

# SCIT.ATR.ID.2007.US

## Annual Technical Report 2007 on Industrial Design Information Activities submitted by United States of America (SCIT/ATR/ID/2007/US)

Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

The expression "industrial designs" covers industrial designs and models. Offices which issue design patents should report their design patent information activities in this series of Annual Technical Reports.

### I. Evolution of registration activities

#### Changes experienced in terms of application filings and grants (registrations) with respect to the previous year

In calendar year (CY) 2007, the USPTO granted 24,063 design patents, an increase of 14.8 percent from the number granted in CY 2006. The share of grants having foreign origin, as determined by the residence of the first-named inventor, was 43.9 percent for CY 2007, down from 44.2 percent for CY 2006. The top patenting organizations receiving design patents in CY 2007 were Samsung Electronics Co., Ltd. (622 design patents), Microsoft Corporation (327 design patents), Sony Corporation (222 design patents), Nike, Inc. (220 design patents), Procter + Gamble Company (213 design patents), LG Electronics Inc. (189 design patents), Wolverine World Wide Inc. (164 design patents), and Hon Hai Precision Ind. Co., Ltd. (150 design patents).

There were 27,752 design patent applications filed at the USPTO in CY 2007, an increase of 8.8 percent from the the number filed in CY 2006. The CY 2007 share of applications having foreign origin, as determined by the residence of the first-named inventor, is 44.2 percent, the same percent as for CY 2006.

#### Trends or areas experiencing rapid changes with respect to the previous year

Among the highly active design patent areas for calendar year (CY) 2007, the number of design patent grants in 'Medical and laboratory equipment' increased by 74 percent, 'Lighting' increased by 35 percent, 'Furnishings' increased by 30 percent, 'Packages and containers for goods' increased by 25 percent, and 'Equipment for preparing or serving food or drink not elsewhere specified' increased by 23 percent.

#### URLs of web pages of the Office's website that provide statistics related to industrial designs

General statistics relating to design patents may be accessed from the following USPTO Web Site pages:

General calendar year design patent statistics reports can be accessed from the following URL:  
<http://www.uspto.gov/web/offices/ac/ido/oeip/taf/reports.htm>

General fiscal year design patent statistics and USPTO workload statistics can be accessed from the text and workload tables contained in annual USPTO Performance and Accountability Reports, which may be accessed from the following URL:  
<http://www.uspto.gov/web/offices/com/annual/index.html>

### II. Matters concerning the generation, reproduction, and distribution of industrial design documents and of secondary sources of industrial design information, i.e., official gazettes

#### Publishing, including printing, copying techniques and electronic printing

The USPTO is automatically loading electronic images of the Patent Grant Issue Notifications into the Image File Wrapper. In addition, as these Notifications are outgoing correspondence, the automatic electronic mail notification exists if the customer has elected to participate in the electronic notification program. The office continues to mail conventional paper copies as well.

#### Data Products Provided to the Public

The USPTO Electronic Information Products Division (EIPD) continues to provide patent information products and services to the public in a variety of formats. The Products and Services Catalog on the USPTO Web site describes USPTO products and services, and contains details on how to obtain them.

The following CD-ROM product is available for purchase by the public:

Electronic Official Gazette of the U.S. Patent and Trademark Office – Patents (eOG:P)

The eOG:P began publication in July 2002 on both the USPTO Web site (free) and on CD-ROM (subscription). In September 2002, the eOG:P replaced the paper Official Gazette that had been published since 1872. The eOG:P contains the OG record, including an exemplary claim and a representative image (if applicable). Indexes by type of patent (e.g., utility, design), patentee name (both inventor and assignee), geographical location of the first listed inventor (U.S. state or country), and classification are provided. The eOG:P is available each Tuesday. A rolling calendar year's worth of eOG:P are kept on the USPTO Web site.

#### Main types of announcements of the Office in the field of industrial design information

There are no new developments to report for calendar year 2007.

#### Mass storage media and microforms used

In 1998, USPTO established an Internet database with access to the full-text and images of patents from 1976 forward, consisting of two terabytes of full-page images and 120GB of searchable full-text. In 2000, USPTO acquired an additional 2 terabytes of storage and added images of all US patents from 1790 through 1975. Presently, almost four terabytes of full-page image data for all patents from 1790 to the present is stored on these devices at USPTO and accessible from the Internet, along with 200GB of patent numbers and current US classifications for all patents from 1790 through 1975, as well as searchable full-text for all patents from 1976 to the present. In addition, 4.5 terabytes of storage have been deployed for patent pre-grant data (PGPub). The PGPub storage is needed to meet legislative mandates issued in 1998, in the American Inventor Protection Act (AIPA), which requires the timely granting of patents and the early publication of applications.

Each year the USPTO produces nearly 200 Cassis optical disc masters containing a wide variety of patent and trademark information including design patents. It is possible to search exclusively in the design patents by selecting designs as the document type for the search tool.

### **Databases and office automation**

In 1998, the USPTO established an Internet database with access to the full-text and images of granted patents from 1976 forward, consisting of 2 Terabytes (TB) of full-page images and 120 Gigabytes (GB) of searchable full-text. In 2000, the USPTO acquired an additional 2 TB of storage and added images of all US patents from 1790 through 1975. Presently, almost 4 TB of full-page image data for all patents from 1790 to the present are stored on these devices at the USPTO and accessible from the Internet, along with a 200 GB file consisting of patent numbers and current US classifications for all patents from 1790 through 1975, as well as searchable full-text for all patents from 1976 to the present. In addition, 4.5 TB of storage have been deployed for published patent applications from March 15, 2001 forward. The published patent applications storage meets legislative mandates issued in 1998, in the American Inventor Protection Act (AIPA), which requires the timely granting of patents and the early publication of applications.

