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February 14, 2022

Drew Hirshfeld
 Commissioner for Patents
 U.S. Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

Via www.regulations.gov

Dear Commissioner Hirshfeld,

Intellectual Property Owners Association (“IPO”) submits the following comments and suggestions in response to the USPTO’s Notice of Proposed Rulemaking entitled “Electronic Patent Issuance,” 86 Fed. Reg. 71209 (Dec. 15, 2021).

IPO is an international trade association representing a “big tent” of diverse companies, law firms, service providers and individuals in all industries and fields of technology that own, or are interested in, intellectual property (IP) rights. IPO membership includes over 125 companies and spans over 30 countries. IPO advocates for effective and affordable IP ownership rights and offers a wide array of services, including supporting member interests relating to legislative and international issues; analyzing current IP issues; providing information and educational services; supporting and advocating for diversity, equity, and inclusion in IP and innovation; and disseminating information to the public on the importance of IP rights.

IPO’s vision is the global acceleration of innovation, creativity, and investment necessary to improve lives. The Board of Directors has adopted a strategic objective to foster diverse engagement in the innovation ecosystem and to integrate diversity, equity, and inclusion in all its work to complement IPO’s mission of promoting high quality and enforceable IP rights and predictable legal systems for all industries and technologies.

IPO applauds the USPTO for its continued efforts towards streamlining the patent process and identifying cost reduction measures. The proposed move to electronic patent issuance should not only reduce pendency and costs for the USPTO, but also should provide meaningful savings to stakeholders in the processing of paper patents.

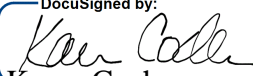
IPO believes, however, that applicants should nevertheless retain the ability to request a paper patent. The granting of a patent is a very special event for many applicants, especially individual inventors and small companies. The paper patent, with its binding, color cover, and seal, provides a unique formal recognition of an important accomplishment, and has been a treasured symbol to many inventors and applicants. With this in mind, IPO suggests that the USPTO continue to make paper patents (not just presentation copies) available to applicants for an additional fee.

Executive Director
Jessica K. Landacre

In addition, to mitigate the impact of the proposed change on individual inventors and small businesses, IPO proposes that the USPTO set aside some of the cost savings generated by the new electronic patent issuance process to offset the cost of requesting paper patents by small and micro entities. As indicated above, individual inventors and small companies are more likely to derive value from paper patents, and it stands to reason that these groups will also be the most likely to continue to request paper patents in the future (presuming such an option continues to exist). To avoid inadvertently creating an undue impact on individuals and small businesses, IPO suggests discounting this additional fee for ordering a paper patent be accommodated for small and micro entities, such that it is the same as the fee (\$25) for a presentation copy.

We thank you for considering these comments and welcome any further dialogue or opportunity to provide additional information to assist your efforts.

Sincerely,

DocuSigned by:

Karen Cochran
President