



United States Patent and Trademark Office

*Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent
and Trademark Office*

DIRECTOR'S MEMORANDUM

TO: Management Council

FROM: Coke Morgan Stewart *CMS*
Acting Under Secretary of Commerce for Intellectual Property and
Acting Director of the United States Patent and Trademark Office

DATE: March 4, 2025

RE: Procedures for Recusal to Avoid Conflicts of Interest and Delegations of
Authority

This memorandum documents the delegations that apply in the event of an actual or potential conflict of interest by the Under Secretary of Commerce for Intellectual Property and Director of the USPTO (Director) relating to the parties, counsel, or subject matter of a particular matter.¹

- If the Director has a conflict concerning the matter, then unless a specific delegation concerning such matters exists, the authority to handle the matter is delegated to the Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the USPTO (Deputy Director).
- If the Deputy Director has a conflict concerning a particular matter related to patents, including matters related to the Patent Trial and Appeal Board, then unless a specific delegation concerning such matters exists, the authority to handle the matter is delegated to the Commissioner for Patents.
- If the Deputy Director has a conflict concerning a particular matter related to trademarks, including matters related to the Trademark Trial and Appeal Board, then unless a specific delegation concerning such matters exists, the authority to handle the matter is delegated to the Commissioner for Trademarks.
- If the Deputy Director has a conflict concerning a particular matter related to something other than patents or trademarks, then unless a specific delegation concerning such matters exists, the authority to handle the matter is delegated to the Chief of Staff, who should confer with the relevant Business Unit Head.
- The delegations outlined above may not be further sub-delegated.

¹ Throughout this document, references to any position at USPTO apply equally to an individual serving in the position in an Acting capacity, or performing the functions and duties of the position.