Each year the USPTO produces nearly 200 optical disc masters in the Cassis and USA product lines, containing a wide variety of patent and trademark text and image information. Cassis includes four patent text products, as well as two trademark text products and USA includes two patent image products and one trademark image product. Over 76,000 discs per year are sold to the public or distributed at no charge to Intellectual Property Offices (IPOs) around the world, to PTDLS, and to the USPTO search facilities. An additional 56,000 discs are distributed each year to Federal Depository Libraries directly from the Government Printing Office.

Bulk data products consisting of TIFF image data and XML files are also produced for exchange with other IPOs and for dissemination to commercial customers. The USPTO's Electronic Information Products Division (EIPD) oversees the creation and distribution of over 250 data files each week. These data files are provided via File Transfer Protocol (FTP) and Digital Linear Tape to approximately 50 external customers worldwide.

Some Cassis products also provide a standalone search capability for use on individual workstations.

EAST and WEST search clients provide access to text information available back to 1920. Images of all USPTO Design Patents are available in either EAST or WEST with access through domestic and/or international classification assignments.

#### **Search Clients**

Design examiners have access to the same two search clients used by utility examiners, both of which provide text and image search and display capabilities. One is a browser-based client called WEST (Web-based Examiner Search Tool); the other is a coded client called EAST (Examiner Automated Search Tool). WEST is designed for ease of use and rapid deployment of new functionality. EAST has a more complex interface, designed for greater user customization, more rapid retrieval of images, and greater use of the keyboard. Through these search clients, all USPTO patent examiners have access to full U.S. patent images from 1790 and full U.S. patent text search from 1920. The 1920-1970 segment of the U.S. database is the U.S. Patents OCR database. Access to another segment of the U.S. Patents OCR database covering the period from 1790 to 1919 has not been planned. Since the introduction of U.S. Published Applications in March 2001, the full text and images of these documents have been made available. Also available are the contents of the First Page DataBase (FPDB) project, IBM Technical Disclosure Bulletins, and Derwent World Patents Index (WPI). The FPDB consists of the English-language Patent Abstracts of Japan (PAJ) from 1976, and five European Patent Office (EPO) member states (EP patent documents, France, Germany, Great Britain and Switzerland), and WIPO patent documents (PCT Publications), from 1978. Additionally, examiners have access to full patent document images from 1920 for these same intellectual property authoring countries and organizations. The addition of full English-language text of EPO documents and full patent document images for additional intellectual property countries and organizations is planned.

In 2006, the full text search databases for US Patents and Published Applications migrated to using the International Common Element (ICE) Red Book for Patent Grant Data/XML and Patent Application Data/XML publication format as the input source content. See <http://www.uspto.gov/web/offices/ac/ido/oeip/sgml/st32/redbook/rb2004/rb2004.html> for more information. Both search clients were updated to facilitate search and display of additional data content.

The USPTO Internet Patent search web site (<http://www.uspto.gov/patft/index.html>) was transitioned to being hosted on the USPTO campus.

### **III. Matters concerning classifying, reclassifying and indexing of industrial design information according to the classification systems applied**

**Classification and reclassification activities; Classification system used, e.g., International Classification for Industrial Designs (Locarno Classification), other classification (please indicate whether industrial designs are classified by your Office and, if so, which classification is used)**

All design patents that issued between 1970-1984 and from 1997 onward include both a US Patent Classification designation and a Locarno International Classification designation. The EAST and WEST search systems available within the USPTO and at selected Patent and Trademark Depository Libraries provide the capability for searching for US design patent documents issued from 1997 onward with either a US or a Locarno classification designation.

The USPTO maintains a concordance between the United States Patent Classification System and the Locarno International Classification System, 8th edition. This concordance is updated to reflect new subclasses established in the design patent search file as part of the reclassification of US design patent documents. The USPC Index is also updated to reflect new subclasses established as part of the reclassification of US design patent documents.

Formal definitions have been published for all mainline subclasses and will be published for any newly established subclasses in design classes. The purpose of formal definitions is to clarify the type and scope of subject matter contained in a class or subclass. Formal definitions may include search notes that aid in locating additional areas in the USPC system pertinent to specific subject matter. Classification definitions are available at the URL below:

<http://www.uspto.gov/web/offices/ac/ido/oeip/taf/def/index.htm>

Further information about the use of the US Patent Classification System is available at:  
<http://www.uspto.gov/main/patents.htm>

## **Bibliographic data and processing**

Currently, USPTO provides full text search of US patents back to 1970. Additionally, patent search capabilities provide text search of US Patent Applications (PGPub), US Patents, JPO and EPO abstracts, Derwent World Patent Index database, IBM's Technical Disclosure Bulletins, and OCR text of US Patents issued between 1920 and 1971. For the OCR file, examiners identify relevant documents by text searching the OCR file and use the document images to determine applicability to applications under review.

