

# WilmerHale Webinar: IP Attaché 101

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Joel Blank, IP Attaché for China, USPTO

Dana Colarulli, Director of the Office of Governmental Affairs, USPTO

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# Speakers



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Joel Blank  
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Dana Colarulli,  
Director of the Office of  
Governmental Affairs,  
USPTO



## Webinar Guidelines

- Participants are in listen-only mode
- Submit questions via the Q&A box on the bottom right panel
- Questions will be answered as time permits
- WebEx customer support: +1 888 447 1119, press 2



## Overview

- Snapshot of USPTO
- USPTO's IP Attaché Program
- IP Attaché Services
- Congressional Support for the IP Attaché Program
- Highlights and Hot Topics: China

**UNITED STATES  
PATENT AND TRADEMARK OFFICE**



# Snapshot of USPTO

## *Operational Stats:*

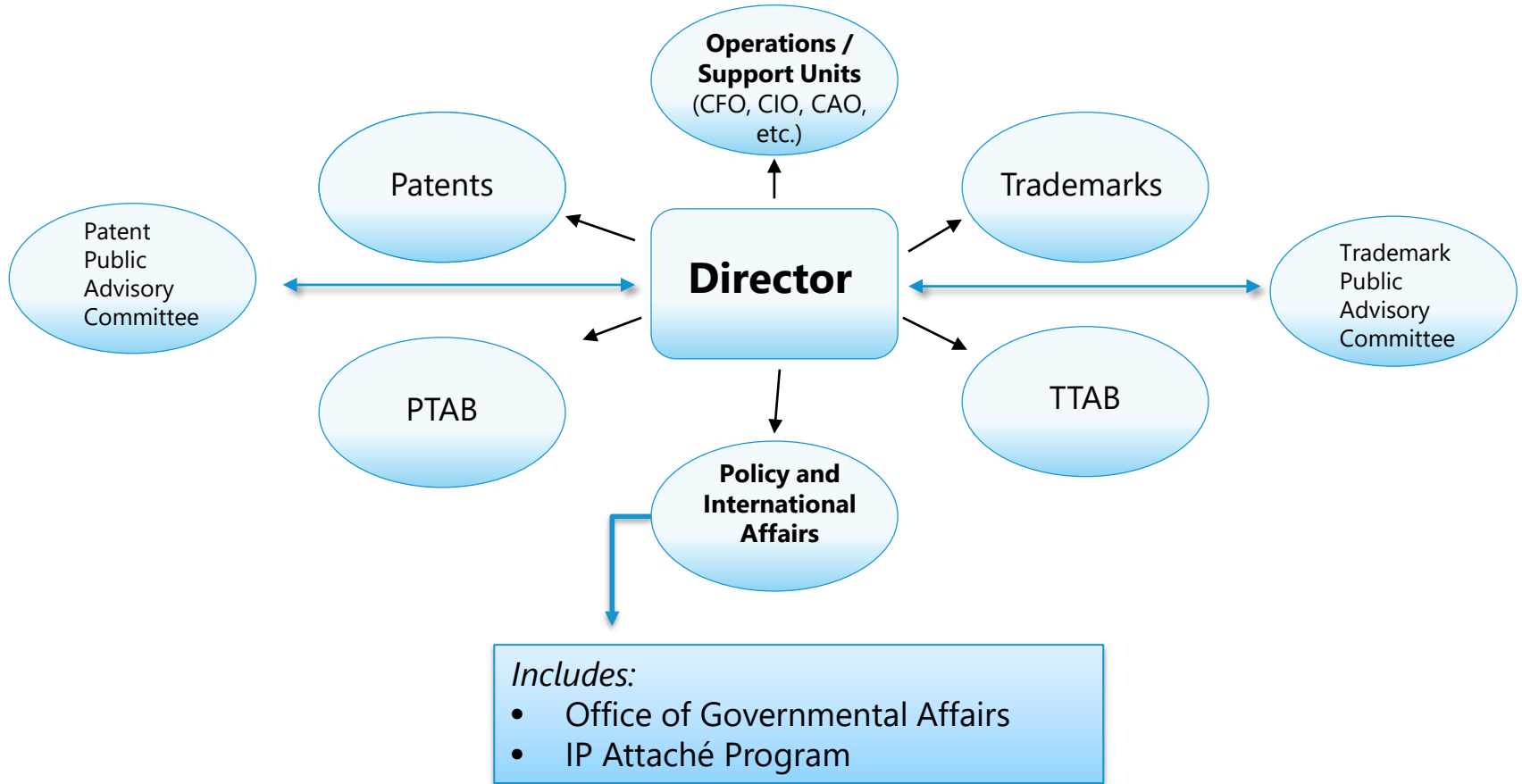
- 100% fee funded agency; no tax dollars spent by the USPTO.
- ~ \$3.2 Billion budget (based on FY2018 request)
- Ranked #1 in the 2013 Best Places to Work in Federal Government (of sub-cabinet agencies).
- ~ **12,000** employees (inc. approx. 8,500 patent examiners and more than 600 trademark attorneys)
- 5 locations: Alexandria (HQ), Detroit, Denver, Silicon Valley and Dallas
- 13 IP attaches, in 10 different countries, around the world

