Legislative Update

Dana Colarulli

Director, Office of Governmental Affairs
Legislative Activity
115th Congress, second session

Budget Issues

Commerce, Justice, Science and Related Agencies Appropriations Act of 2019 (H.R. 5952/S. 3072)

• Sets the USPTO budget at $3.37 billion
• Both bills reported out of their respective committees
Legislative Activity
115th Congress, second session

Telework Enhancement Act Pilot Program (TEAPP) Extension

• National Defense Authorization Act (NDAA) for Fiscal Year 2019 (H.R. 5887)
  o Negotiations still ongoing. Section 1106 would extend TEAPP authority through December 31, 2020.
Legislative Activity
115th Congress, second session

Trademark Expo 2018
S. Res. 580 (July 18, 2018)
• Chairman Grassley (R-IA) and Sen. Coons (D-DE) introduced the resolution in support of the Trademark Expo

Recognizing and supporting public awareness of the importance of trademarks and the goals and ideals of the National Trademark Exposition of the United States Patent and Trademark Office.
Legislative Activity
115th Congress, second session

Small Business Innovation Protection Act of 2017 (H.R. 2655/S.791)
• Passed both chambers on a voice vote (Senate on July 19 and the House on July 10)
• Directs the Small Business Administration and the USPTO to enter into a partnership agreement to:
  o Develop high-quality training for small business concerns related to domestic and international protection of intellectual property and how such protections should be considered in small business plans and growth strategies, and
  o Leverage existing training materials already developed to educate inventors and small business
• Training can be done through electronic resources, including webinars or at SBA or USPTO physical locations
• Training at SBDC relating to domestic and international intellectual property and how such protections should be considered in the business plans and growth strategies of small businesses
Congressional Activity

115th Congress, second session

Oversight of the U.S. Patent and Trademark Office (May 22, 2018)

- Hearing before the House Judiciary Committee
- Some issues raised by House members:
  - § 101 Subject matter eligibility
  - PTAB
  - NPRM on claim construction
  - Diversion of USPTO user fees
  - China IP problems
  - Qualified workforce
  - Patent quality
  - Fraudulent TMs from overseas
  - IP protection in trade agreements
Congressional Activity
115th Congress, second session


• Hearing before the House Small Business Committee
• Focused on exploring the value of intellectual policy to small businesses and start-ups
• Witnesses:
  o **Ms. Michal Rosenn**, General Counsel, Expa, New York, NY.
  o **Mr. David Graham**, CEO, Code Ninjas, Pearland TX. on behalf of the International Franchise Association.
  o **Mr. Rick Carnes**, President, Songwriters Association, Brentwood, TN.
  o **Ms. Joan Fallon**, CEO Curemark, Rye, NY.
Congressional Activity
115th Congress, second session


• Hearing before the House Small Business Committee
• Examined how small business owners in the digital technology industry utilize intellectual property and the issues they face when navigating the intellectual property process
• Witnesses:
  o **Mr. Frank Cullen**, Vice President of U.S. Policy, The Global Innovation Policy Center, U.S. Chamber of Commerce, Washington, D.C.
  o **Mr. Morgan Reed**, President, ACT | The App Association, Washington D.C.
  o **Mr. Christopher Mohr**, Vice President for Intellectual Property and General Counsel, Software & Information Industry Association, Washington, D.C.
  o **Mr. Chris Israel**, Executive Director, Alliance for U.S. Startups and Inventors for Jobs, Washington D.C.
Questions and Comments

Dana Robert Colarulli
Director, Office of Governmental Affairs
(571) 272-7300
Dana.Colarulli@USPTO.GOV