January 30, 2012

Mr. David Kappos  
Under Secretary for Intellectual Property  
Director for the United States Patent and Trademark Office  
Department of Commerce  
445 12th Street, S.W.  
Washington, DC 20554

Dear Under Secretary Kappos:

We write today to encourage the United States Patent and Trademark Office (USPTO) to select Massachusetts as one of the locations for a satellite office. As you know, under Section 23 of the Leahy-Smith America Invents Act, the USPTO is required to establish three satellite offices nationally to help carry out its responsibilities. We believe that Massachusetts would be an ideal location for a satellite office.

Massachusetts, specifically the Greater Boston area, serves as the regional hub for the Northeast. A satellite patent office in Massachusetts would effectively service the surrounding New England States. The New England states have accounted for over 32,000 patents and 420,000 applications between 2006 and 2010. This region only trails Silicon Valley in the volume of patent requests during that time.

Two goals of Section 23 are to "enhance patent examiner retention" and "improve recruitment of patent examiners." Massachusetts is home to many world class universities, including Tufts University, Brandeis University, Massachusetts Institute of Technology, Worcester Polytechnic Institute, Boston College, Harvard and the University of Massachusetts system. With this "brain gain," Massachusetts is the perfect state for the USPTO to recruit talented patent examiners.

Massachusetts is also a world leader in high tech industries, including biotechnology, nanotechnology and pharmaceutical research. These industries disproportionately rely on the patent system.

The Commonwealth's entrepreneurial and innovative spirit, in combination with the deep intellectual talent pool in the state, has created an incubator for start-up companies that need timely and high quality patent examination. Start-ups employ many graduates of Massachusetts colleges and often grow into viable small and medium sized businesses.

With these significant benefits in mind, we respectfully encourage you to give Massachusetts full consideration as the site of a new USPTO satellite office.

Sincerely,

Edward J. Markey  
Barney Frank