

USPTO  
PTDLP Roundtable  
February 15, 2011  
1:00 p.m. ET

>> DAVID KAPPOS: Okay. Look, good afternoon, everyone. We're going to convene this meeting, and I'd like to start by thanking all the folks in the room today for joining us at the PTO and the folks who are watching us online this afternoon. Welcome online. Welcome to our campus here in Alexandria, Virginia, at USPTO, and we truly appreciate getting together and getting the benefit of your advice on the future of our PTDLPs that we're going to be talking about this afternoon.

Again, welcome to our guests in the room. I'd like to actually begin by going around the horseshoe-shaped table here and giving everyone an opportunity to introduce themselves, so I guess I'll start out. I'm Dave Kappos, Under Secretary of Commerce and Director of USPTO, and we'll move to John.

>> JOHN OWENS: Hello. My name is John Owens. I am the Chief Information Officer. I work for David.

>> MARTHA SNEED: Hi. I'm Martha Sneed, online now. I manage some public information dissemination programs at the USPTO. I work for John.

>> CHRISTINE KITCHENS: Hi. I'm Chris Kitchens, the manager of the Patent and Trademark Depository Library Program.

>> JIM CROWNE: I'm Jim Crowne. I am the Director of Legal Affairs at the American Intellectual Property Law Association.

>> DONALD KELLY: Hi. I'm Don Kelly. I am with the National Association of Patent Practitioners or NAPP.

>> MICHELE CRECCA: Good afternoon. I'm Michele Crecca. I am with IBM Corporation. I am also the Chair of the Intellectual Property Owners Patent Search Committee.

>> MARK SWEENEY: Hi. I'm Mark Sweeney. I am Chief of the Serial and Publications Division at the Library of Congress.

>> (Off microphone).

>> HOLLY HIGGINS: Hi. I'm Holly Higgins, Director of Information Management Services, reporting to the CIO.

>> BAMBI WALTERS: Hi. Good afternoon. I'm Bambi Walters. I serve on the Board of the United Inventors Association, and this is my second year.

>> JIM MILLER: I'm Jim Miller at the College Park Patent and Trademark Depository Library. I'm also treasurer of the Patent and Trademark Depository Library Association.

>> JOANNE COLVIN: I'm Joanne Colvin. I'm the Associate Director at University of Baltimore Law Library, and we are a PTDL.

>> MARIAN ARMOUR-GEMMEN: Hello. I'm Marian Armour-Gemmen. I'm at West Virginia University libraries, and I am the President-Elect of PTDL.

>> BOB KLEIN: Hi. I'm Bob Klein. I am the representative of the Patent Trademark Depository Library Program from Miami-Dade, Florida, and I am the President of the Patent and Trademark Depository Library Association.

>> DAVID KAPPOS: Okay. Thank you all very much, again, for joining, and for those introductions. Look, I'd like to begin by just making a comment for -- in general on the importance of the PTDL program. As you all know who participate in it, and many people who are watching in today either as constituents of the USPTO or as members of the PTDL program, this is a program that's been around for well over a hundred years, has served our country extraordinarily well. In fact, it's kind of a model for what other countries are starting to think about doing in setting up outreach programs of their own.

This is a program that ably serves our important independent inventor and small business communities that has been and remains an incredibly important part of the outreach efforts of the USPTO, of our mandate to reach all Americans in all communities and states, in addition to Puerto Rico, I believe, if I remember right. And the way we do it is through the PTDL program.

Every time an independent innovator, whether on the patent side or even asking a trademark or some other intellectual property question, comes into a Patent Technical Depository Library, you are the face of the USPTO and the face of our country to those people, and they are an important constituent of ours. They build ideas that create businesses that create jobs that create opportunity that do lots of good things. In fact, are responsible for much of what makes our country so special.

So this is a program that is incredibly important to us, has been for a long time, and I wanted to start by thanking those of you in this room and watching who participate in, who champion, who, you know, run, who believe in the PTDL program and to tell you that we believe in it too, and that's exactly why we're here today.

So the program, which is a network of, I believe, over 80 libraries, right, in something like 45 states around the country -- and as I mentioned, including the District of Columbia also and Puerto Rico -- provides just a whole range of services, walk-in services, telephone, Internet access services

for members of the U.S. innovation community, enabling them to come into a place physically or call a place in their time zone, in their area code, where they can learn about the intellectual property system, and this is really the face of the USPTO in many, many ways.

The program has been around since 1871, so talk about a venerable institution. And of course, a lot has changed since then, including, you know, changes that go to the very name of the PTDL, right, Depository Library, and that whole notion has changed quite a bit in the sense that no longer is there as much of a need to have physical copies of patents, you know, mailed out and carried, you know, first by people on horseback and later on by, you know, cars and trucks and more recently by airplanes. Because you all have access to the Internet and our patent publications, including pregrant publications and, you know, published granted patents obviously come out electronically. So the nature of the game has changed, and the PTDLs have adapted a lot in order to remain vibrant in that regard.

So we believe that PTDLs today are centers of innovation and centers of innovation information dissemination and output; also aggregators of views and issues that are affecting the U.S. innovation system and our industry. You are very much at the front lines. If something is going right or if something is going wrong, it could very well be that you learn about it, you hear about it even before we do here in Alexandria.

So with all of that in mind, from my viewpoint, the purpose of the session today is really to get your views, guidance, and thoughts on what we now do with the institution of the PTDLs to -- I'll say it this way -- take it to the next level for the 21st Century, to provide the kind of investments in the PTDL program that will make it everything that you dream it could be, that will make it the best service center capability for American innovators that you could imagine, that will make it the global gold standard for outreach and services such that every other country in the world will look to the USPTO's PTDL program as the benchmark for the 21st Century.

So I am sure there's a lot that can be improved, there's a lot that can be updated. There's probably some things that you're doing that you don't want to do anymore, that you would say look, we ought to do it differently or stop doing it altogether. There's probably some things, lots of things, that you'd like to be able to do if only, and I want to understand what is the "if only" because we will -- we will provide those "if onlys" if we can here at the USPTO, make it possible for you to provide a lot more value at the PTDLs to your constituencies, our constituency, in order to help them innovate faster, create

value, move their thoughts into intellectual property, whether it's trademarks or patents, and go out and do the things we all want them to do knowledgeably, which is build businesses and create opportunity and put people to work.

