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Mr. Azam Khan
Deputy Chief of Staff
United States Patent & Trademark Office
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P.O. Box 1450
Alexandria, VA 22313-1450

**Re: Response to Request for Comments
Nationwide Workforce Program
Docket No. PTO-C-2011-0066**

Dear Mr. Khan:

This letter is in response to the Request for Comments regarding potential locations for United States Patent & Trademark Office ("USPTO") satellite offices.¹ For at least the following reasons, I strongly encourage the USPTO to consider locating a satellite office in the City of Hartford, Connecticut.

Hartford is the most compelling choice for a USPTO satellite office because it possesses a remarkably productive workforce, a wide array of world-class technology companies and research institutions, and the highest concentration of patent practitioners in the country, within a reasonable distance. A USPTO satellite office in Hartford could improve the level of service provided to practitioners and inventors in an eight-state region consisting of the six New England states, plus New York and New Jersey ("the eight-state region"), which includes the cities of Boston and New York, and is home to more patent practitioners than any other area of the country. Further, greater Hartford enjoys a very high quality of life that would prove to be attractive to patent examiners, trademark examining attorneys and staff who would ultimately be assigned to a USPTO satellite office here.

My assessments of Hartford's strengths as a candidate, and the advantages of locating a USPTO satellite office in Hartford, are summarized in greater detail below.

1. Geographic Significance and Economic Clout

Hartford is the epicenter of one of the most economically powerful regions in the United States, and has been recognized as having the most productive

workforce anywhere on the planet.² According to the Centre for International Competitiveness's latest world rankings, Hartford's workers provide the greatest per capita contribution to the Gross Domestic Product, and its businesses spend more on research & development per capita, of any city in the world.³ Located roughly equidistant to both Boston and New York, Hartford is also the centroid of one of the most populous regions in the country, as over 23 million people live within 150 miles of Hartford – more than any city in the United States besides New York.⁴

Placing a satellite office in Hartford would enable the USPTO to provide in-person service to an impressive assortment of companies located in Hartford, throughout Connecticut and around the northeast. Hartford is the headquarters of United Technologies Corporation, as well as several major insurers such as The Hartford, Aetna and Travelers. Additionally, UnitedHealth Group, XL Reinsurance and Phoenix also have major operations in the "Insurance Capital of the World."

Beyond Hartford, several other technological titans are based in the State of Connecticut. For example, the world headquarters of General Electric Company – the sixth-largest company on the Fortune 500 index – is located in Fairfield, and its Global Patent Operation is located in Shelton, each within an hour of Hartford.⁵ Additionally, eight of UTC's nine business units also call Connecticut home.⁶ Major biotechnology and pharmaceutical firms such as Bayer Healthcare Pharmaceuticals, Boehringer Ingelheim Pharmaceuticals, Bristol-Meyers Squibb and Pfizer, Inc., all have major research operations in Connecticut, and high-technology manufacturers such as the Electric Boat Division of General Dynamics, Stanley Black & Decker and Xerox are also based here. Moreover, Connecticut has developed a reputation as a world leader in media and communications, as NBC Sports will join ESPN, Sonalysts Studios and World Wrestling Entertainment in the State by 2014.

Outside of Connecticut, the eight-state region is home to some of the most advanced technology companies found anywhere in the world. In 2011, 104 of the companies on the Fortune 500 index – over twenty percent – were located in the region.⁷

A USPTO satellite office in Hartford could also serve several research institutions located within a short distance of the city. The main campus of the University of Connecticut is just twenty miles from downtown Hartford, and the UConn Health Center is located just eight miles away. UConn, which was recently ranked as the 19th best public university by U.S. News & World Report, is in the midst of a \$2.3 billion enhancement that will soon be augmented by an \$864 million expansion of the Health Center and a \$1.1 billion genomics and personalized medicine laboratory to be built by The Jackson Laboratory at the Health Center site.⁸ Other renowned research institutions in the vicinity of Hartford include Yale University in New Haven, 30 miles to the south, and the University of Massachusetts, in Amherst, Mass., 40 miles to the north.

