

# JAPAN INTELLECTUAL PROPERTY ASSOCIATION

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Mr Drew Hirshfeld

Performing the functions and duties of the Under Secretary of Commerce  
for Intellectual Property and Director of the U.S. Patent & Trademark  
Office

U.S. Patent & Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Mr Hirshfeld,

**Re: Proposed changes to the Trademark rules for enforcing the revised  
Trademark Law according to the Trademark Modernization Act (TMA)**

We, the Japan Intellectual Property Association “JIPA”, are a private user organization with about 970 major Japanese companies as members. When appropriate opportunities arise, we offer our opinions on the intellectual property system of other countries and make recommendations for more effective implementation of the systems.

Having learned the amendment to the Trademark rules for enforcing the revised Trademark Law according to the Trademark Modernization Act (TMA) on your website, we would like to offer our opinions as follows. Your consideration on our opinions would be greatly appreciated.

Sincerely yours,

Koji Saito

Managing Director

Japan Intellectual Property Association

**JIPA comment:**

Regarding the response period for office actions, we wish that the option that "the response period is in principle three months, and a three-month extension of time is available by payment of a fee" would be selected.

**Reasons for the comment:**

For companies, shortening of the response period would be shortening of a period for consideration.

Both options provide a response period of up to 6 months by extension. However, if one of two options for three-month and two-month should be selected, we consider that the option for three-month with a longer first response period would be practically better since companies, especially foreign companies like our member companies often spend a lot of time on translations, communications with agents and others and it is anticipated that a time period for consideration of office actions would be in fact shortened.

Further, in terms of the cost, the option for three-month allows a single three-month extension of time by payment of \$125, while the option for two-month is a system wherein a fee will be increased for each additional submission for a time extension request. As a result, it is expected that the option for two-month causes a cost increase for many cases.

Due to the above two reasons, our committee wishes that the option that "the response period is in principle three months, and a three-month extension of time is available by payment of a fee" would be selected.