USPTO and Texas Regional Office
IP and the U.S. Economy

- 27.9M IP Intensive Jobs (2014)
- 38.2% IP Intensive Industries share of Total US GDP (2014)
- $6.6 trillion Value Add of IP-intensive Industries (2014)
- $1,312/week (46% higher) Avg. weekly wages for workers in IP-intensive industries
- $115.2 billion Revenue specific to the licensing of IP rights totaled (2012)
- 28 Industries Deriving revenues from licensing
The USPTO in FY16

USPTO Headquarters in Alexandria, VA

12,725 Employees
- 8,351 Patent Examiners
- 570 Trademark Examining Attorneys
- 394 Patent Trial and Appeal Board Team
- 71 Trademark Trial and Appeal Board Team

Patents
- 650,411 Patent Applications Filed
- 334,107 Patents Issued

Trademarks
- 530,270 Trademark Applications
- 227,407 Certificates of Registration
USPTO Offices

Detroit
– Operational since July 2012

Denver
– Byron G. Rogers Federal Building
– Operational since July 2014

Silicon Valley
– San Jose City Hall Building
– Operational since October 2015

Dallas
– Terminal Annex Federal Building
– Operational since November 2015
Employees Hired:

- 101 Patent Examiners
- 18 Patent Trial and Appeal Board (PTAB) judges
- 25 Management/Staff

Office Hours: 8:30-5 PM

Services

- Public Search Facility
  - Available from 9:00-4:30 PM
- Examiner Interview Room
- Hearing Room
- Public Meeting Space
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<td>10,555</td>
<td>10,650</td>
<td>24,636</td>
<td>26,107</td>
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<td>29,866</td>
<td>14,149</td>
<td>14,526</td>
<td>39,754</td>
<td>41,551</td>
<td>22,480</td>
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Patent Growth Over Time

Years

Granted Patents
New Mexico view of Granted Patents (1963-2014)
### Highest # of Granted Patents by Technology

#### (New Mexico: 1963-2014)

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Wells (shafts or deep borings in the earth, e.g., for Drug, Bio-Affecting and Body Treating</td>
<td>Electricity: Measuring and Testing</td>
<td>Communications: Electrical</td>
<td>Chemistry of Inorganic Compounds</td>
<td>Organic Compounds (includes Classes</td>
<td>Active Solid-State Devices (e.g., Transistors,</td>
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<tr>
<td>Surgery (includes Class 600)</td>
<td>Coating Processes</td>
<td>Liquid Purification or Separation</td>
<td>Image Analysis</td>
<td>Compositions</td>
<td>Land Vehicles</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Optical Waveguides</td>
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<td></td>
<td></td>
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<td></td>
<td>Stock Material or Miscellaneous Articles</td>
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<th>Amusement</th>
<th>Chemical Apparatus</th>
<th>Chemical Analytical</th>
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<th>Metal</th>
<th>Gas</th>
<th>Fluid</th>
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<td>Coating Processes</td>
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</tr>
</tbody>
</table>

#### Utility Patent Count

- **State**: New Mexico
- **Year**: All values

- **Graphic Data**
  - Utilization of various technologies as represented by different colored cells indicating patent counts.
Comparison of # Granted Patents in New Mexico by Time

1963-2000

- Radiant Energy
- Measuring and Testing
- Coherent Light Generators
- Optics: Measuring and Testing
- Optical: Systems and Elements
- Wells (shafts or deep borings in the earth, e.g., for oil and gas)

2000-2014

- Optics: Measuring and Testing
- Radiant Energy
- Semiconductor Device Manufacturing: Process
- Measuring and Testing
- Optical: Systems and Elements
- Active Solid-State Devices (e.g., Transistors, Solid-State)

Technology Class: 356
Technology Class Name: Optics: Measuring and Testing
Utility Patent Count: 154
Proportion of Total: 2.84%
Innovation Ecosystem

- K-12
- Congressional Offices
- Universities
- Corporations
- Legal
- Independent Inventor Entrepreneur

USPTO
Texas Regional Office FY16 Outreach Summary

245 Outreach Events Held
17,800 Stakeholders Reached

OUTREACH BY STAKEHOLDER TYPE

- Legal 26%
- Corporations 16%
- Independent Inventor/Startup 22%
- Gov't 13%
- University 17%
- K-12 6%

# OF OUTREACH EVENTS BY STATE

<table>
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<th>State</th>
<th>Events</th>
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<td>Alabama</td>
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<td>Arkansas</td>
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<td>Louisiana</td>
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<tr>
<td>New Mexico</td>
<td>6</td>
</tr>
<tr>
<td>Mississippi</td>
<td>1</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>3</td>
</tr>
<tr>
<td>Tennessee</td>
<td>6</td>
</tr>
</tbody>
</table>
Resources for Small Business Owners, Entrepreneurs, and Independent Inventors
Inventor & Entrepreneur Resources

