic environment will still impact trademark applicant and registrant behavior in FY 2021
- **Appropriation process for FY 2021**
 - The House CJS subcommittee markup occurred July 8, 2020
 - The Senate CJS subcommittee markup will occur later this summer

FY 2022 budget

- The USPTO is finalizing its requirements for the FY 2022 OMB budget submission
- The PACs and DOC will receive a draft to review in late August 2020
- The final document is scheduled to be submitted to OMB on September 14, 2020

Fee rulemaking

- The TPAC initially held a public hearing on September 23, 2019, to notify the public of the USPTO's intent to adjust trademark fees
- The trademark fee adjustment Notice of Proposed Rulemaking (NPRM) was published in the Federal Register on June 19, 2020
- Comments are due on or before August 3, 2020
- Subject to public comments, the USPTO anticipates releasing the final rule in FY 2021



Thank you!

Jay Hoffman

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Break

WE WILL RETURN IN 10 MINUTES

Trademark Trial and Appeal Board Update – FY2020 Report

TTAB Chief Judge Gerard Rogers
July 24, 2020

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Cumulative increases FY17-FY19

- Ex Parte Appeals Up 6.8%
- Extensions to Oppose Up 7.6%
- Oppositions Up 18.3%
- Petitions to Cancel Up 31.3%

FY 2020 TTAB incoming filings

FY 2020 TTAB incoming filings	FY 2019 EOY results	FY 2020 actual, target or projected	FY 2020 Through June 2020	Rate of Change
TYPE OF FILING Notices of Appeal Extensions of Time to Oppose Notices of Opposition Petitions to Cancel	3,333 20,502 6,955 2,426		2,495 14,399 5,045 1,865	N.A. -6.4% -3.3% +2.5%

Trends in new filings

Type of filing	FY18 (% +/- FY17)	FY19 (% +/- FY17)	By Quarters in FY19	By Quarters in FY20	FY20 Thru Q3 (rate of change +/- FY19)
Appeals	3,223 (+1.2%)	3,333 (+3.4%)	866; 747; 871; 849	863; 803; 829	2,495 (no change)
Extensions of time to oppose	19,208 (+3.9%)	20,502 (+6.7%)	4,672; 4,673; 5,564; 5,593	5,025; 4,669; 4,705	14,399 (-6.4%)
Oppositions	6,496 (+5.5%)	6,955 (+7.1%)	1,599; 1,632; 1,780; 1,944	1,841; 1,639; 1,565	5,045 (-3.3%)
Cancellations	2,253 (+7.2%)	2,426 (+7.7%)	565; 599; 609; 653	632; 654; 579	1,865 (+2.5%)

Trends – cases ready for decision

Final decisions on merits appeals and trial cases	FY18 (% +/- FY17) (% trials)	FY19 (% +/- FY18) (% trials)	By Quarters in FY19	By Quarters in FY20	FY20 Thru Q3 (rate of change +/- FY19)
Maturing to RFD (ready for decision) (appeals/trials) (percent trials)	650 (-4.3 %) (473/177) (27.2%)	744 (+14.5%) (514/230) (29.9%)	191; 185; 201; 167 (33%); (32%); (34.3%); (23.4%)	145; 176; 176 (23.4%); (27.8%); (16.5%)	497 (-10.9%) (385/112) (22.5%)
Awaiting decision at end of period (appeals/trials) (percent trials)	130 (+39.8%) (74/56) (43.1%)	206 (+58.5%) (123/83) (40.3%)	197; 213; 267; 206 (33.5%); (39.4%); (40.8%); (40.3%)	235; 211; 194 (34.9%); (32.2%); (22.7%)	194 (-5.8%) (150/44) (22.7%)

FY 2020 TTAB performance:

FY 2020 TTAB performance: Contested Motions	FY 2019 EOY results	FY 2020 Actual, Target or Projected	FY 2020 Through June 2020	Variance
<p>PENDENCY – Contested motions</p> <p>(1) Measured from ready-for decision until mailing; average of orders on contested motions, excluding precedents, issued during reporting period</p>	11.5 weeks	8-12 weeks (target)	11.8 weeks	Within target range
<p>INVENTORY – Contested motions ready for decision</p> <p>The number of cases with contested motions in which briefing was completed, becoming ready for decision, as of the end of the reporting period</p>	242		199	17.8% decrease

