FY 2010 Status

Increase in Collections and Spending Authority

FY 2010 by $129 million to $2,016 million
FY 2009 to FY 2010 $209 million

Actual fee collections: $1,730 million as of July 31, 2010.
- Patents: $1,547 million
- Trademarks: $183 million

Estimated EOY fee collections: $2,032 to $2,119 million.
- Patents: $1,812 to $1,894 million
- Trademarks: $220 to $225 million

Estimated EOY carryover balance: $201 million (August 12, 2010).
- Patents: $108 million
- Trademarks: $93 million
Continuation of FY 2010 Status

FY 2010 Appropriation Increased to $2,016 million.

- Includes the supplemental appropriation bill for $129 million signed August 10, 2010 by the President.
- Fee Collections expected to be approximately $70 million above appropriation authority – estimated range of collections:
  - Patent: $15 to $96 million
  - Trademark: $2 to $7 million

Supplemental Authority:

- Hire 200 patent examiners during September 2010.
- Patent Publication and Printing production contract increase.
- Laptop replacement program.
- Fund PCT contract search support through the end of FY 2010.
- Patent production overtime increase $8.1 million.
Patents projected UPR filings have increased from 456,400 (FY 2010 PB) to 478,800.

Trademark projected filings have increased from 356,000 (FY 2010 PB) to 371,900.

RCE filings through July - 127,027; a straight line projection would yield 153,300 filings by year end.

Patent Issues through July - 174,627; a straight line projection would yield 210,700 by year end.

Renewal rates through July (projected for annual rates) are: 102%, 78% and 74%. A renewal rate above 100% is possible, but not expected to continue through the remainder of this fiscal year.
FY 2011 Status

FY 2011 requested appropriated level is $2,331 million
  Includes 15% Patent interim fee adjustment - $224 million
  $315 million from FY 2010 President’s Budget level:
  $ 1000 Patent examiner hires
  $ PCT Outsourcing support
  $ Trademark Next Generation
  $ Demonstrating global leadership
  $ Increased IP Awareness

FY 2010 supplemental Funded Projects
  $ Patent production overtime
  $ Patent process reengineering
  $ CIO Infrastructure
  $ Increased and accelerated Patent examiner hires
  $ Nationwide Workforce

FY 2011 Congressional sub-committee mark-ups complete
FY 2012 Budget Process

July - August
- FY 2012 Budget initiatives and justifications were prioritized.
- Draft Strategic Plan posted for comments and provided to OMB for final review.

September
- Strategic Plan – OMB Final Review and Clearance
- Draft FY 2012 Budget to DoC and PACs for review
- DoC and PACs feedback incorporated into budget document
- Submit FY 2012 OMB Budget Request

November - December
- Develop the FY 2012 President’s Budget Request

February
- Submit FY 2012 President’s Budget Request
Other Financial Items

- Routine cost analysis of Trademark fees is ongoing as a part of normal business activity.
- Fee cost analysis data shared during subcommittee meeting.
- No current plans for changes to Trademark Fees – operating reserve level in outyears is optimal.
- Current patent/trademark ABI Q3 allocation – 90/10