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Azam Khan, Deputy Chief of Staff
United States Patent and Trademark Office
Mail Stop Office of Under Secretary and Director
P.O. Box 1450
Alexandria, VA, 22313-1450.

RE: Suggestions for Criteria for the Selection of Future USPTO Satellite Offices

Mr. Khan,

Being a former Patent Examiner, and a long-practicing Patent Attorney, I applaud the decision to expand the geographic reach of the USPTO for many reasons. Primarily, and as has been stated as the main purpose behind such a consideration, is the need to hire and retain strong members of the examining corps. Being a former resident of the Washington, DC, metropolitan area, even in the early 1990s, there is no question that the costs of living such residents face are not only rather large, but they continue to increase every year. When I began my employment as an Examiner, my pay was about \$16,000 annually. I left after almost four years, ostensibly because the costs of the Washington, DC, area were too high and my salary increases would not accord a level of sustenance that I longed for, as well as the ability to raise a family. Although Examiner salaries have rightfully increased over the years, and upfront bonus payments (or, more succinctly, specific pay increases for the corps) have been implemented, the lure of in-house and firm positions, and their much higher pay structures, still offers an incredibly attractive alternative to corps members that can utilize their valuable examination experience for such “greener pastures.” In other words, I fervently believe that any further decisions to open

satellite PTO offices should rest primarily on a cost-of-living criterium. The greater the spending power for an Examiner at such a person's current salary level, the greater chance for long-term retention. Experienced Examiners allow for improvements in examination performance and quality, efficiency in the examination process, and quicker reduction of the pending application backlog. Thus, the lower the cost-of-living level the better, in order for Examiners to enjoy a greater amount of spending power in relation to their salary level (this seems to be a major reason for Detroit's selection as the cost-of-living standard in that metropolitan area is among the lowest in the country).

In addition to such an initial issue, any future satellite office location should be home to a significant technological center, in my opinion. Such an arrangement would go far in allowing for a centered examination location (as Detroit has many engineers previously employed within the automotive industry, for example) and would make sense in order to provide examination capabilities for specific technologies, rather than across-the-board examiner hires to cover all different art areas. Technology regions, such as those dedicated to medical/orthopedic/microbiology developments, software and computer hardware interests, etc., (as suggestions) would be appropriate to that end, specifically as the pool of talented scientists/engineers for the examining corps could be centered within such a broad technological area in order to completely fill examiner positions in that regard. Higher education institutions present within a certain radius of such a location would also accord a significant talent pool for such a purpose, particularly if such colleges or universities contribute significantly to such technological centers in that region. Furthermore, it would be important to consider the

economic condition of the location in question. With the recent economic downturn throughout the country, certainly some locations were hit to a greater extent than others, leaving a number of highly trained professionals seeking well-paying positions.

Furthermore, the necessity of spreading out to areas outside of the Detroit (upper Midwest) and Washington, DC, metropolitan regions (Northeast) would only make sense so as not to cluster such possibilities too closely. As such, an office in the South of the country, particularly to “cover” a swath from Florida to Texas as a central location, would go far in providing a distribution of resources in this respect, as would an office in the Far West (since the Midwest and Northeast are already covered, so to speak). Additionally, a location that facilitates transportation and any needed delivery of documentation, as well as has available ample vacant office space, would also be attractive and should be considered.

Lastly, I think the concentration of patent professionals in any satellite PTO location should be low in priority. Patent attorney numbers have grown throughout the country over the last 20 years, with numbers of such professionals in varying concentrations geographically, dependent on a number of factors. However, in some regions with large numbers of patent professionals, the cost-of-living standards appear to be relatively high, if not exceeding that for Washington, DC. Detroit appears to be one anomaly in that respect as, again, cost-of-living issues in that region are extremely low in comparison. If the patent professional number takes

precedence over the other issues I noted above, I would fear that the entire exercise would be for naught. The higher a former Examiner can be paid in a specific region or location may become too attractive for retention; attrition would follow if large numbers of already-present patent professionals exist in any specific location, particularly, again, if the cost-of-living standard for such a place is initially high as well.

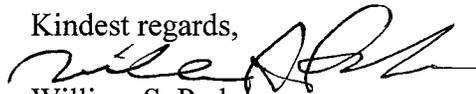
In my opinion, I suggest the following criteria be considered, in descending order from most important to least, for selecting a future USPTO satellite location:

- 1) Low cost-of-living for examiners in relation to Washington, DC, for increased spending power at set salary rates;
- 2) Location away from Washington, DC, but within a specific relatively highly populated geographic region;
- 3) Site of a broad technological center;
- 4) Close proximity to higher education/research universities, as well as significant numbers of highly trained scientists and engineers for a strong pool of candidates for examiners;
- 5) An economically depressed area (hit relatively hard by the recent economic downturn) with a plethora of suitable vacant office building space;
- 6) A transportation hub; and
- 7) An established number of experienced patent practitioners within the specific geographic region.

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I hope my concerns and explanations will be helpful in establishing the necessary criteria for this important decision. Please note, as well, that all opinions and suggestions supplied herein are my own and are not attributable to any other person or entity.

Kindest regards,



William S. Parks

Reg. No.37,528

Examiner, USPTO, 1990-1993 (Art Unit 1105)