

External blog

One year of bringing innovation to impact

Blog by Kathi Vidal, Under Secretary of Commerce for Intellectual Property and Director of the USPTO



Director Vidal moderates a fireside chat with Mujeeb Ijaz, Founder and Chief Executive Officer, ONE (Our Next Energy), and Alicia R. Knapp, President and Chief Executive Officer, BHE (Berkshire Hathaway Energy) Renewables during the 2023 ARPA-E Energy Innovation Summit at the Gaylord National Resort & Convention Center. (Photo by Jay Premack/USPTO)

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As a young girl, I went with my father to a garage sale and came home with an oscilloscope—I had always tinkered and experimented and was fascinated with the ability to measure and see signals that were not perceptible to the human eye. My love for science and engineering continued as I worked on military aircraft during and after college as one of two women in GE’s Edison Engineering Program. I transitioned to intellectual property (IP) law after seeing first-hand the way IP, including patents, trademarks, and copyrights, inspired innovation and transformed and grew companies. IP allowed me to combine my thirst for knowledge of all things scientific and technical and my love of innovation with my business and startup interests.

Now, one year into my role—at the intersection of IP law, policy, and innovation—I am focused on impact. I’ve spent the last year listening—in nearly 100 external stakeholder meetings, in internal small group listening sessions with over 1,500 USPTO employees, by reading your comments submitted via our requests for comments (RFCs) and your emails to my [Engage with the Director](#) inbox, in over 130 fireside chats, and in all my interactions across the country and the globe with inventors, entrepreneurs,

and everyone who cares about making our IP ecosystem work for all. I care deeply about making data-driven decisions and getting it right.

If this last year was about listening and gathering the input and data to make meaningful, sustainable change, 2023 (and beyond) is about action.

What's clear from conversations throughout this past year is that, more than ever, our nation needs the progress and growth that IP protections provide. We need a robust and reliable IP ecosystem that cultivates an innovation mindset and catalyzes inclusive innovation and entrepreneurialism—one that drives economic prosperity, U.S. competitiveness, supply chain resiliency, national security, and creative world problem-solving. We must continue to lead, and work closely with our allies, to realize our potential.

As set forth in our draft [2022-2026 Strategic Plan](#), the USPTO is advancing five strategic goals:

1. Drive inclusive U.S. innovation and global competitiveness
2. Promote the efficient delivery of reliable IP rights
3. Promote the protection of IP against new and persistent threats
4. Bring innovation to positive impact
5. Generate impactful employee and customer experiences by maximizing agency operations

Below are just a few examples of the work we've done together to advance these goals throughout the last year and to lay the groundwork to make surgical changes to key areas of practice before the USPTO to preserve all that is working well while ensuring the system works even better for all of you.

We all have a stake in the success of this agency and the future of the American IP ecosystem. I will be working hard toward these goals with the talented and dedicated staff at the USPTO and with all of you.

With gratitude and optimism for an even brighter and more impactful year to come!



P.S. While this year is our year of action, we will never be done listening. You can reach out directly to me via Director@uspto.gov or through our [Engage with the Director](#) page.

2022-2023 Highlights: A Year in Review

We are building a more robust and reliable IP ecosystem that works for all

In order for IP to play the role our nation's founders envisioned, we must create a more robust and reliable IP ecosystem in which innovators, entrepreneurs, investors, and all those building and growing companies and solving problems have confidence.

Year in Numbers

Children educated in STEM programs through National Inventors Hall of Fame partnership **280K+**

Trademark sanctions and TMA actions

1097 Goods and services cancelled (TMA) • **150** Sanctions orders
Registrations sanctioned **70** • Invalid applications terminated **600+**

GIPA-trained officials from 161 countries **10,679**

13 MOUs with trading partners

Comments to RFCs **~5K**

230+ Fireside chats and external stakeholder meetings

To that end, the team and I have been actively engaged with Congress and in the courts, including working closely with the Departments of Commerce and Justice, to provide technical support and to work to ensure our laws foster a strong innovation and entrepreneurship ecosystem.

