

From: [e-mail address redacted]  
Sent: Friday, January 27, 2012 6:24 PM  
To: SatelliteOffices  
Cc: Khan, Azam  
Subject: OREGON PATENT OFFICE SUBMISSION

Good afternoon,

On behalf of the Portland Development Commission (PDC), the City of Portland's economic development agency, I am pleased to respond to the request for comments for the USPTO Satellite Offices' Nationwide Workforce Program with the following documents:

- Cover Letter <http://portland4biz.com/sites/default/files/documents/Oregon-Cover-lett>
- Igniting American Innovation: The Case for an Oregon Patent and Trademark Office Comments on Additional USPTO Satellite Offices for the Nationwide workforce Program (PTO-C-2011-0066) <http://portland4biz.com/sites/default/files/documents/Oregon-Paten>
- Oregon's initial letter of support <http://portland4biz.com/sites/default/files/docum>

Our response clearly demonstrates Portland's advantages for a PTO Satellite Office. Our farsighted investments in planning and infrastructure have resulted in an unparalleled quality of life. We are now investing more deeply in our economic future, diversifying our economy and building one of the most sustainable cities on the planet.

Just as the USPTO is positioning itself to be the nation's innovation agency, Portland is committed to becoming its most innovative city. A Portland-based PTO Satellite Office, signifying to the rest of the country USPTO's commitment to innovation, would speed the patent process by attracting and retaining a high-quality pool of patent examiners. Portland offers both the qualified workforce and an unmatched quality of life for the given salaries, with affordable housing, great transit options and incredible recreational opportunities. Portland's centralized west coast location connects easily to metros with some of the greatest patent activity in the nation, including Seattle and the San Francisco Bay Area.

We are dedicated to making it as easy as possible for a PTO Satellite Office to locate in Portland. The PDC's tools range from site selection to financing to real estate development, and we are ready to work closely with the GSA and the USPTO to find appropriate space for the PTO Satellite Office. Our partners in the Oregon Patent Bar are also prepared to assist with recruitment, trainings and other specialized services.

Our response has been coordinated with numerous state and regional partners as evidenced from the attached introductory letter. We look forward to your thoughtful consideration of our proposal, and are ready to supply any additional information as necessary.

Sincerely,

Patrick Quinton  
Executive Director  
Portland Development Commission

# Congress of the United States

Washington, DC 20510

January 27, 2012

The Honorable David Kappos  
Under Secretary of Commerce for Intellectual Property  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313  
Attn: Mr. Azam Khan

Dear Director Kappos and Mr. Khan:

On behalf of the State of Oregon, the City of Portland, City of Vancouver, Washington and the undersigned elected and business leaders, we write to you to express our strong support of the attached response to the Patent and Trademark Office's (PTO) *Request for Comments on Additional USPTO Satellite Offices* (PTO-C-2011-0066). The America Invents Act (AIA) (PL-112-29) was enacted to provide PTO with the direction and the tools necessary to help spur American innovation and associated commercial and economic activity. It is our hope that after reviewing this proposal you will recognize the many benefits that an Oregon-based PTO location could bring to the nation's patenting process and act accordingly.

From its beginning, America's economy has been integrally tied to creativity and innovation. From Ben Franklin's bifocals and Thomas Edison's light bulb to Oregon's own Walter Houser Brattain's transistor, inventors and their inventions have spawned new industries, invigorated commerce and changed history. Today, our region boasts global technology leaders like Intel, Hewlett Packard, Xerox and Sharp Labs. They join software companies such as McAfee and Digimarc along with athletic stars Nike, Adidas and Columbia Sportswear to create an impressive array of innovators. Unfortunately, as you have observed, our outdated patent system hampers the success of these innovators and others.

As you have noted, the AIA gives the PTO the leverage to restore U.S. leadership in technology policy worldwide. We wholeheartedly agree and also believe the Act provides PTO with tools to reduce the backlog of the 600,000+ pending patent applications by utilizing regional satellite offices to recruit and retain patent examiners. As the PTO headquarters will remain in Virginia, and Detroit has already been named as the first of the three satellite offices, we believe that the PTO must have a presence on the West Coast.

Access to the region's high-caliber engineering talent, well-known affordability and renowned quality of life converge to make Oregon the logical place to locate that office. Intangible factors like these can help to close the gap between public and private sector salaries, reducing the turnover challenges which currently afflict the PTO and hinder its ability to achieve its vitally important goals.

The case for an Oregon-based Patent and Trademark Office is detailed in the attached comprehensive response prepared by the Portland Development Commission. We have also

included a copy of a November 18, 2011, letter signed by over 100 civic, business and educational leaders. This letter testifies to the broad support an Oregon PTO office would enjoy.

We urge you to give the proposal—*Igniting American Innovation—The Case for an Oregon Patent and Trademark Office*, your immediate, full and favorable consideration. If you have any questions, please contact Jay Ward in Senator Wyden's Portland, Oregon office or Joel Corcoran in Senator Merkley's Portland, Oregon office.

Sincerely,



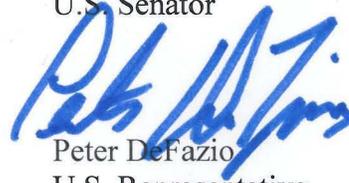
Ron Wyden  
U.S. Senator



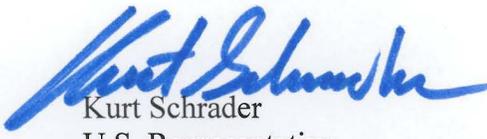
Jeff Merkley  
U.S. Senator



Earl Blumenauer  
U.S. Representative



Peter DeFazio  
U.S. Representative



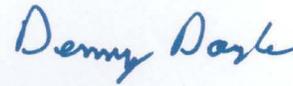
Kurt Schrader  
U.S. Representative



John A. Kitzhaber MD  
Governor



Sam Adams  
Mayor of Portland



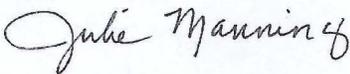
Dennis Doyle  
Mayor of Beaverton



Jerry Willey  
Mayor of Hillsboro



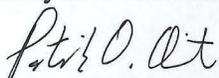
Tim Knapp  
Mayor of Wilsonville



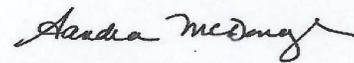
Julie Manning  
Mayor of Corvallis



Timothy D Leavitt  
Mayor of Vancouver, Washington



Patrick Quinton  
Portland Development Commission



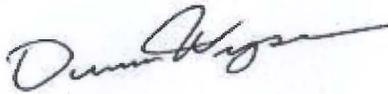
Sandra McDonough  
Portland Business Alliance



Jay Clemens  
Associated Industries of Oregon



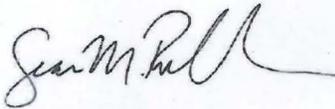
Ryan Deckert  
Oregon Business Association



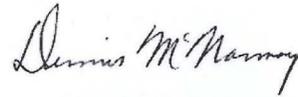
Duncan Wyse  
Oregon Business Council



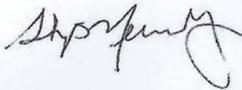
Jonathan Schlueter  
Westside Economic Alliance



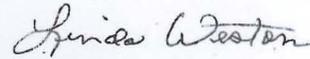
Sean Robbins  
Greenlight Greater Portland



Dennis McNannay  
Oregon Bioscience Association



Skip Newberry  
Software Association of Oregon



Linda Weston  
Oregon Entrepreneurs Network

Cc: Mr. Azam Khan  
Attachment: Bryson Re PTO 111811

# **Igniting American Innovation: The Case for an Oregon Patent and Trademark Office**

Comments on Additional USPTO Satellite Offices  
for the Nationwide Workforce Program  
(PTO-C-2011-0066)

Submitted by Portland Development Commission

# Introduction

Portland and Oregon have a long and rich history of scientific and commercial innovation. Inventions like the now-ubiquitous Phillips screwdriver came from Oregon's deep reservoir of intellectual talent, as did Nobel Prize winner Walter Brattain's pioneering research into transistors and semiconductors. Hewlett-Packard's thermal inkjet printing technology was developed at its major research facility in Corvallis. More recently, home-grown innovating companies such as Tektronix, Mentor Graphics, InFocus, Digimarc and Nike have been joined by Intel, Sharp, IBM and Xerox in locating major research and development facilities in the Portland region and the Willamette Valley.



