

Advancing an Innovation Economy Built to Last *U.S. Patent & Trademark Office Satellite Offices: Selection Criteria*



The U.S. Patent and Trademark Office (USPTO) is announcing that it will establish regional USPTO offices in the Dallas-Ft. Worth-Arlington, Texas (Dallas); Denver-Aurora-Broomfield, Colorado (Denver); and, San Jose-Sunnyvale-Santa Clara, California (Silicon Valley) areas. These offices are in addition to the already-announced first USPTO satellite office, the Elijah J. McCoy Satellite Office, which is scheduled to open in Detroit, Michigan on July 13, 2012.

The four offices will function as hubs of innovation and creativity, helping protect and foster American innovation in the global marketplace, helping businesses cut through red tape, and creating new economic opportunities in each of the local communities.

Selection of the four sites was based upon a comprehensive analysis of criteria including geographical diversity, regional economic impact, ability to recruit and retain employees, and the ability to engage the intellectual property community, among others. The *Leahy-Smith America Invents Act of 2011* (AIA), signed into law by President Obama in September, requires the USPTO to establish regional satellite locations as part of a larger effort to modernize the U.S. patent system over the next three years.

Establishing additional offices around the country helps the USPTO recruit and retain patent examiners and Board of Patent Appeals and Interferences (BPAI) judges, which is vital to reducing the patent application and board of appeal backlogs. Ultimately, this ensures that American innovation gets to the marketplace faster, creates jobs, and equips the USPTO to better engage the applicant community.

In November 2011, the USPTO requested public comment via the *Federal Register* on the location of additional offices. The USPTO received more than 600 comments from the general public, city and state officials, and the business community.

Comments and subsequent analysis focused on those criteria outlined by Congress in the AIA, including:

- The ability to conduct outreach to the patent applicant community;
- The ability to recruit top talent at the USPTO;
- The ability to retain top talent at the USPTO;
- The potential economic impact on the selected communities; and
- The geographic diversity of selected offices

Stated goals of backlog reduction and improved quality are captured in sub measures within the above categories. The team also considered operational feasibility and cost to the Agency. Further, the ability to employ U.S. veterans was considered in this recommendation.

The Dallas area provides the USPTO with a southern, central time zone hub from which to operate. The region is exceedingly rich in engineering talent, patent applicants, and patent grants. Dallas boasts an above average population of potential Veteran employees.

The Denver area provides the USPTO with a mountain time zone hub from which to operate. Empirical evidence demonstrates that Denver is a sought-after place to live and work with relatively low cost-of-living—a critical combination for the recruitment and retention of top talent. Further, the economic impact of a USPTO satellite office in the Denver region is projected to be disproportionate relative to most other cities. Denver also boasts an above average population of potential Veteran employees.

Silicon Valley provides the USPTO with a pacific time zone hub in the heart of California's most vibrant innovation center. Silicon Valley, and the areas that surround it, contain many of the USPTO's top filers as well as legions of start-up and small tech companies that depend on the USPTO. Further, Silicon Valley's great quality of life and abundant population of engineering talent will provide fertile recruiting grounds for the Agency. The USPTO recognizes the challenges of retention in a hyper-competitive market, and will work to construct a concept of operations for the three offices that recognizes such challenges.