Moreover, the eight-state region includes some of the finest colleges and universities in the world, and all are located within a relatively short distance from Hartford. Seven of

the eight Ivy League schools,⁹ and 17 of the top 50 research institutions in the United States, according to The Center for Measuring University Performance,¹⁰ are located in the region. According to U.S. News & World Report, the eight-state region is home to 28 of the nation's top 100 national universities, and 20 of nation's the top 50 liberal arts colleges.¹¹ The entrepreneurship taking place at each of these schools would be well-served by a USPTO satellite office in Hartford.

2. Patents, Patent Prosecutors and Patent History

Since the Industrial Revolution, Connecticut has regularly ranked on or atop the list of the states with the most patents issued per capita.¹² Based on the most recent data available, Connecticut residents have filed the sixth-most patent applications per capita, and have been granted the ninth-most patents per capita.¹³ Additionally, Connecticut ranks fifth in the number of patent prosecutors per capita in the State.¹⁴

While these statistics alone indicate that Connecticut is worthy candidate for a USPTO satellite office on its own, the value of placing a USPTO satellite office in Hartford is best demonstrated by considering the eight-state region as a single entity – one that is approximately the same size as Arizona, and has a population greater than that of California and Oregon combined – and comparing patent-related statistics in the region to those of other states, as each of the states in the eight-state region is located within a short and easy commute to Hartford.

The states having the most patent applications filed by residents, per capita, are shown in Table 1, below. As is set forth in Table 1, four of the top 10 states are located in the eight-state region, whose residents filed 27 percent more patent applications than the national average.

Table 1 – Patent Applications Per Capita, by State, 2009¹⁵

<u>Rank</u>	<u>State</u>	<u>Applications per 100,000 Residents, 2009</u>	<u>Applications, 2009</u>
1	Washington	187.66	12,619
2	California	177.52	66,132
3	Massachusetts	174.37	11,417
4	Minnesota	147.16	7,805
5	New Hampshire	114.70	1,510
6	Connecticut	112.17	4,009
7	New Jersey	109.44	9,622
8	Oregon	102.09	3,911
9	Delaware	100.68	904
10	Colorado	99.80	5,019
12	Vermont	98.44	616
15	New York	77.91	15,098
19	Rhode Island	63.27	666
43	Maine	25.90	344
	<i>Eight-State Region</i>	101.57	43,282
	<i>United States</i>	79.93	246,777

Table 2 – Issued Patents Per Capita, by State, 2010¹⁶

<u>Rank</u>	<u>State</u>	<u>Issued Patents per 100,000 Residents, 2010</u>	<u>Issued Patents, 2010</u>
1	Vermont	98.76	618
2	Washington	87.50	5,884
3	California	76.67	28,563
4	Massachusetts	76.41	5,003
5	Idaho	71.77	1,125
6	Minnesota	71.14	3,773
7	Oregon	59.72	2,288
8	New Hampshire	59.25	780
9	Connecticut	56.63	2,024
10	New Jersey	47.36	4,164
16	New York	38.10	7,383
20	Rhode Island	32.30	340
36	Maine	14.76	196
	<i>Eight-State Region</i>	48.12	20,508
	<i>United States</i>	37.53	115,866

Next, the states having the most patents issued to residents, per capita, are shown in Table 2, above. As is set forth in Table 2, five of the top 10 states are located in the eight-state region, whose residents were issued 28 percent more patents than the national average.

Finally, the states having the most patent practitioners, per capita, are shown in Table 3, below. As is set forth in Table 3, three of the top four states for patent practitioners include the District of Columbia, Delaware and Virginia. Patent practitioners in each of these states, however, are easily served by the main USPTO office in Alexandria. Four of the seven remaining states in the top 10 – Massachusetts, Connecticut, New Jersey, and New York – are located in the eight-state region, and would be collectively best served by a USPTO satellite office in Hartford. As is shown in Table 3, the eight-state region is the most underserved area of the nation, and the states of Connecticut and Massachusetts are the most underserved states, per capita, for patent prosecution.

In summary, the data set forth in Tables 1-3 present arguably the strongest argument for placing a USPTO satellite office in Hartford. Tables 1 and 2 demonstrate that the residents of the eight-state region have filed more patent applications, and have been issued more patents, than any state in the nation except California. Table 3 indicates that the eight-state region is home to more patent practitioners than any state in the nation – nearly 17 percent more than California.