The Portland region has competitive advantages in key innovative industries, including advanced manufacturing, software and high tech, clean technology, bioscience and athletic and outdoor gear and apparel. These industries draw creative talent from around the world. The Portland metro area also has a significant concentration of scientists and engineers, feeding a stable culture of expertise that tends to stay put.

In contrast, many of the U.S. Patent and Trademark Office's (USPTO) backlog problems derive from its understandable difficulty in attracting and retaining talent. Skilled examiners must subsist on government salaries in one of the most expensive metropolitan areas in the country or endure long commutes from surrounding counties. Once trained, examiners are often hired away by private sector entities with the

ability to increase their compensation; and given federal budget constraints, it seems unlikely that USPTO salaries will be dramatically increased in the near future.

Therefore, it is critically important that USPTO use its newfound authorities to leverage geographic, cultural and lifestyle amenities to enhance retention and reduce attrition.

Portland's many advantages make it uniquely suited to help the USPTO achieve its goals.

- **A high quality of life with a low cost of living, nationally recognized transportation connectivity, moderate climate and abundant outdoor amenities**
- **A highly skilled workforce attracted to the area's economic opportunities and affordability**
- **An innovative, growing economy fed by major research centers and universities and public-private partnerships**
- **A strong commitment by city and state to provide training, technical assistance, site location services, financial assistance and relationship-building**

Portland has clearly demonstrated its capacity for innovation and invention. With a coveted quality of life, a culture of creativity, a skilled workforce and a growing population of young, talented workers, Portland offers both the human capital and the technical expertise to fulfill the mission of a USPTO satellite office.



# A Winning Combination: Unparalleled Quality of Life and Low Cost of Living

Portland has established itself as a living laboratory for industries ranging from outdoor gear to mobile apps, attracting a young, college-educated workforce with its much-vaunted quality of life. The city's farsighted investments in transit, land use planning and energy efficiency anticipated the evolution away from carbon-based technologies and now position Portland as the capital of the global green economy—and a frequent entry on “Best Places to Live” lists. Portland’s livability would be a major advantage for the USPTO when recruiting and retaining top talent. Recent accolades that testify to Portland’s attractiveness include:

- #1 Most Sustainable City** *SustainLane*
- #2 Best Places to Live** *Outside Magazine*
- Top 10 Least Expensive Cities** *Online Insider*
- #2 Top Sustainable U.S. Metros** *Site Selection Magazine*
- #2 Best Bicycling City** *Bicycling Magazine*
- #3 Safest City** *Forbes Magazine*
- 11th Best Place to Start a Business** *American City Business Journals*
- Top 25 Arts Destinations** *American Style Magazine*
- #3 Least Wasteful City** *Fast Company*
- #13 Best Places to Raise a Family** *Parenting Magazine*
- Top 5 Best Places to Live in the World** *The Guardian*
- Top 10 Places to Vacation** *Money Magazine*
- #2 Fittest city in U.S.** *Travel + Leisure*
- #4 Cities on the Edge of Greatness** *Sperling’s Best Places*

The Portland region has mild weather, with few extremes in temperature. Seasons are distinct. The moderate regional climate results in a long growing season, flourishing forests and abundant foliage. Summer temperatures hover near 80° F during the day. Typically, winters are moderate with cloudy skies and most of the year’s precipitation. Average temperatures rarely dip below the freezing point. Yearly rainfall totals are on par with Washington, D.C., Austin and Seattle.

Portland is an outdoor enthusiast’s paradise, with access to year-round water sports on the Columbia and Willamette Rivers, a long winter sports season on Mt. Hood and proximity to a wealth of outdoor activities along the Pacific Coast. The Columbia Gorge National Scenic Area, Mount St. Helens National Monument, Mount Adams, the Cascades, the Coast Range, Smith Rock—all are within a few hours by car from downtown Portland.

**“You don’t have to ask people twice when you say we’re in Portland, Oregon. It’s been really easy for us to attract quality people.”**  
- VESTAS AMERICA

**“I’ve been all over the world; Portland’s one of the best places I’ve ever been.”**  
- TRAVIS KNIGHT, LAIKA STUDIOS

Portland’s progressive and precedent-setting approach to transportation also contributes to its quality of life. *U.S. News and World Report* recently ranked Portland as having the fifth best transit system in the United States. TriMet, greater Portland’s transit agency, is the 12th largest in the United States in the 24th largest city, providing bus, streetcar, light rail and commuter rail service throughout the metro area. Transit use in the Portland area is growing at a faster rate than both population and vehicle miles traveled; and commutes are 20 percent shorter than the national average. Thanks to significant infrastructure investment, Portland also has the highest percentage of bike commuters—6.4 percent and growing—of any major U.S. city.

Consistently ranked the best airport in the U.S. by *Condé Nast Traveler*, Portland International Airport (PDX) currently has 54 direct air connections to most major U.S. cities, including Washington, D.C., in addition to direct flights to Europe and Asia. There are multiple direct flights daily to West Coast destinations. Seattle is 45 minutes and San Francisco and the Silicon Valley are 90 minutes away. Los Angeles, Boise, Denver and Salt Lake City are all 2.5 hours or less. MAX, Portland’s light rail service, connects PDX, NE Portland, downtown Portland, Beaverton and Hillsboro.



# Ongoing Attraction for a Highly Skilled Workforce

The high quality of life in both city and state continues to attract high-caliber talent despite the recent economic recession. According to the U.S. Census Bureau, Oregon had one of the highest numbers of new residents migrating into the state from 2006 to 2009. Workers continue to move to Portland and Oregon, drawn by the region's innovative companies, economic opportunities and affordable lifestyle.

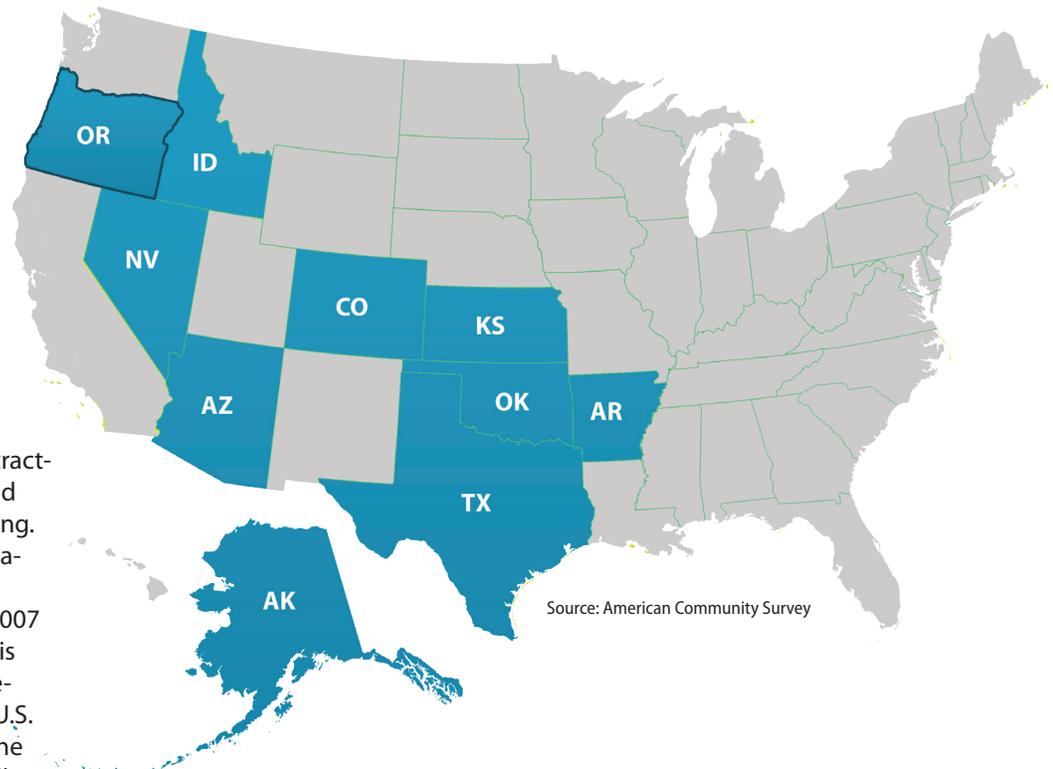
## Portland's Growing Population

Portland is one of the top metros at attracting young, college-educated talent, and the ability to attract this talent is growing. Greater Portland had the largest population growth rate of any major western metro region, rising 6.6 percent from 2007 to 2010. Portland's population growth is mainly attributed to in-migration, especially of the young and educated. The U.S. Census Bureau ranks Portland fifth in the nation for attracting the young and college educated and is the only metro in the top 10 on the West Coast. Another study, titled *The Young and the Restless: How Portland Competes for Talent* shows that the Portland metro area ranked eighth in the United States in attracting 25- to 34-year-olds and fourth in attracting college-educated 25- to 34-year-olds.

