

# Status Report: USPTO Implementation of the America Invents Act



March 21, 2012



# Patent Related Notices of Proposed Rulemaking

	<b>AIA Provision</b>	<b>Comment Period End</b>	<b>Comments Received</b>
1	Inventor's Oath/Declaration	March 6, 2012	28
2	Preissuance Submissions	March 5, 2012	29
3	Citation of Patent Owner Statement in a Patent File	March 5, 2012	16
4	Supplemental Examination	March 25, 2012	--



# Board Related Notices of Proposed Rulemaking for Trials

	<b>AIA Provision</b>	<b>Comment Period End</b>	<b>Comments Received</b>
5	Inter partes review	April 10, 2012	--
6	Post-grant review	April 10, 2012	--
7	Covered business method review	April 10, 2012	--
		April 10, 2012	--
8	Derivation	April 10, 2012	--
9	Umbrella Rules	April 9, 2012	--
10	Trial Practice Guide	April 9, 2012	--



# AIA Roadshows

	Date	Location	Live Audience	Virtual Audience	Total
1	Friday, February 17	Alexandria, VA	103	193	296
2	Friday, February 24	Sunnyvale, CA	107	160	267
3	Monday, February 27	Salt Lake City, UT	62	--	62
4	Wednesday, February 29	Dallas, TX	103	--	103
5	Friday, March 2	Ft. Lauderdale, FL	93	--	93
6	Monday, March 5	Boston, MA	98	--	98
7	Wednesday, March 7	Chicago, IL	125	--	125
	<b>TOTAL</b>	--	--	--	<b>1364</b>



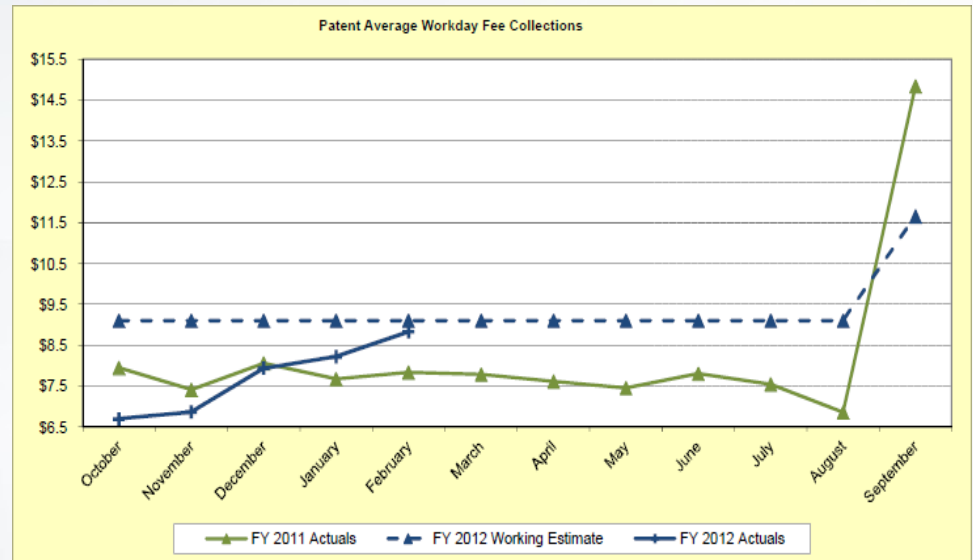
# AIA Roadshow Highlights

- Purpose = educate public about proposed rules to encourage public participation in rulemaking process
- 9 member roadshow teams included:
  - Director Kappos/Deputy Director Rea
  - 2 Patents Business Unit representatives
  - 2 BPAI judges
  - 1 Governmental Affairs representative
  - Patent Reform Coordinator
- Audiences provided helpful questions and feedback
- Videos and slides available to public on AIA micro-site