So look, I'll stop, but that's sort of what I have in mind, so we're going to, you know, listen and try and get an understanding of what it is we need to do to move this program forward and to really take it to the next level for the 21st Century.

Okay. So with that, John, I don't know if you have some comments that you want to make.

>> JOHN OWENS: Well, good afternoon. You know, as the Chief Information Officer of the United States Patent and Trademark Office, it is my responsibility and duty to the public to disseminate the information, and you all play a very important part in that. So I am here to listen today and hopefully provide you some insight, when appropriate, of what we are doing inside the USPTO and any barriers that we have and how we're looking at overcoming them.

But I, like David, want very much to move this program into this century, not rely necessarily on best practices of the past, but look to the future of what we could accomplish if certain things were no longer an impediment. So I'm here to listen, and my staff is here to listen as well. Thank you.

>> DAVID KAPPOS: Okay. Great. At this point, I think we can open the discussion up. For those who are participating via the webcast, I understand that comments that you could type and send will go into a queue here, and we've got folks, then, who can get them into the discussion, so you can participate very nicely remotely.

So look, I'm going to stop now and simply open up for discussion and comments and whatever statements folks have. No particular order. I think we can use the normal process that people use in these meetings, if things become busy, of turning your tent card up as a sign that you want to be the next to go, but I'll -- at this point, I'll just stop and take input.

>> At the Patent Depository Libraries, we have several different kinds of libraries that have different constituents in the public libraries. We get very much independent inventors. The universities get more academic inventors. They are cooperating with their technology outreach offices. We are very much interested in what other types of information we might get from the various business units of the USPTO, what business units that we're not particularly involved with at this point might be appropriate for us to have a much closer relationship with.

We understand everything you've been saying in terms of the

way things have been done in the past are not the way they're going to be done now. Perfect example, our CASSIS program is ending. We are no longer going to be getting desks. So we are going to be very interested in what will substitute for that program in the future to provide us with greater access to the USPTO's computing power, the technology, their search capabilities.

>> I think the main thing that we do that hasn't changed from the very beginning is teaching people how to search the databases, the indexes. Basically, what the average inventor or trademark applicant, nobody knows how to do field searching or cited reference searching or proximity search and that sort of thing, so that's where the training has been extremely valuable for us, and I think it will continue to be. I mean, I can even foresee maybe ten years down the road we might be helping people with things like pattern recognition search for drawings and you name it. It's hard to even guess at what there's going to be.

But I think training -- it looks to me like training and help in searching the databases is going to be 95% or more of our job.

And also, we'll be advocating for as much improvement as we can in the systems. One thing that is an impediment to us is the difficulty in logging in to PubWEST and things like that. We obviously would like to have tools like EAST available to the general public if it was possible to do it.

>> DAVID KAPPOS: If I can just follow up on that one relative to training. So talk about the kinds of training that you would like to have access to here at the agency to help you be able to do the training that you do more effectively.

>> I think what happens is that the -- the rapidly changing tools -- we do a lot of stuff with the international patent databases, so we have to keep up-to-date with what's going on internationally, what's available for search from other patent authorities. And just keeping up with what changes is a big deal. I can't remember a single annual seminar that I didn't come away with something, wow, I had no idea that was available. And that's just -- there's so much to keep track of that we simply, on our own, we would be -- it would be impossible to do it.

>> DAVID KAPPOS: There -- this is a question for Jim or really for anyone. Are there instances of requests that people are having when they come in to see you that you are unable to fulfill for them? What are people asking for that you can't do right now but would like to?

>> Without a doubt, the retrospective indexing, the pre-1970, with WEST, I guess you can get back to '71. And limited -- limited access back to 1920 for just title and inventor name and

company. And then the PTDLA that Dr. Jim Shaw did of 1790 up to about 1873. But there again, that's not full text.

If you all have any power with Google, if you could persuade them to make proximity search available, that one change would be an enormous improvement in their database.

>> I think a lot of independent inventors would also like to be able to search the assignments documents. Right now, you can do a general search for assignments, but you can't actually pull up those agreements and see what they are. I believe you can do that if you go to Crystal City, but you can't do that electronically if you are an independent inventor.

The other thing that I've seen with the Independent Inventor Association is it is challenging to try to figure out the classification system, so what I see some of the clubs doing is actually taking that PDF document, turning it into a Word document so that they can search for keywords.

>> DAVID KAPPOS: So talk more about when you say what the clubs are doing, turning PDFs into text documents to be able to search, I'm not sure I follow that all the way.

>> I am talking in particular about one of the clubs that Virginia mentors for. We sat down and had a monthly meeting and went through the USPTO's video, how to do a search, which is very informative for an independent inventor that may not have access to a library. But in doing that, you have a lot of inventors that don't understand the classification system. So when you're trying to teach that to them, what we've found is if someone has the patience and will actually download those documents, convert it over to text, then save it so that it is searchable by keywords, sometimes that supplements the learning curve for them.

>> DAVID KAPPOS: You are talking about the classification documents themselves that are PDF files?

>> Correct.

>> DAVID KAPPOS: Don't?

>> DONALD KELLY: I want to talk about technology, that the PTDLs are different, as you said, and they're differently supplied or afforded with certain equipment, and what the NAPP had wanted to propose was that inventors be afforded the possibility of having direct face-to-face interviews, face-to-face via the computer, that is, facilitated by equipment that would be furnished by the Patent and Trademark office, where the inventor could actually interface with the examiner and look at a document, common document, at the same time. That was one thing that they brought up, but I think that's probably a little more basic than you're looking for here. I gather you're really looking for more support of the PTDLs in general, or are you limited?

>> DAVID KAPPOS: We're not limited at all. We're interested in any and all suggestions. Actually, I'd like to explore a little bit further the interview idea. So let me see if I have it right, then.

We would have video conferencing capabilities at the PTDLs that would enable inventors or their representatives, you know, attorneys and inventors, you know, either/or, to come in and conduct interviews, so video conference interviews, with examiners from the PTDLs?

>> DONALD KELLY: Yes, that plus being able to throw up images of the documents and page through documents while the interview is going on.

