

September 18, 2012

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Building
Washington, DC 20510

The Honorable Charles L. Grassley
Ranking Member
Committee on the Judiciary
United States Senate
152 Dirksen Senate Office Building
Washington, DC 20510

RE: S. 3486, To Implement the Provisions of the Hague Agreement and the Patent Law Treaty

Dear Chairman Leahy and Ranking Member Grassley:

I am writing on behalf of the American Intellectual Property Law Association (AIPLA) to express our appreciation to you for introducing S. 3486, which would implement in U.S. law the provisions of the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (Hague Agreement) and the Patent Law Treaty (PLT). We are supportive of this legislation, which would simplify the process for U.S. inventors to receive protection for their intellectual property abroad.

AIPLA is a U.S.-based national bar association with approximately 14,000 members who are primarily lawyers in private and corporate practice, government service, and the academic community. AIPLA represents a diverse spectrum of individuals, companies, and institutions involved directly and indirectly in the practice of patent, trademark, copyright, unfair competition, and trade secret law, as well as other fields of law affecting intellectual property. Our members represent both owners and users of intellectual property in the United States and in jurisdictions throughout the world.

While both the Hague Agreement and the PLT were ratified by the United States Senate in 2007, the treaties will not be effective in the United States until implementing legislation is enacted and the Instruments of Ratification are filed with the World Intellectual Property Organization. S. 3486 would implement these treaties and help harmonize the U.S. patent application process with foreign countries. Implementing the Hague Agreement would allow creators of industrial designs to file a single standardized application with the U.S. Patent and Trademark Office to apply for a design patent in each country that has ratified the Treaty. Implementing the PLT would harmonize the procedural requirements for seeking a patent in the various member countries, thereby benefitting applicants who apply for protection abroad.

AIPLA appreciates your efforts to implement these important treaties. We look forward to working with you to see this legislation to enactment.

Sincerely,



William G. Barber
President
American Intellectual Property Law Association