

UNLEASHING AMERICAN INNOVATORS ACT OF 2022

ADDITIONAL REGIONAL OFFICES STUDY



UNITED STATES
PATENT AND TRADEMARK OFFICE ®

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Unleashing American Innovators Act

UAIA Act of 2022

ADDITIONAL REGIONAL OFFICES STUDY

United States Patent and Trademark Office

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Executive Summary

The 2011 Leahy-Smith America Invents Act (AIA) authorized the creation of satellite offices (referred to throughout this report as “regional offices”)¹ for the U.S. Patent and Trademark Office (USPTO or Office). The first regional offices—Detroit, Dallas, Denver, and San Jose, and Alexandria—were established to achieve the following goals:

- Increase outreach activities to better connect patent filers and innovators with the USPTO
- Enhance patent examiner retention
- Improve the recruitment of patent examiners
- Decrease the number of patent applications waiting for examination
- Improve the quality of patent examination

The 2022 Unleashing American Innovators Act (UAIA) expanded the USPTO’s footprint by requiring a new type of office—the community outreach office—along with an additional regional office in the Southeast.

The USPTO’s regional offices play a vital role in bringing innovation to impact in the marketplace. The regional offices promote innovation and stimulate the economy by: (1) connecting entrepreneurs and inventors to education and resources to support their success in the innovation system; (2) supporting students and teachers through science, technology, engineering, and math (STEM) education programs; (3) gathering feedback from regional stakeholders to support and improve agency operations; (4) increasing public awareness of IP and the innovation ecosystem; and (5) recruiting diverse talent from across the country. In addition to extensive USPTO-provided outreach efforts through the regional offices, the USPTO partners with other agencies so people interested in programs to assist small businesses can learn about the value of protecting their ideas and branding. This expands the USPTO’s reach even further.

The USPTO continues to evaluate the needs of innovators nationwide—and focuses on increasing the participation in the patent system of individual inventors, small businesses, veterans, low-income populations, students, rural populations, and other underrepresented

¹ The AIA authorized the USPTO to establish “satellite offices” while the UAIA authorized the USPTO to establish “regional offices.” The USPTO also uses “regional office” to describe the satellite offices established under the AIA. Thus, these terms (“satellite office” and “regional office”) are used interchangeably throughout this report.

groups. In doing so, —the agency relies on a transparent and data-driven approach to determine what type of outreach, including what type(s) of office, would benefit individual communities.

In light of the ongoing work to establish the new community outreach offices, the opening of the Southeast Regional Office, and the evolving nature of telework and outreach in a post-pandemic operating model, the USPTO recommends evaluating the need for any additional regional offices after the establishment of all new offices and the implementation of the chosen outreach service model. At that point, the USPTO will have greater insight into which communities would most benefit from additional USPTO engagement, how stakeholders are served by each type of office, and the type of office(s) that would be most helpful in a region.

Introduction

In 2011, Congress enacted the AIA, which authorized the USPTO's first four regional offices. The establishment of regional offices moved the USPTO toward a new outreach model that allowed the agency to meet the public where they are, and this has yielded great economic and social benefits to both the USPTO and the communities these offices serve.

The UAIA sought to expand this outreach. Among other things, the law aimed to increase participation in the patent system by directing the USPTO to:

- establish a Southeast Regional Office within three years of enactment; and
- establish four or more community outreach offices, including one in the northern New England region, within five years of enactment.

The UAIA also provided further clarification on the purposes of these regional offices. Specifically, the UAIA amended section 23 of the AIA and explained that the offices are intended to:

- better connect patent filers and innovators with the USPTO, including by increasing outreach activities, including to individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that the Director may determine to be underrepresented in patent filings;
- enhance patent examiner and administrative patent judge retention, including patent examiners and administrative patent judges from economically, geographically, and demographically diverse backgrounds;
- improve recruitment of patent examiners;
- decrease the number of patent applications waiting for examination; and
- improve the quality of patent examination.

The UAIA further directed the USPTO to conduct a study to determine whether additional regional offices are needed to: (1) achieve the purposes described above; and (2) increase participation in the patent system by individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any other geographic group of innovators that may be underrepresented in patent filings. This report shares the results of that study.

As set forth in further detail below, the USPTO's regional offices continue to play an important role in education and outreach efforts, and they also provide USPTO employees with resources and support in their geographical regions. The COVID-19 pandemic accelerated the USPTO's ongoing shift to a more virtual presence, which expanded telework for its employees as well as opportunities for further outreach and education through virtual

programming. This has led to a change in how the regional offices are currently used, both to support USPTO employees and for regional education and outreach.

Specifically, physical office space is less necessary because of: (1) the USPTO's successful and data-driven telework policies (2) the planned establishment of community outreach offices that create a physical presence in those communities in which outreach and IP education are most needed, and (3) the increased popularity of virtual education and outreach events. The USPTO also expanded community-level educational resources across the nation, such as expanding its Patent and Trademark Resource Centers (PTRC) program. In light of these collective developments, the need for an additional regional office currently remains unclear.

The USPTO will continue to monitor which resources are needed to ensure that the agency continues to support its employees while providing IP outreach and education to the public, including whether additional regional offices are needed in the future.

I. Background

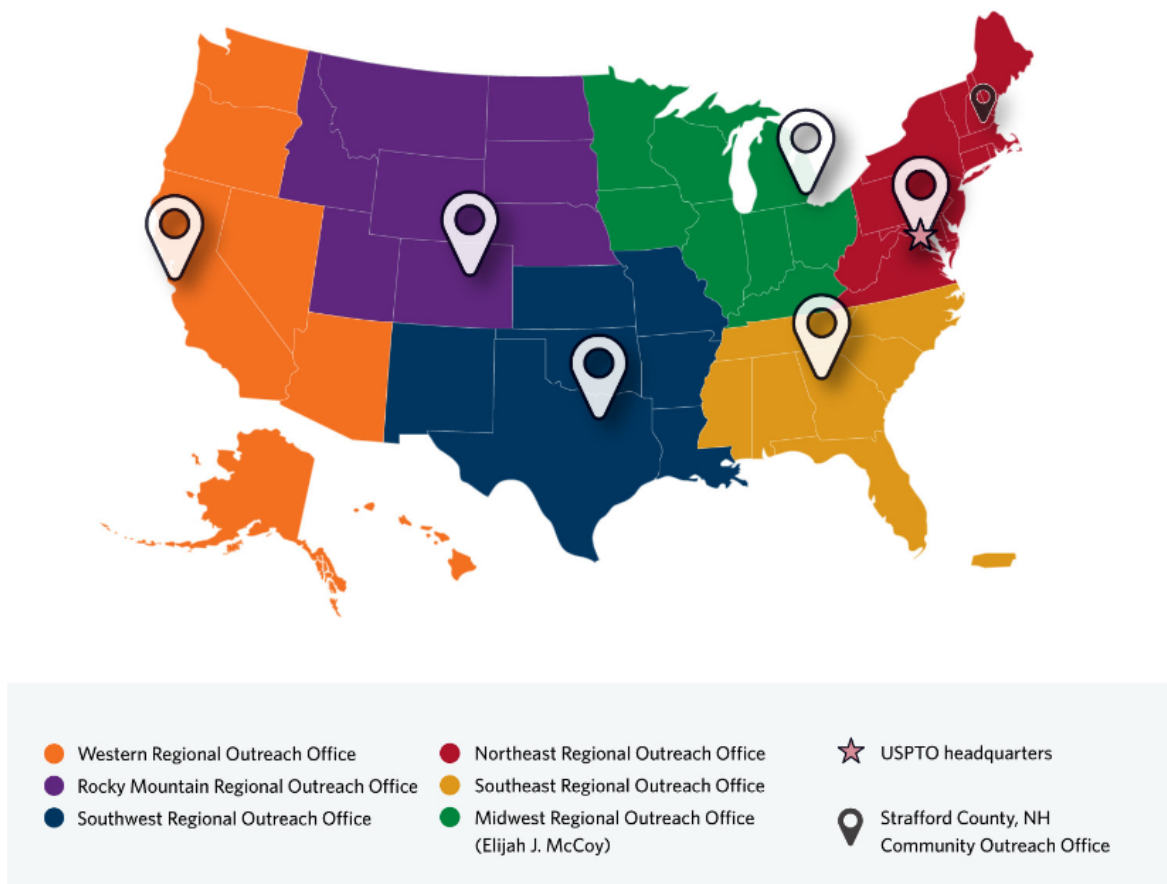
The USPTO had been located primarily in the greater Washington, D.C., metro area. As noted above, the AIA established four USPTO regional offices. Currently, the USPTO has physical office locations in the following cities:

- Detroit, Michigan - Elijah J. McCoy Midwest Regional Outreach Office, opened July 13, 2012
- Denver, Colorado - Rocky Mountain Regional Outreach Office, opened June 30, 2014
- San José, California - Western Regional Outreach Office, opened October 15, 2015
- Dallas, Texas - Southwest Regional Outreach Office, opened November 9, 2015
- Alexandria, Virginia (USPTO headquarters) - Northeast Regional Outreach Office, created in 2019 and formally incorporated into the regional office structure in March 2024

Since the passage of the UAIA, the USPTO has carefully deliberated where the new Southeast Regional Outreach Office should be located, including incorporating public input on the new offices². The agency recently announced that Atlanta, Georgia, would serve as the location for the Southeast Regional Outreach Office, which is scheduled to open by December 2025. Figure 1 shows the states and U.S. territories covered by each of the USPTO outreach offices, including the new Southeast Regional Outreach Office and the first of four new community outreach offices.

² The USPTO issued a [Request for Comment](#) in June 2023 on various aspects of the new outreach offices, and published a summary of public comment on its [webpage](#).

Figure 1: Map of USPTO Locations



II. Summary of Regional Office Accomplishments

The USPTO’s regional offices are an extension of USPTO headquarters, bringing services and resources to their respective regions. Their purpose, tied to the section 23 statutory goals, is to promote innovation and stimulate the economy. The USPTO’s regional offices’ services and resources also complement other outreach programs.

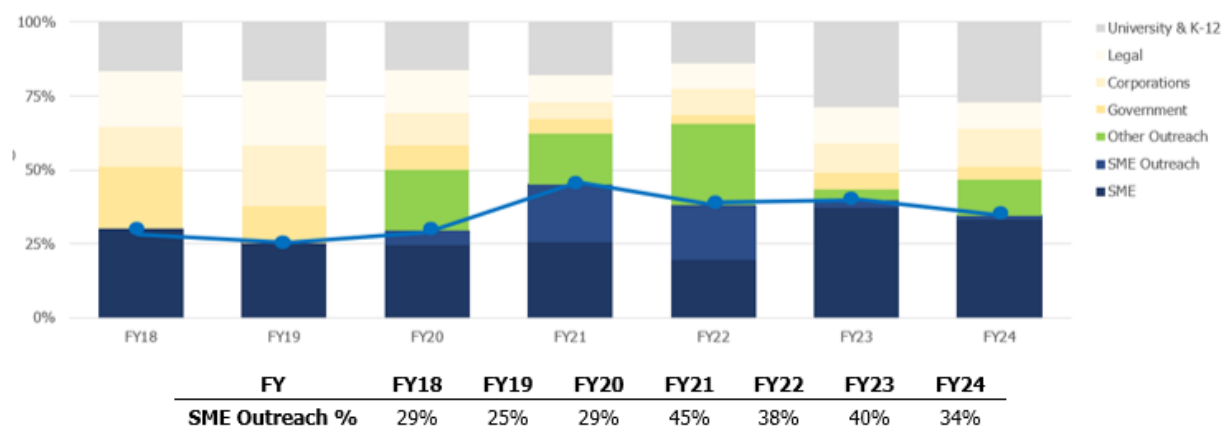
The regional offices leverage strategic partnerships with local, state, and federal agencies, to expand the reach of USPTO resources. By collaborating with partners, the regional offices serve as the “last-mile” between the USPTO and prospective users of the IP system, helping small businesses and underserved stakeholders better protect their IP.

The remainder of this section looks at the regional offices’ progress toward each of their statutory goals since their establishment.

1. Connecting Patent Filers and Innovators with the USPTO

The USPTO designs and implements national and regional outreach programs intended to reach a wide range of stakeholders, including independent inventors, small business concerns, minorities, and other underserved communities. With the establishment of the regional offices, the USPTO has been able to reach a more diverse set of stakeholders at a more local scale. Regional office stakeholders include a range of people and entities, spanning individual entrepreneurs to universities and corporations (see Figure 2). Since FY 2020, the regional offices have increased their outreach to small- and medium-sized business enterprises (SMEs) in particular.