## Economic Diversification: Concentration in Science and Engineering Talent

Traditionally a resource-based economy, Oregon has seen rapid diversification in its economy over the last 30 years, demonstrated by Oregon's higher concentration of science, technology, engineering and mathematics (STEM) jobs than most of the United States. According to a recent study completed by the U.S. Chamber of Commerce, *Enterprising States 2011*, Oregon was one of the most concentrated states for STEM jobs and tops all states with its employment concentration in Computer & Electronic Product Manufacturing. The study also ranks Oregon third in the nation for productivity growth and fifth for anticipated Gross State Product Growth.

### TOP 10 STATES FOR IN-MIGRATION (as a % of population), 2007 - 2009

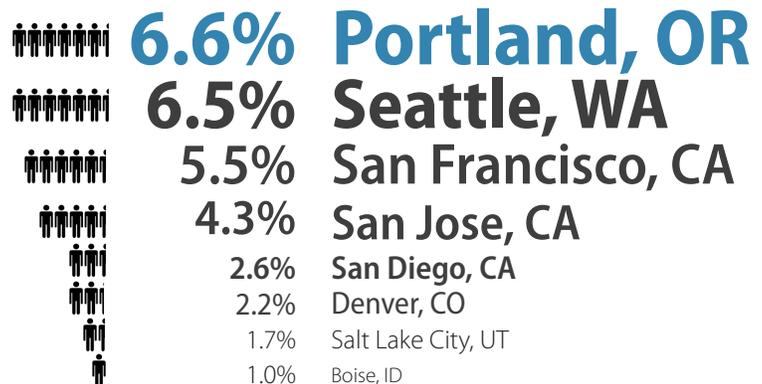


Source: American Community Survey

**“We have one of the best workforces in the United States right here. A lot of young creative people – and we all believe in the future.”**

- CHANDRA BROWN, OREGON IRON WORKS

### TOTAL POPULATION GROWTH RATE FOR MAJOR WESTERN METROS, 2007 - 2010



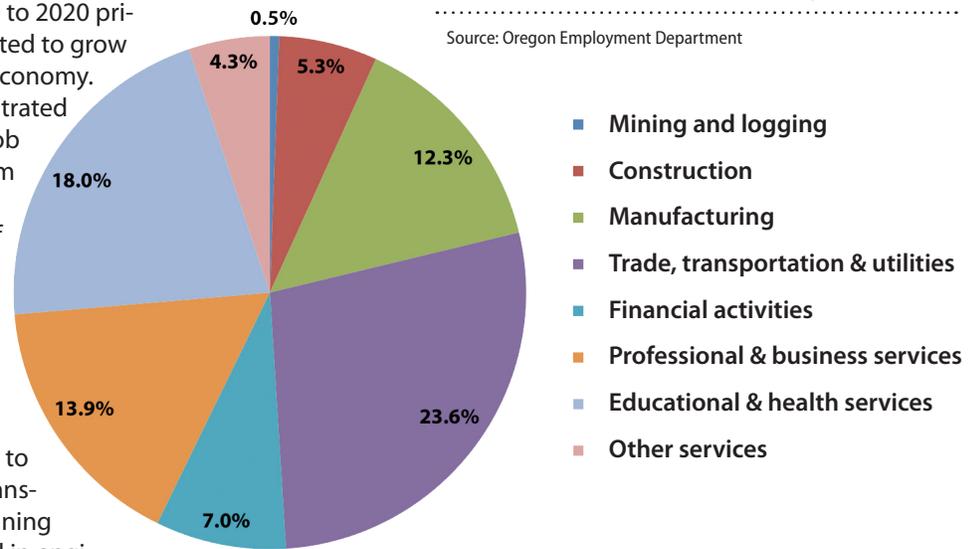
Source: American Community Survey

Evidence of Oregon's economic diversification is also found in the state's projected job growth. From 2010 to 2020 private industry employment in Oregon is expected to grow 18 percent, adding 298,000 jobs to Oregon's economy. Oregon's job growth is expected to be concentrated in the Portland metro region, and Portland's job growth is expected to increase 21 percent from 2010 to 2020, adding 136,900 jobs. STEM occupations will continue to be a major driver of Oregon's and Portland's growth.

Portland's anticipated growth in STEM jobs and its significant concentration of engineers in the metro area result in a large potential pool from which the USPTO can draw to hire patent examiners. In 2011 Portland was home to 15,677 people employed as engineers. This translates into a location quotient (LQ) of 1.41, meaning that Portland is 40 percent more concentrated in engineering jobs than is the U.S. as a whole. Of note, mechanical and electrical engineers are also prominent in the Portland metro, with a LQ of 1.22, or 20 percent more concentrated than the U.S.

### OREGON EMPLOYMENT BY SECTOR, 2011

Source: Oregon Employment Department



### AVERAGE SALARY FOR STEM JOBS, 2010

	U.S.	Oregon	California	Washington	D.C.
Computer Specialists	\$73,341	\$69,576	\$84,573	\$82,514	\$89,378
Engineers	\$82,659	\$81,141	\$95,035	\$85,384	\$100,901
Mathematical Science	\$73,258	\$63,024	\$77,022	\$78,229	\$97,074
Natural Sciences	\$59,218	\$49,254	\$66,248	\$57,262	\$86,154

Source: Economic Modeling Specialists, Inc.

**“We have a long history in this place and we’ve had great experience with workforce here. The talent and experience of our people are the dominant factors for our market success. We have a very good base of knowledgeable, experienced engineers and that’s one of the reasons we love this place.”**

- MARTIN DAUM,  
DAIMLER TRUCKS NORTH AMERICA

### STEM EMPLOYMENT PROJECTIONS FOR OREGON AND PORTLAND, 2010 to 2020

	2010	2020	Change	% Change	Growth	Replacement	Total
<b>OREGON</b>							
Engineers	18,717	21,763	3,046	16%	3,046	4,869	7,915
Computer & Mathematical Science	37,421	45,221	7,800	21%	7,800	7,753	15,553
Life Scientists	5,714	6,466	752	13%	752	1,145	1,897
<b>PORTLAND</b>							
Engineers	12,711	14,826	2,115	17%	2,115	3,317	5,432
Computer & Mathematical Science	23,035	28,265	5,230	23%	5,230	4,652	9,882
Life Scientists	2,123	2,563	440	21%	440	360	800

Source: Oregon Employment Department Workforce and Economic Research

Oregon is also home to one of the top engineering schools in the country. Oregon State University ranks 33rd in the nation for graduating engineers, ranks in the top 50 for graduates in chemical, civil and industrial engineering, and is in the top 10 for electrical engineering. Oregon State University is located in nearby Corvallis, which was recently ranked as the most innovative city in the United States, due in large part to its significant patent activity.

Oregon has an estimated 435 patent agents and attorneys, which translates into 11 patent agents and attorneys per 100,000 of population – on par with Washington State. Portland is home to 255 patent agents and attorneys and the **Paul L. Boley Law Library at Lewis and Clark College, which is an official Patent and Trademark Depository and the only law school library in the country to hold such a designation.**

### Cost of Living Advantages

Portland and Oregon boast a lower cost of living than the rest of the West Coast, further evidence of the area's attractive quality of life. While Portland and Oregon household incomes are lower than other western locations, a more affordable cost of living means wages go farther here.

In 2010, the Consumer Price Index (CPI) for the United States was 218.056 compared to 225.291 in the West. In Portland, the CPI in 2010 was calculated at 218.344, one of the lowest cost of living rates for an urban area on the West Coast.

In Oregon the average annual salary is \$40,726, which is similar to the U.S. average of \$40,934. This compares to California where the average salary is \$46,613 and Washington where the average salary is \$45,739. The lower average salary in Oregon also translates into lower average salaries for the region's STEM jobs.

