



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

October 30, 2001

Mr. Neil Wilson
Deputy Director
Head, IT Services Division
World Intellectual Property Organization
34, chemin des Colombettes
1211 Geneva 20
SWITZERLAND

Re: WIPO SCIT Circulars 2541

Dear Mr. Wilson:

The USPTO response to the questionnaire on the format for figurative elements of marks is attached.

Sincerely,

/Signed by/

Cheryl E. Kazenske
International Intellectual Property Program Manager
Office of Legislative and International Affairs

QUESTIONNAIRE CONCERNING FORMATS CURRENTLY IN USE BY INDUSTRIAL
PROPERTY OFFICES FOR FIGURATIVE ELEMENTS OF MARKS

INTRODUCTION

1. This questionnaire aims at collecting information from Industrial Property Offices (IPOs) on formats currently in use for figurative elements of marks. The next steps would be to analyze the different standards/techniques applied by the IPOs of the various Member States and by regional organizations and to determine the feasibility of establishing a WIPO recommendation on how figurative elements of marks should be captured in electronic form.
2. The proposal to develop a WIPO recommendation on the above-mentioned subject matter was made in view of the fact that, with the entry into force of the Madrid Protocol and the ensuring internationalization of trademark data exchange, standards are needed to guarantee the exchange of highly standardized data in impeccable quality.
(See Task No. 20 of the SCIT Task List and document SCIT/SDWG/1/2).

Question 1: Does your Office process electronically the figurative elements of marks?

Yes

No

We accept digitized marks and create electronic records for those that arrive in paper. These electronic records are displayed and printed.

Question 2: Does your Office have a legal basis for the electronic processing (including electronic storage and/or exchange) of figurative elements of marks?
(If “Yes,” please specify the national law, regional regulation, etc.)

Yes

No

Question 3: Which format is your Office currently using for the capturing, presentation and exchange of figurative elements of marks?

(a) For scanning :

Please indicate: image format (TIFF, JPG, GIF, PNG, CCITT...Please specify the version, e.g., TIFF Group 4), image resolution (in dots per inch), image color management techniques (i.e., description of techniques applied to ensure reliable color reproduction).

(i) Bilevel or grayscale:: TIFF Group IV at 300 dpi

(ii) Colour: ...N/A....

(b) For publishing :

Please indicate: image format (TIFF, JPG, GIF, PNG, CCITT...Please specify the version, e.g., TIFF Group 4), image resolution (in dots per inch), image color management techniques (i.e., description of techniques applied to ensure reliable color reproduction).

(i) Bilevel or grayscale:: TIFF Group IV at 300 dpi
(resolution of capture, display resolution depends upon the original size of the mark).

(ii) Colour:N/A.....

(c) For displaying :
Please indicate: image format (TIFF, JPG, GIF, PNG, CCITT...Please specify the version, e.g., TIFF Group 4), image resolution (in dots per inch), image color management techniques (i.e., description of techniques applied to ensure reliable color reproduction).

(i) Bilevel or grayscale:: TIFF Group IV for display internally (as before, the display resolution varies) and GIF for display on the Internet.

(ii) Colour: N/A

(d) For other purpose (please specify) :
Please indicate: image format (TIFF, JPG, GIF, PNG, CCITT...Please specify the version, e.g., TIFF Group 4), image resolution (in dots per inch), image color management techniques (i.e., description of techniques applied to ensure reliable color reproduction).

(i) Bilevel or grayscale::

(ii) Colour:GIF JPG.....

The USPTO accepts JPG and GIF images at the resolution determined by the applicant (which varies). These files are converted to TIFF Group IV for internal use and GIF when displayed on the Internet.

Question 4: Indicate how the images of figurative elements of marks are displayed. (e.g., expandable thumbnails, thumbnails only, full screen image).

(a) Expandable thumbnails ...X...

(b) Thumbnails only

(c) Full screen image ...X.....

(d) Other (please specify):

When displayed in an MS Windows based applications, the images are scaled to fit the client area of the display. The client areas on some of the applications that the US PTO has developed are sizable at the election of the user. This results in images scaling (without altering the aspect ratio) to whatever size the user wishes to view them at. There are opportunities for

the review of multiple images on a single screen and it is also possible to fill an entire screen with a single image.

Question 5: Who carries out the electronic capture?

- (a) Applicant - YES
- (b) Your Office (if so, what are the dimensions in which the images of figurative elements of marks have to be submitted?) – YES.
Applicants are encouraged to submit images no larger than 4 inches by 4 inches (10.3 cm).
- (c) Other (please specify):

Question 6: How is your Office ensuring the quality of mark images taking into account the various quality levels ?

VISUAL INSPECTION

Question 7: How many mark images are stored with the above-indicated format(s) in your Office's computer system(s)?
(Please specify breakdown by format.)

1,405,032 TIFF images (as of August 21, 2001)

Question 8: Which option does your Office prefer for the elaboration of a WIPO recommendation on the electronic processing of figurative elements of marks:

(a) the determination and application of a new format?

Yes

No ...X..

(b) the use of freely available non-proprietary standards?

Yes ...X..

No

(c) the use of a proprietary de-facto standard (i.e., TIFF)?

Yes ...X...

No

Further comments/remarks:

Color management has not been fully addressed or resolved yet.

There is a strong need for standards that are supported uniformly (i.e., all vendors that support that format create files that are capable of being correctly supported by all the other vendors supporting that format).

License restrictions are a potentially important consideration where considering expanded usage of GIF.

Please provide contact details:

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[End of Questionnaire]