>> DAVID KAPPOS: Yes. So just update a little bit with our examiners starting to get what we call the universal laptop -- and John can talk about this a little bit more in a second -- we are now rapidly coming up with the ability for high-resolution, HD-quality video interviews that include the ability to have a document that both parties, both the examiner and the applicant, are looking at at the same time. So I'm going to ask John to talk a little bit more. I think that would be okay. Just to make sure everyone's on the same place. And then I'd like to hear other comments on this idea about PTDLs being a place where examiner interviews could be conducted because that is an example of the kind of thing that seems like it could provide a lot of value for those applicants who don't have video conferencing capabilities available in their home, right, but would like to go in to a place nearby where they can, you know, see someone on the other end of a computer and have a pretty interactive dialogue with them.  
John?

>> JOHN OWENS: So as David mentioned, the universal laptop program will touch how we do business here in every examiner, actually every employee's, desk, by replacing their current computer with a very powerful laptop with the capability of transmitting not only documents shared on the desktop securely with our office, but also high-resolution or high-def conferencing. That's audio, video. That's document sharing. That's document markup. They can share documents. You can draw with virtual pens on like a whiteboard on top of the document and so on.

That starts to roll out in March. We are in beta testing now. It will take approximately 12 months for us to deploy it to all ten-plus-thousand employees here at the USPTO.

It is using standard software and systems available to the public today. WebEx is the primary platform. It's a Cisco product, one of the leaders in high-def communications that we're going to employ. And it is a Web-based product. And of

course, it is highly compatible with a series of other products, whether it be the Tandberg dedicated system or others.

So that is where the office is going. I would like to hear more on making that available in your facilities.

>> DAVID KAPPOS: How would you suggest we do that? Others, would it be valuable? Do you have applicants coming in, saying they'd like to be able to have video interviews at your PTDLs, et cetera?

>> BOB KLEIN: Not exactly that, but this is not a new development for us in terms of in Florida we have an Ask a Librarian program, some of the products or question points people use, and we do not only chat, but there is that capability for leading somebody to a document, they can see it, you can see it, they can ask questions. It's been happening for several years in many of our libraries.

We also, just for the point of another system, we also do what we call e-ref. It's really just a system whereby people email us questions, and we email them answers back. But in terms of something that's interactive, that's something that libraries are doing now, many, many libraries. Probably the majority of the PTDL libraries are participating in that in one form or another.

>> DAVID KAPPOS: Are those programs that are between libraries or between a point at a library and a point in a business, or what -- who is on the other end of the line here?

>> BOB KLEIN: Patrons will either get on -- in Florida, in any case -- an academic desk or a desk that's more like in the public libraries, and ask questions. Sometimes somebody in Miami will be talking to somebody in Jacksonville or vice versa. It's a state program, and it's been several years now, three or four at least, in terms of this is -- this kind of program going on. So it's something that if this was implemented, it wouldn't be a brand-new way of communicating with patrons. It would be an extension of something that we are doing now.

>> DAVID KAPPOS: In Florida, do you provide like a conference room that's got this -- the video conference facility in it?

>> BOB KLEIN: No. It isn't really video conferencing that we're doing, although there is some of that that's happening in various libraries. We have it in the Miami-Dade/Broward area for our local consortium. What we're doing now and there this Ask a Librarian program is a chat function. But it has aspects of the software that allow the person not only just to type in the questions, but we can push out various articles that we might find in some of our databases. There's a Florida electronic library. There are other programs that are incorporated into this setup that allow us to provide real information, referenced articles, just about anything that's



available electronically online that we have.

>> DAVID KAPPOS: Okay. So I'm sorry, but I guess I had a little disconnect. When you say chat, then you mean an electronic chat where you key in a question.

>> Exactly.

>> DAVID KAPPOS: So that may be, in some cases, useful, but for the federal government and for at least patent applicants, it gets a little bit complicated; right? I mean, normally the issues are so complex that you wouldn't just be able to send an examiner sort of a chat and get an answer.

>> Quite possibly not.

>> DAVID KAPPOS: And secondly, we are limited by, right, the Freedom of Information Act, so we have to be very careful to capture anything that's written, and it's got to be preserved as part of the file record. So if we were going to do this kind of program, it would need to be set up in a way that fit well with all of the federal regulation that we have to work with.

>> Oh, of course.

>> DAVID KAPPOS: The reason I asked about having a private room is because I would expect if we went down this road -- which, by the way, sounds very valuable to me -- you know, applicants, right, who in many cases are talking about inventions that are confidential in the sense that they haven't been published, their patent application is pending before the USPTO, would want to have these video interviews conducted in spaces that are not just sitting in the middle of a library floor but would be in a quiet conference room. So one of the questions that would come up is the ability of your libraries to provide kind of a conference room setting, even if the USPTO helped with some or all of the equipment, there would be space requirements. Does that make sense to folks? Is that a road that you can go down?

>> JOANNE COLVIN: I think that makes a lot of sense, and I was also thinking when you were talking about this idea originally that it needs to be a little more involved than just Skyping. There are issues of confidentiality, and one of the things that we can offer as a PTDL is that our PubWEST access gets you behind the firewall, and we could have similar infrastructure as a PTDL to deal with that issue with security and confidentiality.

And another side benefit I see from this is that it will drive traffic to our libraries physically, and there are a lot of people right now who think that they can do a good prior art search without really understanding how it's done, and so they see that they've got access through the Internet, and they play around for half an hour and think they've found that there's nothing there. And if they're driven to the library, then we're

there, and we can show them the proper way to do a search that they probably wouldn't have had the patience or the motivation to do by themselves if they were at home.

>> DAVID KAPPOS: Thanks, Joanne. Jim, comments?

>> Yeah, regarding what you said about the interactive conferencing thing, from my experience with QuestionPoint, they supposedly have co-browse so that we both are looking at the same screen, but in our experience it hasn't worked at all well. I'm not sure if it's incompatibility with different systems. So I foresee that would be quite a hurdle to get over unless we had a dedicated line into the library from USPTO. I mean, let alone your issues with confidentiality and security. I think just the systems talking to each other is going to be a little bit of a hurdle.

