

# Publications

## Intellectual Property Alert: Notes from the USPTO and Patent Public Advisory Committee Quarterly Meeting – Part 1 of 8

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CLIENT ALERT | 6.10.2020

The United States Patent and Trademark Office (the Office) and the Patent Public Advisory Committee (PPAC) recently held their Patent Public Advisory Committee Quarterly Meeting to review policies, goals, performance, budget, and user fees. Topics addressed included 1) Update on Patents business units; 2) [Finance/Budget](#); 3) [IT update](#); 4) Artificial Intelligence (AI); 5) International update; 6) Pendency and Quality; and 7) [PTAB update](#).

This is the first of eight alerts Vorys will publish to summarize the topics discussed at the Quarterly Meeting. This alert summarizes introductory remarks provided by U.S. Patent Office Director Andrei Iancu.

In his opening remarks, Director Iancu noted a letter from Congress in which both chambers applauded the Office regarding the measures implemented to adapt to the unprecedented circumstances following the COVID-19 pandemic. The Office has been teleworking since March 23<sup>rd</sup>, effectively closing all campuses until further notice. Despite a substantial number of employees teleworking to maintain a “business as usual” mode, and in conjunction with expansion of the Office’s “Increase Flex Time Policy Program,” the Office has recorded an increase in its efficiency and productivity.

Director Iancu also highlighted some of the recent accomplishments of the Office:

- On April 23<sup>rd</sup>, the Office published a [report](#) highlighting how recent actions undertaken by the Office in the wake of *Alice Corp. v. CLS Bank International* had brought predictability and certainty to the determination of patent eligibility in the technology areas most affected by the decision. Uncertainty with respect to Section §101 examination decreased by 44%, thus demonstrating that the USPTO Section §101 guidance works and largely addresses the confusion of the recent years. Director Iancu stated, “I have long said that in order to ensure that the United States remains the global leader in the technologies of the future, our patent system must move beyond the recent years of confusion and unpredictability on subject matter

eligibility.”

- The Office introduced [Patent Center Beta](#), which is a new tool for electronic filing and management of patent applications in a single unified interface (no need to manually separate sections), and includes improved processes for patent applications submission, review, and management.
- The Office launched an Artificial Intelligence Portal on the Office’s website, to ensure that the United States maintains its leadership in innovation, especially in emerging technologies such as artificial intelligence.
- The Office launched the [HUB](#) webpage for centralized access to a variety resources and information for inventors, entrepreneurs, and small businesses.
- The Office launched the PTAB Legal Experience and Advancement Program ([LEAP](#)) designed to encourage professional development of patent practitioners appearing before the Patent Trial and Appeal Board (PTAB). The PTAB will grant up to 15 minutes additional argument time to parties that choose to participate in LEAP, depending on the length of the proceeding and the PTAB’s hearing schedule.
- The Office has announced an intern program for those who would like to gain valuable IP experience during summer 2020.
- The Office granted further [relief](#) for certain patent-related fees and deadlines.
- The Office announced that it will permit the filing of plant patent applications on May 6, 2020.
- The Office also unveiled an IP marketplace platform, [Patents 4 Partnerships](#), that provides the public with a user-friendly, searchable repository of patents and published patent applications related to the COVID-19 pandemic and that are indicated as available for licensing.
- The Office waived the requirements for original handwritten signatures for certain correspondence with the Office of Enrollment and Discipline and certain payments by credit card.

In discussing the Office's communication with foreign patent offices regarding relief initiatives that might be available to Applicants, Director Iancu assured attendees that the Office is working very closely with patent offices across the world, with direct communication with the heads of each office, to exchange thoughts, ideas, and practices.

In addition, the World Intellectual Property Organization (WIPO) has been having bi-weekly calls with various patent offices around the world. WIPO launched the "[COVID-19 IP Policy Tracker](#)," a new tool that tracks COVID-19 related IP policy changes or other measures being implemented by WIPO member states.

Director Iancu concluded his statement by affirming that the Office will continue to focus on its core mission of fostering innovation, competitiveness, and economic growth, both domestically and abroad, stressing the importance of the longstanding partnership between the Office and PPAC.