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**ANNUAL TECHNICAL REPORT**

**2001**

**ON TRADEMARK INFORMATION ACTIVITIES**

submitted by the

**UNITED STATES OF AMERICA**

An annual series of reports on the trademark information activities  
of members of the Standing Committee on Information Technologies

**ANNUAL TECHNICAL REPORT ON TRADEMARK INFORMATION ACTIVITIES**

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**UNITED STATES OF AMERICA****I. Evolution of registration activities:**

In calendar year 2001, the USPTO received 216,725 applications for the registration of a trademark including 284,867 classes. Application filings, as measured by classes filed, decreased 23 percent over prior year results, compared to a 52% increase in calendar year 2000 over calendar year 1999 results. In the first four months of calendar year 2002 application filings were 69,868, a decrease of 11 percent from the same period one year prior. Trademark application filings are projected at 211,288 by calendar year end, a decrease of approximately 3.5 percent over calendar year 2001 filings and to a level of approximately 262,198 classes. In fiscal year 2003 (October 1, 2002 through September 30, 2003), the USPTO growth estimates project an increase in application filings of 8 percent. In fiscal year 2004 and beyond, growth in application filings is projected at 10 percent annually. In fiscal year 2001 filings of applications in service classes remained virtually the same as prior year results, while international goods classes sustained an overall drop of more than 10 percent.

The USPTO issued 108,840 certificates of registration including 132,258 classes in calendar year 2001. This was nearly identical to the 109,695 certificates of registration containing 132,636 classes issued in calendar year 2000.

**II. Matters concerning the generation, reproduction, and distribution of secondary sources of trademark information, i.e., trademark gazettes:**

The USPTO extracts text and image data to generate the weekly publication of the electronic and paper Official Gazette and the printing of registration certificates. The textual elements of these publication products is exported from the Office's central database along with the designs (figurative elements) which are extracted from the a database of digitized images, automatically inserted into the layout and forwarded electronically to the publisher, the U.S. Government Printing Office (GPO) as a Postscript file. This process results in the fully automated formatting of the Official Gazette and registration certificates. Improvements realized include increased economy and reduced publication time – thus allowing for closer quality review of the products prior to publication. Additional reductions in process time are expected in the near future, as this process possesses the potential to reduce overall cycle time and enable new means of distribution.

Each issue of the USPTO's Official Gazette contains a Notices Section in which the Office publishes various materials related to the registration and maintenance of trademarks. In addition, the USPTO makes extensive use of the USPTO

Website to publish information related to trademarks. The Website, at <http://www.uspto.gov> currently provides access to a searchable data base of pending applications and registrations (TESS), an administrative data base with information regarding the status and location of trademark applications and registrations (TARR), the Trademark Manual of Examining Procedure, the U.S. Goods and Services Manual used in examination; data bases related to the Trademark Trial and Appeal Board actions, and various other materials related to Trademarks.

- Mass storage media and microforms used:  
The Office collects 100% of all new application data via a scanning process (for paper filed applications) and as a formatted file transfer (for electronically filed applications). Images of all new applications are available electronically at the desktop of the staff within the Office and working from home.
- Word processing and office automation:  
The USPTO continues to revise and expand the word processing templates that support examiner correspondence. The most recent revisions are based on the newly revised version of the Trademark Manual of Examining Procedure (TMEP). Generally, all information and resources needed to process applications is available electronically at the employees' desktop.
- Techniques used for the generation of trademark information (printing, recording, photocomposing, etc.):  
As described above, the Office had automated its photocomposition process. Previously, the Office extracted all character data from the central database and manually included the design elements, the process now performs fully automatic layout of character and image data. The Office employs 3B2 for layout and continues to use the US Government Printing Office for production printing.

### **III. Matters concerning classifying, reclassifying and indexing of trademark information:**

- Classification and reclassification activities: Classification systems used, e.g., International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification), International Classification of the Figurative Elements of Marks (Vienna Classification), other classification (please state whether goods and services for the registration of marks and whether the figurative elements of marks are classified by your Office and, if so, which classification(s) is (are) used);
- The USPTO currently uses the Nice Classification system for classification of goods and services. The USPTO uses three additional classes, i.e., 200 for collective marks and "A" and "B" for certification marks. Other than this deviation, the USPTO applies Nice classifications to all goods and services.

