

From: Bendel, Michael [EMAIL ADDRESS REDACTED]
Sent: Wednesday, July 16, 2014 2:06 PM
To: Virtual Marking
Subject: Virtual Patent Marking comments (Agency/Docket Number: PTO-P-2014-0032)

Dear USPTO –

In response to the request on this topic, on behalf of Kimberly-Clark Worldwide, Inc. (patent owner) and Kimberly-Clark Global Sales, LLC (patent licensee), collectively K-C, I submit the following comments.

K-C is an early adopter of the AIA virtual marking provisions. Use of virtual marking for our products is found at this link: patented products on the K-C home page, in combination with the statement: “May be patented, see www.kimberly-clark.com/patents” on our products. The process K-C uses to determine what patent(s) to mark on what products is not impacted by virtual marking. However, virtual marking does (i) substantially streamline the process K-C uses to identify the patents K-C marks its products with and (ii) enhances K-C’s ability to keep this information current and in the public’s hands more quickly because of the ease with which electronic information can be updated. As an early adopter of virtual marking, K-C developed its own virtual marking process and web site location for hosting this information, and continues to do so today. K-C was approached by a couple vendors that offered virtual marking services, but at the time the cost for the services was not reasonable for the large number of patents and products K-C needed to mark. K-C has not looked into such services more recently. K-C is not aware of any issues with the public using K-C virtual marking information and K-C is aware that the applicable site page has been accessed thousands of times since the information has been available on the site around mid-2012.

K-C is pleased with the virtual marking process it has and finds the AIA virtual marking option to be more effective, in terms of costs to K-C and ease of access to the public, than actual on-package marking. K-C desires to continue using the AIA virtual marking provisions.

Should you have any questions, please let me know.

Sincerely,

Michael J. Bendel

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