

**UNITED STATES
PATENT AND TRADEMARK OFFICE**



USPTO budget update

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February 6, 2020

Patent Public Advisory Committee quarterly meeting

UNITED STATES
PATENT AND TRADEMARK OFFICE



Agenda

- FY 2020 status
- FY 2021 budget
- Fee rulemaking

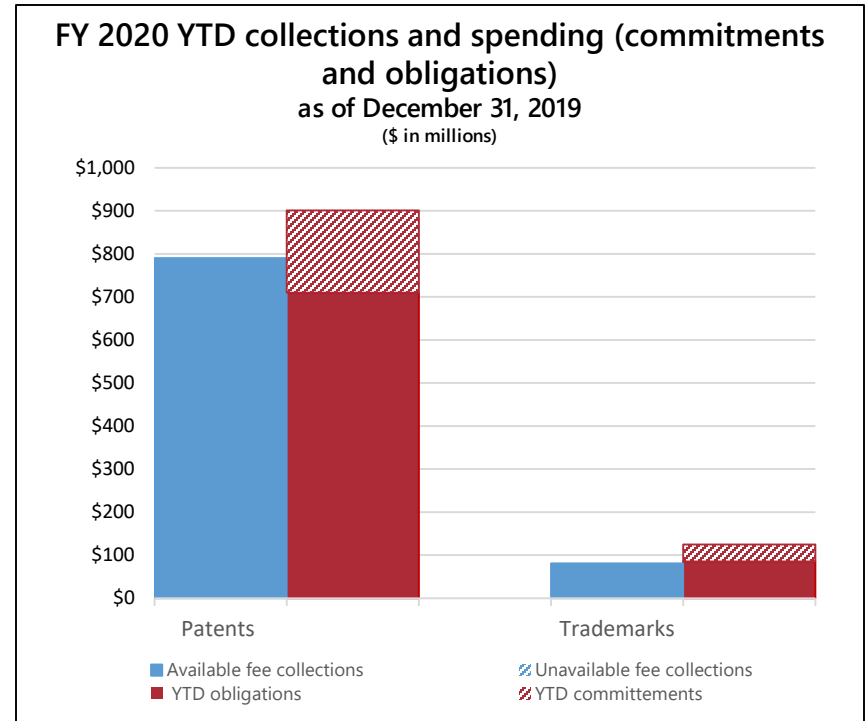
FY 2020 status

- The FY 2020 Consolidated Appropriations Act passed on December 20, 2019
- The bill provides the USPTO with \$3.45B for FY 2020 and requires that:
 - Any amount received in excess of the FY 2020 appropriated amount will be deposited in the Patent and Trademark Fee Reserve Fund (PTFRF)
 - \$2M shall be transferred to the OIG account for carrying out investigations and audits related to the USPTO
- USPTO received congressional approval to transfer fees from the Patent and Trademark Fee Reserve Fund to its Salaries and Expenses account on January 8, 2020
 - The transferred amount is \$28.7M
 - Patents: \$24.7M, Trademarks: \$4.0M



