International Trademark Association Committee Experience

Justin has served as a liaison from his law firm to INTA, has been an active participant in INTA's committee work since 1994, and has served as a member of the Board of Directors of INTA's Political Action Committee since April 29, 2008. He has been serving on INTA's U. S. Legislation Subcommittee since 2016. From 2012-2015 he served on the Geographical Indications Subcommittee of the Related Rights Committee. From 2006-2011 he served on INTA's U. S. Amicus Subcommittee, which prepares INTA's amicus briefs to the U.S. Supreme Court and other appellate courts. While serving on the Amicus Committee, Justin was a principal contributor to INTA's amicus brief to the United States Court of Appeals for the Fourth Circuit in *Rosetta Stone, Ltd. v. Google, Inc.*, 676 F.3d. 144 (4th Cir. 2012).

From 2002–2005, Justin served on INTA's U. S. Legislation Subcommittee, which works with Congress on trademark and trademark related intellectual property legislation. While on this committee, he led a team that prepared a report on whether INTA should propose legislation to add trademarks to the definition of intellectual property in the Bankruptcy Code, so that trademarks would be treated the same as patents and copyrights in the provisions that address executory contracts that license intellectual property rights. He was also a principal author of a report on whether INTA should propose legislation that all trademarks are capable of inherent distinctiveness, to overrule the decision of the U. S. Supreme Court in *Wal-Mart Stores, Inc. v. Samara Bros., Inc.*, 529 U. S. 205 (2000).

Prior to his service on the U. S. Legislation Subcommittee, Justin served as Chair of the North American Regulatory Analysis Subcommittee of the Regulatory Analysis Committee, 1998–1999; Chair of the New Legislation (U. S.) Subcommittee of the Legislative Analysis Committee, 1997–1998; and as Chair of the Functionality As A Defense Subcommittee of the Issues & Policy Committee, 1996–1997; as Chair of the Ad Hoc Federal Legislation Subcommittee of the U.S. Legislation Committee, 1995–1996; as a member of the U.S. Legislation Committee 1994-1996; and as a member of the Model State Trademark Bill Committee, 1993-1994.

When he served as Chair of the Functionality As A Defense Subcommittee, Justin's subcommittee drafted reports and legislation and worked with the House

Subcommittee on Courts and Intellectual Property of the Committee on the Judiciary on a bill to amend the Lanham Act to make functionality a statutory defense to the infringement of an incontestable mark and a ground for cancellation of an incontestable registration. While serving as Chair of the New Legislation (U.S.) Subcommittee, his subcommittee continued working on the functionality bill and worked on the proposed trade dress bill. The functionality legislation that these two committees drafted was passed by Congress on October 9, 1998, amending the Lanham Act as a part of the implementing legislation for the Trademark Law Treaty.

When Mr. Ourso served as chair of the North American Regulatory Analysis Subcommittee, his subcommittee prepared INTA's submissions to the PTO on its congressionally mandated inquiry into Native American tribal insignia and to the FDA on the FDA Draft Guidance on placing the therapeutic equivalence code on prescription drug labels.