

**UNITED STATES
PATENT AND TRADEMARK OFFICE**



Legislative/governmental affairs update

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Patent Public Advisory Committee quarterly meeting

UNITED STATES
PATENT AND TRADEMARK OFFICE



Legislative activity

116th Congress

- Patent for Humanity Improvement Act (H.R. 7259/S. 2814)
- IDEA Act
 - Requires the USPTO to provide for the collection of voluntary demographic information (gender, race and veteran's status) of patent applicants and patent assignees
 - Expected to be introduced in the Senate soon
 - Similar version introduced in the 115th Congress
- COVID-related bills

Legislative activity

116th Congress

- **Telework for U.S. Innovation Act (H.R. 7448/S. 4138)**
 - Introduced in both the House and the Senate on July 2, 2020
 - Would make the USPTO's authority to conduct TEAPP permanent
- **FY2021 Appropriations bill status: Provide \$3.7 billion for the USPTO**
 - Reported favorably from the House, Commerce, Justice, Science and Related Agencies Appropriations Subcommittee, and the full House Appropriations Committee
- **Congressional updates regarding fee revenues and projections**

116th Congress

- House and Senate Judiciary Committee inquiry
 - In April, the USPTO received an inquiry from the chairmen and ranking members of the Senate and House Judiciary Committees and relevant subcommittees seeking a status update on our transition to full-time telework as well as the level of trademark filings, the effect of the decreased filings on the agency in the long-term, and our financial contingencies

116th Congress

- State Sovereign Immunity Study
 - In response to the Supreme Court's decision in *Allen v. Cooper*, Sens. Tillis and Leahy sent a letter to the USPTO requesting that it "study the extent to which patent or trademark owners are experiencing infringement by state entities without adequate remedies under state law"
 - Study is due no later than April 30, 2021
 - The USPTO is currently conducting legal research into this question and will seek feedback and relevant evidence from external stakeholders, including the states, IP owners, and others.
 - The U.S. Copyright Office has been asked to conduct a similar study relating to copyright infringement

Legislative activity

116th Congress

- USPTO's legislative priorities
 - Continuity of service issues
 - IP attaché rank
 - TEAPP extension
 - Monitor/provide technical assistance regarding pending patent-related legislation



Thank you!

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