We have worked to clearly communicate how the USPTO is making decisions based on past policy, guidance, and decisions, and to solicit feedback on where we can make surgical adjustments to strengthen our IP system. A few examples of this include:

- Creating more clarity and certainty in Patent Trial and Appeal Board practice in [Director review](#) and [discretionary denials](#) in America Invents Act proceedings, and with post-grant challenges generally
- [Requested and received comments](#) on our patent eligibility guidance and on how to ensure robust and reliable patents

We successfully implemented various strategies to crack down on trademark scams and fraud that affect the integrity of the trademark register and cause ripple effects across the trademark community, including:

- Conducting Trademark Modernization Act proceedings that have resulted in the cancellation of 1,097 unused goods or services out of the 1,119 goods or services challenged
- Implementing [identity verification](#) for all trademark filers to protect our system from scammers
- [Registering USPTO marks](#) to thwart fraudulent solicitations by scammers to trademark customers
- Issuing 150 [orders](#) terminating over 600 invalid applications and sanctioning 70 registrations for violations of our trademark rules of practice and website terms of service

We are dedicated to protecting businesses and their brands by informing consumers about the dangers and consequences of purchasing counterfeit or pirated goods through our partnership with the [National Crime Prevention Council](#). Public service announcement campaigns for teens and tweens as part of our [Go for Real campaign](#) had a combined 78,435 airings on TV stations and over 570 million impressions.

We've also implemented internal improvements that have greatly benefited our operations. These include a new [Patent Public Search tool](#) to make searching for grants and applications much easier, an improved routing and classification process that better matches examiners' expertise with the

applications they examine, examiner training on new artificial intelligence (AI) tools to enhance prior art searching, and information technology systems upgrades for the benefit of our operations, to name just a few.



Director Vidal meets with foreign IP office leaders. Top row from left to right, signing of joint statement of intent on accelerated patent grant with the Directorate General of the Industrial Property Registry of Panama and signing of memorandum of understanding with the Canadian Intellectual Property Office. Bottom row from left to right meeting with the State Intellectual Property Service of Kyrgyzstan and signed memorandum of understanding with the National Service of Intellectual Property Rights of Ecuador. (Photo by Jay Premack/USPTO)

Our office has been extremely busy on the international front. I've met with over two dozen foreign IP office leaders and have embarked on an ambitious global agenda to strengthen our respective IP systems for the benefit of all communities. My engagement spanned the globe as I met with leaders of the G7 and trading partners from Latin America, Europe, and the Indo-Pacific region. A few highlights of this work include the following accomplishments:

- We entered into over a dozen cooperative agreements that identify concrete plans for promoting the transparency, accessibility, and reliability of our IP policies and practices.
- We developed and provided capacity-building programs, organized and conducted by USPTO attorneys, to help improve IP systems in key countries and regions to benefit U.S. stakeholders.
- Our Global Intellectual Property Academy (GIPA) conducted 222 programs this past year covering all areas of IP, training more than 10,679 officials from 161 countries and intergovernmental organizations, and over 6,526 small and medium-sized U.S. enterprises, U.S. government officials, and other U.S. stakeholders.

And we continue to work to harmonize global IP practices through cooperative agreements designed to improve IP systems and enhance the enforcement of rights with the IP offices of Japan, the European

Union, Saudi Arabia, Malaysia, France, and Peru as well as the National Research Development Corporation of India and the World Intellectual Property Office.

The challenges we face today, such as climate change, public health, and sustainability, are global issues, and we are collaborating with our counterpart IP offices on global solutions.

We are fostering the development of new and emerging technologies to enhance American competitiveness

As we build an even more robust and reliable IP ecosystem, we are better positioning America to develop new and emerging technologies to enhance U.S. competitiveness, create U.S. jobs, and grow our economy.

