

**From:** David Marks  
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The USPTO proposed fee on practitioners is unnecessary and is unlikely to fulfill the Office's goals -- assuming that the goal is more than just milking money from practitioners.

The cost for running OED should be obtained from administrative overhead funds that are built into the Office's other fees. After all, there is no separate fees for the Office's information technology, human resources, and similar departments. Alternatively, the USPTO could increase the fees for administering patent examination tests.

The Office could accomplish its stated goal of promoting the integrity of the patent practitioner roster by sending a form every year or two to the practitioners on the roster and requiring practitioners to return the form within a certain time period to remain on the roster. No fee is necessary for practitioners seeking to remain on the roster. If a person fails to submit the completed form in a timely basis, then that person is removed from the roster. If the person wants to rejoin the roster, then let that person pay a fee.

Frankly, attending CLEs do not automatically improve the quality of the bar nor patents. A practitioner must want to improve his/her skills in order for such a goal to be achieved. Such an improvement does not automatically lead to better quality patents because too many variables influence the quality of a patent, including the willingness of an examiner to work with the practitioner to issue a quality patent and the goals of the client.

The Office should use other methods for achieving its goal of maintaining roster integrity and improving quality of patents than by charging practitioners for performing their jobs and earning their pay.

If the USPTO insists on instituting a yearly fee on practitioners, it is requested that the USPTO waive that fee or set a highly reduced fee for federal government employed practitioners because this group of practitioners are unable to recover the additional costs from their employer which is also their client.

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