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From: Dave Aston [e-mail address redacted]  
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To: SatelliteOffices  
Subject: Nationwide Workforce Program

Mr. David Kappos  
Under Secretary for Intellectual Property  
Director for the United States Patent and Trademark Office  
Department of Commerce  
445 12th Street, SW  
Washington, D.C. 20554

Dear Under Secretary Kappos:

I am writing on behalf of the Silicon Valley Intellectual Property Law Association, a professional association of intellectual property lawyers, agents and other professionals working in the intellectual property field. As has been widely reported, with 446,523 patents issued since 1977, California dwarfs every other state and most countries in the number of patents inventors received there. We are writing now to urge the United States Patent and Trademark Office (USPTO) to select the San Francisco Bay / San Jose area as the location of the next Regional Patent Office.

This area is home to a number of National Laboratories, including Lawrence Berkeley National Laboratory, SLAC National Accelerator Laboratory, Lawrence Livermore National Laboratory, and Sandia National Laboratory. It is also home to top research universities such as Stanford University, University of California – Berkeley and the University of California – San Francisco, as well as other non-profit research institutions such as the Buck Institute and SRI. In 2010, Stanford University alone filed more than 370 patent applications, and the University of California filed more than 900 new patent applications.

Silicon Valley is known for its computer/internet-based companies, but, as reported by the Milken Institute, between 2004-2006, the Silicon Valley was responsible for the highest number of biotechnology patent applications in the world.

Regarding the five factors on which information was requested in the Federal Register Notice of Nov. 29, 2011 (Fed. Reg. 76 No. 229, p. 73061), we believe that our location would advance the stated purposes of the satellite offices, as follows:

Increasing outreach activities to better connect patent filers and innovators with the Office

The SF Bay area is home to many new media and traditional media companies, which can work with the local USPTO satellite office to enhance communications with California-based intellectual property creators. Roughly one quarter of US patent applications filed come from California inventors. In 2010, Silicon Valley originated more utility patent issuances than any other US metropolitan region, representing a large audience for the USPTO's outreach activities.

Enhancing patent examiner retention, and improving recruitment of patent examiners

The SF Bay/ San Jose area is widely known to offer an exceptionally high quality of life, with scenic beauty, an exceptional climate, and a rich cultural and intellectual environment. Affordable housing can be found in many of the area's eastern suburbs, such as Oakland, Fremont, Milpitas, etc. In San Francisco County, over half of the adult population has a college degree, and in Santa Clara County (home to San Jose), 44% of the population holds a college degree. Yet, in silicon valley (Santa Clara and San Mateo counties), the unemployment rate of 9% exceeds the national average (8.5%).

Decreasing the number of patent applications awaiting examination

We are grateful for your efforts to encourage interviews between applicants and examiners as a means to streamline prosecution and decrease the application backlog.

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Personal interviews can provide communication that may be lost in a telephone interview. Having a satellite office in our area would allow for more personal interviews, since a 3,000 mile trip to the main USPTO site, or even a 2,400 mile trip to Detroit, Michigan, makes conducting a personal interview burdensome on applicants from this area. This would expedite prosecution and decrease the backlog.

#### Improving the quality of patent examination

The area has a large and diverse population of technically trained individuals, which would make recruitment of new patent examiners easier. The San Francisco and San Jose metropolitan areas rank third and fourth in the nation, respectively, in college graduates, while Santa Cruz ranks eighth and Oakland ranks eleventh. The area also is also home to a large pool of people already trained in patent law, meaning that new examiners with a pre-existing degree of expertise could be hired to improve the quality of patent examination.

In conclusion, the SF Bay/ San Jose region is a top candidate for selection as a USPTO satellite office, and we urge you to make this choice.

Sincerely,  
David J. Aston  
President  
Silicon Valley Intellectual Property Law Association