



American Intellectual Property Law Association

November 30, 2021

The Honorable Richard J. Durbin
Chair
Committee on the Judiciary
U.S. Senate
Room 224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
U.S. Senate
Room 224 Dirksen Senate Office Building
Washington, D.C. 20510

Re: Nomination of Katherine Vidal to be the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

Dear Chair Durbin and Ranking Member Grassley:

The American Intellectual Property Law Association (“AIPLA”) is pleased to submit this letter in response to the nomination of Katherine Vidal to be the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (“USPTO”).

Founded in 1897, AIPLA is a national bar association of approximately 8,500 members who are engaged in private or corporate practice, in government service, and in the academic community. AIPLA members represent a wide and diverse spectrum of individuals, companies, and institutions involved directly or indirectly in the practice of patent (utility and design), trademark, copyright, trade secret, and unfair competition law, as well as other fields of law affecting intellectual property. Our members represent both owners and users of intellectual property. Our mission includes helping to establish and maintain fair and effective laws and policies that stimulate and reward invention but that also balance the public’s interest in healthy competition, reasonable costs, and basic fairness. As such, our membership has a longstanding interest in an effectively functioning USPTO.

Because of the AIPLA’s profound interest in the effectiveness of the Presidentially appointed leader of the USPTO, it has established a set of criteria that address the needed qualifications for an individual appointed to serve in this capacity. Based on the AIPLA’s decades of work with the USPTO’s leadership, we believe that a successful Director must possess a deep background and understanding of intellectual property law, as well as demonstrated

executive leadership ability through successfully managing a substantially sized organization. Moreover, given the diversity of perspectives on the operations of the U.S. intellectual property system, it is essential for the next leader of the USPTO to have a demonstrable commitment—and willingness—to engage with the various stakeholders who are impacted by the U.S. intellectual property systems' operations.

Upon reviewing the background and experience of Ms. Vidal, AIPLA has concluded that she possesses in abundance all the qualifications we regard as the hallmark of a successful Undersecretary and Director. We urge the Senate to move forward expeditiously to confirm Ms. Vidal.

We look forward to working with Ms. Vidal upon her confirmation. Finally, we thank you in advance for your consideration of the views of the Association.

Sincerely,



Patrick J. Coyne

President

American Intellectual Property Law Association

CC: Hon. Patrick J. Leahy
Hon. Thom R. Tillis