



June 20, 2011

The Honorable David Kappos
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office
Mail Stop Comments - TTAB
P.O. Box 1451
Alexandria, VA 22313-1451

Via Email—TTAB_Settlement_comments@uspto.gov

**Re: Trademark Trial and Appeal Board Participation in Settlement Discussions,
76 Fed. Reg. 78 (Apr. 22, 2011)**

Dear Director Kappos:

Intellectual Property Owners Association (IPO) submits the following comments on the “Trademark Trial and Appeal Board Participation in Settlement Discussions” published in the Federal Register on April 22, 2011. We thank you for the opportunity to provide these comments.

IPO is a trade association representing companies and individuals in all industries and fields of technology who own or are interested in intellectual property rights. IPO’s membership includes more than 200 companies and over 12,000 individuals who are involved in the association either through their companies or as an inventor, author, executive, law firm or attorney member.

IPO believes that the Trademark Trial and Appeal Board (“TTAB” or “Board”) should not become more directly involved in settlement discussions of parties to *inter partes* proceedings, including oppositions, cancellations and concurrent use cases. The current system serves its function as intended and increased involvement by the TTAB in settlement discussions could increase the complexity, time and cost of proceedings.

As stated in the Federal Register Notice, “the Board estimates that two-thirds of all *inter partes* cases are disposed of without an answer being filed...” and that “[m]ost of the cases comprising the one-third that are not disposed of prior to an answer being filed still are disposed of without a full trial and do not require issuance of a final decision on the merits.” Accordingly, increased involvement in settlement discussions by the Board would only be applicable to a very small percentage of proceedings, and IPO does not believe that a policy of increased TTAB involvement would necessarily benefit that small percentage of proceedings.

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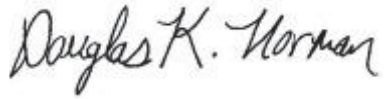
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INTELLECTUAL PROPERTY OWNERS ASSOCIATION

We appreciate the opportunity to comment and would welcome any further dialog or opportunity to assist the USPTO and TTAB on this project.

Sincerely,

A handwritten signature in cursive script that reads "Douglas K. Norman".

Douglas K. Norman
President