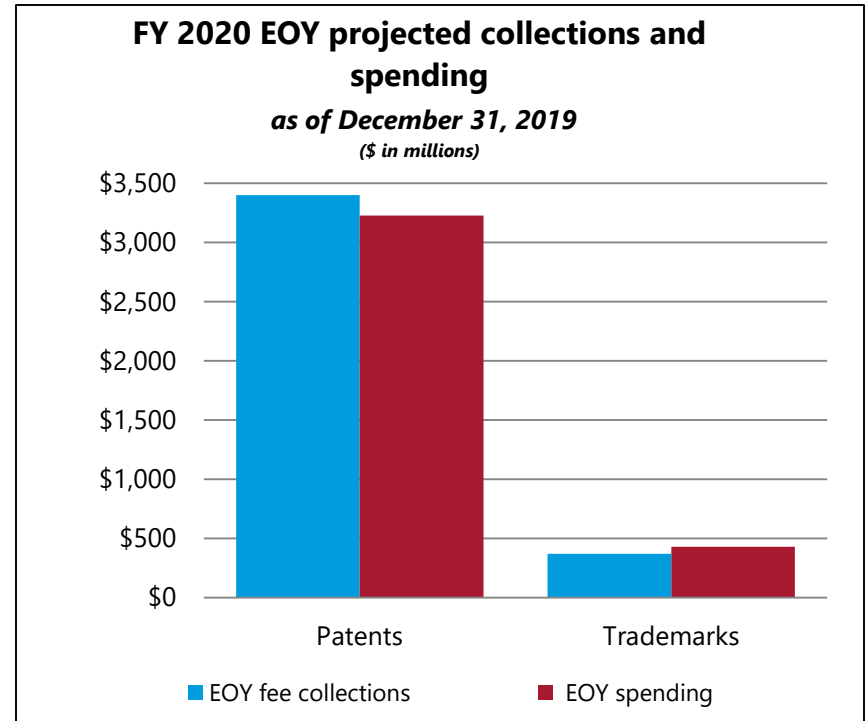
FY 2020 status: year to date

- As of December 31, 2019, year to date:
 - Planned fee collections: \$877.0M
 - Patents: \$787.8M, Trademarks: \$89.2M
 - Actual fee collections: \$871.0M
 - Patents: \$790.1M, Trademarks: \$80.9M
 - Actual spending: \$1,025.9M
 - Patents: \$900.7M, Trademarks: \$125.2M



FY 2020 status: fiscal year end projection

- As of December 31, 2019:
 - End of year projected fee collections of \$3,769.2M
 - Patents: \$3,400.4M, Trademarks: \$368.8M
 - End of year projected spending of \$3,658.2M
 - Patents: \$3,229.0M, Trademarks: \$429.2M
 - End of year projected operating reserve of \$690.1M
 - Patents: \$614.4M, Trademarks: \$75.7M



FY 2020 status: fees

Patents end of year fee estimate is \$3,400.4M.

Total Patents collections (dollars in millions)

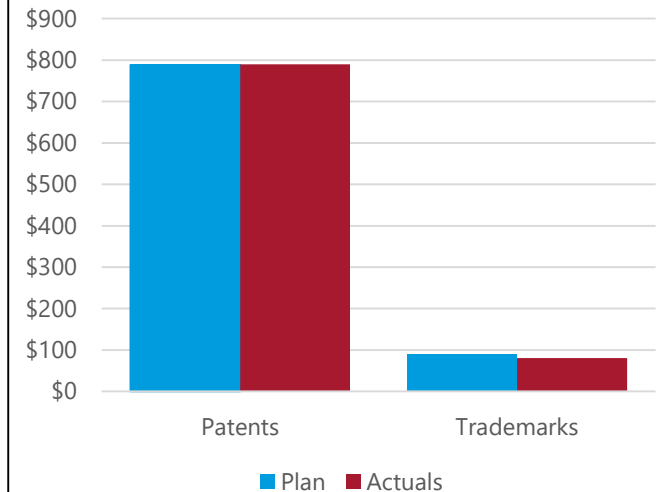
FY 2018		FY 2019		FY 2020	
Actual	Actual	Increase	Plan	Increase	
\$3,009.9	\$3,054.6	1.5%	\$3,400.4	11.3%	

Collections through December 31, 2019 are currently 2.3% above the corresponding FY 2019 timeframe.

Patents year-to-date comparison (dollars in millions)

FY 2018		FY 2019		FY 2020	
Actual	Actual	Increase	Actual	Increase	
\$761.1	\$772.4	1.5%	\$790.1	2.3%	

FY 2020 YTD planned and actual fee collections
as of December 31, 2019
(\$ in millions)



FY 2021 budget

- The FY 2021 President's Budget request will be submitted on February 10, 2020 to Congress
- The USPTO expects that appropriation hearings will be held for DoC's FY 2021 budget by the House and Senate CJS subcommittees

Fee rulemaking

- The USPTO is currently finalizing its patent rulemaking package
- A final rule is expected to be published in the Federal Register late spring/summer 2020
- The proposed effective date of the fee changes is between July 2020 through January 2021



Thank you!

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