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Ms. Eleonor Meltzer  
Director  
U.S. Patent and Trademark Office  
P.O. Box 1450  
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Geneva, 18 June 2008

Re: Trademark Applications containing Protected Certification Marks

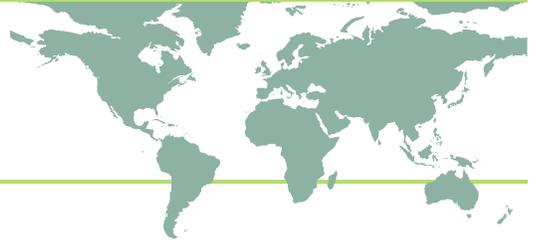
Dear Director Meltzer,

The Organization for an International Geographical Indications network – OriGIn – is a worldwide network of geographical indications' producers representing some 80 organisations and more than two-million producers. OriGIn supports its members in their efforts to ensure the protection and enforcement of their geographical names in third countries' jurisdictions.

Origin-based producers commonly use certification marks to establish some level of protection of their geographical names and products in the United States. In this regard, OriGIn is concerned with the practice of the United States Patent and Trademark Office consisting in not rejecting trademarks' applications containing protected certification marks. Such a practice obliges certification marks' owners to oppose any trademark containing their protected names, with major implications in terms of financial resources and time. In addition, the absence of any action by certification mark owners would endanger the legal standing of such certification marks.

We are of the opinion that accepting trademark applications containing previously registered certification marks constitutes an undue and unwarranted burden for those entities having acquired legitimate rights over certain names, a burden that trademark owners do not face. This makes the efforts of certification marks' owners to enforce their rights unnecessarily expensive, and more difficult to be sustained. Several producers of origin-based goods, which have developed a certain number of products and a given reputation throughout years of hard labor, have limited financial resources and reduced access to legal advice.

Moreover, we believe that US consumers do not benefit from the current situation. In fact, the current practice provides incentives for bad faith registrations and use of trademarks containing geographical names, thus misleading consumers as to the true origin of certain products.



On behalf of our membership from all continents all over the world we respectfully request you to look into this problem so that the certification mark system, as defined by US law, can become more efficient for the benefit of both its users and the public at large.

I remain at your disposal for any further information you may require.

Yours sincerely,

A handwritten signature in blue ink that reads "Luis F. Samper". The signature is written in a cursive style and is placed on a light blue rectangular background.

Luis Fernando Samper  
President, OriGIn