>> JOHN OWENS: I'm not familiar with the product you're talking about. Many of the products that are being employed today, including the one, WebEx, that we're talking about, use a series of standard protocols to exchange information. I would fully support, however, having the same system set up on both ends.

Just so you know, whether it's through the public Web or a secured connection via VPN into our office, all of the data is still encrypted. So you are not going to be able to get out of that data stream as it sperses into the Internet any usable data. So I'm less worried about that. But having a WebEx instance with a laptop or something on your end would seem to make sense.

>> DAVID KAPPOS: Okay. Bambi?

>> BAMBI WALTERS: I was just going to recommend exploring a kiosk option, something that would be available at the libraries and the universities. If you are going to look at deploying something, it would seem like something that could work at one or more areas, not just the libraries, but other areas, and if somebody is not using it, being able to do some type of training on it, like playing other types of videos and stuff on that kiosk.

>> DAVID KAPPOS: Yes, so that's an interesting suggestion. We are actually looking at kiosks for other educational kinds of venues also, so just talk a little bit more about, you know, what services such a kiosk could supply, let's say, sited in a library in this case. One example I think of --

>> BAMBI WALTERS: One example I think of with inventors is being able to bring in the prototypes they have and being able to display them during the process because everyone wants to be able to show the examiner, show the USPTO what their invention is. If I could just show them what it is, how it works, then they'd understand and we'd be talking the same language. So

that ability to be able to show a prototype would be important.

But as you mentioned, also capturing information. So the kiosk seems like it would be fundamental that it be able to print something out as well so that you could have that printer for the independent inventor, small business, or whoever is there doing the interview, that way they have an understanding, too, of the information that's being captured.

In addition to that, if there was anything that was available to help translate, if somebody has some differences with language, we know that you can multicast the different languages, so somebody could speak one language, and it would translate to another language, that would be helpful. And if it wasn't audio, it could be text, that would be worthwhile too.

>> DAVID KAPPOS: Okay. So those are some good suggestions. Other comments? Other major topic areas where we can take the PTDLs?

>> This is actually kind of related to what we were talking about before. One of the big limitations for us in actually offering useful help to inventors is that we're ham-strung by the confidentiality issues, where we can't have an inventor describe what their invention is, especially when we're in a public setting. And so we end up trying to show someone how to do a fairly sophisticated search using a made-up invention, using a heated dog dish when the person is actually dealing with something much more sophisticated.

Where if we could somehow be able to have more confidentiality, we would be able to offer much more meaningful help, and I don't know if that means being acknowledged as an agent of the PTO or what else it would take, but I think that sort of thing would increase our usefulness extraordinarily.

>> DAVID KAPPOS: So first of all, I love the heated dog dish idea.

(Laughter)

I think my dog would appreciate that. That's a very interesting comment.

>> I can't remember who came up with that.

>> DAVID KAPPOS: That's exactly the kind -- not the dog dish idea -- but the comment about overcoming confidentiality concerns, that's something that -- great comment. We could take a look at that. Might be challenging, but it certainly is worth exploring, and thank you for putting that in.

So we're starting to get some questions online. What I'll do is ask John to read them in, and then we can discuss them.

>> JOHN OWENS: I have one here from Pat Castanzo. I think the PTDL is one important thing. I enthusiastically support this endeavor and routinely suggest that clients use this service. However, why can we not access EAST? Well, I can

answer that. The EAST system today was never built to have, actually, the load that it has on it right now with some 6,000-plus examiners. We are working to fix that as part of the Patents end-to-end program. Of course, we had a lot of infrastructure to fix in the meantime since my arrival in very late 2008.

So the goal is, as you know, to get these tools in the hands, along with the data, in the hands of the public. We've taken the first steps to get the data in the hands of the public. Now we need to get the tools there. So it is in the works. It is in the plans. I'm not ready to talk about exactly when, but as you know, in our library upstairs, EAST is available to a number of people.

It has to do with traffic. This is why. All of that traffic goes back to the same system the examiners use. And though my second priority as the Chief Information Officer is the dissemination of information to the public, my number one priority is keeping examination going for the United States. So if undue load were to be placed on the system due to someone data mining, for example, which happens on occasion to our public system and it were to crash, that system would bring down examination here at the USPTO, and that's a vulnerability that we have to very carefully control.

We are working on it, though. I hope that is an explanation for folks.

>> DAVID KAPPOS: John, just before we go on there, let me just pause to see if there are any comments in the room because it's a great point. I have heard in my many meetings around the country with independent inventors and small business folks that having EAST access would be very helpful.

I would be interested in comments from folks in the room here about what value, if any, you feel that EAST access would provide to your PTDs.

>> BOB KLEIN: One of the problems with the addition of a service like that, even with the WEST that we've got, is that they're much more complex than our average patron can deal with. From our point of view, a lot of what we'd like to see, in addition, would be things like proximity searching, Boolean logic, the ability to text terms, adding several terms together or oring them together, and the ability to add extra search lines so that you can do, really, a complex search and a very effective search in the way -- at least in my view -- that we can do with WEST over the website access to searching.

>> DAVID KAPPOS: Other comments on that? Jim.

>> It's certainly true that a lot of people I talk to would love to have EAST or something of the equivalent. I mean, in the best of all possible worlds, I suppose it would be nice to

have a SparseNet, all 70 million records of text fully proximity searchable, field searchable, unlimited downloads. But realistically, at least for the present, I should think one thing to strive for might be to get a parallel version of EAST up on the Web so that you're not using the same server but you do have the system.

The people that I talk to I think have learned very quickly to use the field searching and all that sort of thing if they saw that the trade-off was much faster results than you get on the Web. Because the Web is painfully slow.

>> JOHN OWENS: Just to explain, the current EAST client is not Web based. It is a physical client. In fact, it was quite interesting porting it onto Windows 7 when it was originally written for Windows '95.

But the -- that search capability and the separation of systems is currently under way as I speak. Obviously, that was a major touch point here that we wanted to solve. So good minds think alike. Yes, we are doing that.

>> DAVID KAPPOS: Okay. John, did you have another item there from over the Web?

>> JOHN OWENS: Oh, I've got a bunch. I'm going to shorten this one to a summary. I believe this one's from Dave Morrison. And there's a lengthy email that I think is the request to have or recapture the first 3 million U.S. patents from 1790 to 1976 in full text searchable fielded database in order to search for specific text, people, or geographic locations in the most efficient way possible. So that was -- I think we heard that earlier with indexing the information that's not currently available in our database. But I thought it would be noted to mention that.

