

PUBLIC SUBMISSION

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Requirement of U.S. Licensed Attorney for Trademark Applicants and Registrants Not Domiciled in the United States

Comment On: PTO-T-2018-0021-0001

Requirement of U.S. Licensed Attorney for Foreign Trademark Applicants and Registrants

Document: PTO-T-2018-0021-0017

Comment-Perera

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General Comment

I support this rule making. US attorneys representing US companies in foreign jurisdictions are required to hire local counsel to file trademark applications in those jurisdictions. The system has been abused by foreign applicants and their representatives with no regards for the rule of law.

From time to time I come across situations where foreign applicants call our office complaining that their foreign representative made mistakes in filings done in the US because the lack of knowledge about US rules. Mistakes about obligation of continuous use, Section 8 filings, filing fake specimens to demonstrate use of the mark in commerce, or filing application with a prolonged list goods or services which everybody knows are never used in commerce.

The USPTO must do something to protect the integrity of our trademark system to prevent foreign applicants to abuse it. This proposed rule-making will help in that regard.