## *Workload:*

- More than **600,000 new patent applications** filed (roughly 5% annual increase); more than 260,000 patents issued.
- More than **430,000 new trademark applications** filed (approx. 4.5% annual increase); more than 250,000 trademarks registered.



## Basic Organizational Structure of the USPTO



# Recent Hearings where USPTO Testified

## *Second Session 114<sup>th</sup> Congress (2016) Highlights*

- **International Antitrust Enforcement – China and Beyond - 6/7/2016**, House Judiciary, Subcommittee on Regulatory Reform, Commercial and Antitrust Law (Former IP Attaché and China team Senior Counsel **Mark Cohen**)
- **Counterfeits and Their Impact on Consumer Health and Safety - 4/27/2016**, Senate Judiciary Committee (Former IP Attaché, **Conrad Wong**)
- **Oversight of the U.S. Patent and Trademark Office - 9/13/2016**  
*House Judiciary, Subcommittee on Courts, Intellectual Property and the Internet (**The Honorable Michelle Lee**) - Topics: Workforce Management & DOC IG Reports; Patent Quality; Patent Litigation Reform/Venue*





# USPTO's IP Attaché Program

- IP experts working abroad for the benefit of U.S. stakeholders
  - Located in U.S. Embassies and Consulates around the world
  - Promote high-quality and effective IP protection and enforcement



# IP Attaché Regional Locations

- China
- South Asia
- South America
- Commonwealth of Independent States
- Southeast Asia
- Central America and the Caribbean
- Middle East and North Africa
- European Union
- Geneva (WTO and WIPO)



# IP Attaché Services

- Provide information to U.S. rights holders and companies conducting business abroad:
  - How to navigate foreign laws and regulations
  - How foreign courts work
  - How to protect and enforce IP abroad



# IP Attaché Services

- Advocate to improve IP policies, laws, and regulations
  - Raise issues with foreign government officials
  - Provide training
  - Conduct public awareness programs



# Congressional Support for the IP Attaché Program

## **FY2017 House Appropriations Report Language** (H. Rept.115-231)

*"The Committee supports the important work of the Intellectual Property Attache Program."*

## **FY2017 Senate Appropriations Report Language** (S.Rept.115-139)

*"The Committee is concerned by reports that USPTO's IP attache's may not have adequate access to their foreign government counterparts and are not consistently involved in Embassy or consulate conversations regarding intellectual property matters. The Secretary is directed to work with USPTO, the US&FCS, and the Department of State to ensure that the attache's are appropriately utilized, including in discussions and negotiations at the Counselor rank and above."*

# Highlights and Hot Topics: China

- China (中国) is the Middle Kingdom for IP issues
- Big changes afoot, but how will they impact foreign IPR holders?
- Policy Priorities:
  - Online Infringement
  - Bad Faith Trademarks
  - Ineffective Civil Enforcement





**GIPC's 11th Annual IP Attaché Roundtable**  
**Wednesday, December 13, 2017**  
**12:00 p.m. – 3:00 p.m.**

**U.S. Chamber of Commerce**  
**1615 H St., NW | Washington, D.C. 20062**

On December 13th, please join the Global Innovation Policy Center for the 11th annual roundtable with the U.S. Patent and Trademark Office's IP Attachés. The program provides a unique opportunity to engage with the assembled IP Attachés for a discussion about recent trends and challenges in IP protection and enforcement in regions around the world.

*Admission is free. Contact Kelly Anderson for information about the event ([kanderson@uschamber.com](mailto:kanderson@uschamber.com))*

# IP Attaché Contact Information

- Visit [www.uspto.gov/ipattache](http://www.uspto.gov/ipattache)
- Contact an IP attaché directly. Contact information on the website.
- Contact IP Attaché Program Director Dominic Keating at [Dominic.Keating@uspto.gov](mailto:Dominic.Keating@uspto.gov)







# Questions?

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