### CONSUMER PRICE INDEX, WEST COAST METROS, 2010

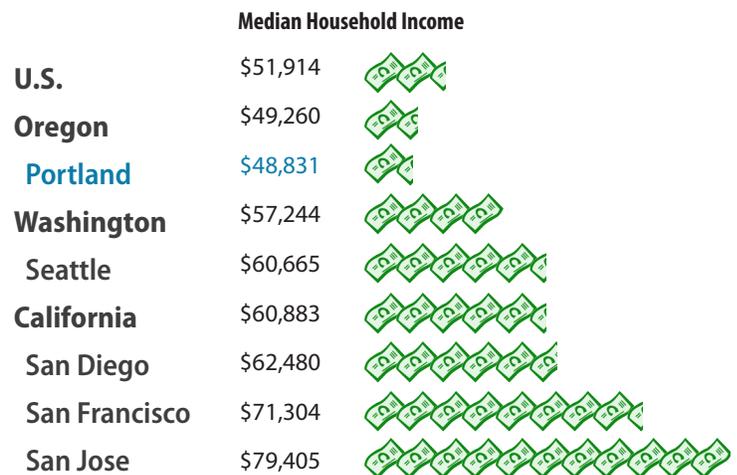
218.056	U.S. Average
218.344	Portland
221.203	West Urban
225.894	Los Angeles
226.693	Seattle
227.469	San Francisco
245.464	San Diego

### ENGINEERS IN THE PORTLAND METRO, 2011

	2011	2011 Avg. Salary	2011 LQ	Per 100K pop
All Engineers	15,677	\$83,803	1.41	710
Mech/Elec Engineers	3,477	\$84,198	1.22	158

Source: Economic Modeling Specialists, Inc.

### HOUSEHOLD INCOME DISTRIBUTION, 2010



Source: American Community Survey



Paul L. Boley Law Library. Photo: Lewis & Clark College

## Portland's Varied and Affordable Housing

Portland boasts the lowest housing costs of the major metropolitan West Coast cities. With all of its natural and urban amenities, Portland is a bargain compared to Seattle, Los Angeles, San Francisco and San Diego.

The regional real estate market offers a wide variety of single and family housing options, and regional planners' embrace of accessibility means that even quiet suburbs are still just minutes from central destinations.

Near downtown Portland, the Pearl District and emerging South Waterfront neighborhoods provide urban living with high-rise condominiums and fashionable brownstones. Metro-area cities such as Lake Oswego, Vancouver, Gresham and Beaverton support urban lifestyles with denser, mixed-use developments.

More traditional housing stock is available in Portland's many historic neighborhoods which offer tree-lined streets with Victorian and Craftsman quality. High quality new construction provides home ownership opportunities in numerous surrounding communities.

Apartments abound throughout the region from downtown Portland's historic buildings and trendy Manhattan-style lofts to the suburbs where apartments may be larger and more affordable, often located near Portland's renowned public transportation.

Like much of the United States, Portland has been affected by the bust of the housing bubble, but even before the recent decline in values, Portland was one of the most affordable metros on the West Coast. Based on recent data, Portland's average single-home value is \$234,900 and is down 2.1 percent from 2008 when the average value was \$247,000.

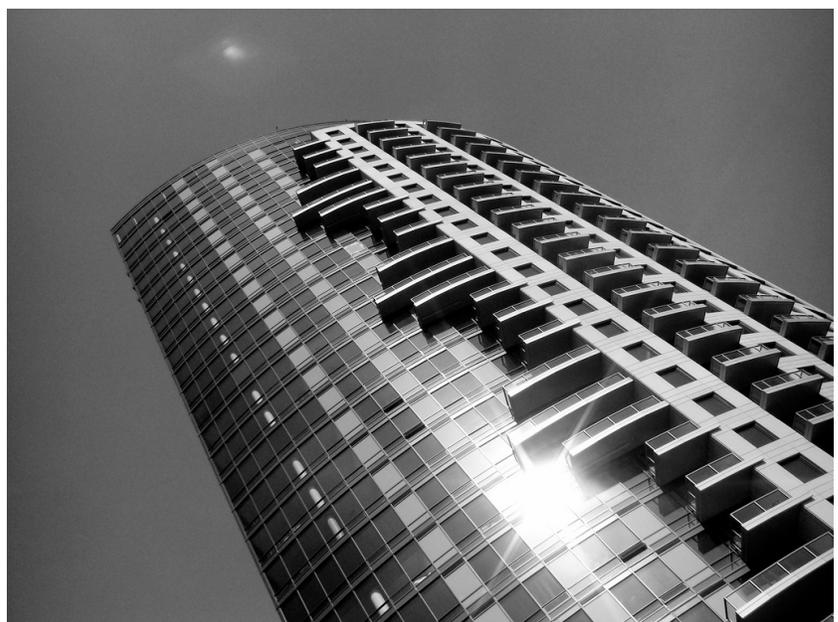
## AVERAGE SINGLE HOME VALUES, 2011

<b>Portland</b>		\$234,900
<b>Seattle</b>		\$250,000
<b>Washington, D.C.</b>		\$301,600
<b>San Diego</b>		\$349,000
<b>San Francisco</b>		\$449,000
<b>San Jose</b>		\$529,900

Source: Zillow.com



Photo: Emeryc



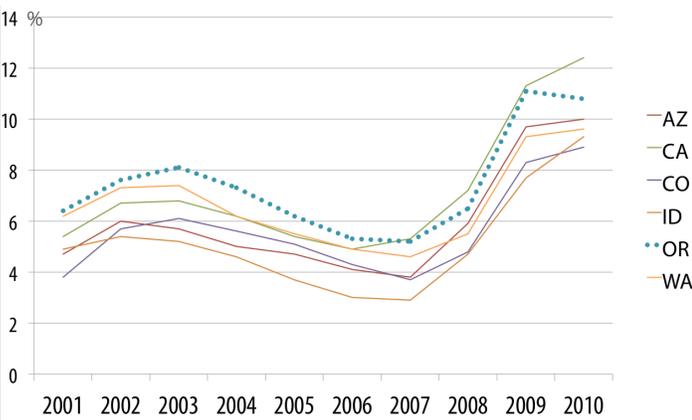
The Ardea, a South Waterfront condominium. Photo: Garik Lawson Asplund

## Portland's Case for Quality Jobs

Despite recent economic successes and projected job growth, Portland and Oregon continue to suffer from high unemployment. Job growth has not kept pace with population growth, resulting in long term under- and unemployment. Unlike many of the other western states and metros, high unemployment has been a chronic issue in both Portland and Oregon. Throughout the early part of the decade, when unemployment was at historic lows, Portland and Oregon had some of the highest unemployment rates in the West.

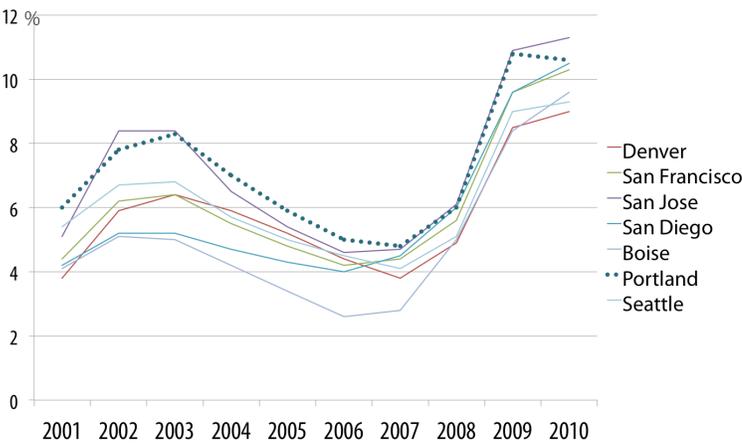
Another signal that Portland is in need of quality jobs to keep pace with anticipated population growth is that a large part of the city is designated as Significantly Economically Distressed—indicated by median family income at or below 60% of average; a poverty rate at or above 30%; or an unemployment rate of at least 1.5 times the national unemployment rate. Collectively, these factors suggest that the opening of a USPTO satellite office would impact greater Portland's persistent high unemployment and bring much needed quality jobs to the region.

