Patent Public Advisory Committee
Quarterly Meeting

USPTO Budget Update

Tony Scardino
Chief Financial Officer
May 14, 2015
FY 2015 Status

• No changes have been made to fee estimates since the February 2015 PPAC meeting
  – Current working estimate for fee collections is $3.14B
    • Patents: $2.87B, Trademarks: $273.4M
FY 2015 Status (continued)

• As of March 31, 2015
  – Year to date fee collections: $1.48B
    • Patents: $1.35B, Trademarks: $135.1M
  – Year to date spending of $1.66B
    • Patents: $1.49B, Trademarks: $176.5M
  – End of year projected spending of $3.26B
    • Patents: $2.92B, Trademarks: $341.8M
  – End of year projected operating reserve of $554.9M
    • Patents: $462.0M, Trademarks: $92.9M
FY 2017 Budget

• USPTO has started work on the FY 2017 OMB Budget submission
  – Internal guidance issued April 2015
  – PACs and DoC will receive a draft to review in August 2015
  – Final document will be completed by September 14, 2015
Biennial Fee Review

• Currently evaluating proposals and conducting analysis on potential adjustments to fees
• Decision on whether to initiate rulemaking process and formal notification to PPAC expected in September/October
• If USPTO intends to set or adjust fees, PPAC’s role may vary
  – Dependent on the authority, such as whether fees set or adjusted will be pursuant to AIA section 10 or 35 U.S.C. section 41
Biennial Fee Review (continued)

• If AIA section 10 authority is employed and once USPTO’s proposals are received, PPAC will have 30 days to:
  – Deliberate, consider, and comment on the fee adjustment proposal(s) and hold a public hearing
  – Accept written comments from the public

• Following receipt of PPAC initial comments, Notice of Proposed Rulemaking (NPRM) will be drafted
Biennial Fee Review (continued)

• NPRM requires clearance from USPTO, DOC, SBA, and OMB before publication in Federal Register
  – There will be a 60 day comment period for the NPRM
• PPAC is required to publish a report outlining comments and suggestions following the hearing
• Comments will be considered and responses provided in a Final Rule
• Final Rule will require additional additional clearance before publication
Questions and Comments

Tony Scardino
Chief Financial Officer
(571) 272-9200
Tony.Scardino@USPTO.GOV