



MALCOLM B. BOWEKATY
Governor

BARTON MARTZA
Lt. Governor

ELDRED P. BOWEKATY
Head Councilman

DAVID W. WYACO, SR.,
Councilman

P.O. Box 339
1203-B State Highway 53
Zuni, New Mexico 87327-0339
505-782-4481

ARDEN KUCATE
Councilman

DAN SIMPLICIO
Councilman

VIVIAN M. HATTIE
Councilwoman

ANTHONY OTTO LUCIO
Councilman

April 27, 1999

Eleanor K. Meltzer
Office Of Legislative & International Affairs
U.S. Patent and Trademark Office
2121 Crystal Drive, Suite 902
Arlington, Virginia 22202

Dear Ms. Meltzer:

I am formally responding on behalf of Zuni Pueblo to the PL 105-330. In general, the Zuni Tribe supports the PTO registering "official tribal seals, insignia," etc in order to safeguard and protect tribal designs. More specifically the main responses are according to question listed in the Federal Register Notice:

1. The Governors, Chairmen's and Tribal Councils should pass tribal specific resolutions identifying their tribal seals, insignia and the appropriately designated official to grant use or production of items bearing the tribal seal or insignia. The Governor or chairman will be the authorized officials to register tribal seals, etc.
2. Consultation with all federally recognized tribes will want a listing of officially sanctioned or recognized tribal insignias or seals. The Department of Interior, Bureau of Indian Affairs already maintains a majority of tribal insignias, therefore consulting with the BIA will expedite a registration process.
3. By registering tribal insignia as "duly authorized" by tribal council resolution, a mechanism is created assuring protection of tribal seals. The PTO process assures and maintains proprietary use only by the tribes. They in turn can exclusively grant and assign further use to tribal members or tribal contractors. Furthermore, PTO processes can secure trademark rights for protection of Native American Arts and Crafts.
4. Tribes who have registered their official insignia will better protect and counter copyright or trademark infringements with similar seals or insignia by unscrupulous businesses.
5. Changes in scope should be discretionary by tribes. Retrospectively or prospectively, tribes ought to be allowed to research and analyze impacts before registering their insignias. The PTO should consult closely with tribes to evaluate benefits and disadvantages or registering insignia.

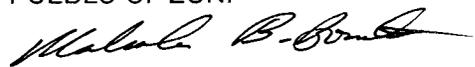
LETTER:Meltzer
Page 2

I hope our comments will be entered into the public record. We are available for further clarification at (505) 782- 4481.

Thank you for allowing us an opportunity to comment.

Sincerely,

PUEBLO OF ZUNI



Malcolm B. Bowekaty,
Governor

Cc: Senator J. Bingaman
Senator P. Domenici