



January 30, 2012

The Honorable David J. Kappos  
Under Secretary of the Department of Commerce  
for Intellectual Property and Director of the  
U. S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Response to Request for Comments on Additional USPTO Satellite Offices for  
the Nationwide Workforce Program

Attn: Azam Kahn, Deputy Chief of Staff,  
Office of the Under Secretary and Director

Dear Under Secretary Kappos:

I was recently made aware that Utah is preparing to submit a response to the USPTO's Request for Comments on Additional USPTO Satellite Offices for the Nationwide Workforce Program (76 FR 229, Nov. 29, 2011). I am writing to urge selection of Salt Lake City, Utah as one of the three or more satellite offices of the USPTO which, subject to available resources, is to be established under the America Invents Act (AIA) within three years after the AIA's enactment.

As the Office is aware, in addition to enhancing geographic diversity by ensuring that selected satellite offices are established in different States and regions throughout the nation, required considerations also include, *inter alia*, the extent to which the AIA's purposes for such satellite offices are met, as well as availability of scientific and technically knowledgeable personnel in the region from which to draw new patent examiners at minimal recruitment cost. The AIA's stated purposes of the satellite offices include enhancing patent examiner retention, improving recruitment of examiners, decreasing the number of applications waiting for examination and improving quality of patent examination.

During my experience while serving as Chair of the Patent Public Advisory Committee, it was evident that retention of qualified examiners is a key to reducing the backlog of pending applications and improving the quality of patent examination. Retention, in turn, is driven largely by quality of job satisfaction and a satisfying lifestyle. Utah has much to offer in terms of its ability to meet the AIA's stated purposes in these respects. Among these are the following:

- Utah enjoys a cost of living that is significantly less than many other areas of the country, particularly those with comparable cultural, educational and scientific facilities, and lifestyle amenities. During the recent recession, Utah's economy remained comparatively strong, and Utah continues to be one of the top states in the country in terms of its economic and fiscal health. Utah enjoys an unemployment rate that is significantly lower than most of the rest of country, which will facilitate work opportunities for an examiner's spouse who may be seeking employment. This favorable economic climate and cost of living will be attractive to examiners, and will permit them to find and enjoy better, more affordable housing and more reasonable living costs.
- Transportation for Examiners will be convenient and affordable. Public transit systems (light rail, commuter train and bus) are efficient and serve the downtown area from north, south, east and west, from suburbs located in Bountiful (25 miles to the north of Salt Lake) to Provo (40 miles to the south). Major freeways traverse both north-south and east-west areas throughout the Salt Lake Valley and Wasatch front. Rarely is the commute time from my home, located 35 miles to the south, longer than 35 to 40 minutes to my office in downtown Salt Lake.
- Salt Lake and the surrounding environs also offer a rich diversity of lifestyle. Salt Lake's downtown area offers affordable access to the symphony, ballet, opera, theater and the performing arts, museums, shopping, libraries, professional sports and culinary experiences. Examiners of any age will be attracted to the unparalleled natural beauty within minutes of downtown Salt Lake City, which is surrounded by breathtaking mountains that offer hiking, camping, biking, stream and lake fishing, boating and water sports, and of course world-class skiing and winter sports. A little further South one encounters the spectacular beauty of Zion's Canyon and Bryce Canyon for weekend trips, or warmer climates during short winter getaways.
- The USPTO has long been a "family friendly" workplace, where its employees enjoy good benefits, and a sensible balance between work and time with family or friends. Utah is a perfect fit in many ways for the USPTO's workforce. With an average age of 29, Utah is characterized by a healthy, young, vibrant, educated, and diverse population (one third of working adults speak a second language). With a diversity of churches, public and private schools of high quality, a relatively low crime rate and a clean environment, Utah is an ideal environment in which to raise a young family. Health care in Utah is accessible through many quality hospitals and facilities within and around the greater Salt Lake area and along the Wasatch front, and is relatively affordable.
- Recruiting for the examining corp will be facilitated by the fact that there are five major universities within a 100 mile radius of Salt Lake, each offering a strong curriculum of engineering and science degrees, with numerous other smaller colleges located along the Wasatch front and southern reaches of the state. Salt Lake is also within 2 hours of virtually every major university from Denver to the West coast.

Those Examiners who may choose to further their careers by pursuing a law degree will have access to top quality law schools at both the University of Utah, just minutes from downtown Salt Lake, and at BYU, some 35 miles to the south.

In addition to enhancing recruitment and retention of qualified examiners, inventors and IP professionals from Denver to the West Coast will be able to easily access a satellite office in Salt Lake. The Salt Lake International Airport is a major hub for Delta and also serves a dozen other airlines, which together make it possible for approximately one third of the country's population to reach Salt Lake within 90 minutes. The Salt Lake International airport, located just 15 minutes from downtown, provides non-stop service to over a hundred different cities.

Utah has a strong tradition of innovation. It has historically been recognized as having one of the highest independent inventor per capita ratios in the country, and is a leader in spawning start-ups. With a strong pro-business outlook, Utah is consistently ranked by *Forbes* and other ranking services as providing one of the best places in the country in which to work and live.

Lastly, may I once again simply express my thanks to you for the strong leadership and vision which are being provided by you to the USPTO and the US IP system. Establishment of the USPTO's Nationwide Workforce Program is yet another example of that vision and leadership. I am hopeful that Utah will become a part of that vision as a selected location for one of the USPTO's satellite offices.

With kind regard,



Rick D. Nydegger