

## 2000 Current Fiscal Year Report: Public Advisory Committee for Trademark Affairs

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<b>1. Department or Agency</b>		<b>2. Fiscal Year</b>	
Department of Commerce		2000	
<b>3. Committee or Subcommittee</b>		<b>3b. GSA Committee No.</b>	
Public Advisory Committee for Trademark Affairs		368	
<b>4. Is this New During Fiscal Year?</b>	<b>5. Current Charter</b>	<b>6. Expected Renewal Date</b>	<b>7. Expected Term Date</b>
No	05/28/1998	05/28/2000	05/28/2000
<b>8a. Was Terminated During FiscalYear?</b>	<b>8b. Specific Termination Authority</b>		<b>8c. Actual Term Date</b>
Yes			03/29/2000
<b>9. Agency Recommendation for Next FiscalYear</b>	<b>10a. Legislation Req to Terminate?</b>		<b>10b. Legislation Pending?</b>
Continue	No		
<b>11. Establishment Authority</b>	Agency Authority		
<b>12. Specific Establishment Authority</b>	<b>13. Effective Date</b>	<b>14. Committee Type</b>	<b>14c. Presidential?</b>
Secretary's Decision Memorandum	09/01/1970	Continuing	No
<b>15. Description of Committee</b>	Non Scientific Program Advisory Board		
<b>16a. Total Number of Reports</b>	No Reports for this FiscalYear		
<b>17a. Open Meetings and Dates</b>	<b>17b. Closed</b>	<b>17c. Partially Closed</b>	<b>Other Activities</b>
No Meetings	0	0	0

	<b>Current FY</b>	<b>Next FY</b>
<b>18a(1). Personnel Pmts to Non-Federal Members</b>	\$0.00	\$0.00
<b>18a(2). Personnel Pmts to Federal Members</b>	\$0.00	\$0.00
<b>18a(3). Personnel Pmts to Federal Staff</b>	\$29,600.00	\$29,600.00
<b>18a(4). Personnel Pmts to Non-Member Consultants</b>	\$0.00	\$0.00
<b>18b(1). Travel and Per Diem to Non-Federal Members</b>	\$0.00	\$0.00
<b>18b(2). Travel and Per Diem to Federal Members</b>	\$0.00	\$0.00
<b>18b(3). Travel and Per Diem to Federal Staff</b>	\$0.00	\$0.00
<b>18b(4). Travel and Per Diem to Non-member Consultants</b>	\$0.00	\$0.00
<b>18c. Other(rents,user charges, graphics, printing, mail, etc.)</b>	\$3,600.00	\$3,600.00
<b>18d. Total</b>	<b>\$33,200.00</b>	<b>\$33,200.00</b>

## **19. Federal Staff Support Years (FTE)**

0.60

0.60

### **20a. How does the Committee accomplish its purpose?**

The Committee advises the Patent and Trademark Office (PTO) on increasing the effectiveness and efficiency of the PTO in the administration of the Trademark Act. Usually the Committee reviews proposals prepared by the PTO and then meets to provide the Office with comments and suggestions on the proposals. The Committee considers all aspects of the internal operations of the PTO related to trademarks. In 1999, the Committee provided advice on the proper grade-level for agency attorneys. As a result of the Committee's advice, the Office added a number of GS-14 attorney positions in the Trademark Operation. The Committee also provides private sector input to the PTO in the areas of international and domestic trademark law. For example, in 1999 the Committee provided invaluable advice when the agency was developing new federal rules to simplify the application process and to implement the Trademark Law Treaty Implementation Act. Many of the Committee's suggestions were included in the final rules package that took effect on October 30, 1999.

### **20b. How does the Committee balance its membership?**

The Committee is composed of 15 intellectual property organizations and state bar organizations from all over the United States. For example, in 1999, the California State Bar, the American Intellectual Property Association and the Houston Intellectual Property Law Association were selected as members. In 1996, the Committee's charter was changed in order to restructure the Committee. It is now a Committee comprised of organizations rather than of individual members. This has provided a broader base of expertise and widened the representative viewpoints on the Committee. The member organizations are selected based on a solicitation in the Federal Register. Of the fifteen members, each continuing member serves staggered three-year terms, with five organizations being selected each year.

### **20c. How frequent and relevant are the Committee Meetings?**

Historically, the Committee has met quarterly on average. This group is most relevant and helpful to the PTO. The Public Advisory Committee for Trademark Affairs (PACTA) has made many recommendations which the Office has chosen to implement. For example, in 1982 this group was influential in helping the Office in setting fees as Trademarks became 100% fee-funded. This group provided invaluable advice in implementing the Trademark Law Revision Act of 1988. In 1999, the group provided advice on implementing the Trademark Law Treaty Implementation Act, and on proposals to change the practice regarding public access to pending applications, to change the procedure for the public to file information to be considered by the Examining Attorney in pending applications, and

to issue a list of commonly misused registered marks. The members of this group also have been excellent counselors on the Madrid Protocol, and other international issues affecting the Office.

