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June 13, 2011

The Honorable John Boehner
Speaker
U.S. House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Nancy Pelosi
Minority Leader
U. S. House of Representatives
H-204, The Capitol
Washington, DC 20515

Dear Mr. Speaker and Madam Leader:

The International Trademark Association (INTA) represents over 5,700 trademark owners, professionals, and academics including many members from small and medium size businesses who apply for trademark protection from the United States Patent and Trademark Office (USPTO). As a result, INTA strongly supports Section 22 of H.R. 1249, the America Invents Act, which would support the USPTO by creating a revolving fund to allow the USPTO to retain and use the fees the agency collects from applicants. As you know, the USPTO is entirely funded from user fees and not tax payer dollars.

The USPTO needs these user fees to fund its operations and ensure that the Trademark Office retains its experienced examiners whose institutional expertise is necessary to keep pendency at an acceptable level without sacrificing the quality of examination. Further, the fees paid by trademark applicants are needed to improve the USPTO's information technology systems to build on recent e-filing initiatives and maintain the USPTO's position as the most sophisticated and technologically advanced office in the world.

The proposed revolving fund would benefit innovation and economic growth and it is a concept supported by trademark and patent users. The trademark and patent application processes contribute to the growth of the economy, and any diversion of USPTO fees will reduce the contribution that new brands and new products make to the economic recovery, including the creation of new jobs.

H. R. 1249 also contains provisions to promote accountability and transparency at the USPTO. It would allow Congress to review the Office on a regular basis through such tools as an annual spending plan required by the bill and Congressional hearings convened at the discretion of the authorizing and appropriating committees.

We ask for your support of Section 22 of H.R. 1249, which is an integral part of the legislation and which will allow the USPTO to utilize 100% of the user fees paid to the agency to assure the accurate and efficient processing and review of applications. We support your commitment to innovation and job creation, and this provision will help with that goal.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan C. Drewsen". The signature is fluid and cursive, written in a professional style.

Alan C. Drewsen
Executive Director

New York | Shanghai | Brussels | Washington, D.C.

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