Figure 2: Regional Office Programming by Stakeholder Type

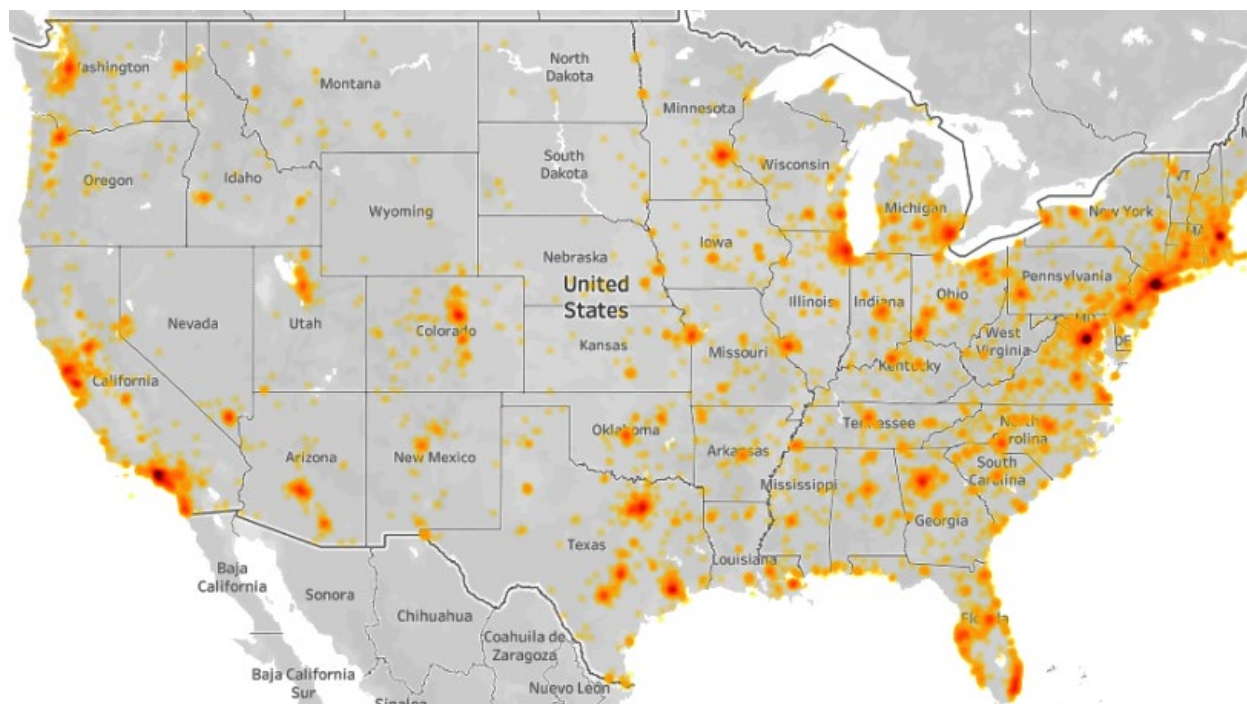


The USPTO customizes in person educational programming to the regional economy and intended audience, including seminars or workshops that educate customers about the patent application process or how to employ IP strategies for entrepreneurs. Many successful programs are hosted jointly between several local USPTO programs or in conjunction with local, state, and federal partners. In addition, virtual public outreach events enable the USPTO to reach innovators well outside the physical footprint of the regional offices.

Since FY 2020, the USPTO has worked to better identify areas in which there is significant interest in USPTO educational programming, as well as areas in which the USPTO can reach new audiences. The regional offices have done this by collecting the zip codes of registrants

for the programs they host. Figure 3 illustrates a heat map of registrants accessing regional office programming since FY 2020.

Figure 3: Heat Map of Registrants for Regional Office Programming Since FY 2020

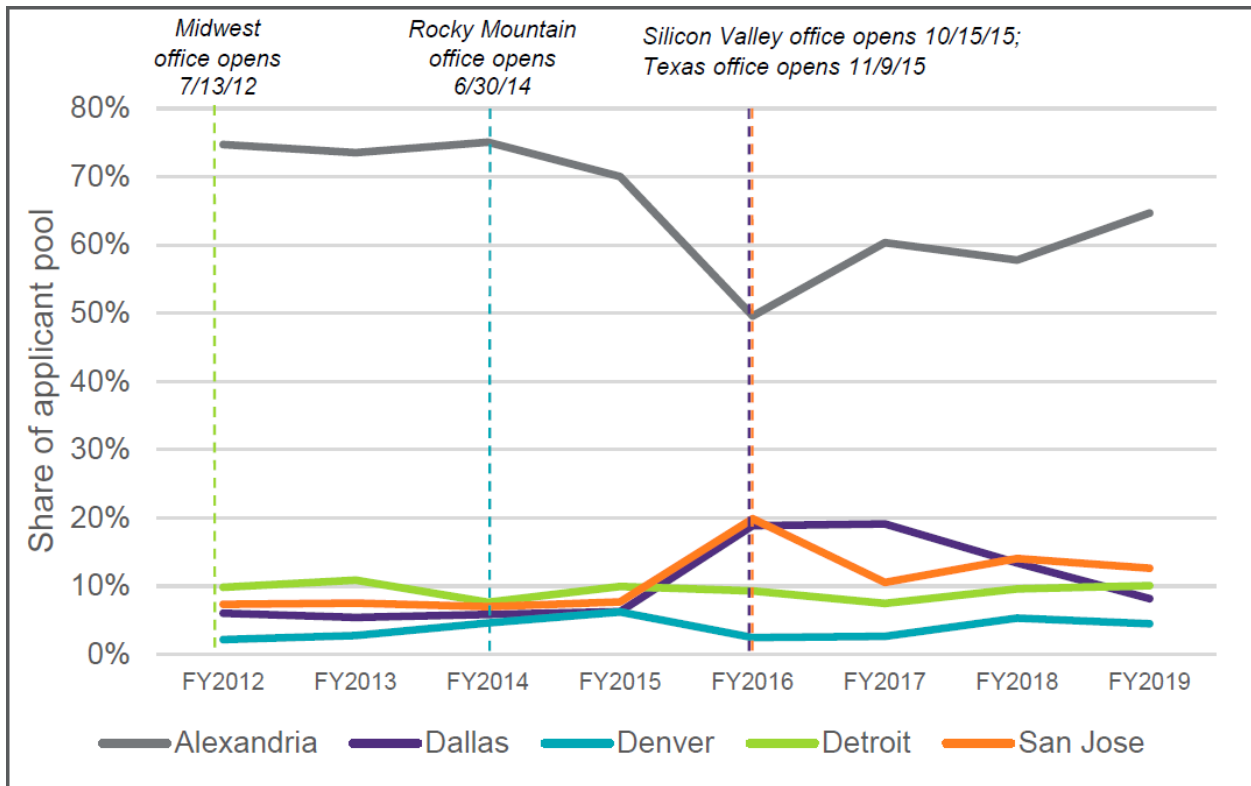


The regional offices use this information in two primary ways: (1) to identify the most significant areas of geographic interest for USPTO educational programming (the darker shaded areas of the map); and (2) to identify potential “innovation deserts”—geographic areas of the country with limited prior history of registering for or participating in IP-related educational programming. The areas with existing high interest are highlighted as potential locations for future in-person programming to build on that interest. The areas of low prior participation in USPTO programming are considered by the regional office outreach teams as geographic areas that would benefit from more education and focus. In other words, geographic regions with little past interest in IP-related programming are viewed by the regional offices as geographic growth opportunities, and are prioritized for future in-person visits to establish relationships with the nascent IP and innovation community in these regions.