Table 3 – Patent Practitioners by State and Per Capita, 2009¹⁷

<u>State</u>	<u>Practitioners Per Capita Rank</u>	<u>Practitioners per 100,000 Residents</u>	<u>Practitioners Rank</u>	<u>Practitioners</u>
District of Columbia	1	312.27	5	1,879
Delaware	2	30.96	26	278
Massachusetts	3	21.87	7	1,432
Virginia	4	21.57	6	1,726
Connecticut	5	18.61	16	665
Minnesota	6	17.97	11	953
Illinois	7	16.24	4	2,084
New Jersey	8	15.40	9	1,354
California	9	15.33	1	5,711
New York	10	15.24	2	2,953
New Hampshire	17	9.65	30	127
Vermont	23	7.03	40	44
Rhode Island	33	3.80	42	40
Maine	34	3.39	39	45
<i>Eight-State Region</i>		15.63		6,660
<i>United States</i>		10.62		32,797

Therefore, quite clearly, a USPTO satellite office belongs in the eight-state region. Because Hartford is a significant hub of patent activity in its own right, and is within a relatively short commute from both Boston and New York, Hartford is the best site for a northeastern USPTO satellite office.

3. Quality of Life

Connecticut's quality of life is perhaps the State's greatest asset, and would improve the recruiting and retention of patent examiners, trademark examining attorneys and staff.

Residents of Connecticut have the highest per capita incomes in the United States,¹⁸ and the State is ranked as America's fourth-healthiest.¹⁹ For young professionals, there are a number of affordable and attractive apartment and condominium options in vibrant areas in downtown Hartford, nearby West Hartford Center, and other appealing neighborhoods around the region. For families, many of the Hartford-area suburbs offer much in terms of quality of life, and the Hartford region ranks no. 1 in the United States for its investments in primary and secondary education.²⁰

Examiners who are stationed at a USPTO satellite office in Hartford could take advantage of any of a number of the Hartford region's numerous recreational offerings, including outdoor activities, arts and cultural centers, and athletic facilities. Additionally, examiners who may be interested in earning advanced degrees could choose to enroll in law school at the UConn School of Law, or in business school at the UConn Graduate Learning Center or the Rensselaer Polytechnic Institute's branch campus, all of which are located in Hartford.

Hartford is easily accessible through a number of transportation facilities. Downtown Hartford lies at the crossroads of Interstates 84 and 91, and is just twelve miles south of Bradley International Airport in Windsor Locks, which services over 350 daily flights to and from nearly every major city on the East Coast. By rail, Hartford is located along Amtrak's Northeast Regional line, and the State of Connecticut and Commonwealth of Massachusetts are presently developing an enhanced commuter rail service between the cities of New Haven, Hartford and Springfield, Mass. The commuter rail would functionally link Hartford with the Metro-North Railroad's New Haven line, the busiest rail line in the United States.²¹

4. Possible Satellite Office Locations

Hartford suffers from many of the same economic maladies as Detroit, which was selected as the site of the first USPTO satellite office. Placing a USPTO satellite office in Hartford would provide a much-needed boost to the City's economy, as the value of Hartford's commercial real estate is at an historic low. Indeed, according to a recent study, nearly thirty percent of Hartford's Class A office space is presently vacant, and average Class A rental rates have tumbled to below \$20 per square foot per year.²² By contrast, the average Class A rental rates are approximately \$72.77 per square foot in New York City, \$34.22 per square foot in Boston, and \$21.42 per square foot in Detroit.²³

Therefore, a USPTO satellite office could be quickly and cost-effectively opened within the City of Hartford in a very short timeframe. For example, the USPTO could elect to rent space in downtown Hartford, construct a permanent facility, or purchase an available office building outright, at a lower cost than in Detroit, and at a significantly lower cost than in either Boston or New York.

In my opinion, an ideal location for a USPTO satellite office is Samuel Colt's former firearms factory, which is located along the banks of the Connecticut River south of downtown. The 260-acre factory site, where the appropriately named Colt's Patented Fire Arms Manufacturing Company assembled the revolver that became known as the "Gun that Won the West," has been the subject of a number of redevelopment proposals over the last decade. The complex is a mixed-use commercial and residential facility that could easily accommodate a USPTO satellite office of approximately the same size as the satellite office that is planned for Detroit.

