• Under Section 10 of the AIA:
  – PPAC is required to hold a public hearing about the USPTO’s proposed fee structure;
  – USPTO is required submit a proposed fee structure to PPAC; and
  – USPTO is required to assist PPAC in carrying out the hearing, including by offering Office resources to promote the hearing
PPAC Fee Hearings


• 2 Hearings:
  – Wednesday, February 15, 2012 @ USPTO
  – Thursday, February 23, 2012 @ Sunnyvale, CA
    • Both webcast on AIA micro-site
    • Public real time input by online chat
    • Transcript available after hearing complete

• Written comments due by February 29, 2012
USPTO delivered its proposed patent fee structure to PPAC on February 7, 2012. See AIA microsite: www.uspto.gov/AmericaInventsAct

- USPTO Transmittal Letter to PPAC for Patent Fee Proposal
- USPTO Executive Summary: Patent Fee Proposal
- USPTO Detailed Appendices: Patent Fee Proposal
- USPTO Table of Patent Fee Changes
- USPTO Aggregate Revenue Calculations
- Aggregate Revenue Calculations (Excel version)
PPAC Fee Questions

• PPAC posted questions on PPAC website about USPTO’s proposed fee structure. See PPAC website:
  http://www.uspto.gov/about/advisory/ppac/index.jsp

• Sample question:
  1. The proposed patent fee structure will provide resources to begin funding a patent operating reserve.
     - a. Should the USPTO maintain an operating reserve?
     - b. If “yes,” do you believe it is reasonable for applicants to pay fees above and beyond the fees needed to cover aggregate costs to fund the operating reserve?
     - c. What is an acceptable size (in months, dollars, or percent of total USPTO expenses) for the patent operating reserve?
     - d. How long should it take to fund the operating reserve?
     - e. Should some or all of the fee increases sunset once the fund has been established?
     - f. If so, which fees should sunset?
# Agenda for February 15th Hearing

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
<th>Presenter</th>
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</thead>
<tbody>
<tr>
<td>8:00 AM</td>
<td>Welcoming Remarks</td>
<td>Damon Matteo, Chair</td>
</tr>
<tr>
<td>8:10 AM</td>
<td>General Commentary on USPTO Fee Setting Proposal</td>
<td>David Kappos, USPTO Director</td>
</tr>
<tr>
<td>8:20 AM</td>
<td>Overview of Patent Fee Proposal</td>
<td>Michelle Picard, USPTO Senior Advisor for Financial Management</td>
</tr>
<tr>
<td>9:00 to 10:00 AM</td>
<td>Pre-Scheduled Witness Testimony</td>
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<tr>
<td>9:00 to 9:15 AM</td>
<td>Herb Wamsley, IPO</td>
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<tr>
<td>9:15 to 9:30 AM</td>
<td>Q. Todd Dickinson, AIPLA</td>
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<tr>
<td>9:30 to 9:45 AM</td>
<td>Michael Kirk, AIPLA</td>
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<td>9:45 to 10:00 AM</td>
<td>Robert A. Armitage, ABA</td>
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Remote Access Instructions for February 15th Hearing

• **WebEx Information**
  – Event number: 992 249 221
  – Event password: 123456
  – Event address: https://uspto-events.webex.com/uspto-events/onstage/g.php?d=992249221&t=a

• **Teleconference information**
  – Call-in toll number (US/Canada): +1(408) 600-3600
  – Access code: 992 249 221
Facility Layout for February 15th Hearing

PPAC Fee Setting Hearing Conference Room Layout

- Backdrop for Webcast
  - US Flag
  - USPTO Flag
  - Podium
- Screen for PowerPoint Presentation
  - PPAC Finance Subcommittee
- Mic for audience
- PPAC Members
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<td>Ron D. Katznelson, IEEE</td>
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Remote Access Instructions for February 23rd Hearing

• **WebEx Information**
  – Event number: 993 597 453
  – Event password: 123456
  – Event address: https://uspto-events.webex.com/uspto-events/onstage/g.php?d=993597453&t=a

• **Teleconference information**
  – Call-in toll number (US/Canada): +1(408) 600-3600
  – Access code: 993 597 453
Facility Layout for February 23rd Hearing
• PPAC Chairman will preside over the hearings, and any PPAC member may attend

• PPAC should be in “listening mode” and should not provide any response to witness testimony at the hearing. But PPAC may address witness testimony in the PPAC report

• PPAC may ask witnesses reasonable follow-up questions

• PPAC should not make commitments, guarantees, or agreements about regulatory provisions in the proposed or final rules or solicit attendees to reach consensus or make collective recommendations

• PPAC may answer factual questions about procedural matters
PPAC Report

• PPAC will prepare a written report for the USPTO based upon the witness testimony collected at the hearings and the written comments

• PPAC will deliver the report to the USPTO in early July 2012 (during the 60-day notice and comment period following the USPTO’s Federal Register publication of its proposed patent fee rules)
Thank You