## **IV. Search file establishment and upkeep**

### **File building**

By the end of calendar year 2007, the total number of US Design Patents increased by 24,063 for a total of 557,629 documents. An average of 463 design patent documents issued each week and were added to the search file.

#### **OCR File**

Using Optical Character Recognition, the USPTO has captured the text of all U.S. patents back to 1790, which is approximately 3.9 million additional documents. This text has not been perfected and contains mistakes in reading letters, and does not associate the data with the fields in the search system. It is being characterized as the "dirty OCR data." The dirty OCR'd text of the U.S. patent backfile was provided to the Computer Search System (CSS) project and loaded into the EAST and WEST search systems in 2000-2001. Initial examiner access to the OCR backfile was provided via the WEST (Web-based Examiner Search Tool) interface in October 2001; it was available in EAST (Examiner's Automated Search Tool) in January 2002. In FY 2002, the USPTO added "clean" bibliographic data to the backfile. The OCR patent back file will be made available for exchange with the USPTO's International partners and for sale to commercial customers.

#### **NPL**

Development of a database of examiner-identified NPL continued. The database currently contains NPL on business methods, telecommunications, designs and nanotechnology. Each document in the database has been assigned an EPO XP number, to facilitate potential inclusion in the EPO's NPL database. The types of documents submitted by examiners include journal articles, portions of books, documents from the Internet, advertisements, press releases, and standards. The database has been available to examiners since 2002.

USPTO examiners have desktop access to over 17,000 journals in electronic format as well as 6,000 thousand electronic books.

In 2001, registered industrial design images of CD-ROM from the International Bureau and the Japanese Patent Office became available for access by design patent examiners.

### **Updating**

Concurrent with the publication of each new Design Patent in the Official Gazette, copies are added to the electronic search files.

Also, see File Building, above.

### **Storage, including mass storage media**

In FY 1997 and FY 1998, the USPTO installed 42 Terabytes (TB) of Redundant Arrays of Independent Disk (RAID) magnetic disk storage to process patent, trademark, and other business data electronically. From FY 1999 through FY 2001 additional capacity was acquired that doubled the amount of online magnetic storage available. The USPTO is continuing its partnership with EMC Corporation for server attached and Storage Area Network (SAN) storage devices. With a long-term lease agreement, the USPTO has acquired over 400 TB of raw disk capacity at the end of FY 2004. Managing this storage will require continued vendor support, and implementation of storage management tools. In FY 2004 and FY 2005 the USPTO extended the SAN to support the agency move to Carlyle and to enhance disaster recovery capabilities.

### **Documentation from other offices maintained and/or considered part of the available search file**

Gazette type publications of design registrations from over 37 nations or international organizations are available to examiners. These publications are generally maintained in the Design Library located in the USPTO Scientific and Technical Information Center (STIC).

A collection of non-patent literature is available to examiners in the Design Library. Non-patent literature includes commercial publications, catalogs, magazines, advertising fliers, technical publications and other information pertinent to the 33 classes for industrial designs in the United States Patent Classification system. Additionally, the Scientific and Technical Information Center provides complete library services that include links to libraries nation-wide, literature acquisition as requested, and cataloging of literature received. The literature in the collection can be searched via an on-line catalog maintained by the STIC.

The USPTO's Facility Operations and Production Services Division (FOPSD) staff are responsible for all text and image data load processes and maintenance of both domestic and foreign patent data. FOPSD staff perform the data loading and maintenance of both text and image data for the following foreign databases: Derwent WPI Data Load, Foreign Image Data Load (EPO/JPO Full Image Data, DOCDB, ECLA, JPO FI-Data File, JPO F-Term Data File, JPO IPC Converted and Concordance File, Canadian Mimosa and Australian Mimosa).

## **V. Activities in the field of computerized search systems for industrial designs**

### **In-house systems (online/offline)**

Design examiners at the USPTO have the same search tools as utility examiners. The International Patent Classification field that is part of the text search system can also be used to search Locarno classifications for industrial design patents but is not frequently used by USPTO examiners.

In October 2000, the patent database on the Web was expanded to include additional U.S. patent image data back to 1790 and other ancillary documents. The patent image data can be accessed by a class/subclass search or by patent number. In FY 2001, the USPTO began electronically publishing for Pre-Grant Publication (PGPub) patent applications. Biosequence repository data was made available in FY 2002. In FY 2003, assignment data was added to the Web site.

In November 2007, the Patent Application Image Retrieval (PAIR) system on the USPTO Web site received 3.7 million search requests – nearly quadruple the number from just one year earlier – and USPTO initiated a study of the method and types of data needed by our customers in order to ensure access and availability.

### **External databases**

The STIC performs searches for the design examiners on commercial online databases when requested. They also search for resources on the Internet that are appropriate for design examiners.

External databases are primarily accessed using software such as STN Express or DialogLink loaded on PTOnet. Examiners also use secure communications and servers to search these services via the Internet. VPNs with STN and Dialog allow for fast, secure searching. Examiners establish connections to the external databases through sessions that are set up after logging into the PTO firewall. The USPTO's Internet access line bandwidth has been upgraded to two full T-3 connections and two full OC-3 connections (a total of 390 Mbps)

### **Administrative management systems (e.g., register, legal status, statistics and administrative support)**

Patent Application Locating and Monitoring System (PALM)

PALM continues to constitute the backbone for management information throughout the USPTO. PALM additionally tracks examiner and other employee production, case history and bibliographic data. Via PALM reports and ad-hoc reports, PALM data is used to manage and track the USPTO's pending applications. Throughout 2007, the main emphasis was on making changes to provide services to other projects such as PFW, PAIR and the e-Office Action Pilot.

