



Florida Automotive Industry Association, Inc

18719 Geraci Road ☐ Lutz, FL 33548

727-442-7035 ☐ 800-989-1992 ☐ Fax 727-442-8015

www.faia.org ☐ email: info@faia.org

July 10, 2008

The Honorable Jon W. Dudas
Mail Stop External Affairs
Director, U.S. Patent & Trademark Office
Post Office Box 1450
Alexandria, Virginia 22313-1450

RE: Written Comments Following the USPTO Town Hall Meeting on the Protection of Industrial Designs

Dear Secretary Dudas:

On behalf of the Florida Automotive Industry Association (FAIA), I would like to thank the United States Patent and Trademark Office for providing the automotive aftermarket industry, consumers and others with a platform to address an extremely important issue regarding design patents.

FAIA is a statewide automotive aftermarket association with members from many areas of the automotive repair sector, including wholesale distributors, jobbers, service facilities (general repair, tire dealers, paint & body, transmission, muffler shops, etc.), engine rebuilders and machine shops and manufacturers. The automotive aftermarket in Florida includes over 24,000 independent businesses with more than 150,000 employees.

Typically, in my business — as for most Americans — patent law is relegated to the realm of the arcane. Yet this could be one of the most important issues consumers won't learn about until their vehicle visits the body shop. If the automobile manufacturers are allowed to continue to obtain restrictive 14-year design patents on visible components of new car makes and models, prices will increase and competition will continue to diminish.

For consumers already feeling the squeeze from soaring gas prices during their daily commute, the resulting increased prices will be a large burden to bear. Hitting closer to home for FAIA and our members is the fact the excessive patenting of automotive crash parts leads to continued monopolization of the auto repair parts market by the big automakers, meaning far fewer jobs in an industry that represented annual sales in Florida of more than \$16 billion.

Fortunately, a legislative solution exists that would balance the intellectual property rights of the automakers with the needs of the consumers while preserving over a half-century tradition of free markets and fair prices in the automotive replacement collision parts industry.

FAIA strongly supports HR 5638 and we urge your support of this legislation.

Sincerely,

George Ehrhard, ASE
Executive Vice President & Administrator