# USPTO Funding Update

FEE COLLECTIONS (\$ in millions)				
For the Period Ending February 29, 2012				
	YTD Collections	EOY Projections		
	Actual	Low	Working Est./ Current Plan	High
Patents	\$779.0	\$2,204.6	\$2,275.8	\$2,438.1
Trademarks	\$99.9	\$245.9	\$253.1	\$258.6
<b>Total Fees</b>	<b>\$878.9</b>	<b>\$2,450.5</b>	<b>\$2,528.9</b>	<b>\$2,696.7</b>
<b>AIA Fees</b>				
Prioritized Examination	[\$7.0]	[\$40.8]	[\$40.8]	[\$81.6]
15% Surcharge	[\$95.5]	[\$239.6]	[\$252.2]	[\$266.5]

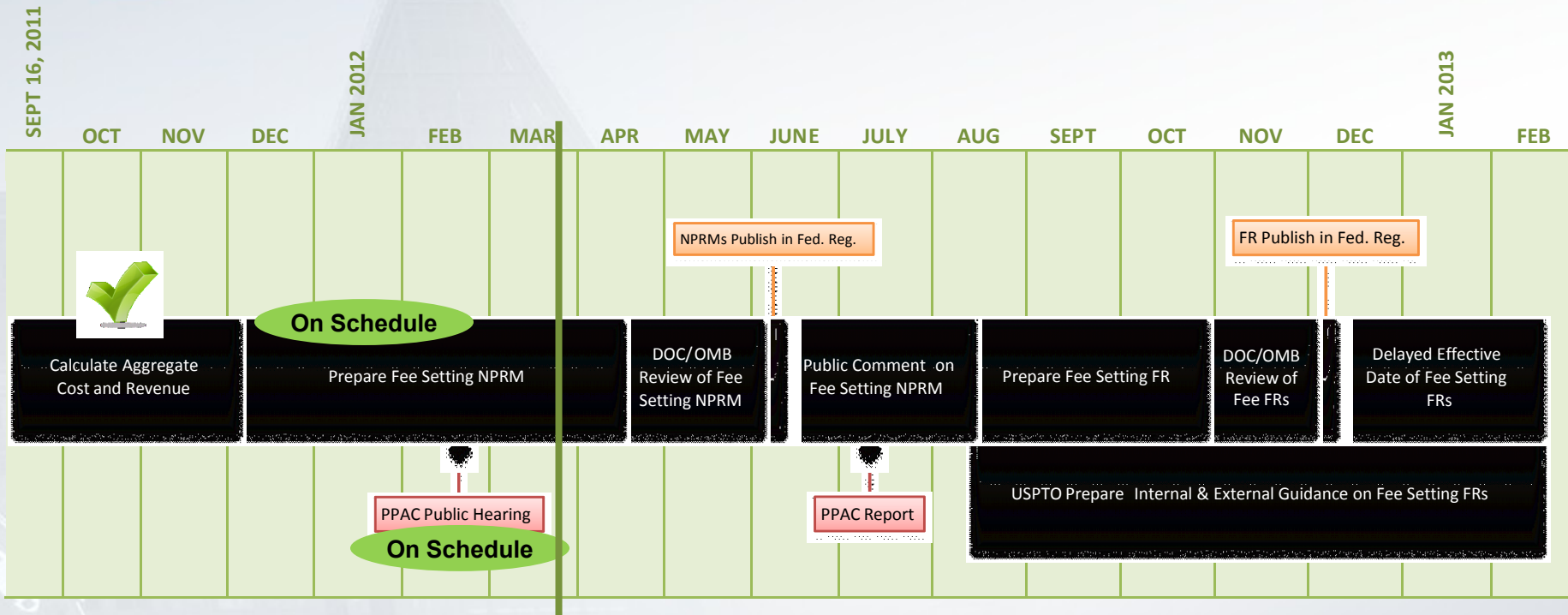


- USPTO fee collections continue to normalize
  - Still experiencing some lingering effects of the late-FY11 fee collections “bubble”
    - February Patents collections were just 3% below FY12 plan rate.
    - Remaining effects bubble should drop out over the next month





# Fee Setting Timeline



- Released preliminary proposed fees on February 9, 2012
- Fee Hearings held as required by AIA on
  - February 15, 2012 at USPTO
  - February 23, 2012 in Sunnyvale, CA