Trends – motions ready for decision

Contested Motions	FY17 (% +/- FY16)	FY18 (% +/- FY17)	FY19 (% +/- FY18)	By Quarters in FY19	FY20 thru Q3 (rate of change +/- FY19)
Maturing to RFD (ready for decision)	1212 (+4.4%)	1287 (+6.2 %)	1284 (-0.2%)	341; 301; 304; 338	1065 (10.6% change compared to 75% of FY19 total)
No. of Motions Resolved by Issued Decisions (No. of Decisions Issued)	1,238 (-9.4%) (991) (-3%)	1,318 (+6.5%) (1,082) (+9.2%)	1,231 (-9.4%) (1,002) (-7.4%)	248; 376; 270; 337 (208; 304; 216; 274)	977 (+5.8%)* (781) (+3.9%)* *each compared to 75% of FY19 total
No. of Cases with Motions Awaiting Decision at end of period	147 (+25.6%)	165 (+12.2%)	242 (+46.7%)	197; 213; 267; 242	199 (-17.8%)

FY 2020 TTAB performance: Final Decisions

FY 2020 TTAB performance: Final Decisions	FY 2019 EOY results	FY 2020 actual, target or projected	FY 2020 Through June 2020	Variance
<p>PENDENCY – Final decisions in ex parte appeals Average time to issuance, measured from ready for decision date until mailing for final decisions, excluding precedents, in appeal cases decided during reporting period</p>	12.7 weeks	10-12 weeks (target)	13 weeks	above target range
<p>PENDENCY – Final decisions in trial cases Average time to issuance, measured from ready for decision date until mailing for final decisions, excluding precedents, in trial cases decided during reporting period</p>	15.3 weeks	12-15 weeks (target)	18 weeks	above target range

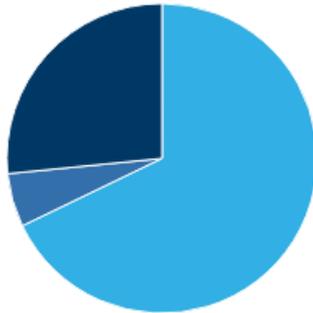
FY 2020 TTAB performance: Final Decisions (cont'd.)

FY 2020 TTAB performance: Final Decisions	FY 2019 EOY results	FY 2020 actual, target or projected	FY 2020 Through June 2020	Variance
<p>INVENTORY – Cases ready for final decision The number of pending appeals and trial cases in which briefing was completed, or in which briefing and arguments were completed, thus becoming ready for decision on the merits, as of the end of the reporting period</p>	<p>Ex parte appeals 123 Oppositions 57 Cancellations 24 Concurrent Use 2 <u>Total:</u> 206</p>		<p>Ex parte appeals 150 Oppositions 30 Cancellations 14 Concurrent Use 0 <u>Total:</u> 194</p>	<p>appeal balance up but trial balances down</p>

Age of appeals pending decision

Age of Pending Appeals, Measured from RFD
- End of Q2 2020

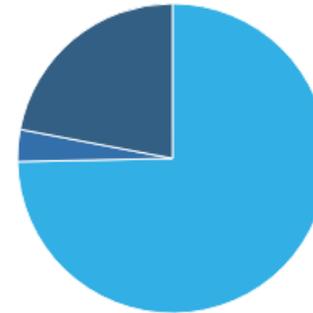
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■ < 10 weeks ■ 10-12 weeks ■ > 12 weeks

Age of Pending Appeals, Measured from RFD
- End of Q3 2020

Save data



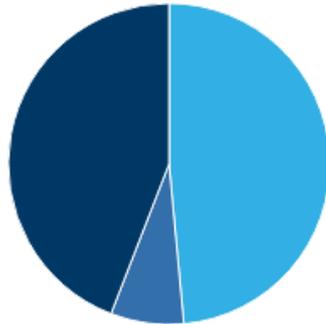
■ < 10 weeks ■ 10-12 weeks ■ > 12 weeks

These two graphs show the changing makeup of the age of appeal cases waiting to be decided on the merits, as of the end of the respective quarters.

