



American Intellectual Property Law Association

November 8, 2019

Honorable Andrei Iancu  
Under Secretary of Commerce for Intellectual  
Property and Director of the United States  
Patent and Trademark Office.

600 Dulany Street  
Alexandria, VA 22314

Via email: [fee.setting@uspto.gov](mailto:fee.setting@uspto.gov)

Attention: Brendan Hourigan

**RE: Supplemental Comments on Annual Patent Practitioner Fee Proposal in  
USPTO Setting and Adjusting Patent Fees During Fiscal Year 2020 [Docket  
No. PTO-P-2018-0031]**

Dear Director Iancu:

Further to the Notice of Proposed Rulemaking (NPRM) for Setting and Adjusting Patent Fees During Fiscal Year 2020, the American Intellectual Property Law Association (AIPLA) is providing the following views on the annual patent practitioner fee proposal and the related proposal on a continuing legal education (CLE) discount. We are taking this opportunity to supplement AIPLA's comments made on September 30, 2019 in response to the NPRM, in view of your remarks during an interview on October 24, 2019 as part of the Plenary Session of the AIPLA Annual Meeting.

In particular, your remarks gave some audience members the impression that the public comments received so far indicated support for an annual patent practitioner fee and little concern regarding the questions raised about the proposal. To be clear, the proposal for an annual patent practitioner fee, if implemented, would fundamentally change the relationship between the Office, the practitioners and the applicants. There are a considerable number of submitted comments, by both organizations and individuals, that raise significant concerns and questions regarding the proposals for an annual patent practitioner fee and CLE discount. Such expressed concerns are significant enough to warrant a separate NPRM, so that the Office has an opportunity to respond to the concerns and questions raised.

We urge the USPTO to further examine the annual practitioner fee and related CLE discount proposals by issuing a separate NPRM on these subjects.

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Adjusting Patent Fees During Fiscal Year 2020 [Docket No. PTO-P-2018-0031]  
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We thank you for allowing AIPLA the opportunity provide these comments

Sincerely,

A handwritten signature in blue ink, reading "Barbara Fiocco". The signature is written in a cursive, flowing style.

Barbara A. Fiocco  
President  
American Intellectual Property Law Association