Patents for Startups
The patent process can be challenging if you are not familiar with it. Here is basic information on the patent process.
- Patent Process Overview
- Inventions Assistance Center
- Patents FAQs
- Patents Homepage
- Search for Patents
- Official Gazette for Patents

Trademarks for Inventors & Entrepreneurs
The trademark process can be confusing for a beginner, so the links below provide useful information on registering a trademark with the USPTO.
- Trademark Basics
- Trademark Electronic Search System (TESS)
- Trademark Electronic Application System (TEAS)
- Trademark Status and Document Retrieval (TSDR)

Inventors & Entrepreneurs Assistance
The Inventors Assistance Center (IAC) provides patent information and services to the public. The IAC is staffed by former supervisory patent examiners and experienced primary examiners who answer general questions concerning patent examining policy and procedure. The Trademark Assistance Center can answer general questions about the trademark process or provide guidance on the type of information to include on a form, but may not

Education & Information
Guides and additional resources and information for inventors.
- Scam Prevention
- Provisional Application for Patent
- General Information Concerning Patents
Find Help at
http://www.uspto.gov/patent

Getting Started with Patents

Applying for a patent successfully requires a strong understanding of the application process. This is the first step to a successful application.
http://www.uspto.gov/patent

Also has direct links to:

- Patent searching
- Patents Forms
- Online Filing
- Patent Trial and Appeal Board
- Check the status of an application
- Search for and change patent ownership
- Laws, Regulations, Policies, Procedures, Guidance and Training
Need Patent Protection Fast?

Need to FAST track your patent? Use Track One!
Move your ideas quickly with USPTO's Track One

http://www.uspto.gov/patent/initiatives/usptos-prioritized-patent-examination-program
Interview Practice Website

http://www.uspto.gov/interviewpractice

Visit our website to find out more about:

- USPTO AIR form
- Video Conferencing
- TC Interview Specialist
- Policy and Guidance
- Training and FAQs
AIR form allows Applicants to schedule an interview with an Examiner for their pending patent application.
First Office Action Estimator


Check current estimates on how long it will take for a first office action on a patent application by entering an Art Unit or Class and Subclass associated with a current or potential application.

Group Art Unit (four digits) [ ] Search by Art Unit - Or -

Class (three characters) [ ] Subclass (three or seven characters) [ ] Search by Class/Subclass

Resources

If you already have application and serial number, you can also check estimates by logging into Private PAIR.

- See the Patents Data Visualization Center for an overall average First Office Action estimate
- Index to the U. S. Classification System (USPC)
- Classification Main Menu (this includes a search function across the classification taxonomy)
- Overview of the U. S. Classification System

Definitions

First Office Action
An Office action is a document written by a patent examiner in the course of examination of a patent application. The Office action may cite prior art and gives reasons why the examiner has allowed (approved) the applicant’s claims, and/or rejected the claims. A first Office action on the merits (FAOM) is typically the first substantive examination of the application.

Group Art Unit
A working unit responsible for a cluster of related patent art (documents). Staffed by one supervisory patent examiner (SPE) and a number of patent examiners who determine patentability on applications for a patent.

Examples: 1611, 2439 or 3788

Class/Subclass
There are over 400 classes in the USPC. Each class has a title descriptive of its subject matter, is identified by a class number, and is subdivided into a number of subclasses. Each subclass also has a descriptive title, is identified by a subclass number, and the subclass number is an integral number that may contain a decimal portion and/or alpha characters. A complete identification of a subclass requires both the class and subclass number and any alpha or decimal designations.

Examples: 424/401 identifies Class 424, Subclass 401
Patent Examiner Technical Training Program (PETTP):

- Share your expertise with Patent Examiners
  - Lecture on state of the art, emerging trends & new developments in focused technology areas
- Satellite offices will support guest lecturers

Site Experience Education (SEE) Program:

- Patent Examiners visiting with industries
- Gain first-hand experience and SEE how technology operates in the field
Patent and Trademark Resource Centers (PTRCs)
Assistance Centers

• Inventor Assistance Center
  – Hours: M-F, 8:30 AM-8:00 PM (ET), except federal holidays
  – 1-800-PTO-9199 (1-800-786-9199)

• Trademark Assistance Center
  – Hours: M-F, 8:30 AM-8:00 PM (ET), except federal holidays
  – 1-800-786-9199
  – TrademarkAssistanceCenter@uspto.gov
Need Trademark Help?

USPTO Online Tutorials

- Cover numerous topics
"This program brings a voice to the inventor that he normally would not have ... THANK-YOU!!!!!!!"

