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PATENT PUBLIC ADVISORY COMMITTEE OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 19, 2007

Ms. Judith M. Saffer
President
American Intellectual Property Law Association
241 18th Street South, Suite 700
Arlington, Virginia 22202

The USPTO is committed to improving the patent examination process with a goal of enhancing the quality of examination, reducing pendency and mitigating the headaches, hassles, expense and delays frequently associated with the process. In addition to addressing these immediate operational goals, consideration is also being given to possible ways to improve the efficient and effective use of patents to promote innovation and increase US competitiveness in the global economy. The USPTO is open to any and all suggestions that would achieve these goals. Some suggestions may be within the USPTO's existing authorities, while others may require legislative action. Also, some suggestions may be reflected in legislative patent reform proposals currently under consideration.

To further these goals, the USPTO has sought the assistance of the Patent Public Advisory Committee (PPAC) in soliciting input from various stakeholders on steps USPTO can take to reach these goals. The USPTO also welcomes input on any and all aspects of USPTO operations and procedures. Revising recruitment, retention and examiner training policies, establishing regional offices, outsourcing searching functions and creating a "suite of examining products" are some of the proposals that are already under consideration by the USPTO. We welcome your comments on these proposals, as well as invite other new ideas.

The USPTO is particularly interested in obtaining patent user community input on examination alternatives, such as a new "suite of patent products". Exploring examination alternatives of interest to diverse patent system users may result in efficiencies and improvements that benefit the users and considerably change the current examination system. Comments and input do not need to address specific products or alternatives, but may identify potential areas of interest to the user community and/or attributes of such alternatives that should be considered in the process. For example, one such product could be a low cost preliminary search and examination report or an attribute such as expanded and/or enhanced examination and open public participation before any patent grant. If there is sufficient consensus on the areas of interest or attributes to be considered, the USPTO will work to develop specific proposals in those areas for consideration by the user community. For proposals that are within existing USPTO authorities, near-term pilots could be considered to determine how well and how widely users might accept these alternatives. Other considerations may be identified that require legislative action and longer implementation time frames. No proposal should be omitted from consideration at this time.

As this process is at the preliminary stage, PPAC is limiting the outreach to a handful of stakeholders. All stakeholders will have ample opportunity to comment on any proposals ultimately presented by USPTO.

We would appreciate receiving your input by way of a written response of less than five (5) pages no later than Monday, January 29, 2007. PPAC will consolidate and synthesize all of the input and forward to USPTO for careful analysis.

Many thanks for your help in this worthy effort.

Sincerely,
Doug Patton and David Westergard
Patent Public Advisory Committee