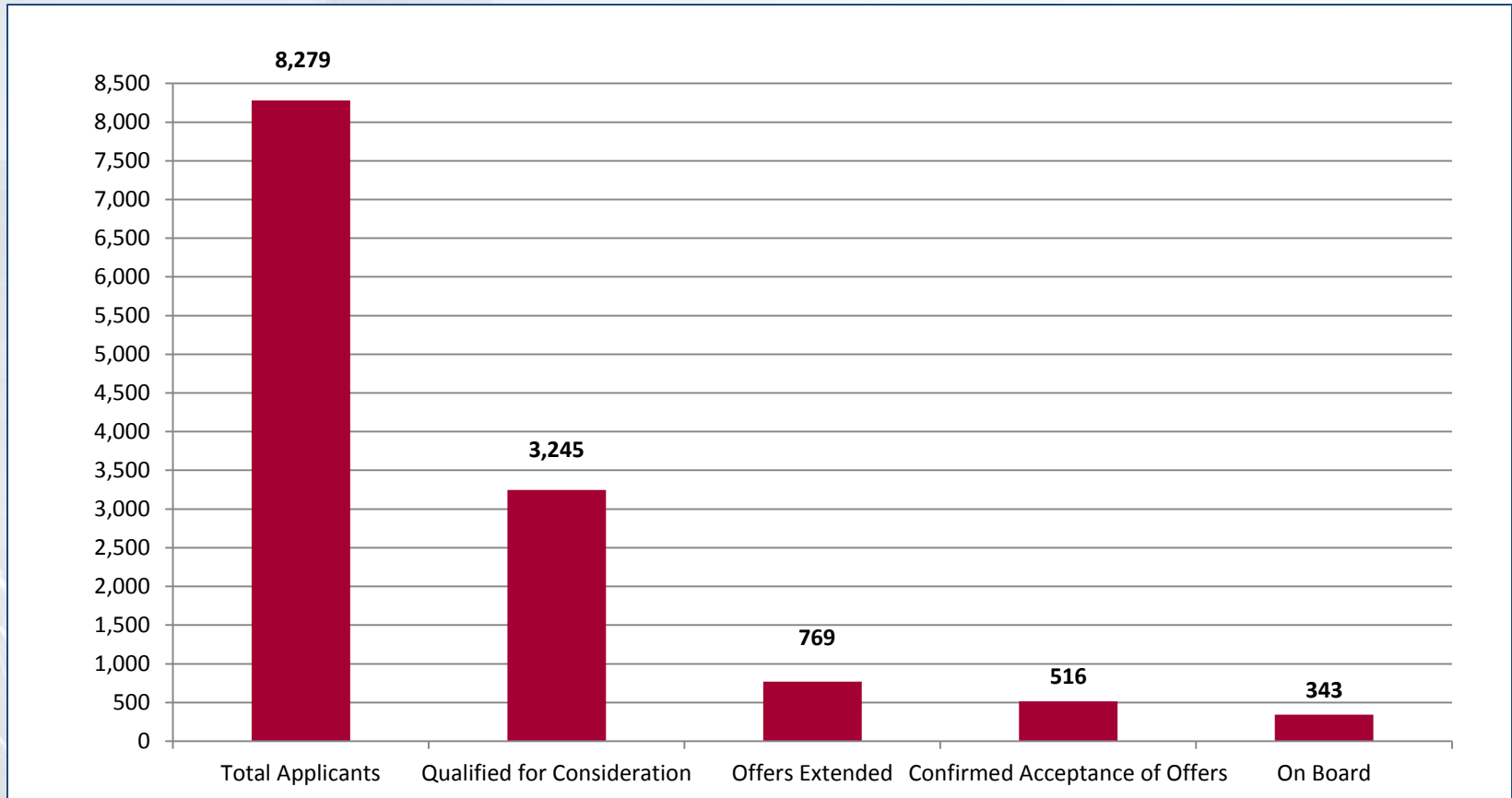
# Genetic Testing Study

- USPTO to report on effective ways to provide “second opinion” genetic diagnostic tests where:
  - gene patents; and
  - exclusive licensing for primary genetic diagnostic tests
- Hearings held where 20 witnesses testified
  - February 16, 2012 @ USPTO: 11 witnesses
  - March 9, 2012 @ San Diego School of Law: 9 witnesses
  - Videos available on AIA micro-site
- Written comments from public due March 26, 2012
- Report due by June 16, 2012