**20d. Why can't the advice or information this committee provides be obtained elsewhere?**

There are no other single, discrete groups that are able to provide the Office with: the same breadth of experience; the benefit of years of work in all facets of the Intellectual Property Rights (IPR) field; the different viewpoints that come because this group speaks for a broad range of trademark owners, domestic and foreign; the regional differences reflected among a number of metropolitan areas throughout the USA; the variety of approaches demonstrated by attorneys representing large Intellectual Property firms, small boutique firms, large corporation's in-house counsel, public searchers, academics, paraprofessionals, et al.; attorneys as well as non-attorneys, including those directing the trademark search firms and information vendors.

**20e. Why is it necessary to close and/or partially closed committee meetings?**

N/A

**21. Remarks**

**Designated Federal Officer**

Sharon R. Marsh DFO

<b>Committee Members</b>	<b>Start</b>	<b>End</b>	<b>Occupation</b>	<b>Member Designation</b>
AIKEN, Donald	07/22/1999	07/22/2001	Intellectual Property Owners, Inc.	Special Government Employee (SGE) Member
DARE, Marilyn	01/01/1997	01/01/2000	Southbay Trademark Association	Special Government Employee (SGE) Member
ENGELMANN, Mark	01/01/1997	01/01/2000	American Bar Association, IP Section	Special Government Employee (SGE) Member
FELDMAN, Mark	03/12/1998	03/12/2001	American Bar Association, Intellectual Property Association	Special Government Employee (SGE) Member
FRIEDMAN, Barbara	07/22/1999	07/22/2002	International Trademark Association	Special Government Employee (SGE) Member
HARPER, Ted	03/12/1998	03/12/2001	North Carolina Electronics and Information Technologies Association	Special Government Employee (SGE) Member
Horning, Richard	07/22/1999	07/22/2002	California State Bar Intellectual Property Section	Special Government Employee (SGE) Member
JOHNSON, James	03/12/1998	03/12/2001	Georgia Bar Association, Intellectual Property Section	Special Government Employee (SGE) Member
KRUGMAN, Gary	01/01/1997	01/01/2000	District of Columbia Bar	Special Government Employee (SGE) Member
MULLER, Kimbley	01/01/1997	01/01/1999	Houston Intellectual Property Law Association	Special Government Employee (SGE) Member

PHILLIPS, Patrick	03/12/1998	03/12/2001	Ohio State Bar Association, Intellectual Property Section	Special Government Employee (SGE) Member
POMPEY, Tina	01/01/1997	01/01/2000	National Bar Association	Special Government Employee (SGE) Member
PRICE, Griffith	07/22/1999	07/22/2002	American Intellectual Property Law Association	Special Government Employee (SGE) Member
RYNKIEWICZ, John	01/01/1997	01/01/2000	International Trademark Association	Special Government Employee (SGE) Member
SACOFF, Robert	03/12/1998	03/12/2001	International Intellectual Property Association	Special Government Employee (SGE) Member

**Number of Committee Members Listed: 15**

**Narrative Description**

**What are the most significant program outcomes associated with this committee?**

Checked if Applies

- Improvements to health or safety
- Trust in government
- Major policy changes
- Advance in scientific research
- Effective grant making
- Improved service delivery
- Increased customer satisfaction
- Implementation of laws or regulatory requirements
- Other

**Outcome Comments**

**What are the cost savings associated with this committee?**

Checked if Applies

- None
- Unable to Determine
- Under \$100,000
- \$100,000 - \$500,000
- \$500,001 - \$1,000,000
- \$1,000,001 - \$5,000,000
- \$5,000,001 - \$10,000,000
- Over \$10,000,000
- Cost Savings Other

## Cost Savings Comments

What is the approximate Number of recommendations produced by this committee for the life of the committee?

0

## Number of Recommendations Comments

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

0%

## % of Recommendations Fully Implemented Comments

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

0%

## % of Recommendations Partially Implemented Comments

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes  No  Not Applicable

## Agency Feedback Comments

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities

Reallocated resources

Issued new regulation

Proposed legislation

Approved grants or other payments

Other

**Action Comments**

**Is the Committee engaged in the review of applications for grants?**

No

**Grant Review Comments**

**How is access provided to the information for the Committee's documentation?**

Checked if Applies

Contact DFO

Online Agency Web Site

Online Committee Web Site

Online GSA FACA Web Site

Publications

Other

**Access Comments**