2. Patent Examiner and Patent Trial and Appeal Board Judge Recruitment

The opening of the regional offices has had a positive impact on employee recruitment, and has led to the onboarding of over 400 patent examiners at regional office facilities since the 2012 opening of the Midwest Elijah J. McCoy Regional Outreach Office in Detroit, Michigan in 2012. Figure 4 shows the impact of the regional offices on patent examiner recruiting before 2020, when in-person onboarding was still required. Prior to the COVID-19 pandemic, the regional offices were the primary means by which the USPTO could enhance the recruitment of critical talent by geographically expanding the candidate pool. However, the changes implemented post-pandemic—namely, the shift to remote onboarding of employees—have greatly increased the agency’s ability to recruit and retain talent nationwide. These changes have reduced the impact of the alternate workspaces offered by the regional offices on patent examiner and other employee retention.

Figure 4: Patent Examiner Job Applications by Region of Residence



Impact of the Shift to a Nationwide Workforce

The USPTO has been a leader in telework in the federal government for 25 years, with teleworking employees in all 50 states, the District of Columbia, and Puerto Rico. At the

USPTO, telework is a business strategy that supports the recruitment of nationwide talent and fulfillment of the agency's mission. In January 2021, the USPTO's landmark telework authority, the Telework Enhancement Act Program (TEAP), became permanent and further expanded telework. At the end of FY 2024, over 99% of USPTO employees were teleworking in some capacity. USPTO employees identify telework, and the flexibility and increased geographic diversity it provides, as a top reason they like working at the USPTO and plan to remain at the agency. The option to telework has expanded geographic diversity and retention of the USPTO's workforce.

With the advent of the COVID-19 pandemic in 2020, the USPTO's hiring and onboarding of patent examiners shifted to a virtual-first posture. Currently, all patent examiner vacancy announcements are listed as remote jobs, with no in-person reporting requirement. This has expanded the pool of potential examiners (including highly qualified candidates from industries not traditionally located in the Washington, D.C. region) and enhanced the national presence of the USPTO for greater interaction with the IP community and the public. Additionally, with a nationwide focus, the USPTO has become better positioned to recruit and retain more experienced examiners—including patent attorneys and patent agents, former examiners, and skilled technologists who have experience with the USPTO as inventors—who require less training and achieve higher-quality production faster than less experienced hires.

The USPTO is still considering what role in-person hiring and onboarding of patent examiners will play in the future, and how the regional offices will best support any future in-person onboarding and training of new employees. The regional offices will continue to support the recruitment of patent examiners and Patent Trial and Appeal Board judges by advertising open high priority vacancy announcements at in-person recruiting events and programs across their respective regions.

As with the USPTO's recent reduction in office space at its Alexandria headquarters, the expansion of telework has led to a reduced demand for office space for USPTO employees at its regional offices. As a result, the USPTO's regional offices continue to work on finding ways to support their growing number of the agency's new teleworkers. Specifically, the number of employees joining the ranks of routine teleworkers in the geographical areas served by the regional offices have significantly increased over the last several years. This trend has shifted the use of the regional offices from primarily providing office and hearing space for USPTO employees to creating a public space for outreach to external stakeholders and enhancing employee engagement with those living in the geographical areas of the respective regional offices.

3. Patent Examiner Retention

The regional offices have also created professional development opportunities for employees, positively impacting examiner retention. For example, regional offices have created unique detail opportunities that allow employees (typically patent examiners) to experience a temporary change to their assigned work, typically for a period of time between 120 days and one calendar year. A patent examiner on such a detail assignment to a regional office might be tasked with developing and delivering IP training material to a stakeholder in that region. This creates benefits for the employee, the agency, and the public. The employee benefits from gaining new skills (e.g., public speaking, content development); the agency benefits from the increased retention and upward mobility of examiners; and the public benefits from receiving training directly from a highly qualified subject matter expert.

Through this regional office detail program, approximately 25 former regional outreach detailees have used their detail experience to successfully apply for higher-level management positions within the USPTO. This is a unique vector for employee growth and development that did not exist prior to the creation of the regional offices, and it contributes to upward mobility and career growth through the regional offices. However, these detail opportunities do come at an operational cost to the USPTO, given that employees on detail assignments are taken away from their existing duties. Thus, the agency will continue to carefully monitor and balance the benefits of the outreach detail program with the importance of keeping an appropriate focus on both patent and trademark pendency.

4. Patent Pendency and Quality

Agency-wide Pendency and Quality Initiatives

The USPTO continues to prioritize reducing the volume of pending patent applications, primarily by increasing examination capacity through the focused hiring of a highly skilled workforce and improving the efficiency of patent prosecution. In FY 2023, 644 patent examiners joined the USPTO. In FY 2024, the agency exceeded its goal of hiring 850 patent examiners and expects to continue its push to hire new examiners through at least FY 2025.

At the same time, the USPTO has prioritized the issuance of robust and reliable patents as a strategic goal and made a number of decisions to improve patent quality, for example, by increasing the time allotted to examine each patent application and increasing examiner hiring goals to accommodate that additional time.

To support the related goals of reducing pendency and increasing quality, in 2022 the USPTO began implementing improved processes for efficiently routing patent applications. These new processes increase the likelihood that a patent application will be assigned to an examiner with the right technical background in the first instance. The USPTO also extended working hours so examiners would have more flexibility and potentially increase productivity.

On balance, however, the increase in patent applications combined with the increased time allotted per application, as well as the competitive labor market for those with the technical degrees and backgrounds needed for patent examination, have contributed to the increased backlog.

Regional Office Pendency and Quality Initiatives

The regional offices play a key role in supporting the agency's efforts to reduce the patent application backlog by educating both customers and patent examiners. Externally, the regional offices provide IP training to the public, especially to small businesses and independent inventors, on how to navigate the complexities of the patent system and how to access free legal resources such as the agency's Law School Clinic and Patent Pro Bono Programs (see Figure 5 below). As another example, the regional offices also developed the flagship regional-office developed "Path to a Patent" IP education series listed below. Each course is approximately 90 minutes in length and is offered quarterly. Since its inception, over 25,000 independent inventors, startups, and small businesses have participated in the Path to a Patent series.

- Part I: Intellectual Property Basics
- Part II: Drafting Provisional Patent Applications
- Part III: Patent Searching
- Part IV: Learn How to Draft a Patent Application
- Part V: Understanding the Role of Claims in a Patent Application
- Part VI: Pursuing Patent Protection Abroad
- Part VII: How to File a Patent Application Using Patent Center
- Part VIII: Common Mistakes and Post-Filing Support

The goal of regional office educational efforts is the filing of higher-quality patent applications by a more informed and well-educated public. Higher-quality patent filings, particularly by small businesses and independent inventors, require less back-and-forth between the applicant and the examiner, and lead to more streamlined patent prosecution.

This, in turn, supports the reduction in patent application pendency and ultimately drives down the patent application backlog.

The regional offices have also played a key role in providing more and better-quality technical training to the patent examination corps. The USPTO established the Patent Examiner Technical Training Program (PETTP) to make it easier for technologists, scientists, and engineers from industry and academia to provide technical training and expertise to patent examiners so they can stay abreast of the latest technologies. The regional offices serve as an important vector for PETTP by expanding the opportunities for experts to connect with and educate the patent corps.