PALM on PTOnet

All managers, Patent examiners and support staff have been provided access to the current PALM System on their desktop PC via barcode readers and a web browser interface. Efforts at making more PALM interfaces web-browser-based have improved efficiency and increased case tracking accuracy.

### **Equipment used (hardware, including the types of terminal and network used, and software), data carriers used**

PTOnet has an architecture consisting of a campus-wide Gigabit Ethernet switched backbone with closet switches providing switched Ethernet connection to individual workstations. Currently, PTOnet users have dedicated 100 Mbps switched Ethernet connections.

PTOnet

Since desktop applications require increasingly more network bandwidth (through the backbone server attachments), in 2002 PTOnet was upgraded to keep ahead of the requirements. Prior to the most recent network upgrade, PTOnet users had access to a 10 Mbps Ethernet segment. Currently, PTOnet users have dedicated 100 Mbps connections; industry analysis indicates this will be more than sufficient for any forecast client application.

PTOnet provides examiners and other staff with access to the Internet through dual-redundant firewalls. Access zones implemented via firewalls and proxy servers have been implemented to provide a limited amount of controlled access to PTOnet resources for external users. Additional external access capabilities are being developed through the implementation of a variety of access control mechanisms including digital certificate-based authentication supported by a full Public Key Infrastructure (PKI).

## **VI. Administration of industrial design information products and services available to the public (relating to facilities, e.g., for lodging applications, registering designs, assisting clients with search procedures, obtaining official publications and registry extracts)**

## **Planning, administration, automation, security**

These functions are provided by the Scientific and Technical Information Center.

## **Collection management, preservation**

The Foreign Documents Division processes and distributes all foreign patent documents and journals received at the USPTO. The majority of foreign documents are now received in CD-ROM format.

The collections consist of print monograph and serial titles and millions of foreign patent documents in print and micro formats. Those portions of the collection maintained in Main STIC are open to the public. In accordance with the Patent Cooperation Treaty (PCT), STIC meets minimum documentation requirements for foreign patent documents and non-patent literature and makes these documents available to the public.

## **Information services available to the public (including computerized services and search files contained in libraries remote from your Office and industrial design information posted by your Office on the World Wide Web)**

Patent and Trademark application status information are both available from the USPTO Web site. Both of these databases are searchable and are updated on a daily basis.

In November 1995, the USPTO began providing access to patent grant bibliographic information and abstract text on its Web site. This raw data is available for FTP downloading with updates occurring each Tuesday issue date.

In March 2001, the USPTO began providing access to patent application bibliographic information and abstract text on its Web site. This raw data is available for FTP downloading with updates occurring each Thursday publication date.

In November 1998, the USPTO began providing access to the searchable, full text of US patents granted from January 1976 to the present. Updates occur each Tuesday issue date.

In March 2001, the USPTO began providing access to the searchable, full text of US published patent applications from March 15, 2001 to the present. Updates occur each Thursday publication date.

Copies of Design patents in optical disc format and online via Pub WEST continue to be provided to the 85 libraries in the USPTO's Patent and Trademark Depository Library (PTDL) Program. All PTDLs also provide public access to the USPTO Web site that contains a searchable database of Design patents. A list of current PTDLs can be found at the PTDL Web site located at: [www.uspto.gov/go/ptdl](http://www.uspto.gov/go/ptdl). The Web site includes information about the Program's mission, history, background, services, and core collections, as well as links to the Program's publications, materials, and reference tools. Each of the 85 PTDLs is linked from the PTDL List available on the USPTO Web site.

### **Automated Information in Patent and Trademark Depository Libraries**

Web-based online searching for the patent text and image database via PubWEST is available at all 85 PTDLs. All PTDLs also provide public access to the USPTO Web site.

The USPTO continues to provide optical disc products to PTDLs for direct public use. This includes all Cassis and USA optical disc products; Patents BIB, Patents CLASS, Patents ASSIST, Patents & Trademarks ASSIGN, Trademarks BIB, USAPat, USAAp, USAMark and the Patents (eOG:P).

### **Automated Patent Information in Public Search Facilities**

The USPTO Public Search Facility (PSF) provides public users with access to over 20 software applications that provide full-text search and/or document retrieval capability. The primary information delivery channel in the PSF is the Universal Public Workstation (UPWS). The UPWS is a secured access computer providing a single platform and consistent interface to all databases. There are over 230 UPWS workstations available to the public and online system use during FY 2007 totaled over 198,000 hours.

Public versions of the patent examiner search systems EAST and WEST, and document image print WALK-UP are the heaviest used applications provided on UPWS. Other patent applications on UPWS include the USPTO Web site, Assignment Historical Database (AHD) and Patent Application Information Retrieval (PAIR). Both EAST and WEST retrieve all U.S. patent images and word search the text contained in U.S. patents granted since 1971. The Optical Character Recognition application allows searching of U.S. patents both text and images back to 1920. EAST and WEST also provide text searching of English language patent abstracts from the European Patent Office (EPO) and Japan Patent Office (JPO), and a set of foreign patent images formerly available only on CD-ROM. Public users search Re-exam file information by logging onto the PAIR application.

