

**UNITED STATES
PATENT AND TRADEMARK OFFICE**



USPTO budget update

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November 14, 2019

Patent Public Advisory Committee quarterly meeting

UNITED STATES
PATENT AND TRADEMARK OFFICE



Agenda

- FY 2019 summary
- FY 2020 status
- FY 2021 budget
- Fee setting

FY 2019 summary

- USPTO collected a total of \$3,398.5M in fees in FY 2019
 - Patents: \$3,054.6M, Trademarks: \$343.9M
- Total fee collections are \$28.74M in excess of the FY 2019 spending authority. The fees have been deposited in the Patent and Trademark Fee Reserve Fund (PTFRF)
 - Patents: \$24.67M , Trademarks: \$4.07M

	Total	Patents
Fee Collections	\$3,398,739,602	\$3,053,520,318
<i>Actual Fee Collections</i>	3,398,517,808	3,054,616,369
<i>Adjustment to Revenue (Year-End Timing Differences)</i>	221,794	-1,096,051
Appropriated Fee Level (Spending Authority)	3,370,000,000	3,028,849,525
Resources in Excess of Current Spending Authority (PTFRF)	\$28,739,602	\$24,670,793

FY 2019 summary, cont.

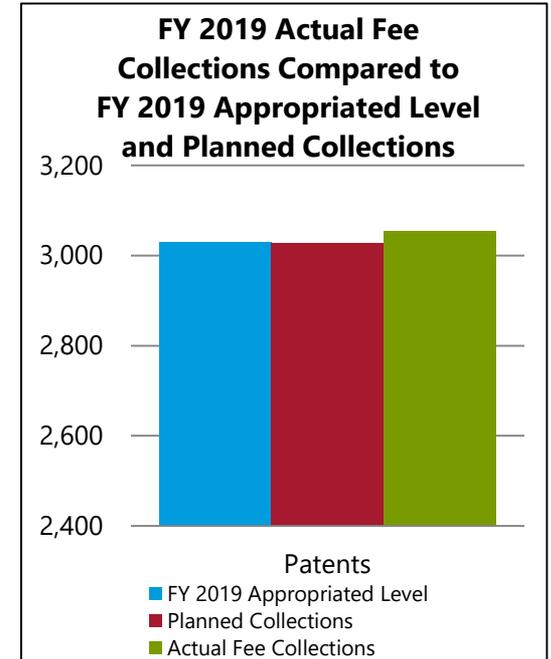
- Based on the appropriated fee level, FY 2019 ended the year with a \$383.3M Patent operating reserve level

	Patents
Appropriated Fee Level (Spending Authority)	\$3,028,849,525
Actual Prior Year Operating Reserve	311,539,333
Actual Other Income	31,511,306
OIG Transfer	-1,350,896
<i>Total End-of-Year Available Income</i>	<i>3,370,549,268</i>
<i>Total End-of-Year Spending</i>	<i>2,987,265,571</i>
EOY Operating Reserve	383,283,697
<i>Resources in Excess of Current Spending Authority (PTFRF)</i>	<i>24,670,793</i>
EOY Operating Reserve including funds deposited in the PTFRF	\$407,954,490

FY 2019 summary: fees

Patent fee levels *(dollars in millions)*

FY 2019				
Appropriated Level (October 2018)	Planned Collections (Updated June 2019)	Actual Collections (September 30, 2019)	Increase of Actuals over Appropriated	Increase of Actuals over Plan
\$3,028.8	\$3,027.8	\$3,054.6	0.9%	0.9%

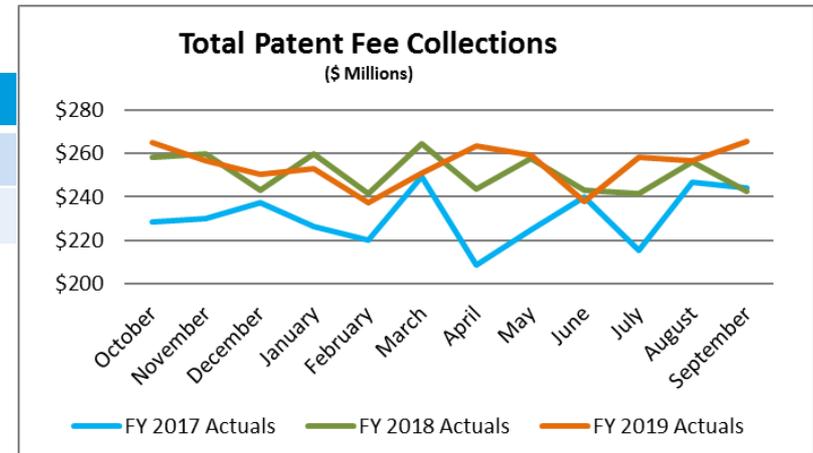


FY 2019 summary: fees

- Patent fee collections were 1.5% greater than total collections in FY 2018

Total Patent collections (dollars in millions)

FY 2017		FY 2018		FY 2019	
Actual		Actual	Increase	Actual	Increase
\$2,772.2		\$3,009.9	8.6%	\$3,054.6	1.5%



FY 2020 status

- The current Continuing Resolution (CR) is through November 21, 2019
 - The USPTO is held to an adjusted spending level calculated off of \$3.37B (plus carryover and other income).

FY 2021 budget

- USPTO submitted its FY 2021 OMB Budget on September 9, 2019.
- The FY 2021 President's Budget will be released and available to the public in February 2020.
 - PPAC will receive a draft copy of the budget to review in advance of the submission.

Fee setting

- The comment period on the notice of proposed rulemaking (NPRM) for setting and adjusting patent fees during fiscal year 2020 closed on September 30, 2019
- USPTO is currently reviewing and assessing the comments
- The proposed effective date of the fee changes is between July 2020 through January 2021



Thank you!

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