



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

VIA ELECTRONIC TRANSMISSION

OCT 14 2015

Trademark Public Advisory Committee (TPAC)  
ATTN: Maury M. Tepper, III, Esq., Chairperson  
3724 Benson Dr.  
Raleigh, NC 27609

Dear Members of the Trademark Public Advisory Committee:

As part of the continued commitment to fiscal responsibility, financial prudence, and operational efficiency, USPTO recently completed its comprehensive biennial fee review. This represents the first major agency review using the fee-setting authority provided by the Leahy-Smith America Invents Act (AIA). Based on the results of the review, we are now ready to engage the intellectual property (IP) stakeholder community to ensure we move forward through the regulatory fee adjustment process with a proposal that best serves our Nation's IP system.

The fee review process incorporated a thorough evaluation of the existing fee schedule as well as significant research and analysis on potential revisions to the schedule. The fee proposals are intended to address three objectives: better align fees with costs; ensure the integrity of the register; and promote the efficiency of the process. I believe that the resulting proposal's modest fee adjustments will ensure that the USPTO continues to deliver on its commitment to ensure the integrity of the Trademark register while simultaneously increasing operational efficiency.

These targeted fee adjustments are aligned with the Office's fee structure philosophy, with the goal to provide sufficient financial resources to facilitate the effective administration of the United States intellectual property system. Transitioning to this proposed fee structure in fiscal year (FY) 2017 would ensure sufficient resources to support trademark operations and related services with more options for applicants. We are on the right path to success – trademark quality metrics and pendency targets have been achieved year after year; the transition to next generation IT systems is under way; and global collaboration is advancing. I strongly believe that the proposal will mitigate the very real possibility that our success could be compromised by future funding complications.

Enclosed with this letter are two documents. The first provides a summary of the proposal to help you understand the changes being proposed. It includes details on our fee-setting process, highlights of the issues and information we have considered, and describes the specific changes being proposed. The second provides a detailed listing of the fee adjustments. In addition, the

Office has established a website, <http://www.uspto.gov/about-us/performance-and-planning/fee-setting-and-adjusting>, which contains further background material that will aid in your analysis.

In addition to this fee proposal, the Office is undertaking a robust spending prioritization and review effort to ensure that our spending plans embody the best possible use of the dollars we anticipate collecting. I look forward to briefing you on this effort in the upcoming months.

As the Office is proposing to use its fee-setting authority under section 10 of the Leahy-Smith America Invents Act (AIA), TPAC is required by the Act to hold a public hearing within the 30-day period following receipt of this proposal. The Act also requires TPAC make available to the public a written report setting forth in detail the comments, advice, and recommendations of the committee following the public hearing on the fee proposal. We will be reaching out shortly to answer any questions and to assist with the logistics and materials needed to conduct the public hearing.

I look forward to hearing your comments and recommendations on the proposal, as I am confident our collaboration will only enhance the final product and ultimately strengthen Trademark operations.

Sincerely,



Michelle K. Lee  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
United States Patent and Trademark Office

Enclosures

- Attachment I – Executive Summary of Trademark Fee Adjustment Proposal
- Attachment II – Listing of Proposed Fee Adjustments

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