You want me to continue?

>> DAVID KAPPOS: Yes.

>> JOHN OWENS: Okay. Arkansas State Library. Any technologies that the PTO can share with the PTDLs would be welcome.

Walt Johnson, as a PTDL help, (Inaudible) county library would be eager to participate in the universal laptop program. Let's see. Arkansas State Library, we are fortunate now to be able to offer space and technologies that would help make this possible. That's interesting.

>> DAVID KAPPOS: It sounds like that might pertain to the space, yeah.

>> JOHN OWENS: Suzanne. PTDLs would be very supportive of being able to cooperate with the USPTO to provide this conferencing access to our inventors.

Arkansas State Library. I am not sure it's been an option before, but I am sure if it was publicized, it would be used. I

believe this is all in relation to the space and the teleconferencing.

Martin Wallace. I see a lot of people have been typing. Are they going -- oh, no, I'm sorry. That's just an internal conversation.

(Laughter)

Let's see. Would be good for the PTO to let -- to make such technologies available.

John Scullop from North Kentucky University, will support to assist PTDLs in community outreach programs continue? That's a question.

>> DAVID KAPPOS: I don't think we plan on stopping that. The whole purpose of this meeting is to make it more effective.

>> JOHN OWENS: In Cincinnati, we have appreciated the support of the PTDL with guest speakers, PTO literature, et cetera. Some of our public outreach programs have drawn as much as 750 people at one event. Inventor Fest. Recently, we have been collaborating between multiple libraries, academic, and public, and creative patron groups in the Cincinnati area for IP programs for everything from inventors to musicians. These collaborative programs between library partners have been very successful as IP awareness for the general public.

Charlotte Birdman is requesting access to the older file records would also be helpful as well. These are ongoing.

>> DAVID KAPPOS: So just I want to actually pause for a minute, John. The comment about speakers from the USPTO and for perhaps facilitating programs that you want to run at the PTDLs, I wonder if we could explore that a little bit more. I'd like to understand whether and in what form that's valuable to you and do you have the desire, do you have the call or the requests coming in from you constituents at the PTDLs to provide more inventor education that could be facilitated by, you know, having an official from the USPTO come and help you with it? Joanne?

>> JOANNE COLVIN: I think, actually, it would be very, very useful. We had -- when the University of Baltimore became a PTDL, we did have a grand opening ceremony, and we had people from the PTO come, and it was hugely, hugely successful. And I have been thinking about the overall role of the PTDLs, and it seems like right now we focus almost exclusively on showing people how to search, and there are a lot other aspects of patent that are very important to a potential inventor. I don't think many of these people probably understand the life cycle of a patent. They probably would be interested in hearing the highlights of the Patent Reform Act going through Congress. There's a lot of non-searching stuff that these people would be interested in, and we can probably scratch the surface, but

obviously, a lot more authoritative information would be coming from the PTO directly.

>> DAVID KAPPOS: Okay. Thank you. Other comments on that? So one follow-up question I would ask is -- so first of all, that's a great subject and something that we'll take away from this meeting is a -- you know, a possible improvement, the kind of teaming that occurs when we're able to send people to participate and to, you know, help make larger-scale education programs successful at your libraries.

But the follow-up question is if we were going to invest in video conferencing facilities, now you've actually got the ability to not only just do interviews but actually do programs that include officials participating by video conference, including, you know, folks who otherwise from the USPTO who otherwise wouldn't be able to get to your libraries. So is that another possible use for, you know, what we're talking about as -- or what's been discussed as a possible video conferencing for interviews, also making those facilities capable enough so that -- and providing enough space so there's some responsibilities on everybody's side here, potentially such that they can be used to include USPTO officials in educational programs at your libraries remotely by video? That's a question, by the way.

>> BOB KLEIN: From my point of view, that would just be another technology that would allow this kind of programming which has been very, very popular in Miami each time that USPTO personnel come. This would just be another way of putting this before the public, and to the degree that it would allow it to be done more economically and more often, it would be an excellent change and a real improvement in what we do. It's certainly something that would be added to the mix of the ways in which the USPTO staff would be able to speak to the public, that we could have different themed events. It would be very much appreciated and used.

>> DAVID KAPPOS: Great. Thanks for the comment. Any others on that topic? Okay. Good. John?

>> JOHN OWENS: Ran Raider. We are get limited by our license agreements to prohibit searches for commercial purposes. This mainly affects our attorneys and agents. Some of these are not worded in the form of a question, but they are marked asked to read. Could someone explain that to me a little bit?

>> Yes. For example, if somebody wants to search INSPEC or IEEE Explorer or Science Direct, some of the big full-text commercial databases, we spend multiple tens of thousands of dollars per database, and the -- the restriction is that only the university affiliates can search it off campus, and they're

very tight about that. Even alumni can't get access. So what happens is the attorneys, very rightfully, realize that you might have SPIE or IEEE or something like that paper that has prior art in it, but it's off limits unless you go on campus.

>> DAVID KAPPOS: Let's talk about that little bit more. Of course everyone around this table recognizes there are legitimate commercial and legal interests at play, right, the people who aggregate all of that copyright protected information, much less the people who actually write the articles in the first place have to feed families too, and so they are naturally not very interested in people infringing their Copyrights, so they're trying to provide help to libraries while, by the same token, expecting attorneys who are practicing on behalf of paying clients to pay for access to their search services and for access to copyrighted documents. And that seems, obviously, to be very, very legitimate.

So the question that I have for the team here is is there anything that can be done, possibly anything that we can do, that will enable the independent inventor community -- in other words, the people who really are most in need of access to the information and, you know, have least access to legal services - - to be able to get the documents they need while, at the same time, not trampling the legitimate and appropriate legal interests of the owners of the content? Bambi?

>> BAMBI WALTERS: Well, one of the ideas that I've discussed is actually developing innovation centers that would be collaborative with universities and libraries, where the independent inventor could go. It's kind of your pie in the sky, your dream world, where you might have a fabrication lab like the one that recently opened in Maryland, the MIT Fab Lab, as well as the search facilities, of course, having full text as well as the classification and all the years, everything that inventors want.

