

**UNITED STATES
PATENT AND TRADEMARK OFFICE**

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Patent Public Advisory Committee
Quarterly Meeting

Legislative/Governmental Affairs Update

Dana Robert Colarulli
Director, Office of Governmental Affairs

November 8, 2018

UNITED STATES
PATENT AND TRADEMARK OFFICE



Legislative Activity – *supporting USPTO Operations*

115th Congress, second session

- **Federal Budget FY2019:** Operating under a Continuing Resolution (CR) until December 7, 2018 for FY2019 (P.L. 115-245)
- **Telework Enhancement Act Pilot Program (TEAPP) Extension** (via the National Defense Authorization Act (NDAA) for Fiscal Year 2019, (P.L. 115-232)
 - **Signed into law** by the President on August 13, 2018
 - Section 1106 extends TEAPP authority through December 31, 2020
- **Fee Setting Authority -- Study of Underrepresented Classes Chasing Engineering and Science Success (SUCCESS) Act of 2018 (H.R. 6758)** (P.L. 115-273)
 - **Signed into law** by the President on October 31, 2018
 - Extends USPTO's fee setting authority by 8 years and requires a report to identify publically available data and provide recommendations to promote the participation of women, minorities and veterans in the patent system

Legislative Activity

115th Congress, second session

Small Business Innovation Protection Act (P.L. 115-259)

- **Signed into law** by the President on October 9, 2018
- Directs the SBA and the USPTO to enter into a partnership agreement to:
 - Develop high-quality training for small business concerns related to domestic and international protection of intellectual property and how such protections should be considered in small business plans and growth strategies; and
 - Leverage existing training materials already developed to educate inventors and small business
- Training can be done through electronic resources, including webinars or at SBA or USPTO physical locations
- Training at SBDC relating to domestic and international intellectual property and how such protections should be considered in the business plans and growth strategies of small businesses

Legislative Activity

115th Congress, second session

Affordable Medications Act (S. 3411)

- Introduced by Sen. Tina Smith (D-MN), Sept. 5, 2018
- Among amendments to other statutes, would amend title 35, Section 271(e) to require that an infringement suit under be brought within the 45 day period described in the legislation

S. Res. 620 – A resolution congratulating the National Academy of Inventors on the milestone of achieving 200 member institutions

- Introduced by Sen. Nelson (D-FL) and passed by the Senate on August 28, 2018

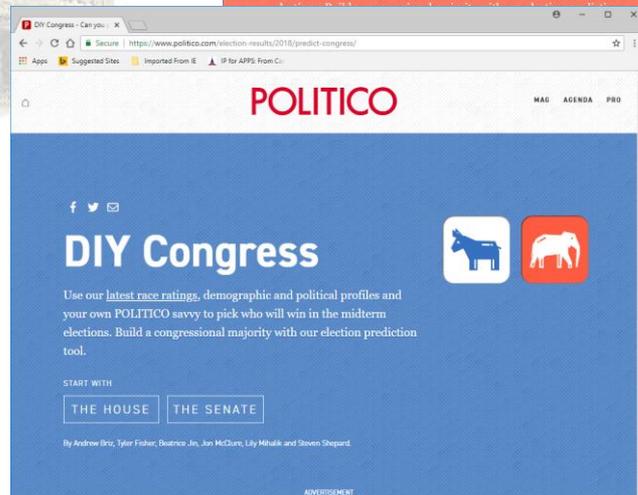
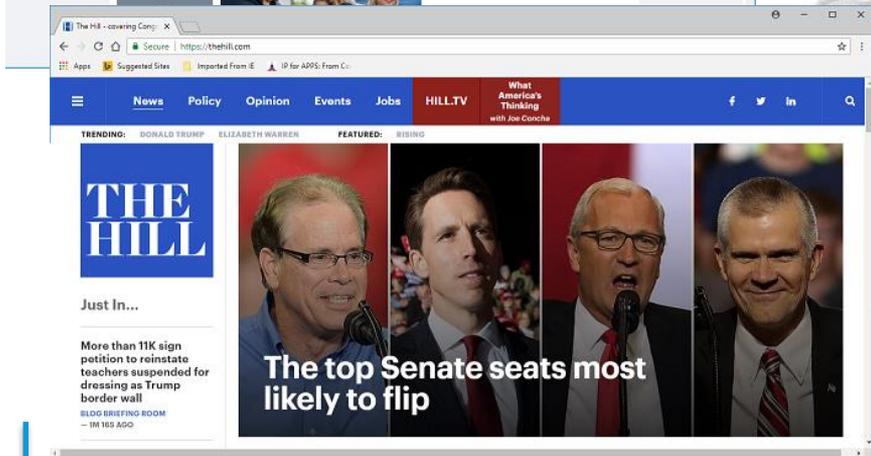
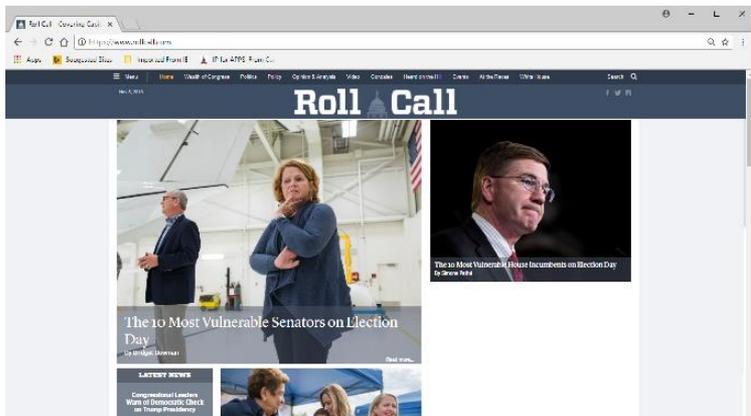
Legislative Activity

Impact of the Mid-term Elections on IP & the 116th Congress

- *What impact will the mid-term elections have on congressional leadership positions in the 116th Congress (Judiciary, Appropriations Committees and elsewhere)?*
- *What IP-related issues might be addressed during the “lame-duck” session of the 115th Congress?*
- *IP-related issues might be addressed during the 116th Congress?*



November 5, 2018



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Questions and Comments



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Resource Slide:

USPTO's Office of Governmental Affairs: Overview

Structure: 10 Staff (mix of attorneys and non-attorneys)

Core Mission

**Represent USPTO
on Capitol Hill**

*(Advance PTO's
legislative agenda,
prepare testimony, brief
staff, provide technical
advice)*

**Respond to
Requests from
Members of
Congress and
Facilitate
Clearance**

*(constituent issues, clear
IP policy documents
within the
Administration)*

**Build
Relationships and
Maintain Goodwill
with Elected
Officials**

*(Support regional office
engagement, build
fed/state relationships &
stakeholder outreach)*