III. How Regional Offices Support Other USPTO Public Outreach Programs

To assess the need for any additional USPTO locations, it is prudent to view regional office activities within the context of the recently created Office of Public Engagement and the activities of other USPTO organizational units. The USPTO made the strategic move to centralize many of the engagement components of the agency's work, including the regional offices, into a single business unit—the Office of Public Engagement—in order to better coordinate and align outreach efforts.

While the USPTO's regional and broader Office of Public Engagement office programs are closely aligned with the outreach and public education missions of the AIA and the UAIA as discussed above, several other business units and programs at the USPTO also support public education and outreach related to IP.

Table 1 provides an overview of some of the USPTO programs designed to help the public (particularly small businesses and under resourced inventors and innovators) obtain IP protection.

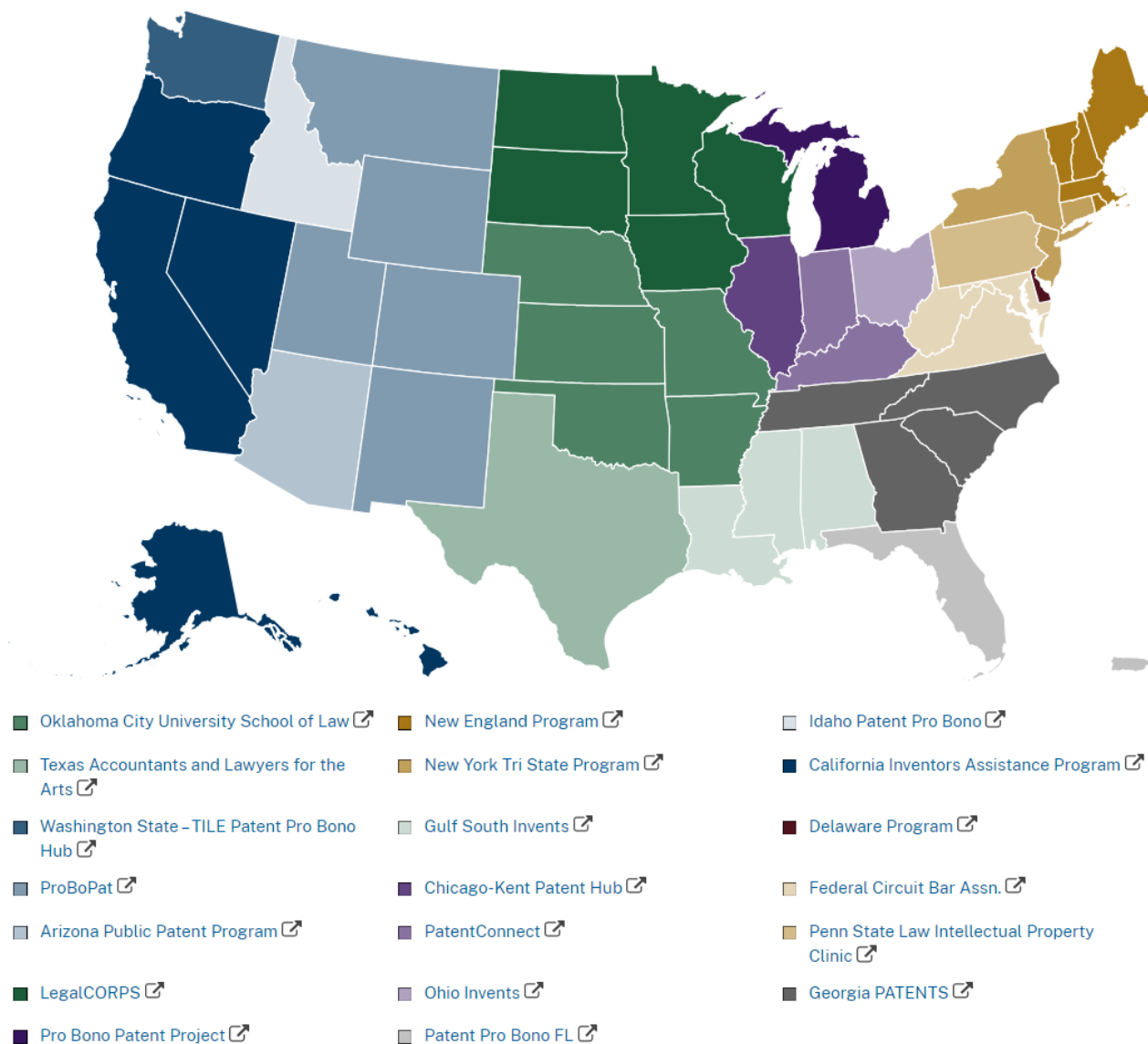
Table 1: Descriptions of Selected USPTO Programs That Help Small Businesses and Inventors with IP Protection

| USPTO Office and Program or Effort | Description |
|---|--|
| Office of the General Counsel | |
| Law School Clinic Certification Program | Under the Law School Clinic Certification Program, law school students provide pro bono legal services to their clients, that is, individuals and small businesses throughout the country, and represent them in the prosecution of patent and trademark applications before USPTO |
| Patent Pro Bono Program | The Patent Pro Bono Program is a nationwide network of 20 independently operated not-for-profit regional programs that match volunteer patent professionals with financially under-resourced small businesses for the purpose of securing patent protection. |
| Office of Policy and International Affairs | |
| Global Intellectual Property Academy | The Global Intellectual Property Academy (GIPA) provides intellectual property educational and training programming to improve intellectual property laws and their administration around the world and to enhance intellectual property awareness and technical capacity, which includes educational programming for U.S. small businesses and inventors about the importance of intellectual property and about foreign intellectual property systems. |
| Intellectual Property Attaché Program | The Intellectual Property (IP) Attaché Program operates in foreign markets to help U.S. businesses—including inventors and small businesses—and other U.S. stakeholders navigate issues related to intellectual property protection, ownership, use, and enforcement. The program consists of 13 IP attachés (with additional support from intellectual property specialists and staff) posted to U.S. embassies, consulates, and missions throughout the world. |
| Office of Public Engagement | |
| Patent and Trademark Resource Centers | Patent and Trademark Resource Centers (PTRCs) are a nationwide network of 99 public, state, and academic libraries that are designated by USPTO to disseminate patent and trademark information and to support the intellectual property needs of the public. The PTRC library staff are information experts trained on how to use search tools to access patent and trademark information. |
| Office of the Commissioner for Patents | |
| Application Assistance Unit | The Application Assistance Unit (AAU) helps applicants by telephone to assist with a broad range of questions and issues pertaining to pre-examination processing of patent applications by the Office of Patent Application Processing and the post-examination processing of patent applications by the Office of Data Management. They can assist with questions about the status of an application in the pre-examining or post-examining phase, filing receipts, changes of address, or withdrawal or change of attorneys. |
| Inventors Assistance Center | The Inventors Assistance Center (IAC) provides patent information and services to the public, including small businesses and inventors. The IAC answers questions concerning necessary formats and items needed for a patent application; provides assistance on filling out patent application forms; provides general information concerning patent examining rules, procedures, and fees; and directs callers to appropriate USPTO personnel or resources, as necessary. The IAC is staffed by approximately 25 former USPTO officials who answer general questions concerning patent examining policy and procedure. The IAC receives approximately 36,000 calls per year. |