UPWS provides access to World Patents Index (WPI), a proprietary database that is also available to USPTO patent examiners. This search tool is accessed through EAST. UPWS users also access new text search indexes to retrieve U.S. patent grants and U.S. published patent applications associated with International Patent Classification (IPC) data in accordance with IPC reform.

The Public Search Facility is one of the USPTO wireless hot spots whereby facility customers may use their personal computers or communication devices in the facility to access Internet resources. This capability allows users to supplement or expand their intellectual property researching activities as they search/retrieve information using the Universal Public Workstation.

Training courses on EAST and WEST are offered monthly and on an as needed basis. Special one-page guides and Helpful Hints are available in the on-line search areas. Individual assistance is always available from staff.

Public users have opportunities throughout the year to participate in Beta testing of updated versions of software applications. Public users provide comments on how to improve access to patent information by making changes to software applications.

### **Data Products Provided to the Public**

The USPTO Electronic Information Products Division (EIPD) continues to provide patent information products and services to the public in a variety of formats. The Products and Services Catalog on the USPTO Web site describes USPTO products and services, and contains details on

how to obtain them.

The following DVD-ROM products are available for purchase by the public:

#### Patents BIB: Selected Bibliographic Information from US Patent Grant Publications and Patent Application Publications Issued 1969 to Present

This Cassis DVD-ROM is a two-disc set, (1) Patents BIB Grants contains bibliographic information for utility patent grants issued from 1969 to the present and for other types of patent documents issued from 1977 to the present; (2) Patents BIB Apps contains bibliographic information for patent application publications beginning March 15, 2001 to the present. There are more than 15 searchable fields including title, abstracts from September 1988 to present, current classifications, assignee at time of issue, date of issue, serial number, inventors' names and full addresses (if not assigned at time of issue), and status (i.e., withdrawn, corrected, expired for failure to pay maintenance fees, reinstated, reexamined or term extended). Patents BIB provides images locations on USAPat discs for patents issued 1969 to date and USAApp discs for patent applications published March 15, 2001 to date. Depending on the user's equipment, the two-set disc can be searched simultaneously. This DVD-ROM product is updated every two months.

#### Patents CLASS: Current Classifications of US Patents Issued 1790 to Present

This Cassis DVD-ROM contains current classification information for all utility, design, plant, reissue and X-numbered patents, as well as defensive publications and statutory invention registrations issued from 1790 to the present (over 6 million documents). Indexing of classification information has been optimized for rapid retrieval. This DVD-ROM product is updated every two months.

#### Patents and Trademarks ASSIGN: US Patents and Trademarks Assignments Recorded at the USPTO 1980 August to Present

This Cassis DVD-ROM includes data derived from assignment deeds for issued patents and registered trademarks, which were recorded at the Patent and Trademark Office after August 1980 for patents, and since 1955 for trademarks. The disc includes assignments recorded before and after the patent issued. This DVD-ROM product is updated every two months. (Note: In 2008, this product was discontinued and replaced by two separately titled products, Patents ASSIGN and Trademarks ASSIGN.)

#### Patents ASSIST: Full Text of Patent Search Tools

This Cassis DVD-ROM is a compilation of many patent search tools including the following: Manual of Classification, Index to the US Patent Classification, Manual of Patent Examining Procedure, IPC - USPC Concordance, and Attorneys and Agents Registered to Practice Before the US Patent and Trademark Office. In addition, Classification Definitions, a Patentee-Assignee Index, and a Classification Orders Index are included. The Patentee-Assignee Index shows ownership at time of issue for utility patents 1969 to present; for other patent types 1977 to present; and inventor names 1975 to present. The Classification Orders Index is a list of classifications abolished and established since 1976 with corresponding Classification Order number and effective date. This DVD-ROM product is updated every three months.

#### Manual of Patent Examining Procedure (MPEP)

This Manual is published to provide US Patent and Trademark Office patent examiners, applicants, attorneys, agents, and representatives of applicants with a reference work on the practices and procedures relative to the prosecution of patent applications before the Patent and Trademark Office. The MPEP is available in electronic form as an ASCII text file downloadable (no charge) from the USPTO Web site on the Internet at <http://www.uspto.gov/>, and as a searchable text file on the Patents ASSIST DVD-ROM product, which includes many other useful files. Each revision is fully incorporated into the base edition and republished as a whole.

#### USAPat: Facsimile Images of United States Patents

This Cassis DVD-ROM product contains facsimile images of US patents from 1790 to present. An image is an actual page of the patent, including all drawings, and looks just like the original printed document. The purpose of USAPat is to serve as a document delivery system, not as a search system. Retrieval is by document number only from a cumulative index. Excellent printed copies of actual documents can be obtained directly from a laser printer. Delivery of weekly discs is usually within 15 days from issue date.

#### USAApp: Facsimile Images of United States Patent Application Publications

USAApp contains facsimile images of the U.S. patent application publications filed on or after November 29, 2000 and published weekly beginning March 15, 2001. A law effective November 29, 1999, requires publication of patent applications approximately 18 months after the effective filing date. All utility and plant patent applications will be published unless the application is not filed in another country and the applicant expressly requests that the application not be published, or the patent has been granted. Design patent applications will not be published. An "image" looks like an actual page of the application, including all drawings. USAApp is a document delivery system, not a search system. Retrieval is by document number only from a cumulative index. Excellent printed copies can be obtained directly from a laser printer.