- Process designed for issues that arise during patent application prosecution; used to get an application “back on track”
- Use on-line ombudsman form at http://www.uspto.gov/patents/ombudsman.jsp
Micro Entity Status

- 75% off most patent fees
- Low cost submission to establish filing date
  - Provisional Application Filing Fees
    - $130 small entity
    - $65 micro entity
- Micro entity certifies that he/she:
  - Qualifies as a small entity (less than 500 employees);
  - Has not been named as an inventor on more than 4 previously filed patent applications;
  - Did not, in calendar year preceding the calendar year in which the applicable fee is paid, have a gross income exceeding 3 times median household income; and
  - Has not assigned, granted, or conveyed (and is not under obligation to do so) a license or other ownership interest in the application concerned to an entity that, in calendar year preceding the calendar year in which applicable fee is paid, had a gross income exceeding 3 times the median household income.
IP Clinics for New Mexico Stakeholders

- Arizona State University Sandra Day O’Connor College of Law
  - Patent and Trademark
  - patent_clinic@asu.edu; Trademark_clinic@asu.edu

- Brooklyn Law School
  - Patent only
  - BLIP@brooklaw.edu

- California Western School of Law
  - Trademark only
  - trademarkclinic@cwsl.edu

- New York Law School
  - Patent and Trademark
  - ptoclinic@nyls.edu; trademarkclinic@nyls.edu

- Rutgers Law School
  - Trademark only
  - jkettle@kinoy.Rutgers.edu
Patent Pro Bono Program

- Matches financially under-resourced inventors and small businesses with registered patent practitioners to file and prosecute patent applications.
  - 23 regional programs across the country provide the matching services.

- **Benefits**
  - Helps ensure that no deserving invention lacks patent protection because of a lack of money for IP counsel.
  - Educates inventors.
  - Creates a path for inventors to become job creators.
  - Patent practitioners can volunteer in their area of expertise.
Current Coverage

- Washington Pro Bono Patent Network
- Idaho Patent Pro Bono
- CIAP
- ProBoPat
- Arizona Public Patent Program
- Upper Midwest Program
- LegalCorps (MN)
- Pro Bono Patent Project (MI)

- Gateway Venture Mentoring Service
- TALA
- Chicago-Kent Patent Hub
- Patent Connect for Hoosiers
- IP Venture Clinic (OH KY)
- LAVPA (TN)
- BBVLP Patent Program (MS AL)

- New England Program
- New York Tri State Program
- Delaware Program
- FCBA (Mid-Atlantic)
- PA Patent
- NC Leap
- Georgia Patents
- Patent Pro Bono FL
Inventor Requirements

• Gross income of < 300% of the Federal Poverty Guidelines.*

• Responsible for all USPTO fees.

• Have a provisional application on file and/or complete a certificate training course.

• Have more than an idea.
  *Regional program may vary income threshold
Practitioner Recruitment

• Practitioners are the Linchpin!
  • Demand always outpaces supply.
  • To date, more than 1500 attorneys are available to volunteer.

• Improved patent quality - a pro se inventor is now a represented inventor.

• Greater access to professional advice:
  – The inventor is educated about the patent system,
  – “No” may be what the inventor needs to hear, and
  – Advice by a patent professional may help the inventor make better decisions.

• Gives a financially under-resourced inventors an opportunity to be job creators and, possibly, paying clients.
Success Stories

U.S. 8,677,636 B2

U.S. 9,078,516 B2

U.S. 9,345,265 B2

U.S. 8,951,087 B2
Practitioner Recognition

• Patent practitioner support critical for Program success
• Certificate Recognition Award Program for 2017
  – Recognize volunteers that provide 50 or more hours of patent pro bono service in CY 17
    • Volunteers report hours of patent pro bono service to regional program administrators
    • Administrators notify the USPTO of qualified volunteers
    • USPTO issues certificate to practitioner recognizing achievement
    • Patent practitioner name, firm, and regional program are posted on USPTO website
Contact Information

• ProBoPat serves New Mexico inventors!
  – probopat@micasaresourcecenter.org.
  – ProBoPat has matched 130 applicants, resulting in 54 patent applications filed.

• For general information:
  – Email probono@uspto.gov.
Pro Bono Program vs. Law School Clinics

• Some pro bono law school clinics utilize law students in various ways. This is specific to each regional program.

• A pro bono program’s affiliation with a particular law school does not mean that the school participates in the USPTO Law School Clinic Program.
Upcoming Events for 2017

- October 18, 2017: Meet the Patent Experts Class 4 in Dallas, TX and Broadcast at PTRCs
- October 24, 2017: Multicultural Business Professionals Networking in Grand Prairie, TX
- October 25, 2017: ArkLaTex IP Event with Cohab in Shreveport, LA
- October 29-31, 2017: Graphene Innovation Summit in Nashville, TN
- November 1, 2017: Meet the Trademark Experts in Dallas, TX and Broadcast at PTRCs
- November 14, 2017: Transition Expo in Fort Smith, AR
- November 15, 2017: Meet the Patent Experts Class 1 in Dallas, TX and Broadcast at PTRCs
Thank You!

Hope Shimabuku
Regional Director, USPTO – Texas Regional Office
hope.shimabuku@uspto.gov

TexasRegionalOffice@USPTO.GOV
Thank You!

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TexasRegionalOffice@USPTO.GOV