| | |
|--|---|
| IP Awareness Assessment Tool | USPTO and the National Institute of Standards and Technology developed the IP Awareness Assessment Tool in 2012 to help entrepreneurs realize their creation of potentially valuable intellectual property assets, increase their knowledge about intellectual property, and obtain an awareness of the need to protect and keep their intellectual property from being exploited or appropriated by competitors. This tool is web-based and free of charge, and USPTO does not store or monitor information received from the assessments taken online. A USPTO analyst monitors the IP Awareness Assessment Tool mailbox to collect feedback and forward or respond to inquiries regarding the tool |
| Pro Se Assistance Program | The Pro Se Assistance Program assists inventors who wish to file patent applications without the assistance of a registered patent attorney or agent (also known as pro se filing). The Pro Se Assistance Program offers phone, email, in-person (unscheduled and scheduled), and video conferencing (virtual assistance) to customers at the pre-filing stage. |
| Patent Electronic Business Center | The Patent Electronic Business Center (EBC) is a call center that services patent applicants, including entrepreneurs, small businesses, and independent inventors, by providing logistical support in electronically filing, viewing, and managing their applications. EBC call agents provide one-on-one technical support and instructional materials throughout the submission process. |
| Office of the Commissioner for Trademarks | |
| Trademark Assistance Center | The Trademark Assistance Center (TAC) is the main support center for all trademark customers. The TAC is staffed with 25 federal government employees: 20 trademark information specialists, four team leads, and one manager. During fiscal year 2019, the TAC assisted over 150,000 customers, of which about 70 percent were small business owners and entrepreneurs. USPTO reported that fiscal year 2018 direct costs of the program totaled \$3,402,361. |

While many of these programs are delivered by business units primarily located at USPTO headquarters, a number are regionalized—that is, targeted to stakeholders in a defined geographic region. For example, the Patent Pro Bono Program (see Figure 5) is a nationwide network of independently operated regional programs that matches volunteer patent attorneys and agents with financially under resourced inventors and small businesses to provide free legal assistance in securing patent protection.

Figure 5: Map of Patent Pro Bono Program Network



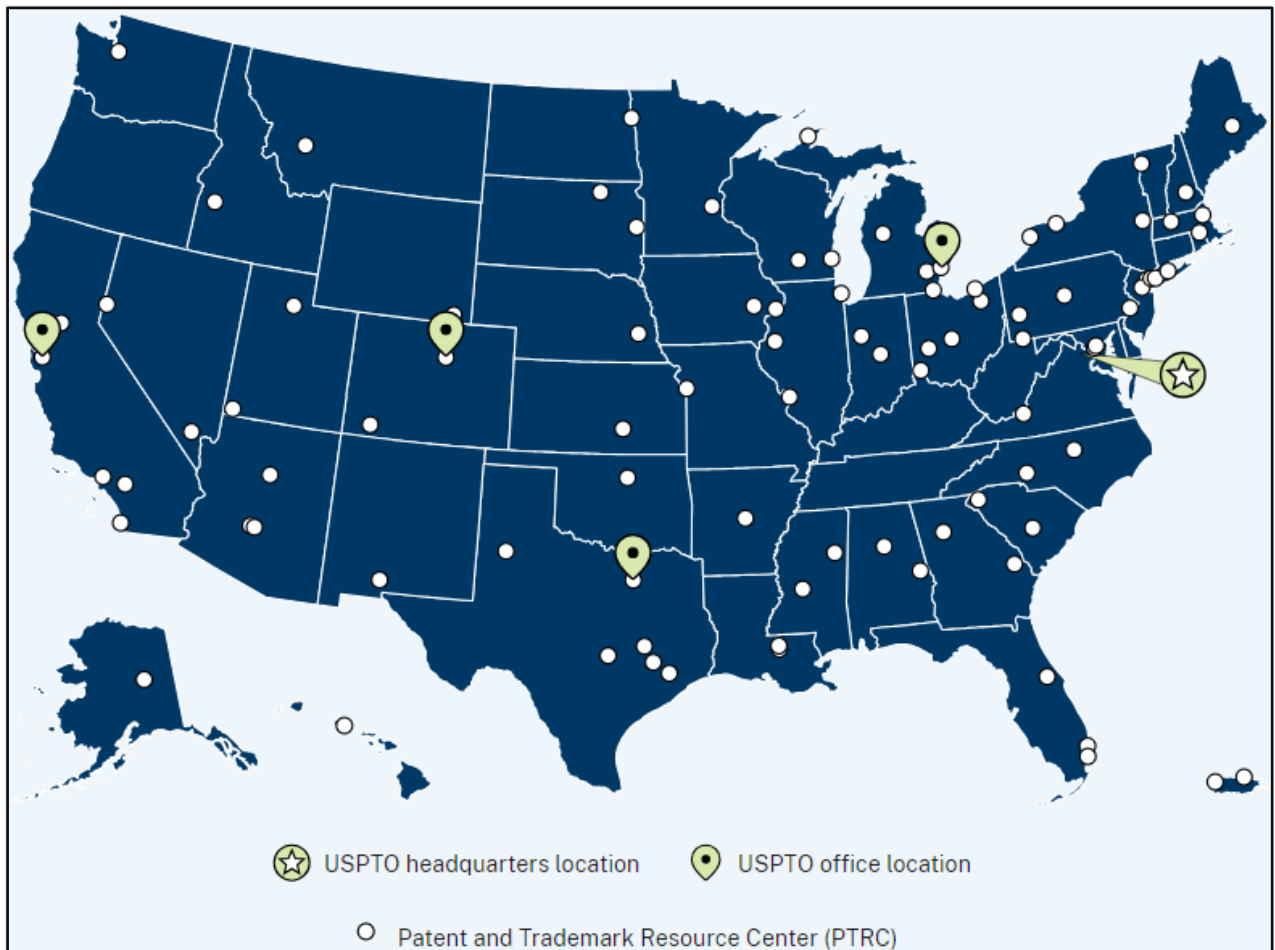
Similarly, the USPTO’s Patent and Trademark Resource Center (PTRC) Program is a nationwide network of academic, public, and state libraries that provide the public with various trademark and patent assistance. Each PTRC librarian is equipped to help the public:

- Learn to use patent and trademark search tools,
- Understand the patent and trademark application process,
- Assist in using the USPTO’s directory of local patent attorneys,
- Offer classes on IP (varies by location),

- Help find patent and trademark owner and assignee information, and
- Connect members of the public to other USPTO resources.

