



Trademark Public Advisory Committee

USPTO Budget Update

June 3, 2011



FY 2011 Status

Projected Fee Collection range \$ 2,106 to \$2,490 million

↪ Patents: \$1,894 to \$2,265 million

↪ Trademarks: \$212 to \$236 million

Projected end of year Trademark surplus (as of April 30, 2011): \$85 - \$98 million

Projected obligation (as of April 30, 2011): \$2,295 million

↪ Patents: \$2,073 million (90.3%)

↪ Trademarks: \$222 million (9.7%)



FY 2011 Status

USPTO held at the \$2,090 million level. Spending reductions have been made to include:

- ↪ No non-critical hires, including additional patent examiners
- ↪ All discretionary training
- ↪ IT Capital Investments
- ↪ PCT contract funding
- ↪ Overtime
- ↪ Postponing of the Nationwide Workforce satellite office

Business Units continue to examine their budgets for further reductions



FY 2012 Status

FY 2012 President's Budget request: \$2,599 million

FY 2011 reductions are critical to FY 2012

- ↪ If USPTO is held to a full year CR level of \$2,090 million, the agency will be forced to implement significant cuts to avoid a budget deficit.
- ↪ FY 2011 reductions are being made to ensure a carryover balance for October 1, 2011

Possible FY 2012 scenarios:

- ↪ Appropriated, flat funding
- ↪ Appropriated, at President's Budget request
- ↪ Appropriated, less surcharge
- ↪ Revolving fund (S.23, H.R.1249)



American Invents Act (H.R. 1249)

The Act would:

- ↪ Allow for fee setting authority
- ↪ Establish a Public Enterprise Fund
- ↪ Deposit all patent and trademark fees in the fund
- ↪ Allow all amounts deposited in the fund to be available for use without fiscal year limitations, within the limits of use set forth in the “Trademark Fence”

Passed the Senate on March 28, 2011

Passed House Committee April 14, 2011

Expected introduction to full House June 2011



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