#### Trademarks BIB: Bibliographic Information from Abandoned, Canceled, Expired, Pending, and Registered US TradeMarks

This Cassis DVD-ROM contains the text of all abandoned, canceled, expired, pending, and registered trademarks from 1884 to present with 30 searchable fields. This DVD-ROM product is updated every two months. Trademarks BIB also refers to trademark image locations on USAMark, described below.

#### USAMark: Facsimile Images of United States Trademark Registrations

This Cassis CD-ROM contains facsimile images of U.S. trademark registration certificates issued from 1870 to the present. An image is an actual page of the trademark, including renewals and modifications, and looks just like the original printed document. USAMark is a document delivery system, not a search system. Retrieval is by document number only from a cumulative index that covers all issued discs. Excellent printed copies of actual documents can be obtained directly from a laser printer. USAMark is published monthly.

#### Electronic Official Gazette of the U.S. Patent and Trademark Office – Patents (eOG:P)

The eOG:P began publication in July 2002 on both the USPTO Web site (free) and on CD-ROM (subscription). In September 2002, the eOG:P replaced the paper Official Gazette that had been published since 1872. The eOG:P contains the OG record, including an exemplary claim and a representative image (if applicable). Indexes by type of patent (e.g., utility, design), patentee name (both inventor and assignee), geographical location of the first listed inventor (U.S. state or country), and classification are provided. The eOG:P is available each Tuesday. A rolling calendar year's worth of eOG:P are kept on the USPTO Web site.

The USPTO maintains World Wide Web (WWW) and File Transfer Protocol (FTP) sites on the Internet, which permit the public free access to selected information related to patents and trademarks through interactive search requests or downloadable data files.

## **VII. Matters concerning mutual exchange of industrial design documentation and information**

### **International or regional cooperation in the exchange of industrial design information, e.g., in the form of official gazettes**

The USPTO maintains exchange agreements with many intellectual property offices for the exchange of industrial design registrations and gazettes and continually seeks to expand the number of such exchanges.

Intellectual property offices have access to the US patent documents, including design patents, on USAPat DVD-ROM. The USPTO began distributing its Official Gazette for Patents only in electronic format (eOG:P) on CD-ROM and on its website (see above for details) in 2002. Design patents are included in the Official Gazette for Patents.

The USPTO Electronic Official Gazette eOG allows Internet users to browse through the issued patents for the week. The eOG:P can be browsed by classification or type of patent, for example, utility, design, and plant. Specific patents can be accessed by class/subclass or patentee name.

### **Exchange of machine-readable information, e.g., data contained on CD-ROM or magnetic tape**

CD/DVD ROM products including, but not limited to, design patent images and information are sent to 102 intellectual property offices (see descriptions of the products above).

The USPTO currently exchanges patent images and information on magnetic computer tapes with the EPO and JPO as part of a Trilateral Agreement.

## **VIII. Matters concerning education and training, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)**

### **Promotional activities (seminars, exhibitions, visits, advertising, etc.)**

As part of the STOP initiative, the USPTO continued its intensive national public awareness campaign by offering conferences targeting small and medium-sized businesses where participants learned what intellectual property rights are, why they are important, and how to protect and enforce these rights. New to 2007 was a critical partnership with the U.S. Chamber of Commerce enabling the USPTO to share duties of agenda-building, funding, and outreach. The USPTO kicked off the year with a highly anticipated event in Raleigh, North Carolina for small and medium sized businesses designed to aid them in protecting their intellectual property in a global marketplace, and followed up with events in Detroit, Michigan; Burlington, Vermont; San Antonio, Texas; Portland, Oregon; Seattle, Washington; Denver, Colorado; and Los Angeles, California.

Large companies presented "Lessons Learned" and "Best Practices" to small business attendees and small businesses discussed the importance of IP protection. More than 1,300 small and medium-sized businesses attended our conferences. As a new outreach and educational tool, the USPTO distributed more than 1,500 CD-ROM presentations on IP protection.

### **Training courses for national and foreign participants**

The USPTO provides technical training relevant to intellectual property law and patent and trademark practice for all attorneys and patent examiners. Additionally, a variety of technical classes are available dealing with search techniques on the USPTO automated system and methods of using a variety of custom computer software to assist in the examination process.

The Office of Patent Training participates in a two week Visiting Scholars Program. Here the USPTO hosts patent professionals from offices worldwide and presents them with training on patents, trademarks, copyrights, and related procedural and operational issues.

The Office of Patent Training also operates a televideo-conference facility. This has been used to broadcast live meetings and lectures with officials in foreign countries.

### **Assistance to developing countries (sending consultants and experts, receiving trainees from developing countries, etc.)**

The USPTO offers various programs to provide technical assistance to developing countries and to countries moving to a market economy. Programs focus on establishing adequate systems in these countries for the protection of intellectual property rights. They also provide intellectual protection enforcement training. The goal of the various programs is to provide advice and expertise to these countries with the desired outcome being the reduction of losses resulting from piracy of U.S. Intellectual Property.

