

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 12 2010

The Honorable Bernard Sanders
United States Senate
Washington, D.C. 20510-4503

The Honorable Sherrod Brown
United States Senate
Washington, D.C. 20510-3505

Dear Senators Sanders and Brown:

Thank you for your co-signed letter regarding the proposed Anti-Counterfeiting Trade Agreement (ACTA). The United States Patent and Trademark Office (USPTO), in cooperation with other agencies, has been advising the Office of the United States Trade Representative (USTR) in its efforts to meet the Administration's goal of achieving a state-of-the-art international framework that provides a model for effectively combating global proliferation of commercial-scale counterfeiting and piracy in the 21st century and is consistent with U.S. law.

We appreciate your highlighting particular provisions of the most recent publicly available text of the agreement with which you may have concerns and have shared your letter with the USTR for response. Our USPTO issue experts will continue to work with USTR as they finalize the results achieved in Tokyo.

The participants agreed in Tokyo to work expeditiously to resolve the small number of outstanding issues that require further examination with a view to finalizing the text of the agreement as promptly as possible.

Sincerely,

David J. Kappos
Under Secretary and Director