Patent Public Advisory Committee
Quarterly Meeting

USPTO Budget Update

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February 1, 2018
Agenda

• FY 2018 Status
• FY 2019 Budget
• Fee Rulemaking/ Fee Setting Authority
FY 2018 Status

• USPTO’s appropriation lapsed January 20, 2018 at 12:01am
  – The Agency maintains sufficient carryover funding from prior fiscal years and stayed open during the federal government shutdown

• A new Continuing Resolution (CR) was passed on January 22, 2018, which appropriates the Agency through February 8, 2018
  – The USPTO is held to an adjusted spending level calculated off of $3,230M (plus carryover and other income)
    • The CR includes a rescission of 0.6791%
FY 2018 Status (continued)

• As of December 31, 2017
  – Planned fee collections of 840.8M
    • Patents: $758.7M Trademarks: $82.1M
  – Year to date fee collections: $841.0M
    • Patents: $761.1M Trademarks: $79.9M
  – Year to date spending: $988.0M
    • Patents: $877.8M, Trademarks: $110.2M

FY 2018 YTD Collections and Spending
(as of December 31, 2017)
FY 2018 Status (continued)

- As of December 31, 2017
  - End of year projected fee collections of $3,430.1M
    - Patents: $3,093.8M, Trademarks: $336.3M
  - End of year projected spending of $3,443.9M
    - Patents: $3,105.5M, Trademarks: $338.4M
  - End of year projected operating reserve of $393.3M
    - Patents: $268.5M, Trademarks: $124.8M
FY 2019 Budget

• The FY 2019 President’s Budget request will be submitted on February 12, 2018 to Congress
  – PPAC received a draft to review mid January 2018. USPTO requested comments by January 31, 2018

• USPTO expects that appropriation hearings will be held for DoC’s FY 2019 Budget by the House and Senate CJS subcommittees
Fee Rulemaking/Fee Setting Authority

• The patent fee rule was implemented on January 16, 2018

• 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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