A Global Intellectual Property Academy (GIPA) was created allowing the USPTO to increase its training and capacity building initiatives on intellectual property protection and enforcement. Through GIPA, the USPTO brings foreign government officials - including judges, prosecutors, police, customs officials, patent, trademark, and copyright officials and policy makers - to the United States to learn, discuss, and strategize about global IPR protection and enforcement. The USPTO completed final construction of the GIPA facility this year, a 20,000 square foot state of the art facility equipped to efficiently deliver targeted programs and training for foreign IP and law enforcement officials. With the establishment of this Academy, the USPTO also implemented a Foreign Examiners -in Residence training program, the first of its kind in international cooperation and training at the USPTO. Selected examiners from the patent offices in China, India, Brazil, Egypt, Mexico, and the Philippines participated in this 8-month program. Overall, the USPTO conducted 77 GIPA programs in FY 2007, a 63 percent increase over programs offered the previous year. Fifty-eight percent of the FY 2007 GIPA programs focused specifically on IPR enforcement related topics, with a goal toward improving IPR enforcement regimes worldwide.

The USPTO partnered with numerous international and non-governmental organizations in designing and delivering technical assistance programs, including the Association of South East Asian Nations (ASEAN), United Nations Economic Commission for Europe (UNECE), International Intellectual Property Institute (IIP), World Intellectual Property Organization (WIPO), Asia-Pacific Economic Cooperation (APEC), Secretariat for Central American Integration (SIECA), Bureau for International Narcotics and Law Enforcement Affairs (INL), and carried out a range of capacity-building programs under the auspices of the Middle East Partnership Initiative (MEPI).

In fiscal year 2007, the USPTO conducted several programs for intellectual property enforcement officials in the Latin America region. In partnership with the Secretariat for Economic Integration of Central American (SIECA), the USPTO conducted an intensive three day seminar for

judges. The program covered an array of topics, including: the importance of intellectual property protection to a country's economic growth, substantive copyright, trademark and patent laws in Latin America, case management, provisional measures, remedies and calculation of damages, criminal prosecution, evidentiary issues in criminal cases, and criminal remedies and deterrent sentencing. Judges from the DR-CAFTA region, Mexico, and Panama participated in the seminar.

The USPTO and SIECA also organized a road show on intellectual property enforcement for judges and prosecutors in February and April of 2007 for all DR-CAFTA members. In an effort to reach out to a larger audience of judges and prosecutors, the USPTO and SIECA, together with the Procuraduria General de la Nacion de la Republica Dominicana and the Judicial Schools in Guatemala and Costa Rica, conducted programs in the Dominican Republic, Guatemala and Costa Rica. These programs provided an in-depth analysis of intellectual property issues over a three day period. The first day addressed international obligations of intellectual property protection and enforcement under various international treaties, the Trade-Related Aspects of Intellectual Property Agreement and the DR-CAFTA; the second day addressed copyrights and related rights issues as well as digital rights management and technological protection measures; and the third day addressed civil and criminal enforcement of trademarks. The participants also visited a federal court house in Miami and had the opportunity to interact on a one on one basis with a judge from the U.S. District Court, Southern District of Florida.

The USPTO and SIECA also held an intellectual property program for all enforcement officials responsible for intellectual property rights enforcement in the Latin America region. Participants included police officers, customs officers, prosecutors, and judges from both Central and South America. The program consisted of a series of lectures ranging from border enforcement to criminal enforcement, both at the federal and local levels. Most recently, the USPTO held a roundtable on border enforcement of intellectual property rights from September 17-21, 2007 in Miami and New York. The program was attended by a managerial and operational customs officer from each of the DR-CAFTA countries. The participants visited U.S. Customs and Border Protection facilities in Miami and New York and had an entire day of product identification training from copyright and trademark holders.

In South America, the USPTO, together with the U.S. Embassy in Paraguay and the European Commission held a 2 day roundtable on border enforcement of intellectual property rights for Paraguayan and Brazilian customs officials.

Technical assistance programs were offered in Africa, which included: in cooperation with the International Intellectual Property Institute (IIPI), the USPTO completed a three day IPR program in Gaborone, Botswana. This program focused on helping Botswana (via its relevant private and public sector stakeholders) organize and create its own "Copyright Society" -- essentially a royalty collection society -- that, once up and running, will work to ensure that artists are appropriately compensated when their copyrighted works are used, displayed, or performed.

In cooperation with the IIPI, the USPTO held a program in Windhoek, Namibia. This conference addressed the intellectual property laws and issues that confront artists and small business owners (particularly in the handicraft market) who would like to produce and sell their traditional goods both locally and internationally. The diverse audience participated actively in the discussions that ensued after several of the presentations and the interactive format provided a preliminary platform for further discussions amongst them regarding the current status of IP laws and practices in Namibia and how to best utilize them for local economic growth.

Through partnership with MEPI, programs were provided that focused on a variety of enforcement issues including an Enforcement Workshop held in Doha, Qatar, for Qatari IP and enforcement officials, and a Regional Workshop on IPR in Broadcasting and Effective Practices in Regulation and Anti-Piracy Enforcement held in Manama, Bahrain.

The U.S. embassy in Egypt, in conjunction with the USPTO, co-sponsored three seminars on "Intellectual Property in the Global Marketplace" in Cairo and Alexandria in February of 2007. Enforcement delivered a presentation entitled "Intellectual Property: Risks, Opportunities and the Importance of Intellectual Property Enforcement" at each of the three programs. The presentation focused on the strong corollaries between a healthy economy and strong IPR protection, the economic harms that result from rampant IPR theft, the public health/safety risks associated with counterfeit products, the use of IPR as a tool of economic empowerment, and development and substantive issues of IPR criminal, civil and border enforcement law. In June of 2007, the USPTO also conducted a GIPA program for 20 judges from Morocco, covering trademark and border enforcement issues. This was a follow-up to a similarly focused program in three different cities in Morocco in May of 2007.