The USPTO's recent PTRC expansion efforts more than quadrupled the centers at HBCUs and resulted in the founding of five centers in previously underserved states, for a total of 99 active PTRCs across the United States at the end of FY 2024. The USPTO continues to recruit additional state and local libraries to join the PTRC network, particularly in geographic regions of the country that currently lack them.

Figure 6: Map of PTRC Locations



IV. Expanding Outreach Through Intergovernmental Collaboration

In addition to the extensive outreach efforts provided through the USPTO's regional offices, the PTRCs, and other programs discussed above, the USPTO recognizes that many current and aspiring innovators engage with other government agencies, often without understanding the importance of IP protection to their businesses and ideas or without knowing about the programs and assistance the USPTO offers.

To expand its impact beyond its footprint, the USPTO partners with other agencies so people interested in other programs targeting small businesses can learn more about the value of protecting their businesses' ideas as well as branding. Underrepresented inventors, innovators, and entrepreneurs benefit when multiple federal agencies associated with manufacturing, business development, financial assistance, entrepreneurship, innovation, and IP protection work together to serve as a one-stop shop for economic development needs. The USPTO is actively working to build collaborations across agencies to achieve this goal.

For example, the Economic Development Administration's Regional Technology and Innovation Hubs (Tech Hubs) are designed to support regional economic development, including in small cities and rural areas; diffuse innovation around the United States; and disseminate best practices for regional development and competitiveness in technology and innovation. To support this critical effort and to ensure that Tech Hubs also benefit from IP protection, the USPTO has designated staff to serve as single-source points of contact for grant recipients. This "IP ambassador" helps connect Tech Hubs grant recipients to the appropriate resources within the USPTO and serve as a model that the USPTO is working to replicate in other key grant programs across the federal government.

Regional Office Intergovernmental and Local Collaboration

The regional offices are a key element in the USPTO's intergovernmental collaboration as well. They are uniquely positioned to create, maintain, and leverage collaborative educational programming with federal, state, and local agencies that support small business growth and development. A majority of regional office programming is conducted in collaboration with these organizations, which allows the regional offices to reach stakeholders who may not otherwise seek out USPTO assistance.

For example, on the federal level, since 2012 the regional offices have conducted over 600 IP education programs in collaboration with the Small Business Administration, including the network of Small Business Development Centers, Veterans Business Outreach Centers, and Women’s Business Centers. On the state level, the regional offices work with colleges and universities to educate students on the IP system, and the offices recruit highly skilled candidates for open vacancy announcements. Locally, the regional offices work closely with entities like chambers of commerce to support small business growth and development through IP training and resource-sharing at chamber events.

By collaborating with intergovernmental and local partners, the USPTO and its regional offices can extend their reach beyond the traditional ecosystem of agency stakeholders. The USPTO will continue to prioritize working with federal, state, and local agencies in their respective regions to reach new audiences, and in a way that best meets future IP stakeholders where they are.

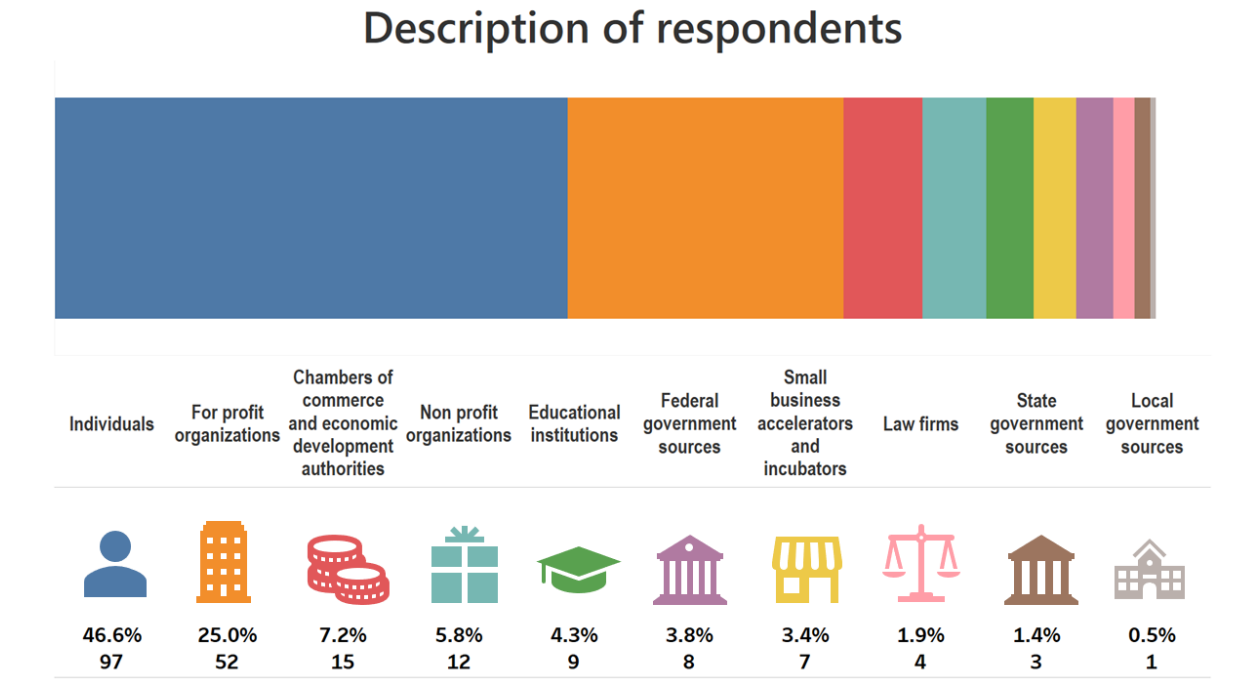
V. Impact of Community Outreach Offices on Overall USPTO Needs

The UAIA requires the USPTO to establish four or more community outreach offices, a new type of office that had not previously been part of the agency’s physical footprint or community engagement model. The first office will be located in Strafford County, New Hampshire, and the USPTO expects to make selections for the additional three community outreach offices locations in FY 2025 in order to have all the offices open by the statutory deadline of December 2027. The statutory goals of community outreach offices are to: (1) partner with local organizations and institutions to create community-based programs that provide education regarding the patent system; (2) promote the career benefits of innovation and entrepreneurship; and (3) educate potential innovators (including those from traditionally underrepresented groups) on available public and private resources related to the patent system, such as patent pro bono programs.

The USPTO has been working to define what distinguishes the new community outreach offices from the existing regional office model. Because the USPTO did not have a community outreach office model prior to the UAIA, the agency has been working internally and with stakeholders to develop a complementary service structure best suited to the needs of innovators across the country. In June 2023, the USPTO solicited stakeholder input through a request for comments (RFC) on a number of questions, including the essential services that the community outreach offices should provide and the types of agencies and/or organizations the USPTO should collaborate with to enhance its ability to fulfill the

purposes of these new offices. The USPTO received 208 responses to the RFC from a wide variety of stakeholders representing 24 states (see Figure 7).

