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Seasons Greetings



“Tip of the Month”

Using a Federal Agency to Help You Protect Your Trademarks and Copyrights

US Customs and Border Protection (CBP) is an agency of the US Department of Homeland Security dedicated to protecting against the importation of goods that infringe intellectual property rights. The CBP maintains an aggressive intellectual property rights enforcement program. They devote substantial resources to target, intercept, detain, seize, and forfeit shipments of goods that violate intellectual property rights. Enforcement by the CBP is accomplished through the cooperative efforts of trained enforcement officers, other government agencies and the trade community. CBP seizure statistics are available at the CBP website. For fiscal year 2004, the CBP performed a total of 7,255 seizures representing a domestic value of \$138,767,885.

The first step in obtaining intellectual property rights protection by the Customs and Border Protection is to record your validly registered trademarks and copyrights with the CBP. The CBP has now simplified the procedure for recording registered trademarks and copyrights on-line. The new system allows rights holders to electronically file applications to record their intellectual property rights.

The new on-line registration system eliminates paper applications and supporting documentation. In addition, the intellectual property certificate registrations (trademark and copyright registration certificates) issued by the registering US agencies are retained by the IP rights holder, not submitted to the CBP. This is because the on-line process provides the ability to upload images of the protected work or trademark, no need to send samples to the CBP. The entire electronic, on-line process reduces the time from filing of the application to enforcement by field personnel.

Naturally, nothing is free. The fees for recording the IP rights can now be paid by credit card. The recordation fee for copyrights is \$190. The recordation fee for trademarks is \$190 per International Class of goods. The CBP provides application templates for recording copyrights and trademarks on-line in both Word (.doc) and protected document (.pdf) formats.

If you need help recording your registered intellectual property with Customs and Border Protection, please feel free to give us a call at 668-1971 or contact us through the Internet at *mailbox @ biz-patlaw.com*. We're here to help.

Happy Holidays!

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