

Synopsis for Public Data Dissemination Sole Source Contract to Google, Inc.

The United States Patent and Trademark Office (USPTO) has the statutory authority to acquire products and services to the maximum extent possible in all acquisitions on a competitive basis pursuant to the Patent and Trademark Office Acquisition Guidelines (PTAG) for alternative streamlined acquisition procedures. Using PTAG, the USPTO is exempt from the Competition in Contracting Act of 1984 (CICA) and the requirement to meet the test of "full and open competition" as defined in FAR part 6 and contracting by negotiation as defined in FAR part 15. (A copy of the PTAG can be found at: <http://ptoweb.uspto.gov/ptointranet/comptroller/procurement/ptag.pdf>).

On October 15, 2009, to comply with governmental mandates and directives for transparency of governmental data, the USPTO posted RFI (SS-PAPT-09-10008) for the purpose of obtaining information from interested parties regarding a requirement for public dissemination of bulk patent and trademark data to the public at no cost to either the USPTO or the public. Subsequently, the USPTO awarded a no-cost sole source contract to Google, Inc. in February 2010, to fulfill this need. In an attempt to seek competition to the maximum extent possible, a Sources Sought Notice was posted May 6, 2010, and then an RFP (DOC52PAPT1000025) was issued July 6, 2010. The USPTO received no responses from industry by the August 12, 2010, RFP closing date.

Accordingly, this synopsis serves as notice of the intent of the USPTO to award an additional no-cost, sole source contract to Google, Inc. for continued public data dissemination services of patent and trademark bulk data to the public at no charge via the internet. The contract will be for 12 months. This award continues the availability of data made possible by the initial no-cost sole source award made to Google in February 2010. Google continues to possess the proven technology, ease of use, and an existing public repository for patents information without incurring any cost to the public or the USPTO.

The USPTO will continue to develop an acquisition strategy under the previously posted RFP (DOC52PAPT1000025) using competition to the maximum extent possible for establishing the long-term no cost solution to public data dissemination and transparency of governmental data.