

**UNITED STATES  
PATENT AND TRADEMARK OFFICE**



# Patent Public Advisory Committee Quarterly Meeting

## USPTO Budget Update

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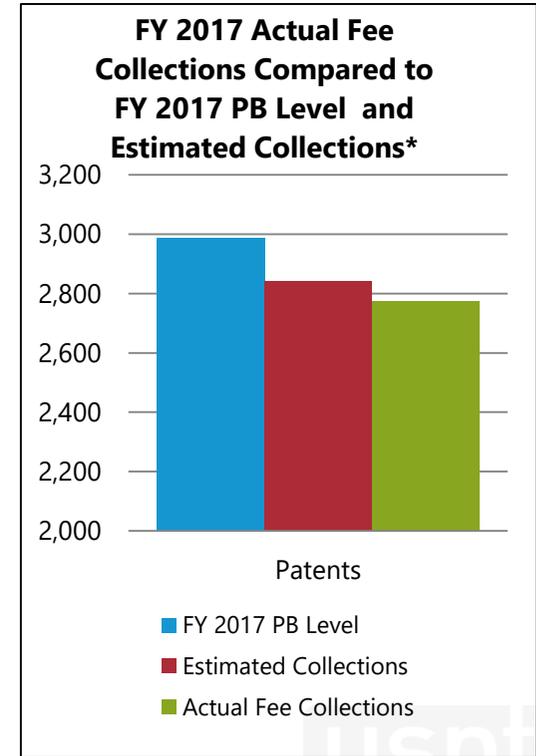


# Agenda

- FY 2017 Summary
- FY 2018 Status
- FY 2019 Budget
- Fee Rulemaking/ Fee Setting Authority
- Other Topics for Discussion

# FY 2017 Summary: Patent Fees

- USPTO collected a total of \$3,077.2M
  - Patents: \$2,772.2M, Trademarks: \$305.0M
- Patents collections were:
  - \$69.3M, or 2.4%, below the estimated collections
  - \$214.2M, or 7.2%, below the level estimated in the FY 2017 President's Budget



\*The estimated collection is the working estimate is based on the figures reported in the FY 2018 President's Budget submission.

# FY 2017 Summary: End-of-Year Results

	PATENTS
Aggregate Fee Collections	\$2,772,172,480
Adjustment to Revenue	2,880,966
Actual Prior Year Operating Reserve	354,239,194
Actual Other Income	32,659,559
OIG and Dept of State Transfers	(1,803,137)
<i>Total End of Year Available Income</i>	<i>\$3,160,149,062</i>
<i>Total End of Year Spending</i>	<i>2,907,229,243</i>
<b>EOY Operating Reserve</b>	<b>\$252,919,819</b>

\*Adjustment to Revenue includes in-transit revenue and prior years refunds

# FY 2018 Status

- The current Continuing Resolution (CR) is through December 8, 2017
  - The USPTO is held to an adjusted spending level calculated off of \$3,230M (plus carryover and other income)
    - The CR includes a rescission of 0.6791%

# FY 2018 Status *(continued)*

- Both the House and Senate Committees on Appropriations recommended appropriating \$3,500.0M for the USPTO in FY 2018
  - This level is \$86.2M below the FY 2018 President's Budget Request of \$3,586.2M
- USPTO's spending requirements in the FY 2018 President's Budget are \$3,502.9M
  - Requirements will be reviewed throughout the fiscal year

# FY 2018 Status *(continued)*

## FY 2018 President's Budget

- Estimated fee collections of \$3,586.2M
  - Patents: \$3,250.3M, Trademarks: \$335.9M
- Spending requirements of \$3,502.9M
  - Patents: \$3,176.1M, Trademarks: \$326.8M

# FY 2019 Budget

- The FY 2019 OMB Budget request was submitted on September 11, 2017
- USPTO is working on the FY 2019 President's Budget submission
  - PPAC will receive a draft to review in mid to late January 2018
  - The final budget will be submitted on February 5, 2018 to Congress

# Fee Rulemaking/Fee Setting Authority

- USPTO is currently working with OMB to finalize language in the patent fee rule package
- Absent Congressional action, the USPTO's fee setting authority under section 10 of the AIA will expire on September 16, 2018

# Questions and Comments

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