But inventors would have to somehow associate with the university if they wanted to search those copyright protected databases. And you're right, most independent inventors don't have the resources to hire an attorney or an agent or to pay the fees to access those. I think you are at the -- at the Inventors Assistance Conference that happened in November, and one of the things that inventors discussed was that huge need to be able to search and do a robust search and feel like they've covered enough ground there, and I think if they don't have access to those other topics, it's very difficult to get nonpatent literature and do it in a way that is affordable for the independent inventor.

>> DAVID KAPPOS: Marian?

>> MARIAN ARMOUR-GEMMEN: One thing that is changing is Google



Scholar. And I don't know if independent inventors are aware of that, but that would be a way that they could search. They might not be able to get the article right away, but they could at least get some results and then go to their local library and request an interlibrary loan for that particular article. So there might be a way to do that, even if they couldn't actually search the databases that were available.

>> DAVID KAPPOS: Okay. Good comment. Jim?

>> Also, since -- if anybody in the world, say, can search Science Direct and get the abstract of the article and then do interlibrary loan. So logically, there should be a way for libraries, if you get enough libraries or organizations nationwide to pay into a cooperative agreement thing, everybody pays a little bit, and the database producer still has a revenue stream.

Part of the problem is that the database producers are not making enough money with what they've got. They can't afford to let somebody just piggyback off of a university's account and download everything they want to. But if that revenue is coming in a little bit from a lot of people, that might be one way to approach it.

>> DAVID KAPPOS: Okay. Good. Anything else?

>> Another possibility. Well, there's two things. One is that in a lot of libraries, the databases are limited to people associated with the library, but that's if they want to get remote access. A lot of libraries have a public access terminal, and the databases are there, so again, that's another way to drive physical traffic to our libraries.

The other possibility is I'm sure that the PTO subscribes to these databases because your examiners need to do the nonpatent searches as well, so maybe there's a way to have a rider so that the PTDLs have access to it as well.

>> DAVID KAPPOS: Okay. Good comments. John?

>> BOB KLEIN: For many of our databases that are in use today in various libraries, I think particularly for public libraries, there are some databases that are limited to in-house use, some databases where there are a limited number of simultaneous users, and libraries for many years have been struggling with this in terms of we want to know what our costs are going to be so that we can't allow -- can't use databases unless we want to charge by the hour, charge by the citation. This is something we've been doing for many, many years with various databases.

>> JOHN OWENS: I can definitely say I fully feel your pain with the various licensing agreements around data that we all need and use.

There are several questions here, and I'll try to summate. I don't care if everything else from CASSIS goes away, but I can't

do a job without a suitable replacement of the classification index.

I have comments related to the discontinuance of CASSIS. Will there be a replacement product that makes searching the products as easy as does CASSIS?

Please pardon my ignorance. I am not familiar with all of the details there. Will someone from my staff please answer this question?

>> The CASSIS series of products have certainly several that involve the capability of doing bibliographic searching within a limited time delimiter. It has a couple of capabilities that are not yet on Internet, available through -- if you are going on to use our searchable databases, what we call PatFT and AppFT, patent searchable database on the Web and application database on the Web.

We are looking at -- we know which capabilities are not there, and our team, as we're working through ceasing these products, we are looking at those few capabilities to see what we can do to address what is not there now on the Web. So we are aware of them. We are working on that. We have a team of people who are looking at that and working with that. And we will be conversing with the PTDs as we move through this process.

I didn't address the issue of classification, though, and I think that's been touched on here, and perhaps the librarians who are here can, if they have anything further they want to say on the patent classification system as it's currently accessible on the Web. I know there were a few changes over the past few months on where things appeared on the homepage, and I think there were some improvements in terms of visibility and ready access to the classification searching, but if there is anything specific comments on the actual searching, of course, we'd like to hear that.

But I also -- I think I just want to take a quick opportunity to comment on marketing, which Joanne alluded to in talking about bringing people into her library, physical presence, and as physical presence reduces at each library, as things that we send out begin to go away, there are less objects in your libraries, so there is not necessarily a special space carved out for the service that you offer.

So I am also interested in not only the manual of classification comments, but anything that you have to offer up on how, as physical collections go away, thoughts on improving internal marketing at your libraries to bring the customers in so they know where to go and it all becomes very obvious, you know, what can we do better along those lines.

>> I would say as far as searching the manual of classification, the main thing I would say is it's difficult to

get results like proximity results of the manual itself, and I am very much struck by how many more results I tend to get on (Indiscernible) classification. It seems like they just use many more words to define terms. I don't know if they have some kind of an automated thing that takes patents and dumps the title words into the index or how they do it. But it's not at all unusual when I search the USPC, I just don't get results for a particular word and have to think a lot more about, okay, what's this related to? What can this be part of? And that sort of thing.

>> Bambi, is that why you were asking or commenting about how some of your inventor groups download the PDF? Is that related to the comment that Jim just made?

>> BAMBI WALTERS: In some ways it is. I think it's also a safety net because they're used to keyword searching by go to the Internet. That's what most of your independent inventors are used to or they've learned in colleges, somewhere along the way, and figuring out the classification system is challenging for them.

Now, if they interacted with a training video or somebody at the USPTO, it can be learned, but they have to invest the time to figure it out. It's laborious. It doesn't come to us right away or to an independent inventor right away, and even after they start to figure it out, it's like the heated dog bowl example, they might be in, you know, probably five or six different classes and not realize that they need to search all these different classes. They need to look at the heating element. They need to look at, you know, how the devices -- it could be the composition. It could be a variety of things. So your average inventor isn't going to think of that on their own. So by having the keywords, they're able to pull it up and see all the different classes where they might be, and then from there kind of go and do some exploring on their own.

And that's the text searching everybody has been talking about is being able to do a full text search.

>> JOHN OWENS: How about thinking about the PTDLS as extensions of the public research facility there at the USPTO and offer the same resources that can be found on the public terminals?

Any comment locally on that?

I certainly would like the time to take a chance to go back and look at that. Obviously, that all comes back to that previous load on the systems that we were talking about. Certainly, it would depend on every organization's load. If you had one terminal per 80 PTDLS, that's one thing. If you had hundreds of terminals at every PTDL, that would be another. Any thoughts that you'd like to share with me on that? Do you keep

average usage, average number of people, anything?