### UNEMPLOYMENT RATES, WESTERN STATES, 2001-2010



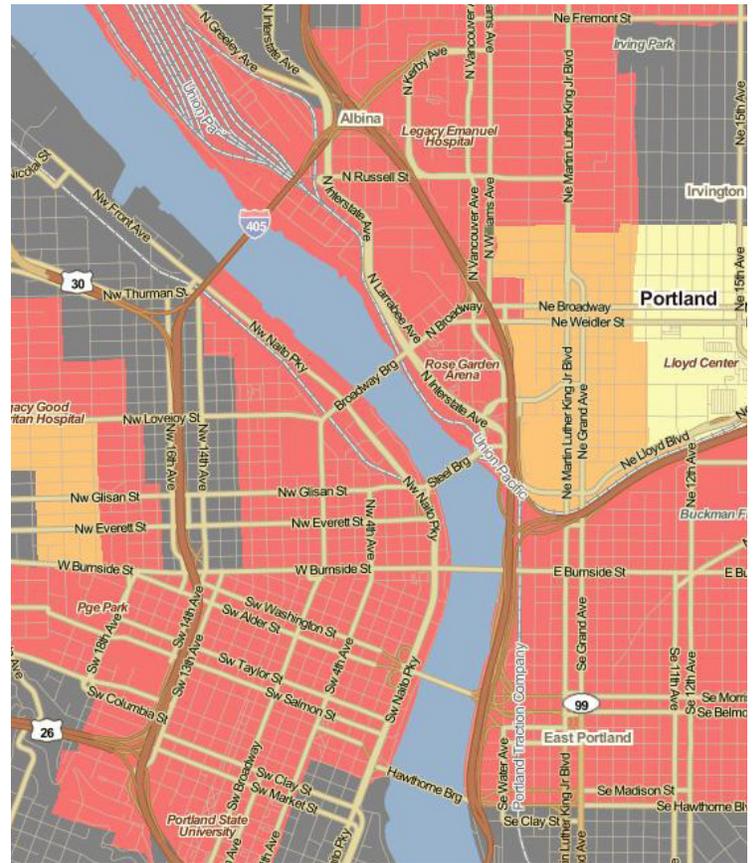
Source: U.S. Bureau of Labor Statistics

### UNEMPLOYMENT RATES, WESTERN CITIES, 2001-2010



Source: U.S. Bureau of Labor Statistics

### NEW MARKET TAX CREDIT PROGRAM ELIGIBILITY AND SEVERELY DISTRESSED STATUS, 2011



- Severely Distressed - Primary
- Severely Distressed - Secondary
- Eligible
- Not Eligible

Source: The Policy Map

**“Known more for our sustainable way of life, advanced urban planning and for creating a livable city for our citizens, Portland has renewed its focus on economic development and translating competitive advantages into job growth.”**

- PATRICK QUINTON,  
PORTLAND DEVELOPMENT COMMISSION

# Hospitable Environment for the U.S. “Innovation Agency”

The Portland region is centrally located between Seattle and the San Francisco Bay Area, two of the nation’s research and development hubs and major centers of patent and intellectual property activity. A satellite USPTO office in Portland would benefit entrepreneurs, research centers and universities, and large innovative firms throughout the West. A Portland location would be a major attractor for a qualified workforce and our innovation economy is consistent with the USPTO’s desire to be the “innovation agency” of the United States.

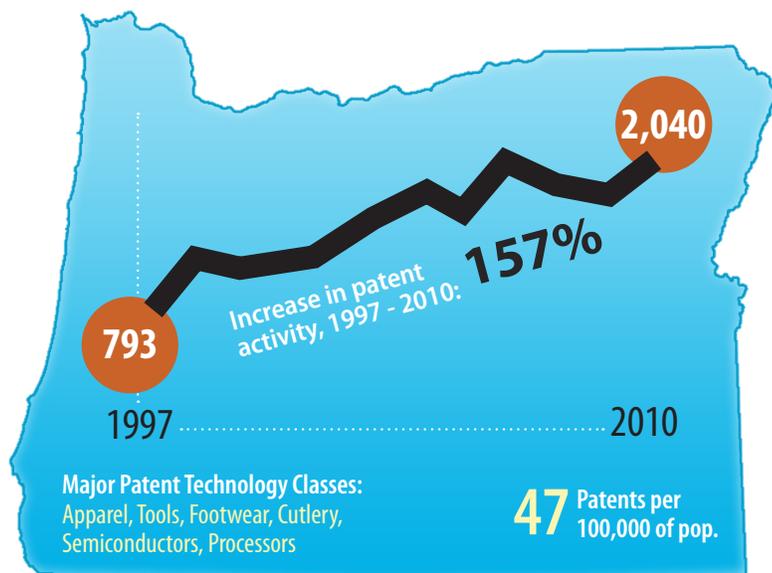
Oregon’s high per-capita level of patent activity is testament to the innovation that occurs here. In 2010, there were 47 patents approved per every 100,000 people in Oregon compared to 35 for the United States as a whole. Oregon ranks third in the nation for patents awarded per 1,000 individuals in science and engineering occupations. On average the Portland region files more than two thousand patents a year. Portland’s and Oregon’s patents are concentrated in apparel and technology applications and contribute to the significant role that the entire western United States plays with regard to patent activity, where 23 percent of the total U.S. population generates 40 percent of all U.S. patents.

## Innovate | Collaborate | Oregon

Research and development, the key driver of patent activity, is growing and competitive in Oregon. Oregon’s four premier research universities, Oregon Health & Science University, Oregon State University, Portland State University, and the University of Oregon, collaborate to promote interaction between industry and Oregon research universities, ensuring that ideas generated by faculty, students and staff reach the private sector to create products and services which benefit the public.

Total industry, university and government R&D expenditures in Oregon exceed \$4 billion annually. In Portland, Oregon Health & Science University is in the top 20 nationally for competitive research funding. Oregon’s university faculty members are among the most successful in the country at earning federal support for their research and discoveries. According to the National Science Foundation, Oregon universities rank 17th in total expenditures from federal sources. On a per faculty basis, Oregon jumps to fifth among the 50 states in federal research and development dollars. Federal grants are competitively awarded and, as such, testify to the expertise and innovation of Oregon University System faculty. Nearly all the OUS-sponsored activities are funded by sources other than state dollars, with federal sources accounting for the largest percentage of total expenditures.

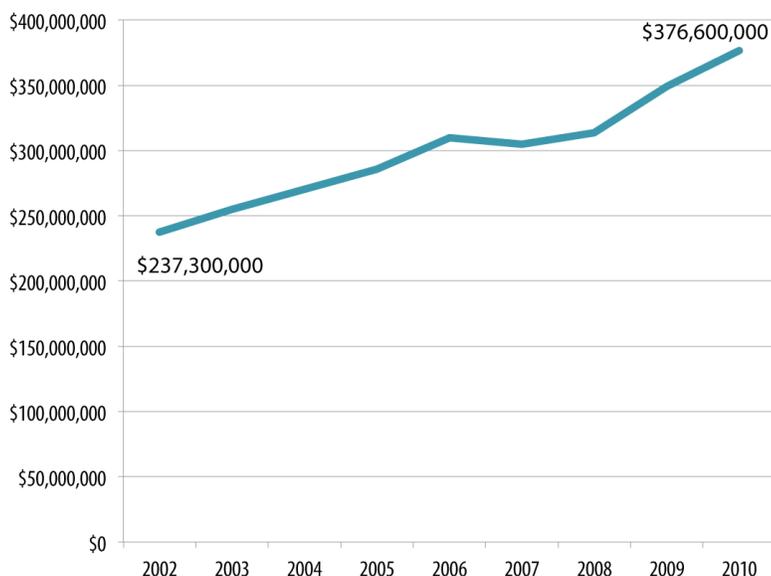
## OREGON’S PATENT ACTIVITY, 1997 - 2010



Source: U.S. Patent and Trademark Office

**“Over the past two years our business has grown substantially and it’s due to the fine men and women who manufacture our product here. Portland is a delightful place to live, to work and be engaged – there’s a mystique about Portland, Oregon and we want to have that infused into our product.”**  
- JOE SCHNEIDER, DANNER/LACROSSE

## SPONSORED RESEARCH EXPENDITURES AT OREGON UNIVERSITIES, 2002 - 2010



Source: Oregon University System

To continue the pioneering work of its inventors and enhance the innovation capacity of its research universities, Oregon established the Oregon Innovation Council, which helps entrepreneurs create high-growth companies and university researchers attract federal and private research dollars. A major component of the Oregon Innovation Council is the establishment of Oregon's Signature Research Centers. The Research Centers leverage public and private funds to support and commercialize university technologies that hold the potential to grow into new companies; and to support the development of new technologies at existing companies. To do that, the Signature Research Centers provide research grants in their focus areas to advance ideas with commercial potential. Currently, there are three Signature Research Centers:

**Oregon Nanoscience and Microtechnologies Institute (ONAMI)**

ONAMI's collection of laboratories and researchers include the Lorry I. Lokey Nanotechnology Laboratories in Eugene, an internationally-recognized facility that includes Camcor, a materials characterization center with more than 20 advanced materials characterization and nanofabrication instruments; the Microproducts Breakthrough Institute in Corvallis for micro-level manufacturing and engineering research; and the Center for Electron Microscopy and Nanofabrication in Portland.