- Use of electronic classification systems to check the classification symbols furnished by an applicant and which are contained in the lists of goods and/or services;
- The USPTO has developed an Intranet based search tool to provide for electronic searching of the classification manual. This new system provides PTO staff with improved access to classification manual and Notices while providing greater flexibility for modifications. It is now possible to modify the contents of the classification manual on a daily basis. The technology supporting this facility is the same as that supporting the Offices search system thus providing a search syntax already familiar to the examining attorneys.
- Obligation for applicants to use pre-defined terms of the classification applied;  
None.
- Bibliographic data and processing for search purposes.  
The USPTO continues to use the automated search system (X-Search) for all internal trademark searching requirements. Customers are provided with automated search access on TESS, accessed via the [www.uspto.gov](http://www.uspto.gov) site. Additionally, customers may access the internal search system at the Trademark Search Library in Arlington Virginia and selected PTDLs. The contents of the two databases are identical and the search software is the same. The Internet site provides a browser interface while the internal site is accessed via an MS Windows based client application.

#### **IV. Trademark manual search file establishment and upkeep:**

- File Building;
- Updating;
- Storage, including mass storage media;
- Documentation from other offices maintained and/or considered part of the available search file.  
The USPTO does not maintain a manual search file for internal use. All searches performed by examiners are completed using an automated search system.

#### **V. Activities in the field of computerized trademark search systems:**

- In-house systems (online/offline);  
As described above, the USPTO continues to support two automated trademark search systems. X-Search for all internal trademark searching requirements and limited access to the public and TESS which is accessed via the Internet at the [www.uspto.gov](http://www.uspto.gov) site.
- External databases;  
External resources are used for specific search requirements. Included is Lexus/Nexus and certain CD-ROM based search database such as Computer Select

and McCarthy/LawDesk. Additionally, the Internet is available to all Examining Attorneys for reference.

- Administrative management systems (e.g., register, legal status, statistics, administrative support, etc.);

The USPTO continues to rely on TRAM as the central automated database system to support the management of the internal operations of the Trademark Office. Work has recently commenced on the development of a workflow system (referred to as the Trademark Information System) that would provide fully automated support for, and access to, most all resources required to support trademark operations.

- Equipment used (hardware, including the types of terminal and network used, and software), carriers used.

The USPTO has a rich environment of equipment supporting Trademark operations. The TRAM system runs on a UNISYS A series mainframe; NT and HP-UX servers support other systems. A complete description of technical resources used is included in the USPTO Technical Reference Manual, which can be located at: <http://www.uspto.gov/web/offices/cio/cio-docs.htm>

**VI. Administration of trademark services available to the public (relating to facilities, e.g., for lodging applications, registering trademarks, assisting clients with search procedures, obtaining official publications and registry extracts):**

- Planning, administration, automation, security;
- Collection management, preservation;
- Information services available to the public (including computerized services and search files contained in libraries remote from your Office and trademark information posted by your Office on the World Wide Web).

The USPTO provides valuable resources on the Internet to assist our customers. There is an electronic filing facility (TEAS) that allows for the completion payment and submission of new applications online. TESS provides a quality information retrieval facility to search for marks that are within our database. TARR provides up-to-date data on applications and registration, including the current status and prosecution history. In addition, there are various other offerings including manuals used by examiners that explain various aspects of the USPTO and the trademark system. Visit us at: <http://www.uspto.gov>

**VII. Matters concerning mutual exchange of trademark documentation and information:**

- International or regional cooperation in the exchange of trademark information, e.g., in the form of official gazettes;
- Exchange of machine-readable information.

The USPTO offers a variety of machine-readable products from the trademark databases. A catalog of products can be found at the following address: <http://www.uspto.gov/web/offices/ac/ido/oeip/catalog/index.html>

**VIII. Matters concerning education and training including technical assistance to developing countries:**

The USPTO offers various programs to provide technical assistance to developing countries and countries moving to a market economy. Programs focus on establishing adequate systems in these countries for the protection of intellectual property rights. Activity was increased in the area of intellectual property enforcement training. The programs provide advice and expertise to these countries with the desired goal being the reduction of losses resulting from piracy of U.S. intellectual property. There were two Visiting Scholars Programs in 2001 which provided participants from 32 countries with two weeks of classroom and hands-on study of various aspects of the administration of intellectual property law, patent and trademark examination and copyright protection, and an opportunity to gain an understanding of the important role of intellectual property protection as a toll for economic development. Other highlights include two Intellectual Property Enforcement Training Programs, participation in an Intellectual Property Rights Conference in Nigeria, and participation in a Symposium on the Internet and IP Crime.

**IX. Other relevant matters.**

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