

USPTO Budget Update

Tony Scardino

Acting Deputy Under Secretary of Commerce for
Intellectual Property and USPTO Deputy Director

October 31, 2017

UNITED STATES
PATENT AND TRADEMARK OFFICE



Agenda

- FY 2017 Summary
- FY 2018 Status
- FY 2019 Budget
- Fee Setting Authority
- Other Topics for Discussion

FY 2017 Summary

- USPTO collected \$305.0M in Trademark fees in FY 2017
- The year ended with a \$120.7M Trademark operating reserve level, which is well above the minimum reserve level of \$55.0M

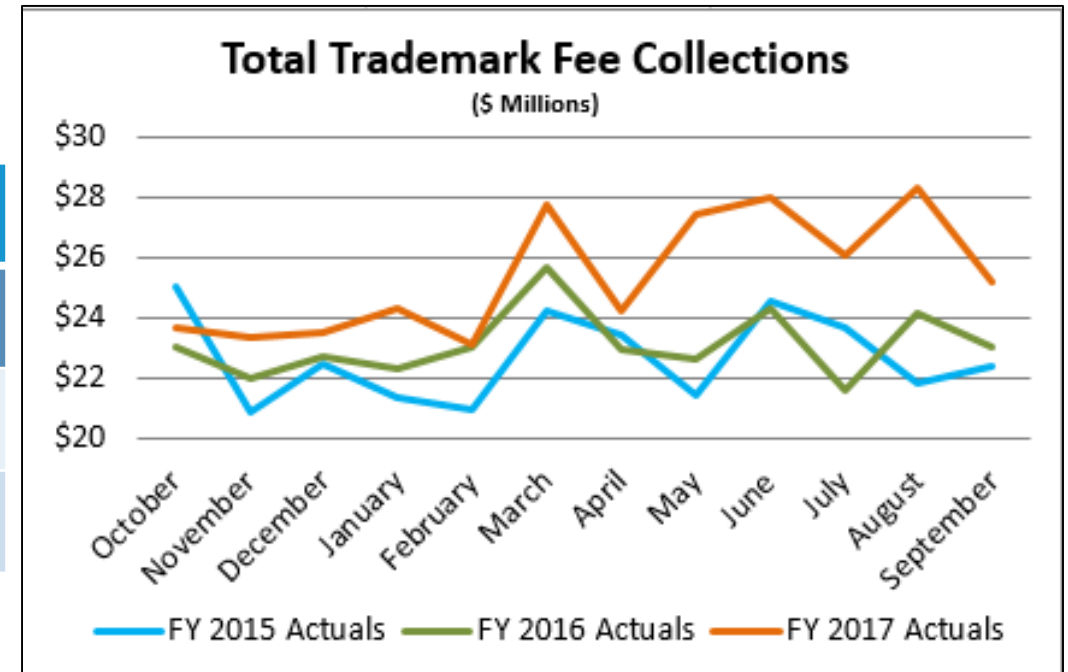
	TRADEMARKS
Actual Fee Collections	\$305,032,848
Adjustment to Revenue*	(\$1,198,906)
Actual Prior Year Operating Reserve	106,998,905
Actual Other Income	6,785,270
OIG Transfer	(196,863)
<i>Total End-of-Year Available Income</i>	<i>417,421,254</i>
<i>Total End-of-Year Spending</i>	<i>296,765,908</i>
EOY Operating Reserve	\$120,655,346

*Adjustment to Revenue includes in-transit revenue and prior years refunds

FY 2017 Summary – Fees

- Trademark fee collections were:
 - 0.4%, or \$1.2M, below the FY 2017 planned collection amount of \$306.2M
 - 9.9% above total collections in FY 2016

Total Trademark Collections (Dollars in Thousands)				
FY 2015	FY 2016		FY 2017	
Actual	Actual	Increase	Actual	Increase
\$272,637	\$277,579	1.8%	\$305,033	9.9%



FY 2018 Status

- The current Continuing Resolution (CR) is through December 8, 2017
 - The USPTO is held to an adjusted spending level calculated off of \$3.23B (plus carryover and other income)
 - The CR includes a rescission of 0.6791%

FY 2018 Status *(continued)*

- Both the House and Senate Committees on Appropriations recommended appropriating \$3,500.0M for the USPTO in FY 2018
 - This level is \$86.2M below the FY 2018 President's Budget Request of \$3,586.2M
- USPTO's spending requirements in the FY 2018 President's Budget are \$3,502.9M
 - Requirements will be reviewed throughout the fiscal year

FY 2018 Status *(continued)*

FY 2018 President's Budget

- Estimated Fee Collections of \$3,586.2M
 - Patents: \$3,250.3M, Trademarks: \$335.9M
- Spending Requirements of \$3,502.9M
 - Patents: \$3,176.1M, Trademarks: \$326.8M

FY 2019 Budget

- The FY 2019 OMB Budget request was submitted on September 11, 2017
- USPTO is working on the FY 2019 President's Budget submission
 - TPAC will receive a draft to review in mid to late January 2018
 - The final budget will be submitted on February 5, 2018 to Congress

Fee Setting Authority

- Absent Congressional action, the USPTO's fee setting authority under section 10 of the AIA will expire on September 16, 2018

Questions and Comments

Tony Scardino

Chief Financial Officer

(571) 272-9200

Tony.Scardino@USPTO.GOV