**Oregon Built Environment and Sustainable Technologies Center (BEST)**

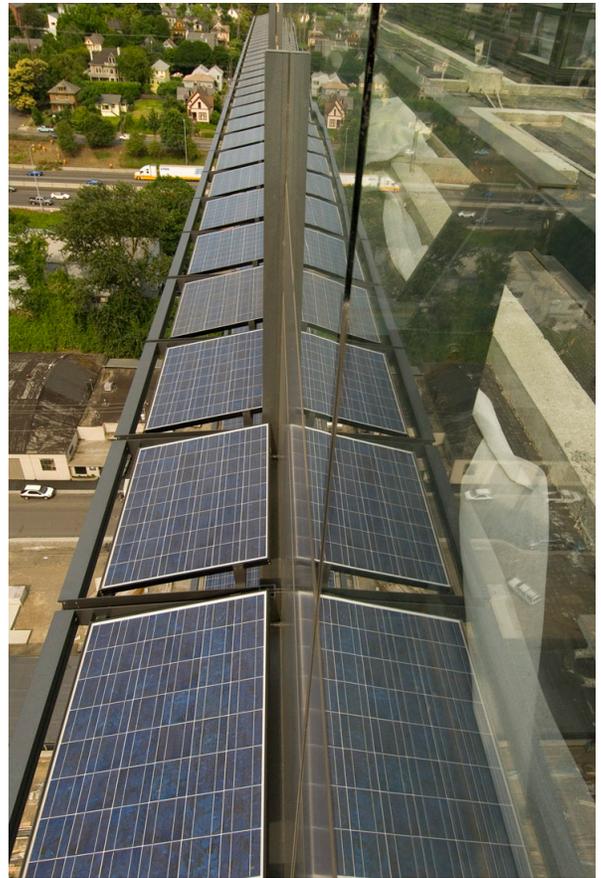
Oregon BEST connects the state's building industry to its shared network of university labs at Portland State University, the Oregon Institute of Technology, Oregon State University and the University of Oregon, helping transform green building and renewable energy research into on-the-ground products, services and jobs.

The Oregon BEST Program also supports a Sustainable Built Environment Research Consortium where industries and universities collaborate to pool resources and direct Oregon's green building research agenda.

**Oregon Translational Research and Drug Development Institute (OTRADI)**

OTRADI's unique "high throughput" facilities at Portland State University provide university researchers and small biotech companies with access to previously out-of-reach drug discovery equipment and expertise, speeding up research and allowing companies and their ideas to remain in Oregon.

In only three years of funding, the Signature Research Centers have captured \$197.5 million in federal and private grants. The Signature Research Centers have created or retained 1,282 jobs and incubated 15 new companies. Its 11 shared labs have been used by more than 200 businesses to perfect ideas as diverse as portable kidney dialysis machines and new malaria-fighting drugs.



Companies taking advantage of the Signature Research Centers include:

**SolarWorld** – world leaders in solar power technology

**Micro Systems Engineering** – producing medical microelectronics

**Hewlett-Packard** – global tech company

**ON Semi** – semiconductor fabrication

**Floragenex** – developing new DNA sequencing systems

**Home Dialysis+** – creating portable kidney dialysis machines

Like the state, the City of Portland acknowledges the importance of innovation for economic growth. Looking beyond internationally recognized expertise in land-use, transportation and sustainable development, Portland is a leader in innovation and entrepreneurship. The Portland Development Commission (PDC), the city’s economic development agency, has made explicit investments in retaining and growing firms, training workers, funding innovation, and developing catalytic projects with the objective of increasing Portland’s and Oregon’s global competitiveness. These efforts include:

- Industry Cluster Strategy:** Capitalizing on Portland’s competitive advantages, PDC has actively engaged with leading industry clusters to coordinate efforts and capture synergies related to retention, expansion, innovation, entrepreneurship, international trade, land assembly, talent and workforce development. Clusters of considerable national strength and concentration in the Portland region include software and high-tech, athletic and outdoor gear and apparel, clean technology and green building, and advanced manufacturing.
- Entrepreneurship and Innovation Strategy:** The city and PDC have launched a strategic effort to inform Portland’s investments in supporting technology commercialization, new product development, attracting capital and assisting scalable startups. Efforts under way include the creation of a new bioscience accelerator, several place-based strategies to encourage entrepreneurship and the development of physical infrastructure to support research and commercialization.
- Innovation Quadrant:** Portland’s Innovation Quadrant represents both a physical and programmatic manifestation of PDC’s efforts to foster innovation and expand business competitiveness. PDC is working to enhance connections and collaborations in this district anchored by Portland State University, the Oregon Health & Science University, and the Oregon Museum of Science and Industry, all linked by a network of light rail, streetcars, trams and buses.
- Portland Seed Fund:** PDC, partnering with the state of Oregon, the City of Hillsboro, and 21 area angel investors, has established the Portland Seed Fund. The Portland Seed Fund invests and provides technical assistance and mentoring to innovative high-growth startups.

Portland’s emphasis on invention, innovation and entrepreneurship is paying off. In 2010 the Portland area saw more than \$1.4 million in awards for Small Business Innovation Research/ Small Business Technology Transfer. Portland companies had almost \$200 million in venture capital-backed deals in 2010-2011, making Portland one of the top recipients of venture capital on a per capita basis. Most recent deals have concentrated on Portland’s rapidly growing software sector with investments supporting development of new web and mobile



technologies. Portland’s ascendance in technology has been documented most recently with the publication of the Milken Institutes annual Best Performing Cities Index which ranks U.S. metropolitan areas by how well they are creating and sustaining jobs and economic growth. According to the Index, Portland ranks eighth in the country for its high-tech GDP with a concentration of high-tech jobs that is twice the national average.

Portland is also home to a number of smaller universities with excellent engineering and science programs. The University of Portland, Reed College and Lewis and Clark are all highly ranked private institutions. Reed ranks fourth in the nation as a baccalaureate-origin institution of science and engineering doctorate recipients and is one of the leading colleges producing Rhodes Scholars. Lewis and Clark is noted for its very strong law programs in environmental and intellectual property.

**HIGHLIGHTS: RECENT PORTLAND AREA FUNDING DEALS**

Company	Industry	Amount
ClearEdge Power	Alternative Energy	\$97 M
Home Dialysis +	Medical Devices	\$50 M
Brammo	Transportation	\$28 M
Agilyx	Alternative Energy	\$25 M
Urban Airship	Mobile Software	\$15.1 M
JanRain	IT	\$15 M
Act-On	Software	\$10 M
Coaxis	Communications	\$10 M
Simple	ECommerce	\$10 M
Puppet Labs	IT	\$8.5 M
ShopIgniter	ECommerce	\$8 M
Cedexis	IT	\$6 M
Open Sesame	Internet	\$2 M
Zapproved	ECommerce	\$1.4 M
Vizify	Internet	\$1.2 M
Cloudability	IT	\$1.1 M

Source: VentureDeal

# Value-added Services & Active City Assistance

Portland and Oregon are prepared to provide a satellite U.S. Patent and Trademark Office with location assistance, real estate development and relationship-building to facilitate work with patent examiners and other staff.

## Examiner legal and technical training

Oregon benefits from a vibrant and high quality patent bar including in-house patent prosecution staff, patent attorneys, and professional organizations which provide a forum for discussion of patent and other intellectual property topics.

Patent attorneys practice at companies and private law firms, large and small, located throughout Oregon, and many attorneys are recognized as national experts on a variety of legal topics. Portland firms represent many federal laboratories including the National Institutes of Health, the Centers for Disease Control, and Los Alamos National Labs. The nation's leading universities, institutes, laboratories, and companies have chosen Oregon's attorneys to do their patent work in dozens of technical fields.

