Agenda

• Enterprise Services
• FY 2017 Status
• FY 2018 Budget
• FY 2019 Budget
• Fee Review/Fee Rulemaking
Enterprise Services

• Status on USPTO and Enterprise Services
FY 2017 Status

• As of June 30, 2017
  – Planned fee collections: $2,350M
    • Patents: $2,122M Trademarks: $228M
  – Year to date fee collections: $2,291M
    • Patents: $2,066M, Trademarks: $225M
  – Year to date spending: $2,627M
    • Patents: $2,377M, Trademarks: $250M
FY 2017 Status (continued)

- As of June 30, 2017
  - End of year projected fee collections of $3,147M
    - Patents: $2,841M, Trademarks: $306M
  - End of year projected spending of $3,255M
    - Patents: $2,946M, Trademarks: $309M
  - End of year projected operating reserve of $390M
    - Patents: $279M, Trademarks: $111M
FY 2018 Budget

• The FY 2018 President’s Budget was publically released on May 23, 2017

• The fee collection estimate is $3,586M
  – Patents planned fee collections and other income is $3,274M

• The Patent business line budgetary requirement is $3,176M
FY 2018 Budget (continued)

• The budget places a high priority on items related to the Patent organization including:
  – Optimize the Patent workforce and maintain focus on mission-critical tasks in examination
  – Continue to align Patent Trial and Appeal Board capacity with workload projections to meet performance targets, including statutory trial proceeding deadlines
  – Increase investment in the Patent IT Portfolio. This reflects the continued development and successful deployment of new IT capabilities
FY 2018 Budget (continued)

• DoC Secretary Ross’ appropriation hearings before the House and Senate CJS subcommittees occurred on May 25, 2017 and June 8, 2017
  – Both hearings focused on other bureaus within the Department

• The House issued its Committee report on July 13, 2017
  – Recommends appropriating $3,500M based on the estimates from the Congressional Budget Office’s
    • This level is $86M lower than the FY 2018 President’s Budget request
FY 2019 Budget

• USPTO received guidance on formulating the FY 2019 OMB submission in July
  – The agency is preparing its FY 2019 Budget for OMB’s initial review in September 2017
    • PPAC will be provided a summary of this information to review
The Chief Financial Officers (CFO) Act of 1990 requires USPTO to review its fees every two years.

USPTO conducted a fee review beginning in 2015:
- This review resulted in the initial fee proposal for setting and adjusting patent fees that was published in the Federal Register in October 2016.
- The Agency is now finalizing its rulemaking package.

USPTO initiated the most recent biennial fee review in January 2017.

Absent Congressional action, the USPTO’s fee setting authority under section 10 of the AIA will expire on September 16, 2018.
Questions and Comments

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