Is a (More than Pocket) Change in the Air at the USPTO?

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The United States Patent and Trademark Office (USPTO) Director's letter presented last week to the Patent Public Advisory Committee (PPAC) gave us the first glimpse at potentially substantial fee increases on the horizon. On April 27, 2023, the USPTO called for public comments and feedback on possible fee increases and set a public hearing for May 18, 2023. Additional information is available here.

The USPTO states that the proposed adjustments to the fee schedule are to account for their projections that aggregate operating costs "will exceed aggregate fee revenues" starting in 2025. The USPTO's projection is primarily based on (1) increased discounts to small and micro entities under the Unleashing American Innovators Act (UAIA) of 2022; and (2) the "higher-than-expected inflation [over] the last two years" causing increased operating costs.

In order to compensate for this projected inflection point, the Office is proposing a 5% across-the-board fee increase to most patent fees, with additional increases for specific fees.

Read the full article here.

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