- **Biomedical Informatics**, including biomedical devices; biomedical imaging techniques and analysis; medical signal processing analysis; biomedical computing simulators; high throughput genomic and proteomic techniques and methods of analysis; gene, protein and epidemiological prediction methods; array analysis, including protein, nucleic acid, and metabolite microarrays; pharmacogenomics; biomedical database interoperability; biomedical data and image compression techniques; and biomedical applications of nanotechnology.
- **Biotechnology**, including inventions related to proteins, genetic sequences, pharmaceuticals, gene therapy techniques, diagnostics and treatments for many different diseases (including cancer, HIV, and Alzheimer's); immunology; high-throughput genomic and proteomic techniques; bioinformatics; medical devices; biological applications of nanotechnology; and biological imaging techniques.
- **Medical devices**, from surgical instruments to non-invasive diagnostic tools, from spectroscopic analysis to laser-based technologies.
- **Nanotechnology** including biomedical devices; medical imaging techniques; biological micro-arrays and "chips" including nucleic-acid, polypeptide, antibody, and metabolite arrays; a wide variety of nanotube technologies including fabrication of nanotube arrays and structures,

individual nanotubes, nanotubes as used in microelectronics, nanotubes as used in sensors, nanotube-containing polymers, and nanopolymeric; nanostructures other than nanotubes; nanocomposites; microchemical microfactories; microfluidics; synthesis of nanofibers, nanofilms, and nanoparticles (including metal nanoparticles); MEMS; micro-optical arrays; nanostructural drug-delivery vehicles; and microthermodynamic devices and structures.

- **Software and computers** including artificial intelligence; bioinformatics; computer graphics; data compression; distributed computing; e-commerce; electronic design automation; encryption; security; Internet technologies; object-oriented programming; compilers; operating systems; networking; user interfaces; and computer peripherals.

Oregon's in-house patent prosecution staff includes attorneys working for the following highly innovative companies:

Intel	Bend Research
Hewlett-Packard Co.	Mentor Graphics
Xerox	Tektronix
Nike	IBM
Digimarc	

Portland is home to many private law firms that focus exclusively on patent and intellectual property law, including:

Klarquist Sparkman, LLP  
Stolowitz Ford Cowger LLP  
Chernoff Vilhauer LLP  
Kolish Hartwell, PC  
Alleman Hall McCoy Russell & Tuttle, LLP  
Marger Johnson & McCollom PC  
Harness Dickey  
Blakely Sokoloff Taylor Zafman LLP  
Harris Lee & Rogers LLP

Oregon is home to many larger law firms with dedicated patent and intellectual property groups, including:

Stoel Rives LLP  
Schwabe Williamson & Wyatt  
Perkins Coie

Finally, Oregon's professional patent and intellectual property professional organizations, including the Oregon Patent Law Association and the Intellectual Property Law Section of the Oregon State Bar, offer their full support to siting a USPTO satellite office in Portland.

Should the USPTO choose Portland for a satellite office, local patent professionals and universities will support the Patent Examiner Technical Training Program and Patent Training Academy with:

- A two-year commitment (once the satellite office opens) to supplement the USPTO's legal and technical training of its satellite office examiners;
- A minimum of 200 hours from registered patent attorneys and agents with a median level of 10+ years of patent experience;
- A minimum of 200 hours from engineering professors and lecturers from the major universities in Oregon.

We would defer to the USPTO's specific requests for face-to-face legal and technical training, but some possibilities include:

- Field trips to research and industrial sites relevant to the art units represented at the Portland Satellite Office
- State of the art tutorials from distinguished professors at Oregon's universities and university courses in patent law;
- Continuing Legal Education training sessions at local law firms on biotech patenting, patent litigation, and other such specialty areas.

### City of Portland Assistance in Locating a Satellite USPTO

Locating a satellite USPTO in Portland fits squarely within the city's and the PDC's efforts to invest in jobs, talent, innovation and entrepreneurship to maximize our region's competitiveness. PDC has experience in working with a variety of government agencies on site locations, including a recent successful effort to locate a major FBI office in Portland. PDC is fully prepared to provide a variety of technical and programmatic assistance for the Portland Satellite Office, including:

- **Relationship Management:** PDC will be the point of contact and relationship manager for the USPTO. PDC has excellent working relationships with local, regional, and state governments and economic development agencies; research and higher education institutions; and internationally-recognized companies and industry clusters. PDC will work closely to match the USPTO's needs with available resources to ensure continuous service and a smooth opening of the Portland Satellite Office.

- **Technical Assistance:** As the city's urban redevelopment agency, PDC has long-standing relationships with property owners, developers, and others in the real estate community who can identify prospective locations for office space. In addition to these relationships, PDC has a real estate database and geographic information system to assist with location analysis and selection. PDC has been proactively engaged in successful relocation and retention activities with international and national firms, including the U.S. headquarters for clean technology companies SoloPower, Vestas, Iberdrola, and ReVolt Technology, and leading athletic and outdoor companies Keen, Icebreaker, and Hi-Tec.
- **Financial Assistance:** PDC has a variety of financial assistance programs that are available to private property owners on an as-needed basis. These programs include:
  - **Development Opportunity Services (DOS):** The DOS Program assists property owners and tenants in evaluating development project feasibility, and provides real estate and architectural technical expertise.
  - **Commercial Property Redevelopment Loan (CPRL):** The CPRL Program provides loans to property owners for property rehabilitation and tenant improvements.
  - **Storefront Improvement Program (SIP):** The SIP assists property owners and tenants with exterior building improvements including painting, lighting, and signage.

PDC will work closely with USPTO to match potential locations and property owners with the available financial programs.

Portland offers the most affordable Class A office space on the West Coast at \$23.75 per square foot compared to San Francisco's \$40.54, Los Angeles' \$35.40, San Jose's \$35.40, and Seattle's \$32.55. The Portland market includes more than 94 million square feet of office space and currently has a vacancy rate of 10.5%.



U.S. Customs House. Photo: Michael R. Allen

The Portland office market offers a number of opportunities for location of the Portland Satellite Office in existing federally-owned or private office space in close proximity to Portland's knowledge-based workforce, affordable residential neighborhoods, mass transit, airport, and rail station. These include:

- **U.S. Customs House:** The U.S. Customs House is currently owned by the federal government as surplus property. With more than 80,000 SF of space in Portland's Old Town, a hub of startup and innovation activity within walking distance of Union Station and light rail connections to the region, the U.S. Customs House would be a potential location for the Portland Satellite Office as the only tenant or as a prime tenant in conjunction with other research or institutional entities.
- **Edith Green-Wendell Wyatt Federal Building:** The renovation of the federally-owned Edith Green-Wendell Wyatt Federal Building is currently under way and anticipated to be complete in March 2013. The 1,200 employees from this building have been temporarily relocated to four other buildings. Upon completion of this sustainable renovation (which incorporates the innovative work of several Portland-based firms), these employees will migrate back to the Edith Green-Wendell Wyatt building, creating opportunities for the lease of large blocks of office space in the central city.

- **South Waterfront** is a 130-acre area currently undergoing intensive redevelopment, generating a significant number of new jobs and housing. Anchored by an expansion of the Oregon Health & Science University campus, including a new collaborative life sciences research center, this new neighborhood and employment center provides a wide range of opportunities for development. The entire district showcases sustainable building practices resourcefully integrated into the natural riverfront environment.
- **Private Buildings:** A number of private developers have Class A office projects in the works, including the nearly-complete renovation of the 172,000 square foot Meier and Frank warehouse to house the North American headquarters of Danish wind turbine-maker Vestas. Several other "shovel ready" projects have the potential to add several hundred thousand square feet of office space. Park Avenue West is a 27-story tower in Portland's downtown core that is slated to be completed in 2013. PDC has working relationships with a number of developers and can assist with lease and development agreements as part of an overall location solicitation and selection process.



Portland's South Waterfront. Photo: Sean Marshall

## Conclusion

Portland's long-standing culture of innovation, its distinct geographic and economic advantages, abundant creative workforce, and enviable quality of life paired with low cost of living position the city as an ideal and mutually beneficial location for a USPTO satellite office. As a location of choice for professionals from throughout the United States, Portland and Oregon provide an attractive and effective platform to launch the USPTO's reassertion of U.S. leadership in technology policy. The Portland Satellite Office would enjoy myriad opportunities to advance the USPTO's critically-important goals, and would demonstrate Portland's continued commitment to creating one of the most sustainable and innovative economies in the world.



Saddle Mountain State Natural Area, Oregon Coastal Range. Photo: Lisa Norwood

# Congress of the United States

Washington, DC 20510

November 18, 2011

The Honorable John Bryson  
Secretary  
United States Department of Commerce  
1401 Constitution Ave., NW  
Washington, D.C. 20230

Dear Secretary Bryson:

In an effort to stimulate the job-creating effects of America's innovators and inventors, better connect patent filers with the United States Patent and Trademark Office and improve the quality and efficiency of the patent examination process, Congress directed the Department of Commerce (in the America Invents Act - PL 112-29) to establish at least three satellite Patent and Trademark offices throughout the country. We write to you today, on behalf of, and in concert with, the undersigned stakeholders, to urge you to locate one of the offices in Oregon.