>> That definitely is a limiting factor for the use of the database. It certainly limits the use of PubWEST, the fact that we have to put it on a staff machine, because the firewall -- the university security, it just -- every time the slightest little change happens with Windows or the browsers, it deactivates the TIF viewer or something, and we simply can't search it except on a staff machine.

So if there was a way to somehow make it easier to get PubWEST available on any of the machines, like if it was the sort of thing that you could simply go to a particular URL and get it, but the trouble is that that's the problem. We have to log into it, so the security is making it -- it's inhibiting the use of it, no doubt about it.

>> JOHN OWENS: Would it be ... is this a problem because the security in your local libraries and universities are blocking some of the traffic or you are trying to maintain the machines? And did you have that same problem I believe in a previous evolution there was some USPTO provided equipment you had. Did your universities or libraries maintain that equipment or leave it alone?

>> It's always been a problem with that. When you all provided the equipment, then they wouldn't touch it because it wasn't their equipment. But now the problem is where we have to -- it's not enough just to have the proxy address. You have to download the TIF viewer, and then you have to have the login procedure, and they simply -- they would load it one time, and then within a month something would change and it would kill it.

>> JOHN OWENS: Yeah, unfortunately, one of my goals is -- and Mr. Kappos as well -- is to get rid of TIF as a picture of text and go to text, which is obviously more able to be manipulated. There is no easy solution because every system we have here is oriented around TIF. I answered this question is a number of days. I had a question the other day why can't you just use JPEG? We have petabytes of data in TIF, and there is no way to convert that on the fly. We have some ways to do dynamic conversion here at the USPTO, but those conversations are just going on.

I understand that control and that reader has to be available, but I am trying to orient towards, since we are -- we had talked about providing equipment or the possibility of providing equipment -- I don't want to commit to anything at this current point in time -- for the interviews, would I sustain the same issues if the USPTO did provide that equipment and have your offices try to modify it in such a way to make it inoperable because that would not work. Is that still a risk or is it not?

>> That would be a problem because if we are responsible for maintaining the machine, it's just hell to get them to do anything that doesn't have their barcode on it.

>> JOHN OWENS: Let's say I was responsible for it. Would that bother you?

>> The thing is as long as we can get maintenance on it from here, sure, that would be great.

>> JOHN OWENS: All right. I'll notate that as an issue.

One last question that I have on this sheet here, will the transcript be available after this discussion? I believe the answer is yes. This is a public meeting, so we have to provide the transcript.

>> DAVID KAPPOS: John, any other points you've got there?

>> I did want to go back to the topic of marketing and just have a little bit of discussion about how traffic gets to your libraries, has traffic gone down. I know that we refer customers to you when calls come into our toll-free line, we are not able to do searches for people and we really don't have a means to do very much about helping guide people through a search, which is what you all do. So we refer people from our toll-free line out to your libraries.

I'm interested in physical presence, what might be needed on the front door, how you -- is there any way that the PTO can help with that physical presence. You are a PTDL. How do we get that word out?

Now, you are on the Web. We try to make links to your network in many different places. I think we've improved that a little bit over the last year, but I think there are other things we could probably do that you have a better handle on than we do because you are working it every day and we're not. I mean, we're not out there. So if you have any comments, we'd love to hear them.

>> BOB KLEIN: Anything we would receive in terms of posters, signage, a more obvious presence on the website would be useful.

As you said, many, many people will come in to us or call us saying they've been referred to us basically by the assistance centers. If that would be a standard thing that everybody would be told, that you're where you are, there's a PTDL within so many miles of you, would be very, very useful to us. The more global our presence is on the website, the better off we would be, the more people would come in to us by far. Anything would be useful, any kind of increase in our presence on the website in particular, and for the assistance centers to really make that a regular part of what they tell people when they call up, that there is help available. It's down the road, ten miles,

five miles, 50 miles, whatever. It would be very, very good and would certainly increase our presence and traffic that we would get.

Very much the kind of folks we get, particularly at a public library, are people that can't afford or really don't want to at least get started with an attorney or patent agent because of the money issue. And a lot of what we do is explain to them, you know, here are the basics of what a search is. Here's the terminology you should know. You know, here are ways to make informed decisions about going forward to contacting USPTO, contacting a patent agent or a patent attorney. Because you know, people are very, very much in the dark as to what the whole process is about, what they are going to need to do, the monetary factors, the time it will take, the methods available to them to search; that it's not just what you are going to find on any USPTO product, that there are foreign patents, that there are theses, dissertations, articles, advertisements, everything that the examiner might look at is fair game when you're doing a search and making an application, and that you know, the more information they have from the beginning to make those informed decisions the better off they would be.

>> I just wanted to add that as far as marketing, you give out inventor awards. If we could get more information about that, that would be something that we could make -- perhaps make a display in our library highlighted a new -- a new invention. A lot of times when a Nobel Prize comes out and they are patent awardees, I emphasize their patents that they've gotten to kind of show the innovation. But if -- since you probably have a lot of that information already, if had you, like, a picture of the inventor or some kind of symbol or picture of the invention, that would be helpful. I think that would be a good marketing tool.

>> BOB KLEIN: Also, when there are events here at the USPTO itself, any access you would have to that via a video stream, video that we might be able to provide to our patrons at the Patent and Trademark Depository Libraries would be a big deal. The publicity would tell people that we are there and particularly mention during the events that one of the services that the USPTO provides is this vast network of Patent and Trademark Depository Libraries

>> DAVID KAPPOS: Terrific. Thank you. Don, you happen to have something there?

>> DONALD KELLY: I happen to agree what Marian said, and in support of Martha's continued bringing up marketing, it seems to me that maybe we -- speaking from my part of the bar -- I don't know if you maybe feel the same -- we don't do as much as we

could to sort of promote the PTDLs, and I think perhaps the PTO doesn't do it as well. So what my suggestion would be that there be some undertaking to do some all-out rebranding of the PTDLs. It's, frankly, a horrible acronym. No vowels. You can't say it. You can't say WIPO or anything like that, or NAPP.

