



Ending Diversion and Ensuring that USPTO retains its User Fees

Patents and Trademarks are critical to our nation:

- Patents and trademarks are critical to the strength of our nation's competitiveness in the global economy.
- They foster invention, innovation and investments, and they create new industries, bring new products and services to market, and create new and high wage jobs.

U.S. Patent and Trademark Office (USPTO) plays key role with intellectual property protections:

- USPTO examines and grants patent and trademark applications and disseminates patent and trademark information.
- Since 1990, the USPTO has been fully funded by user fees: companies, organizations and individuals pay user fees to process their patent and trademark applications, maintain patent rights and support the facilities, staff and operations of the USPTO.
- Users have agreed to such fees because they believed the fees would support USPTO operations and the user fees paid would be in direct proportion to the agency's workload.

Intellectual Property Owners Association (IPO) believes USPTO needs access to all its user fees:

- IPO represents more than 200 companies and a total of 7,700 individuals involved in the association either through their companies or law firms or as an inventor, author, executive or attorney member. IPO members are dedicated to preserving and promoting intellectual property rights.
- IPO believes USPTO must have access to all of its user fees to effectively perform its critical mission of processing applications quickly and issuing and registering strong, enforceable patents and trademarks.

User fees have been diverted to fund other Federal government programs:

- Since 1992 over \$750 million in user fees paid by industry to process applications and support the USPTO have been diverted to fund other Federal government programs.

Diversion of user fees undercuts the public/private partnership between the Federal government and industry forged to promote strong intellectual property protections:

- By accepting and supporting USPTO user fees, industry has repeatedly proven its willingness to use its own resources to finance intellectual property protections.
- This arrangement signifies an ideal public/private partnership model by effectively addressing matters of equal importance to the business community and to our nation.
- It is essential that these fees be used for the purposes intended.

Request: Support a final, legislative solution to end USPTO user fee diversion.