Additionally, the Colt factory site is presently being considered by Congress for designation as a National Park, under the Coltsville National Historical Park Act (H.R. 2504, S. 1347).²⁴ The establishment of a USPTO satellite office at the Colt factory site would perfectly complement the proposed National Park. After all, Samuel Colt himself was the named inventor on at least 14 United States patents.²⁵

5. Conclusion

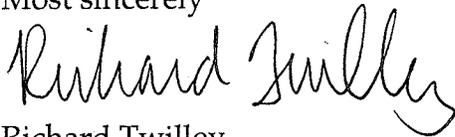
As a long-standing core of technological excellence, and the heart of one of the most populous and innovative regions in the United States, the City of Hartford is the most

Mr. Azam Khan
January 27, 2012
Page 7

appropriate site for a USPTO satellite office for the foregoing strategic, historical and logistical reasons. Therefore, I strongly encourage you to consider Hartford when determining where the next USPTO satellite offices will be located, for the City is the center of an eight-state region having a unique combination of human capital, industrial assets and educational resources that is unmatched anywhere in the world, and is easily accessible to entrepreneurs and inventors, including those in Boston and New York.

Please understand that the opinions set forth in this letter are mine alone, and should not be construed as the opinions of McCormick, Paulding & Huber LLP, or any of its clients. Should you have any questions regarding this letter, please feel free to contact me at any time. Thank you very much for your consideration.

Most sincerely



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¹ Requests for Comments on Additional USPTO Satellite Offices for the Nationwide Workforce Program, Docket No. PTO-C-2011-0066, 76 Fed. Reg. 73601 (Nov. 29, 2011).

² *This Quiet American City Has The Highest Per-Capita GDP In The World*, BUSINESS INSIDER, available at <http://www.businessinsider.com/this-quiet-american-city-has-the-highest-per-capita-gdp-in-the-world-2012-1#ixzz1kWdAGQIV> (last viewed Jan. 27, 2012); Brookings Institution, *Global Metro Monitor 2011: Volatility, Growth and Recovery*, available at http://www.brookings.edu/~media/Files/rc/reports/2012/0118_global_metro_monitor/0118_global_metro_monitor.pdf (last viewed Jan. 27, 2012); Centre for International Competitiveness, *World Knowledge Competitiveness Index 2008*, available at <http://www.cforic.org/downloads.php>.

³ Centre for International Competitiveness, *World Knowledge Competitiveness Index 2008*, *supra* note 2 (ranking Hartford as no. 3 for world productivity, no. 1 for per capita R&D business expenditures, no. 3 in private equity investment capital per capita, no. 1 in labor productivity per employee, no. 6 in earnings, in the world – no. 1 in the United States in primary and secondary education investment

⁴ Greater Hartford Convention & Visitors Bureau, *Why Meet in Hartford?*, available at http://www.enjoyhartford.com/base/content.cfm?section=meeting&dir=meeting&page=meet_in_hartford (last viewed Jan. 27, 2012).