Oregon has a long and rich history of scientific and commercial innovation. Inventions like the now-ubiquitous Phillips screwdriver came from Oregon's deep reservoir of intellectual talent, as did Nobel Prize winner Walter Brattain's pioneering research into transistors and semiconductors. More recently, home grown innovation companies such as Tektronix and Nike have been joined by technology leaders like Hewlett-Packard, IBM and Intel, in locating major research and development facilities in the Portland region and the Willamette Valley. Due in no small part to significant investments in fiber optic infrastructure, Google, Facebook and Amazon now call Oregon home. When combined with Oregon's growing entrepreneurial community and ongoing research and development activity around electric vehicles, energy storage, alternative energy and transportation, bioscience, nanotechnology and mobile software, it is no surprise that the Portland region ranks 15<sup>th</sup> nationwide in patents issued from 2006 to 2010. Even more impressively, on a per capita basis it ranks 6<sup>th</sup>. By some measures, Corvallis, located 90 minutes from Portland, is the country's most innovative city.

Oregon is also becoming a center of growing research and commercialization activity. Total industry, university and government R&D expenditures in Oregon exceed \$4 billion annually. In the heart of downtown Portland, Oregon Health and Science University received over \$358 million in research funding last fiscal year, while Portland State University has seen research expenditures increase 80 percent in the last decade, growing from \$25.8 million in 2000 to \$58.2 million in 2010. Farther down the Willamette Valley, Oregon State University enjoyed a sizable increase in research funding of \$275 million, while the University of Oregon received \$135.6 million from external funding sources in grants, contracts and other competitive awards in 2010. More broadly, Oregon is centrally located between Seattle and the Bay Area, two of the West Coast's preeminent R&D hubs and centers of patent and intellectual property activity.

As might be expected, Oregon continues to attract and retain highly educated workers. Portland's competitive advantage in key innovative industries – advanced manufacturing, software, clean

technology, bioscience and outdoor gear and apparel – is a draw for high caliber talent. The Portland metropolitan area has a significant concentration of scientists and engineers, and these workers value job stability and seek career opportunities that result in higher rates of retention and longer tenure.

World renowned for land-use planning, transportation policy and sustainable development, Oregon has been at the forefront of visionary thinking in building a 21<sup>st</sup> century society. These innovative practices have helped many communities in the region to garner multiple “Best Places” ratings even while remaining enviable and affordable places to live and work. Building on Oregon’s pioneering spirit, trained and educated people from a variety of professions are attracted to the area both for its lifestyle and innovative ethos. In selecting Oregon for a satellite office, the United States Patent and Trademark Office will be able to benefit from competitive advantages around quality of life, affordability, access to talent and innovation, and a history of public-private collaboration, allowing examiners to enjoy a higher standard of living and helping the Department of Commerce to reduce attrition.

Oregon’s high quality of life is a key draw for talent and continues to make the region a popular relocation destination for business. With a lower cost of living, the Portland region has a higher home ownership rate and lower average rent. Office space in Portland is also very affordable. Area residents enjoy enviable access to Pacific Ocean beaches, mountains and the lush Willamette Valley. With direct air connections to Seattle, Boise, San Francisco and Los Angeles – not to mention most major cities throughout the United States – Portland is also an accessible location from which to conduct business.

Despite clear geographic and innovation advantages the region still lags behind much of the nation in job creation and suffers from both high unemployment and persistent underemployment. The economic impact of a satellite patent office would be significant, providing jobs for the region’s out-of-work skilled professionals while enhancing Greater Portland’s innovation ecosystem. Portland and Oregon, however, are not sitting idle, but continue to promote economic development through a strategic commitment to fostering innovation. For example, the State of Oregon and the Oregon Innovation Council are focused on helping innovators create high-paying jobs, entrepreneurs create companies and university researchers bring federal and private research dollars to the state through Signature Research Centers as well as state-of-the-art research and commercialization facilities focused on nanotechnology, bioscience, renewable energy and green building. Additionally, Portland recently published an *Entrepreneurship and Innovation Action Plan* focused on technology commercialization, new product development, attracting capital and supporting scalable startups.

Our goal is to help the nation to lead the world in innovation. A patent office in the Portland metropolitan area would offer entrepreneurs, universities and research centers along the entire West Coast and Mountain West enhanced access to patent examiners familiar with our region’s intellectual property. Oregon’s longstanding commitment to sustainability and innovation will help the U.S. Patent and Trademark Office attract and retain skilled professionals.

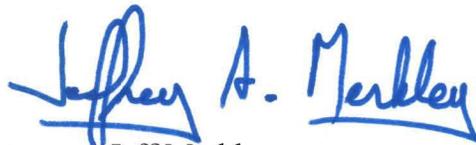
We and the undersigned companies, investors, patent practitioners, researchers, universities and community representatives, are committed to a partnership with the U.S. Patent and Trademark

Office in Oregon and look forward to the commencement of the formal selection process and to providing you with a complete and comprehensive proposal for your review and consideration.

Sincerely,



Ron Wyden  
United States Senator



Jeff Merkley  
United States Senator



Earl Blumenauer  
U.S. Representative



Peter DeFazio  
U.S. Representative



Kurt Schrader  
U.S. Representative



John A. Kitzhaber M.D.  
Governor



Sam Adams  
Mayor of Portland

cc: David J. Kappos, Under Secretary of Commerce for Intellectual Property and Director of the  
United States Patent and Trademark Office (USPTO)  
Azam Khan, Deputy Chief of Staff, United States Patent and Trademark Office (USPTO)

On behalf of:

Philip H. Knight  
Chairman of the Board  
Hilary Krane  
Vice President, General Counsel and Corporate Affairs  
Nike, Inc.

A. Douglas Melamed  
Senior Vice President & General Counsel  
Intel Corporation

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Collaborative Software Initiative

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Blount International, Inc.

James Curleigh, President, CEO  
Keen Footwear

Tim Harris, CEO  
Solopower, Inc.

Cosmos Corbin, Founder  
DECK Monitoring

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ViaWest Inc.

Michael Baker, President and CEO  
Home Dialysis Plus

Les de Asis, CEO  
Benchmade Knife Co., Inc.

Alan Wizeman, Co-Founder and Chief Product Officer  
ShopIgniter

Danielle Forsyth, Founder and CEO  
Thetus Corporation

Lynnor Stevenson, Ph. D., CEO  
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Rogue Valley Microdevices, Inc.

Mark Ganz, President and CEO  
Cambia Health Solutions (formerly the Regence Group)

James McNames, CEO  
APDM, Inc.

Donald Young, CEO  
TI Works, Inc.

Thomas W. Barrett, M.D., MCR, President  
Pacific Nanoscience, Inc.

Ken Levy, CEO  
4-Tell Inc.

Alex Payne, Chief Technology Officer  
Simple (formerly BankSimple)

E. Jess Tudor, President and CEO  
Coverplay

Mark Eaton, President and Founder  
RapidMade

Giorgio EW Johnson, Founder and CEO  
Nyxio Technologies

Sean Beers, CEO  
Korkers Products, LLC

Neil Nelson, President and CEO  
Siltronic Corporation

Calvin S. Johnston, President and CEO  
Leupold & Stevens, Inc.

Bryan Barney, Executive Vice President,  
Product Development  
McAfee (an Intel Company)

Gregg Semler, President and CEO  
Lucid Energy

Andrew Greenberg, CTO  
The TOVA Company

Martin Vlach, CEO  
Lynguent, Inc.

Sabrina Parsons, CEO  
Palo Alto Software

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Coelo Company of Design

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Oregon Institute of Technology

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Innovation Asset Group, Inc.

Scott Kveton, CEO  
Urban Airship

Ryan Deckert, President  
Oregon Business Association

Robert D. "Skip" Rung  
Oregon Nanoscience and  
Microtechnologies Institute

Clif Davis, Business Manager/Financial Secretary  
International Brotherhood of Electrical Workers  
Local 48

Julie Manning, Mayor  
City of Corvallis

Duncan Wyse, President  
Oregon Business Council

Deanna Palm, President  
Greater Hillsboro Area Chamber of Commerce

Doug Badger  
Pacific Northwest International Trade Association

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Richard W. Lariviere, President  
University of Oregon

Wim Wiewel, President  
Portland State University

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Oregon Built Environment &  
Sustainable Technologies Center

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Oregon State Building and Construction  
Trades Council

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Pacific Northwest Defense Coalition

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