



## MESSAGE FROM THE COMMISSIONER FOR PATENTS AND FORMER ACTING DIRECTOR

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**T**he United States Patent and Trademark Office (USPTO) has successfully met unprecedented challenges in recent years, including soaring workloads and increasingly complex technology. New legislative mandates continue to be implemented effectively. I am pleased to report that, for FY 2001, most of the agency's performance is on target and our financial condition is healthy.

Today's knowledge-based economy is the product of revolutionary advances in computing, telecommunications, and biotechnology. Sophisticated information and communication systems have eliminated geography as an impediment to commerce. Protecting the intellectual property (IP) that is driving today's global economy has never been more important. It is essential that the USPTO strive to reinforce its position as the leading IP organization in the world by providing the highest quality patents and trademark registrations in a timely manner, as well as expanding access to patent and trademark information. To do this, the USPTO has refocused its attention on achieving two core business goals: 1) to enhance the quality of USPTO products and services, and 2) to minimize patent and trademark processing times.

The theme of the USPTO's FY 2001 Performance and Accountability Report is "e-Government – Technology Advancing Technology." During FY 2001, the USPTO became the first IP office in the world to offer electronic filing for patents and trademarks over the Internet, much more needs to be accomplished to move the USPTO from a paper to an electronic environment. By aggressively moving toward complete electronic processing, greater levels of quality and customer service will be achieved. Electronic processing of patent and trademark applications will improve efficiency and effectiveness, while providing substantial savings in space, equipment, and file maintenance costs.

Today, the patent Electronic Filing System (EFS) offers convenient Internet filing 24 hours a day, seven days a week. The USPTO maintains an electronic business center on its Web site in support of on-line filing and access to patent information. The business center provides customers with the tools needed to write and file applications. EFS software assembles all application components, calculates fees, validates application content, and compresses, encrypts and transmits the filing to the USPTO. The state-of-the-art software used in the EFS ensures patent filings are securely transmitted to the USPTO using the latest public key infrastructure technology. EFS software also feeds application information to other USPTO production and financial systems, thus improving overall data quality. We are working toward implementing Tools for Electronic Application Management (TEAM), our new electronic file wrapper system. TEAM will bring to fruition an e-Government environment where our customers can do all their USPTO business electronically.

In FY 2001 the USPTO received its 100,000th electronic trademark application via the multi-award winning Trademark Electronic Application System (TEAS). The trademark electronic business center on the USPTO Web site contains everything customers need to complete the entire registration process. They can search the database for conflicting marks using the Trademark Electronic

Search System (TESS), apply for or renew a trademark registration using TEAS, and access trademark application and registration status, ownership, and prosecution history using the Trademark Application Registration Retrieval (TARR) system. Electronic applications are routed directly to an e-Government focused law office for all initial processing, examination, intent-to-use processing, and publication processing. Customers can review the weekly Official Gazette (TMOG) for marks published for opposition, including newly issued and reviewed certificates of registration, at the USPTO Web site. In the future we intend to use e-mail for all correspondence with applicants and registrants.

In addition to our advances in e-Government, the USPTO has successfully implemented the provisions of the American Inventors Protection Act of 1999 (AIPA). In March of 2001, the USPTO, for the first time in its 210-year history, began publishing patent applications in accordance with the provisions of the AIPA. Published applications are available in text searchable electronic form on our Web site, free of charge to the public. Other provisions of the AIPA, including patent term adjustment and inter partes reexamination, also have been implemented successfully.



*It's easy. Kathryn Park, Chief Trademark Counsel for GE, files an on-line application as Craig Morris, TEAS Project Manager watches.*

Internationally, the USPTO has played a leadership role in strengthening IP rights worldwide and helping American inventors secure IP rights abroad. Working with the World Intellectual Property Organization (WIPO), the United States has led efforts in the areas of substantive patent law harmonization, Patent Cooperation Treaty reform, geographical indications, domain names, and intellectual property enforcement.

The USPTO goals of quality, timeliness, and the movement into a fully electronic environment obviously can be accomplished only through the efforts of our employees. In FY 2001 the USPTO has taken innovative steps to recruit and retain a highly skilled workforce, provide workplace flexibilities, such as our work-at-home program for hundreds of our employees, and provide performance incentives linked to our goals. The terrible events of September 11th have created unexpected challenges for our employees with disruption of both their personal and professional lives. However, our employees have, and will continue to, overcome these challenges and move the USPTO into the future.

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