



# Patent Public Advisory Committee Quarterly Meeting

## USPTO Budget Update

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UNITED STATES  
PATENT AND TRADEMARK OFFICE



# Agenda

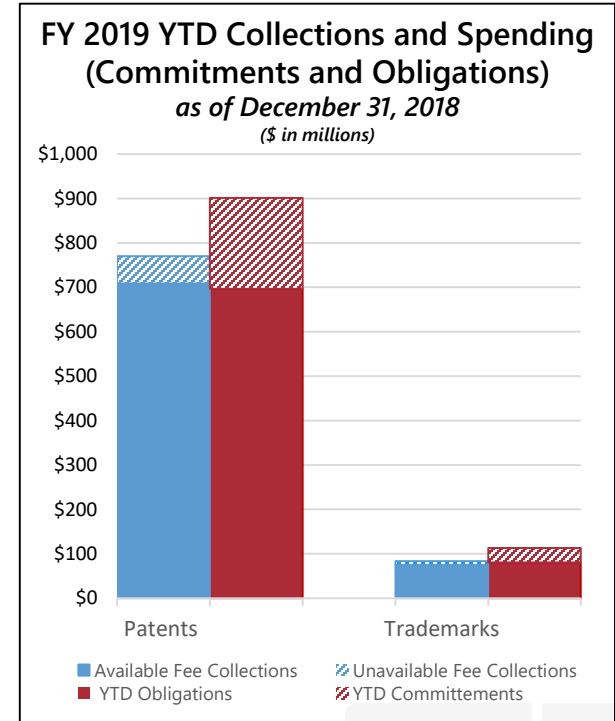
- FY 2019 status
- FY 2020 budget
- Strategic planning
- Fee rulemaking and biennial fee review

# FY 2019 status

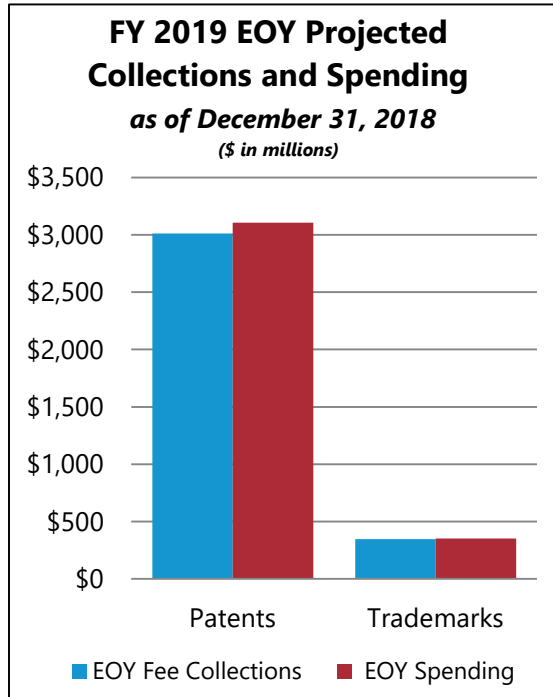
- The current Continuing Resolution (CR) is through February 15, 2019.
- The USPTO's appropriation lapsed between December 22, 2018 and January 25, 2019.
  - We maintain carryover funding from prior fiscal years, and that allowed us to stay open.
  - Under the current CR, USPTO has access to all fees collected during the lapse in appropriation.

# FY 2019 status *(continued)*

- As of December 31, 2018, year to date:
  - Planned fee collections of \$833.7M
    - Patents: \$748.1M Trademarks: \$85.6M
  - Actual fee collections: \$854.0M
    - Patents: \$772.4M, Trademarks: \$81.7M
    - *Unavailable fee collections: \$69.8M*
      - *Patents: \$61.2M, Trademarks: \$8.6M*
  - Actual spending: \$1,014.2M
    - Patents: \$901.0M, Trademarks: \$113.2M



# FY 2019 status *(continued)*



- As of December 31, 2018:
  - End of year projected fee collections of \$3,358.7M
    - Patents: \$3,012.2M, Trademarks: \$346.5M
  - End of year projected spending of \$3,457.2M
    - Patents: \$3,105.3M, Trademarks: \$351.9M
  - End of year projected operating reserve of \$388.9M
    - Patents: \$252.7M, Trademarks: \$136.1M

# FY 2020 budget

- The President's Budget is typically released in early February.
- There is a hold on budget submission activities for the FY 2020 President's Budget as a result of the lapse in appropriations. Submission date to be determined.
- PPAC will receive the FY2020 Budget for review before submission.

# Strategic planning

- USPTO published the 2018-2022 USPTO Strategic Plan on November 29, 2018.
- The Agency's goal to optimize patent quality and timeliness will be met through the following objectives:
  - Optimize patent application pendency
  - Issue highly reliable patents
  - Foster innovation through business effectiveness
  - Enhance operations of the Patent Trial and Appeal Board

# Fee Rulemaking

- With the benefit of the PPAC Fee Setting Report (2018), the USPTO is in the process of drafting a notice of proposed rulemaking (NPRM) to set and adjust patent-related fees.
  - We expect to have the NPRM published in the Federal Register for public comments by late summer



# Biennial Fee Review

- We began our biennial fee review in January 2019:
  - The biennial fee review is required by the Chief Financial Officers Act of 1990
  - The objective is to conduct a comprehensive review of the existing fee schedule as well as research, analyze, and recommend potential revisions and additions to the fee schedule

# Questions and Comments

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