INTA USPTO Subcommittee Comments: <u>Coding of Design Marks in Registrations</u>
USPTO Federal Register Notice Request for Comments
(Docket No. PTO-T-2010-0090--Federal Register Volume 75/No 248)

The INTA USPTO Subcommittee supports the USPTO's decision to discontinue coding design marks with paper search design designations (TC Index Codes). The subcommittee agrees the cost savings, the limited use of the TC Index Codes, and the imperfect search results based on the use of the TC Index Codes, justifies its discontinuation. The improved accuracy of design searching under the USPTO Design Classification system, the ability of applicants, registrants, and the public to request revisions or additions to design coding, and the USPTO practice of requiring a description of a mark with design elements serve current users and examining attorneys sufficiently. The subcommittee encourages the USPTO to use cost savings associated with the elimination of the TC Index Codes for activities that assist users in the electronic environment such as the Trademark Next Generation program.

As the USPTO discontinues use of the TC Index Codes, the INTA subcommittee would like to emphasize the importance of the following activities:

- maintaining publicly available electronic searching capabilities for all design marks;
- continuing communication with applicants and registrants to maintain the accuracy of design codes assigned to pending applications as well as registrations; and
- enhancing and improving electronic search capabilities for all marks including non-traditional marks.

In conclusion, the INTA USPTO subcommittee applauds the USPTO for identifying areas where the Office may save costs and re-direct its resources to improve the efficiency and quality of USPTO services. Further, the subcommittee continues to fully support the USPTO's focus on developing and implementing programs and initiatives using electronic resources and processes.