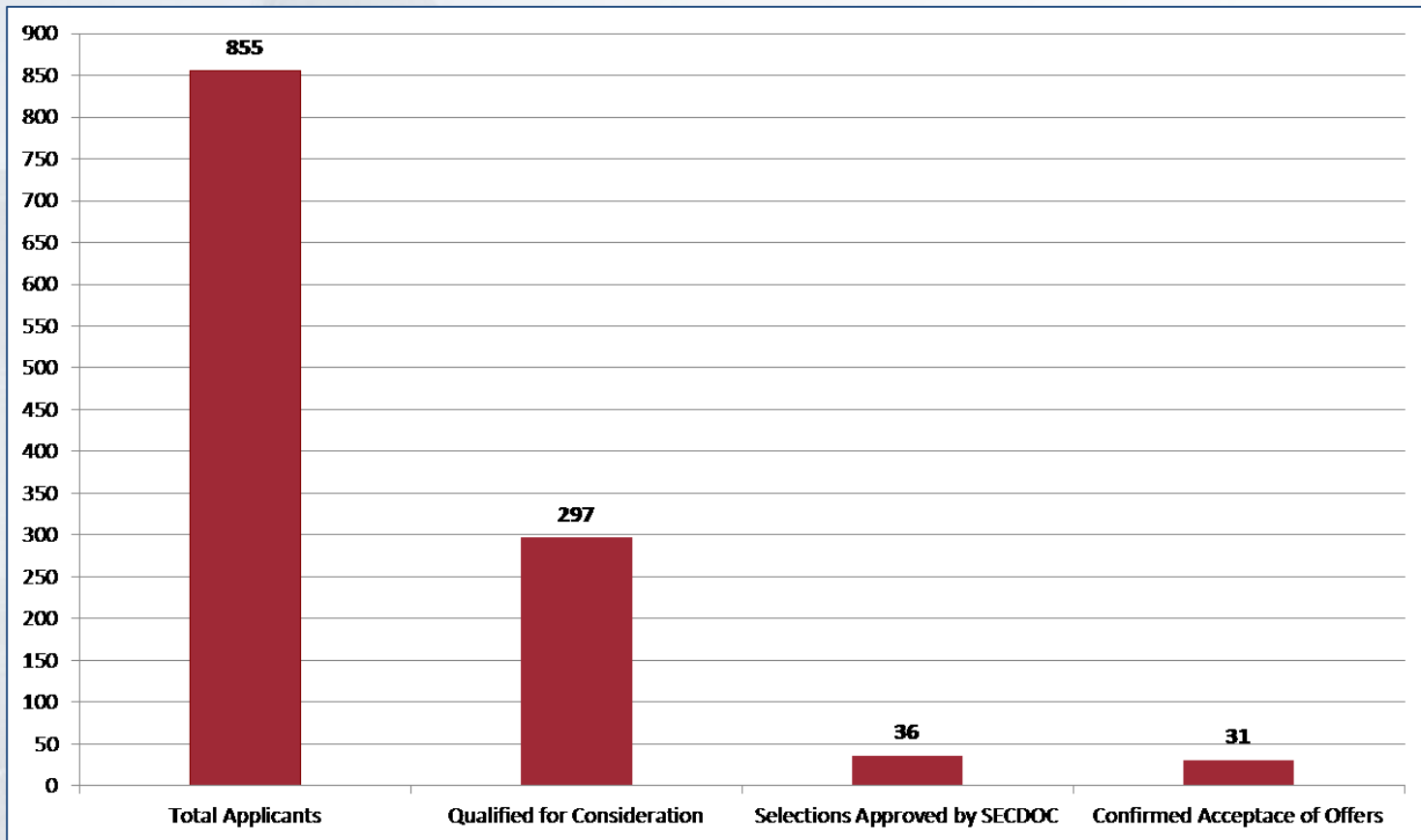


# Hiring – Patent Examiners





# Hiring – BPAI Administrative Judges





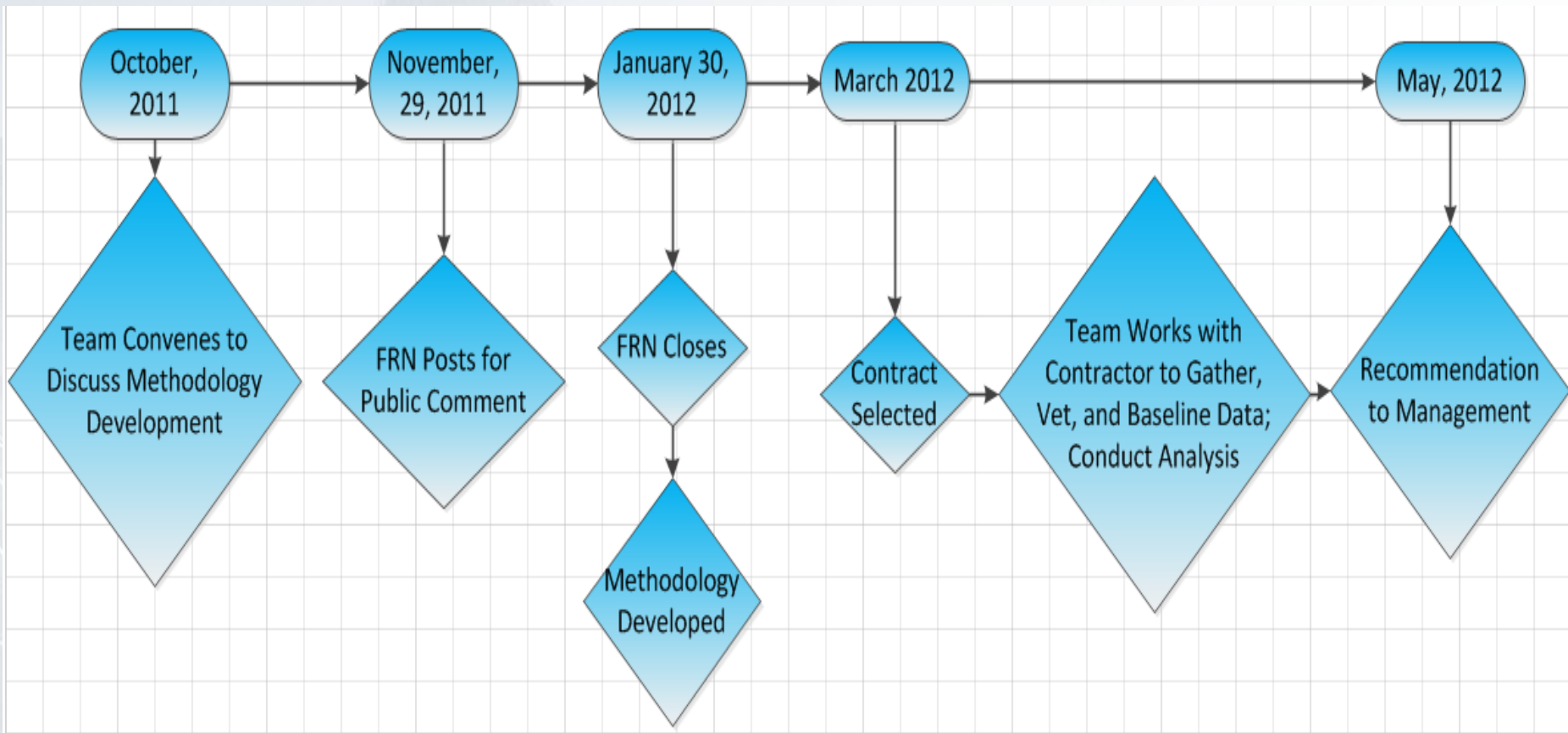
# Satellite Offices

- USPTO required to open 3 satellite offices in 3 years
- Initial office planned for Detroit; opening June 2012
- USPTO screening public comments received in response to a Federal Register Notice seeking input on the locations of the 2 other satellite offices
  - 626 comments received
  - >100 localities recommended