Figure 7: Analysis of Respondents to the USPTO’s June 2023 RFC Regarding Community Outreach Offices



Responses helped inform the USPTO on how to use its outreach offices to expand its reach and foster a more inclusive IP ecosystem, which will, in turn, drive American innovation. Most commenters identified IP education services as being the primary mission of community outreach offices, with a strong focus on potential, novice, and pro se innovators. Many highlighted the challenges of understanding and protecting IP as a barrier to new or recent entrants into the IP ecosystem. They also suggested that this common barrier could easily be overcome with education and outreach aimed at helping those who are unfamiliar with or new to IP to better connect with the USPTO’s resources and services. Filing assistance for unrepresented filers was a commonly suggested service, identified by 24% of the respondents.

Through these comments and extensive internal discussions across the agency, the USPTO has made significant progress in developing a community outreach office program that both builds on the successes of the regional offices and establishes models for complementary outreach distinct from the work of the regional offices. As the USPTO continues to evaluate the needs of innovators nationwide—and focuses on increasing the participation in the

patent system of individual inventors, small businesses, veterans, low-income populations, students, rural populations, and other underrepresented groups—the agency will rely on a transparent and data-driven approach to determine what type of outreach, including what type(s) of office, would benefit individual communities.

VI. Recommendations

The USPTO’s regional offices play a vital role in connecting IP stakeholders with the knowledge and resources necessary to make more informed decisions about their IP strategies.

The regional offices continue to fulfill the statutory mandate of the AIA, as modified by the UAIA. Their work complements and enhances the outreach and education provided by the USPTO. From its nationwide patent pro bono network, Law School Clinic Certification Program, the PTRCs, and the many programs delivered by the Office of Public Engagement, the USPTO provides a number of complementary services at the local community level to continue to reach IP stakeholders wherever they are.

In light of the ongoing work to establish the new regional and community outreach offices as well as the evolving nature of telework and outreach in a post-pandemic operating model, the USPTO recommends evaluating the need for any additional regional offices after the launch of the Southeast Regional Outreach Office and all four new community outreach offices, and the implementation of revisions to the USPTO’s outreach service model. At that point, the USPTO will have greater insight into the regions that would most benefit from additional USPTO engagement, the ways stakeholders benefit from each type of office, and the type of office(s) that would be most beneficial in a region.

In the meantime, the USPTO will continue to focus on the integration and consolidation of its outreach programs and resources through the newly created Office of Public Engagement, as appropriate. Additionally, with the December 2025 opening of the Southeast Regional Office in Atlanta, Georgia; the opening of the community outreach office in Strafford, New Hampshire; and the opening of three additional community outreach offices by December 2027, the USPTO is already set to expand its geographic footprint significantly over the next few years. Therefore, the USPTO does not recommend the creation of an additional regional office at this time.

Appendix A: Section 3 of the Unleashing American Innovators Act of 2022

SEC. 3. SATELLITE OFFICES.

(a) AMENDMENTS TO PURPOSE AND REQUIRED CONSIDERATIONS.—Section 23 of the Leahy-Smith America Invents Act ([35 U.S.C. 1](#) note) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “increase outreach activities to”; and

(ii) by inserting after “Office” the following: “, including by increasing outreach activities, including to individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that the Director may determine to be underrepresented in patent filings”; and

(B) by striking paragraph (2) and inserting the following:

“(2) enhance patent examiner and administrative patent judge retention, including patent examiners and administrative patent judges from economically, geographically, and demographically diverse backgrounds;” and

(2) in subsection (c)(1)—

(A) in subparagraph (D), by striking “and” at the end;

(B) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(F) with respect to each office established after January 1, 2023, shall consider the proximity of the office to anchor institutions (such as hospitals primarily serving veterans and institutions of higher education), individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that the Director may determine to be underrepresented in patent filings.”.

(b) SOUTHEAST REGIONAL OFFICE.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Director shall establish a satellite office of the Office in the southeast region of the United States.

(2) CONSIDERATIONS.—When selecting a site for the office required under paragraph (1), the Director shall consider the following:

(A) The number of patent-intensive industries located near the site.

(B) How many research-intensive institutions, including institutions of higher education, are located near the site.

(C) The State and local government legal and business frameworks that support intellectual property-intensive industries located near the site.

(c) STUDY ON ADDITIONAL SATELLITE OFFICES.—Not later than 2 years after the date of enactment of this Act, the Director shall complete a study to determine whether additional satellite offices of the Office are necessary to—

(1) achieve the purposes described in section 23(b) of the Leahy-Smith America Invents Act ([35 U.S.C. 1](#) note), as amended by this section; and

(2) increase participation in the patent system by individual inventors, small businesses, veterans, low-income populations, students, rural populations, and any geographic group of innovators that the Director may determine to be underrepresented in patent filings.

Appendix B: Section 23 of the Leahy-Smith America Invents Act

SEC. 23. SATELLITE OFFICES.

- (a) ESTABLISHMENT.—Subject to available resources, the Director shall, by not later than the date that is 3 years after the date of the enactment of this Act, establish 3 or more satellite offices in the United States to carry out the responsibilities of the Office.
- (b) PURPOSES.—The purposes of the satellite offices established under subsection (a) are to—
- (1) increase outreach activities to better connect patent filers and innovators with the Office;
 - (2) enhance patent examiner retention;
 - (3) improve recruitment of patent examiners;
 - (4) decrease the number of patent applications waiting for examination; and
 - (5) improve the quality of patent examination.
- (c) REQUIRED CONSIDERATIONS.—
- (1) IN GENERAL.—In selecting the location of each satellite office to be established under subsection (a), the Director—
 - (A) shall ensure geographic diversity among the offices, including by ensuring that such offices are established in different States and regions throughout the Nation;
 - (B) may rely upon any previous evaluations by the Office of potential locales for satellite offices, including any evaluations prepared as part of the Office’s Nationwide Workforce Program that resulted in the 2010 selection of Detroit, Michigan, as the first satellite office of the Office;
 - (C) shall evaluate and consider the extent to which the purposes of the satellite offices listed under subsection (b) will be achieved;
 - (D) shall consider the availability of scientific and technically knowledgeable personnel in the region from which to draw new patent examiners at minimal recruitment cost; and
 - (E) shall consider the economic impact to the region.
 - (2) OPEN SELECTION PROCESS.—Nothing in paragraph (1) shall constrain the Office to only consider its evaluations in selecting the Detroit, Michigan, satellite office.
- (d) REPORT TO CONGRESS.—Not later than the end of the third fiscal year that begins after the date of the enactment of this Act, the Director shall submit a report to Congress on—
- (1) the rationale of the Director in selecting the location of any satellite office required under subsection (a), including an explanation of how the selected location will achieve the purposes of satellite offices listed under subsection (b) and how the required considerations listed under subsection (c) were met;
 - (2) the progress of the Director in establishing all such satellite offices; and
 - (3) whether the operation of existing satellite offices is achieving the purposes under subsection (b).



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