



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

December 2, 2021

The Honorable Thom Tillis
Ranking Member
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Patrick Leahy
Chair
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Tom Cotton
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Mazie K. Hirono
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Christopher Coons
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable John Cornyn
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Senators Tillis, Leahy, Cotton, Hirono, Coons, and Cornyn:

Thank you again for your letter requesting a study on whether and how a small claims patent tribunal could be established, and how such a tribunal might function. In your letter, you asked that the United States Patent and Trademark Office (USPTO) engage the Administrative Conference of the United States (ACUS) to conduct that study. The USPTO and the ACUS have begun discussions on this undertaking, and I am hopeful that we will finalize an agreement and a statement of work by early 2022.

I will keep you informed of our progress on this matter.

Sincerely,

Andrew Hirshfeld
Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office