Age of trials pending decision

Age of Pending Trial Cases, Measured from RFD - End of Q2 2020

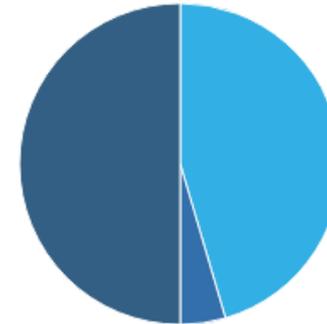
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■ < 12 weeks ■ 12-15 weeks ■ > 15 weeks

Age of Pending Trial Cases, Measured from RFD - End of Q3 2020

Save data



■ < 12 weeks ■ 12-15 weeks ■ > 15 weeks

These two graphs show the changing makeup of the age of trial cases waiting to be decided on the merits, as of the end of the respective quarters.

FY 2020 TTAB performance: End-to-End Processing Times

FY 2020 TTAB performance: End-to-End Processing Times	FY 2019 EOY results	FY 2020 actual, target or projected	FY 2020 Through June 2020	Variance
TOTAL PENDENCY Average total pendency, commencement to completion, excluding precedents	40.5 weeks		48.6 weeks	+20%
Appeals (448 in FY19; 338 decided FY20)	160.6 weeks		149.7 weeks	-2.3%
Trial cases (203 in FY19; 149 decided FY20)	126.2 weeks		93.5 weeks	-25.9%
ACR trial cases (27 decided in FY19; 13 decided FY20)				

FY 2020 TTAB Staffing

FY 2020 TTAB staffing	As of October 1, 2019	As of June 2020	Projected
JUDGES and ATTORNEYS			
Administrative Trademark Judges	23	24	ATJs may be added
Interlocutory Attorneys	14/1	17/1	

TTAB IT updates

- July Enhancement Package: ESTTA 3.1/TTABIS 4.1
- Entering non-U.S. domicile address for filing party forces filer to Attorney Correspondence screen automatically (entry of such an address automatically checks “represented by attorney” box)
- Checking attorney box activates “Bar membership info” box; U.S. counsel fields viewable to filer and in TTABIS, but not in TTABVUE
- Registrant’s “owner email” masked while petitioner completes Petition to Cancel filing process and on final coversheet; appears in TTABVUE correspondence address field only
after institution

TTAB IT updates

- Separate email field for required Primary email address (limit of one); Up to 10 optional secondary email addresses
- Matches structure in Trademark systems
- Improved synchronization between Trademarks and TTAB databases on correspondence fields and application or registration records
- Emails issue concurrently to primary and secondary addresses; identical except for the “from” email address
- New optional Docket Number field for external attorneys

TTAB IT updates

- TTAB Reading Room will replace e-FOIA webpage August 1
- Search final decisions and precedential decisions/orders
- Search by date, issue involved, or other criteria, or by text
- URL: <https://e-foia.uspto.gov/Foia/TTABReadingRoom.jsp>
- Provide feedback via TTABFeedback@uspto.gov (suggestions will be considered for future releases)



Trademark IT update to the Trademark Public Advisory Committee (TPAC)

Eunice Wang

Trademark Product Line Manager (acting)

July 24, 2020

UNITED STATES
PATENT AND TRADEMARK OFFICE



Activity since last TPAC meeting

- Engaged stakeholders
 - Modified TEAS to support COVID-19 Prioritized Examination Program
 - Optimized TESS bandwidth usage
 - TEAS enhancements release
 - Beta testing for updated Post-Registration Response to Office Action form
 - Incorporated feedback from two TSDR application programming interface (API) training sessions
- Improved technology
 - Implemented the new 90 series records
 - Continued artificial intelligence (AI) work for potential incorporation into future solution
 - Resolved critical and high security findings by completing operating system patching

Road ahead

- **Upcoming deployments and scheduled maintenance**
 - August 22-23: Planned system maintenance impacting numerous systems (e.g. TEAS, TEASi Madrid, ESTTA, etc.)
 - TSDR APIs available in mid-late August
- **Continual improvements**
 - Reduce suspicious filings by developing proof of concept for Login phase 2: Identity proofing
 - Continue trademark system infrastructure modernization and stabilization as directed by the business priorities
 - Subject to financial resources



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Commissioner for Trademarks

Closing remarks

