

**From:** [Jess Epsten](#)  
**To:** [Fee.Setting](#)  
**Subject:** Comments Re: Proposed Patent Fees  
**Date:** Friday, December 02, 2016 12:05:54 PM  
**Attachments:** [CommentsProposedPatentFees.pdf](#)

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Dear Commissioner:

This letter is in reference to the proposed U.S. Patent Fees, specifically the significant increases for U.S. Plant Patent applications.

The U.S. public greatly benefits from the introduction of new plant varieties. The process of breeding, selection and development of these new plant varieties typically takes a number of years and there is significant costs prior to introduction. The cost of a U.S. Plant Patent is one of these costs and a significant increase in the U.S. Patent Office's fees could be prohibitive to many plant breeders' programs.

These new products are not sold in high volumes nor at a high cost per unit. Therefore, it can take many years to "payback" the development costs, including the patent costs.

Increasing the U.S. Plant Patent fees will increase the financial burden on these plant breeders and poses a financial barrier to the Applicants/Assignees from procuring U.S. Plant Patents for their new plants.

On behalf of the U.S. Plant Patent Applicants/Assignees (plant breeders, plant breeding companies, licensees), we respectfully request that the U.S. Patent Office reconsider these excessive increases on U.S. Plant Patent applications.

Thank you.

Respectfully submitted,

Jess Epsten - General Manager  
John Barbour - President

**Athena Trees, Inc.**  
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December 2, 2016

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313

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