In Asia, the USPTO conducted intellectual property protection and enforcement programs that included: USPTO-APEC Plus Workshop on IPR Border Enforcement held in Los Angeles, California, with participants from APEC economies, USFTA partners, Pacific Island Forum, and ASEAN; ASEAN-USPTO Workshop on IPR in Broadcasting and Effective Practices in Anti-Piracy Enforcement held in Bangkok, Thailand, for ASEAN officials; participated as speaker in the Vietnam IP Enforcement Conference held in Hanoi, Vietnam, for Vietnamese officials; ASEAN-ECAP II-USPTO Seminar on IP Digital Enforcement and Piracy Issues, held in Denpasar, Indonesia for ASEAN and Indonesian officials; USPTO Program for Thai IP Court Judges, held in Bangkok, Thailand; US-Malaysia FTA IPR Public Forum Program, held in Kuala Lumpur, Malaysia, for Malaysian officials and public; USPTO-STAR Vietnam Program on IP Enforcement, held in Hanoi, Vietnam for Vietnamese judges and public prosecutors; APEC-USPTO Seminar on IP Capacity-Building for SMEs held in Bangkok, Thailand, for APEC economy officials; participated as a speaker at an APEC Seminar on IP Guidelines, held in Hanoi, Vietnam, for APEC economy officials and public; ASEAN-USPTO Workshop for Judges and Public Prosecutors on IPR Enforcement, held in Bangkok, Thailand for ASEAN officials; ASEAN-USPTO Workshop on IP Enforcement and Combating Trade in Counterfeit Hard Goods, held in Bangkok, Thailand, for ASEAN officials; ASEAN-USPTO Workshop on IP Capacity-Building for SMEs held in Bangkok, Thailand, for ASEAN officials; APEC-PNG-USPTO Regional Seminar on IPR Enforcement held in Port Moresby, Papua New Guinea, for APEC and PNG officials; and a USPTO-Pacific Island Forum Workshop on IP Enforcement Issues, held in Port Moresby, Papua New Guinea, for Pacific Island Forum member country officials.

The USPTO continued to offer technical assistance in China, with a focus on providing the provinces with capacity-building programs relating to civil, criminal, and border enforcement. In addition to enforcement programs, the USPTO hosted various seminars on substantive intellectual property issues.

Other programs in China conducted during fiscal year 2007 included: Industry focused forums on IP Protection and Enforcement in the automotive sector and for the pharmaceutical drugs industry in Shanghai, telecommunications in Shenzhen, and apparel, and sporting goods in Guangzhou. Discussions were initiated with the Guangdong IP Office to present a second Pearl River Delta Seminar on Innovation and Intellectual Property Enforcement in southern China. The Office also assisted with a national Chinese Customs training program funded by the Trade Development Assistance Agency held in three separate two-week programs in Shanghai.

The USPTO also participated in the following programs: the Ambassador's Roundtable Meeting and training in Beijing and Shanghai; U.S. Chamber IP Enforcement seminars in Guangzhou and Nanjing; meeting/training with local Chinese officials on IP Enforcement in Yiwu; a program with Temple University and Qinghua University on IP Enforcement for Chinese prosecutors in China, Beijing; American Chamber of Commerce Programs on IP Enforcement in Shanghai and Guangzhou; Consumer Electronics Association Trade Show in Qingdao; Department of Commerce Program on IP and Standards in Shenzhen; and a Trade Fair Enforcement and a Customs Training program, Guangzhou

The USPTO planned and carried out border enforcement workshops in Kaliningrad and Khabarovsk, Russia in March and May of 2007, respectively. The workshops focused on risk analysis, U.S. Customs and Border Protection (CBP) operations and experiences, Russian legislation, and right holder experiences. Within two weeks of the Kaliningrad workshop, customs officers reported seizing a fairly large shipment of counterfeit Levi's wearing apparel and credited their attendance at the workshop as providing the necessary tools to interdict and seize the



shipment.

In June of 2007, the USPTO planned and carried out a judicial conference in Kiev, Ukraine. The workshop focused on the role of IPR in emerging economies, interaction of law enforcement agencies, investigative techniques, evidence collection and maintenance, case processing, and sentencing guidelines. In addition to providing a foundation for the judges in attendance, it also provided them with an opportunity to discuss issues with other branches of government.

As part of a USTR-led delegation, the OIPPE's Enforcement Group participated in several US-Russia IPR Working Group meetings in Moscow and Washington. With the formulation and eventual passage of Part IV of the Civil Code of the Russian Federation, numerous enforcement issues arose, which required detailed review and analysis regarding compliance with the Agreement on Trade Related Aspects of Intellectual Property (TRIPS Agreement) and other international treaties and agreements.

Several enforcement programs were conducted in the Washington D.C. area for foreign officials including: six (6) GIPA Enforcement Programs on intellectual property enforcement for officials from fifty-six (56) different countries.

**IX. Other general information related to the Office that is available on the Internet -- URLs of web pages of the Office's website that:**

See: <http://www.uspto.gov>

**X. Other relevant matters**