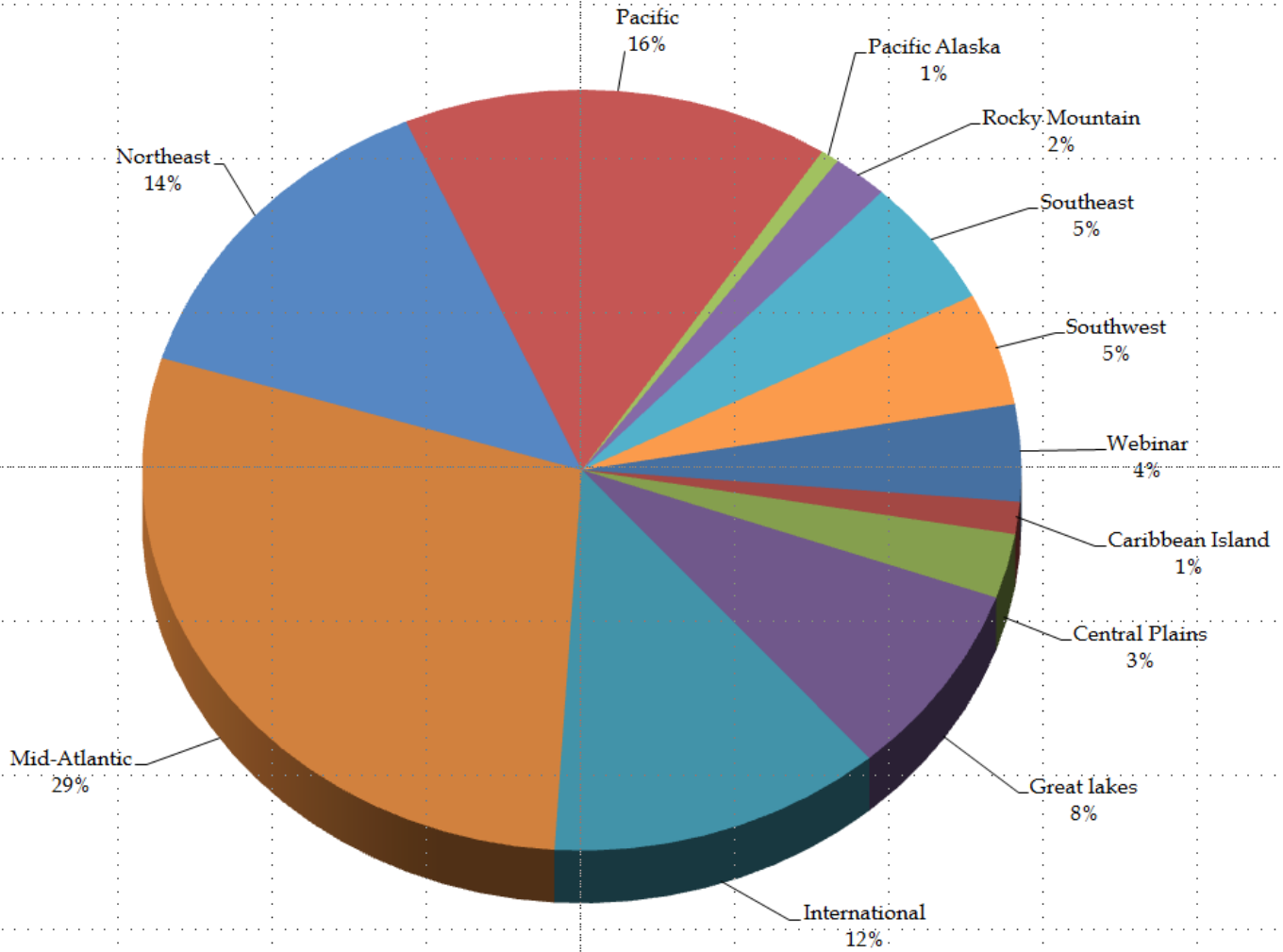


# Site Selection Timeline





# AIA Outreach



## Speaking Engagements

Speaking Engagements	
Region	Count
Webinar	6
Caribbean Island	2
Central Plains	4
Great lakes	11
International	18
Mid-Atlantic	42
Northeast	19
Pacific	21
Pacific Alaska	1
Rocky Mountain	2
Southeast	6
Southwest	5
<b>Total</b>	<b>137</b>

# Thank You