- ⁵ See Fortune 500: Annual Ranking of America's Largest Corporations <http://money.cnn.com/magazines/fortune/fortune500/2011/index.html> (last viewed Jan. 27, 2012).
- ⁶ In addition to UTC's headquarters in downtown Hartford, Carrier (Farmington), Hamilton Sundstrand (Windsor Locks), Otis (Farmington), Pratt & Whitney (East Hartford), Sikorsky Aircraft (Stratford), UTC Fire & Security (Farmington) and UTC Power (South Windsor), are all based in Connecticut, as is the United Technologies Research Center (East Hartford). With the exception of Sikorsky Aircraft, each of these business units is located in Hartford County.
- ⁷ See Fortune 500: Annual Ranking of America's Largest Corporations, *supra* note 5.
- ⁸ Top Public Schools – National Universities, <http://premium.usnews.com/best-colleges/rankings/national-universities/top-public>; Rebuilding UConn, available at <http://www.uc2000.uconn.edu/>; About the UConn Health Center, available at <http://www.foundation.uconn.edu/uchc/aboutuchc.html> (last viewed Jan. 27, 2012); Kathleen Megan, *Nonprofit Research Institute To Build \$1.1 Billion Lab At UConn Health Center*, HARTFORD COURANT, Sep. 30, 2011, at A1.
- ⁹ These institutions include Brown University (Providence), Columbia University (New York City), Cornell University (Ithaca, N.Y.), Dartmouth College (Hanover, N.H.), Harvard University (Cambridge, Mass.), Princeton University (Princeton, N.J.), and Yale University (New Haven).
- ¹⁰ The Top American Research Universities, 2010 Annual Report, available at <http://mup.asu.edu/research2010.pdf> (last viewed Jan. 27, 2012).
- ¹¹ U.S. News & World Report, National University Rankings, *supra* note 8; U.S. News & World Report, Liberal Arts Colleges Rankings, available at <http://premium.usnews.com/best-colleges/rankings/national-liberal-arts-colleges> (last viewed Jan. 27, 2012).
- ¹² See, e.g., Bulletins of the Twelfth Census of the United States, No. 242 (Aug. 15, 1902), at 15 (“Connecticut has ranked first in patents per capita since 1850, Massachusetts being first in 1840. These states, with Rhode Island, have been the three ranking states for each census year.”).
- ¹³ United States Patent & Trademark Office, *Patent Applications filed by Residents of the United States*, available at http://www.uspto.gov/about/stratplan/ar/2010/oai_06_wlt_07.html; *Patents Issued to Residents of the United States*, available at http://www.uspto.gov/about/stratplan/ar/2010/oai_06_wlt_08.html; 2010 United States Census.
- ¹⁴ AveryIndex, *Top Patent States (Per Capita)*, 2009, available at http://www.averyindex.com/patent_states_pc.php (last viewed Jan. 27, 2012); 2010 United States Census.
- ¹⁵ United States Patent & Trademark Office, *Patent Applications filed by Residents of the United States*, *supra* note 13; 2010 United States Census.
- ¹⁶ United States Patent & Trademark Office, *Patents Issued to Residents of the United States*, *supra* note 13; 2010 United States Census.
- ¹⁷ AveryIndex, *Top Patent States (Per Capita)*, 2009, *supra* note 14; 2010 United States Census. For the purposes of the rankings in Tables 1, 2 and 3, the District of Columbia is treated as a state.
- ¹⁸ See, e.g., United States Census, *Personal Income Per Capita in Current Dollars, 2007*, available at <http://www.census.gov/statab/ranks/rank29.html> (last viewed Jan. 27, 2012).
- ¹⁹ Forbes.com, *America's Healthiest and Unhealthiest States, 2010*, available at <http://www.forbes.com/2010/12/06/healthiest-unhealthiest-states-lifestyle-health-uhc-table.html>.
- ²⁰ Centre for International Competitiveness, *World Knowledge Competitiveness Index 2008*, *supra* note 2 (ranking Hartford as no. 1 in the United States in primary and secondary education investment).
- ²¹ *New Haven Rail Sets Ridership Record*, HARTFORD BUS. J., Jan. 25, 2012, available at <http://www.hartfordbusiness.com/news22343.html> (last viewed Jan. 27, 2012).
- ²² Kenneth R. Gosselin, *Hartford Mired in Office Vacancies While Other Cities Make Gains*, HARTFORD COURANT, Jan. 16, 2012, at A1 (citing CBRE-New England survey of Hartford commercial real estate).
- ²³ *Grubb & Ellis Market Trend Reports*, available at <http://www.grubb-ellis.com/research/Reports.aspx> (last viewed Jan. 27, 2012).
- ²⁴ The status of the Act may be determined at The Library of Congress's Thomas site. See Search Bill Summary & Status, 112th Congress (2011-12), available at <http://thomas.loc.gov/home/LegislativeData.php?&n=BSS&c=112> (last viewed Jan. 27, 2012).
- ²⁵ HERBERT G. HOUZE ET AL., *SAMUEL COLT: ARMS, ART & INNOVATION* 248-49 (Yale University Press 2006).