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January 26, 2012

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M/S Office of Under Secretary and Director
P.O. Box 1450
Alexandria, Virginia 22313-1450

**RE: USPTO Satellite Offices for the Nationwide Workforce Program – Support for
Fresno, CA;
PTO-C-2011-0066**

Dear Mr. Khan:

I am writing to express my strong support for locating a United States Patent and Trademark (USPTO) satellite office in Fresno, California. I am a registered patent attorney in Bakersfield, California, which is about one hundred miles south of Fresno. My law firm, which has approximately fifty attorneys, operates a Fresno office and I have a variety of clients located in the Fresno area.

My firm's clients are predominantly sophisticated business enterprises and professionals in agriculture, energy, manufacturing, and medicine, among other things. The Fresno location would provide both convenience and improved prosecution for these clients by providing convenient access to the examining corp and USPTO filings.

In furtherance of your consideration of a Fresno Satellite Office, I offer the following observations:

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- Fresno is the capital city of California's San Joaquin Valley, the nation's most productive agricultural region located in the heart of a state known for its innovation economy.
- Fresno's emerging strength in this area of innovation makes it a natural place for a USPTO satellite office that specializes in food, agriculture, water, and energy technology.
- Fresno is connected to Los Angeles, San Francisco, the Silicon Valley, and Sacramento by freeways, Amtrak service, Fresno-Yosemite International airport, and, eventually, a high-speed rail system which will begin construction in fall 2012. When completed, high-speed trains will bring passengers from Los Angeles and San Francisco to downtown Fresno in less than 90 minutes. I believe this strategic location and connection to the state's regions will result in an improved connection between patent filers and innovators with the USPTO.
- Fresno provides an ideal environment for maximizing the retention of patent examiners as well as decrease the number of applications awaiting examination. Fresno has one of the most affordable housing markets in the country. The median single-family home price in Fresno County is \$160,000 as opposed to the state's average of \$301,790. In addition, the median household income is \$45,219, making an examiner's salary highly competitive. Fresno proudly boasts over 300 days of sunshine each year, making it a prime destination for outdoor recreation of all kinds, and it offers an outstanding mix of shopping, dining, and entertainment choices.
- Locating a satellite office in Fresno would improve the recruitment of patent examiners. The Fresno metropolitan region possesses an abundant workforce to help meet the needs of USPTO. While Fresno County's overall population is approximately 900,000, its adult working population is 397,920. Fresno County maintains the region's largest combination of higher education and training facilities with over 95,000 students pursuing higher education and training every year across almost a dozen public and private university and community college campuses.
- Fresno is also an ideal place for recruitment of talent throughout California and the western states, in general. Fresno is home to California State University, Fresno and the Lyles College of Engineering, a leading force in engineering education for over 90 years. In addition, Fresno is home to one of the best entrepreneurship programs in the country, and in close proximity to the University of California, Merced, one of the state's newest research universities. I am quite certain that due to the high level of patent activity throughout the state and the western regions, as well as the access to innovative local resources and training, a Fresno satellite office will help the USPTO improve the quality of patent examination.
- Lastly, the Fresno region has one of the fastest growing populations in the state. The change in population from 2000 to 2010 was 16.4 percent in Fresno County, while only

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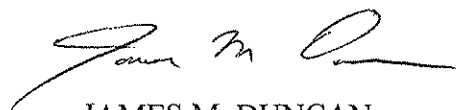
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10 percent statewide. A decision by the USPTO to locate a satellite office in Fresno would have a substantial and long-lasting impact on the local economy.

My law firm currently employs two full-time patent practitioners, and we are always on the alert for experienced patent attorneys, because of a substantial case load. We understand all too well the benefits of being able to personally meet with the patent examiners assigned to our cases to provide meaningful disclosure and explanation to further the prosecution of our client's applications. Unfortunately, the inconvenience and expense of traveling to the existing offices typically renders such trips prohibitively expensive.

Thank you for your careful consideration of Fresno, California as a future satellite office location. My law firm is excited by the prospect and stands ready to partner with the USPTO in promoting the interests of the inventors and applicants throughout California.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "James M. Duncan", with a stylized flourish at the end.

JAMES M. DUNCAN
USPTO Reg. No. 44,664

JMD:kmr