
- Contains fee setting authority and funding provisions for USPTO
- Passed House on June 23rd by vote of 304-117
- Senate expected to vote on the House bill shortly after August recess
- Implementation Website Created – www.uspto.gov/AmericaInventsAct
Other selected IP legislation:

- **S. 968 - Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011 (“Protect IP” Act) (Sen. Leahy)**
  - Would provide DOJ and right holders with tools to expeditiously crack down on foreign websites created to peddle counterfeits goods and pirated content
  - Marked up and unanimously passed by Judiciary Committee on May 26th
  - House expected to introduce companion bill shortly

  - Establishes copyright protection for original fashion designs
  - House Judiciary Hearing held on July 15, 2011. Witnesses testified that legislation is necessary to protect small & medium fashion design companies from competition from “knock offs”
  - Concerns raised about a potential for excessive or frivolous litigation
  - Bill provides limited protection and addresses concerns raised about prior legislative proposals.
USPTO Funding & FY 2011 Appropriations

USPTO Funding:

- USPTO currently operating under the Full year Continuing Appropriations Act, 2011 (Public Law 112-10) signed by the President on April 15, 2011; USPTO projects that collections will exceed this by approximately $80 million.

- Spending in FY2011 was limited to $2.09 billion forcing some difficult decisions made relating to patents, nationwide workforce, IT improvements, and others.

- FY 2012 House CJS Committee would appropriate $2.71 billion. Awaiting action by Senate this Fall and preparing for possible Continuing Resolution.

- Patent Reform legislation would enable the agency to set its own on fees (both patents and trademarks) and assesses 15% surcharge on patent fees.
Implementing Telework Flexibility:

- Pursuant to Public Law 111-292 (H.R.1722, 111th Congress), the *Telework Enhancement Act of 2010*, USPTO is in process of implementing new telework flexibilities.

- USPTO Oversight Committee developed operating procedures to ensure reasonable technological alternatives used before requiring employee travel.

- MOU with USPTO Unions signed on July 5, 2011.

- Implementation begins 30 days after GSA approval transmitted to Congress with Cost Benefit Analysis.
Thank you.

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