But it's sorely in need of some real promotion, and if we don't do that, it doesn't matter how many computers we ship there or how much training we do of the PTDLs. Who is going to come? Who knows about it? So you are really at the -- at the cutting edge of innovation when all the inventors are coming or whoever is using your systems and so forth, you're out there on the front line, as Mr. Kappos said. So perhaps there's something we could do.

>> DAVID KAPPOS: Good comments, Don. Michelle?

>> MICHELLE CRECCA: Thank you. The comments that Bob was making regarding how much training goes into each and every individual that walks into a PTDL, how to search and what prior art is, does the PTO make any sort of videos or tapes available to the public, like YouTube videos that people could download as training? That would be a great marketing tool for people, the equivalent of books on tape for how to get a patent for an independent inventor that you could give out to people or the PTO could create, doing something a little snazzy like that that when they do walk in -- my heart goes out to Bob. I used to work in a university library, and I know what that person who just walks in for the first time, how much work it takes to get them going. And maybe there is something that the PTO can facilitate in terms of training videos and training tapes that the PTDLs can make available so the public that would also work to market your services at the same time.

>> DAVID KAPPOS: Let me turn that question back over to the PTDL folks here to talk about are you having constituents coming in asking for that kind of capability? Would you be able to make it available? Would it be valuable to folks who are using your libraries if we put more of that out?

>> Well, your tutorial -- I think it's on the PTDL site under tutorials, but I wonder if it wouldn't be better to have that a little bit more obvious maybe on the database pages, something like that, because that's a very useful first step for people. At least it gives them some idea of what they're in for. It's a 36-minute-long video, and it doesn't tell them everything, but it tells them a lot.

>> BOB KLEIN: Yes, and being item specific, topic specific, here's what the classification is. This is -- these are the various types of databases and other tools that you really

should be searching when you want to do a complete -- or complete a -- of a -- a search as possible, particularly for the independent inventor who is not really familiar with searching, doesn't know the databases, doesn't know the various and sundry tools that an examiner is going to be using specific, relatively short, maybe 15-, 20-minute videos on those kind of topics would go a long way to educating the public as to what is involved in a patent, how to get a patent, why the patent is important, and what they should seek in protection for their invention or for whatever they are trying to protect intellectual property wise.

>> DAVID KAPPOS: Okay. Good. All right. Thanks. Jim?

>> Well, I first want to second Don's comment. I'm here principally to learn, but I am here also to demonstrate an interest in the association that this is a constituency that we feel needs some kind of outreach, and we are certainly interested in anything that we can do to improve the lot of the independent inventors and the services that you all are able to provide.

Our groups don't entirely overlap, so we don't get many occasion to address the interests of the independent inventors in this way, and so I will now reveal my ignorance in part about the system. I'm not clear where the funding comes for the PTDLs. Are the PTDLs entirely dependent upon the largess of the patent office? Are they independent? We are talking about outfitting the PTDLs with some rather sophisticated equipment, and I am interested in where the support comes from that.

>> DAVID KAPPOS: Would turn that question initially over to the PTDL folks to comment.

>> Well, the institution certainly supplies the staff time, which is no inconsiderate -- that's no inconsiderable amount. The training session started out a week long. It's still about four days long. So it's a considerable commitment of staff time. So that is probably the major thing now because the space is not a really big factor anymore, with the depository products going away. But I would say that's mostly what it is.

>> BOB KLEIN: The PTDL and, of course, the greater USPTO have supplied us with equipment, supplied us with the various products that now are going to CASSIS. Sometimes, you know, at some point, we will take over the equipment. It'll basically be given to us.

They provide us with access to PubWEST. They provide us with those various tools that we've been using. For instance, you know, of course, the disks. Prior to 2005, 2002, with the Official Gazettes, with electronic access to them via the website and via the disks that we have been getting.

>> DAVID KAPPOS: Okay. We're going to wind up here pretty quick because we are inside five minutes from the end of the



program. But I just wanted to give John an opportunity to read a few more comments that have come in over the Web.

>> JOHN OWENS: Yes. I guess I'll try to summate many of these, and we'll trite to get answers to as many of them as possible. As far as support, what I'm basically reading here in these next four pages is there's a lot of support for space and availability of working with PTO for video, video conferencing, and so on.

There's also a desire for a series of APIs that would allow for better exchange of documentation and information amongst not only the office to you but amongst your constituency. Some Web APIs for the tech transfer to pull down related patents and display them on your own website.

I can tell you that TDR, the Trademark Repository, has moved to the Web, and the bigger sense to the cloud. So it employs a bunch of REST-based -- for those of you that are tech geeks like in -- technologies that allow us to do things that are known as mashups, which allow us to deliver content to you and you to integrate it on your webpage. Patents end-to-end will be using these technologies heavily in the future, and you will see more from our office using this style technologies and APIs.

Will we be able to provide the full text in all patents in PDF from 1790 to date? As much as I'd like to do that, getting the office available to handle text in general and our systems able to do that is the priority. But I cannot tell you how many people here have asked for the pre-1975 documentation to be made available to the public, and we have heard you.

That seems to be the bulk of them.

>> DAVID KAPPOS: Thank you, John. Look, respecting everyone's time, it's now, by my watch, 3:00, so I wanted to wind the program up, if it's okay, by first of all saying to all the folks over the Web who submitted comments and issues, thank you very much. Thanks for joining us today.

To the team in the room, thank you. I took quite a number of notes, and I know PTO staff did also, on a number of great suggestions, which is exactly what we came here to get today. So thank you for that. As a number of us have commented, we're here to figure out how to improve our investments in the PTDLs and to make them as vital as they can be for the 21st Century. Your suggestions are going to help us in that regard.

I think we have -- we're continuing to take comments; right, John? So please don't let this be the end of the session, whether you are joining over the Web or whether you are joining in person. We'd like to get more suggestions on how we can improve the PTDL program, especially from the viewpoint of our joint constituency here, which is our joint community, whether it is independent inventors, small business owners, or people

interested in understanding the patent system or the Citrus Park system or whatever who are come -- or the trademark system, who are coming in from the PTDLs, we want to understand how best to serve them.

Thanks again, wonderful comments, and we really appreciate everyone spending time and the preparation to come in today. Thank you.