We are looking closely at the growing role of AI and its potential to affect our lives dramatically. We launched our [AI/ET \(emerging technology\) Partnership](#) and recently published an [request for comments on AI and inventorship](#) (responses due May 15). And we are working on the responsible introduction of new AI into our workflow while we work across government through the Interagency Policy Committee on National Artificial Intelligence Strategy. We also worked with the U.S. Copyright Office on [listening sessions](#) related to the intersection of IP and non-fungible tokens (NFTs), and are focused on innovation in space and in space-adjacent markets through the U.S. Department of Commerce Commercial Space Coordinating Committee.

Where there are new markets, we are there.

We have also worked to ensure a robust and reliable patent system that incentivizes solutions to today's global problems, including by:

- Supporting the [White House Cancer Moonshot Initiative](#) with our [Cancer Moonshot Expedited Examination Pilot Program](#)
- [Working with the Food and Drug Administration \(FDA\)](#) to cross-train our patent examiners in pharmaceutical and biologics fields as part of our joint effort to [advance competition in the pharmaceutical marketplace](#)
- [Partnering with the U.S. Department of Agriculture](#) to identify and solve for challenges small and family farms face
- Finding solutions to the causes and impacts of climate change through initiatives such as:
 - o Our newly announced [Trademarks for Humanity Awards Program](#)
 - o Our [Patents for Humanity Green Energy category](#)
 - o Expedited examination procedures through the [Climate Change Mitigation Pilot Program](#)
 - o Our [partnership with the World Intellectual Property Organization's WIPO GREEN Program](#)

Through this important work, we are supporting and implementing Biden Administration priorities that seek to bolster our country's resilience and prosperity, including in key areas such as the environment, climate, and health. The USPTO is also helping to advance the Biden Administration's commitment to unleashing America's potential. Furthermore, the USPTO is crafting a strong IP protection framework that will support the achievement of the goals of the Inflation Reduction Act, the CHIPS and Science Act,

and other key legislation that will create and invest in innovation hubs, shore up our supply chains, and revitalize American manufacturing. This work lays the foundation for efforts to help future generations succeed and thrive.

We are expanding opportunities to bring more inclusive innovation to impact to advance our economy



Director Vidal and the Co-Vice Chairs of CI² met in an ideation workshop to develop a whole-of-government approach to identifying key barriers to entry and potential solutions to help build an equitable, comprehensive plan to enable more Americans to access the innovation and entrepreneurship ecosystem and innovate in areas that are essential to America's future. (Photos by Jay Premack/USPTO)

In order for our IP ecosystem to enhance U.S. competitiveness, create jobs, and grow our economy, we must bring more people into the innovation and entrepreneurship ecosystem and give them the support they need to bring their ideas to market.

Last year, we expanded our [Council for Inclusive Innovation \(CI²\)](#) and I joined the Economic Development Administration's [National Advisory Council on Innovation and Entrepreneurship \(NACIE\)](#) as a Co-Chair to work across government and with the private sector to expand the innovation ecosystem, especially among under-represented and under-resourced groups and in key technology areas.

Under CI², we launched our [First-time Filer Expedited Examination Pilot Program](#) to assist qualifying independent inventors and small businesses with getting a patent faster and to help their businesses grow.



On November 30, 2022, the USPTO held the official launch event for Women's Entrepreneurship (WE), a community-focused, collaborative, and creative initiative to encourage and empower more women founders across America. (Photos by Jay Premack/USPTO)

We are also digging deep in specific communities:

- Women entrepreneurs
 - o We co-founded, along with U.S. Secretary of Commerce Gina Raimondo, our [WE Initiative](#) to inspire and empower more women leaders to jumpstart their journeys of innovation.
 - o We are working with the Intellectual Property Owners Association and other associations to create a “mentorshipIP” program that facilitates meaningful interactions between budding women entrepreneurs and successful women who can share lessons from their experiences.
 - o We issued our [study](#) on the geography of women in patents to better understand economic and socioeconomic correlations with patenting by women.
- Entrepreneurs of color
 - o We are working with historically Black colleges and universities and minority serving institutions on expanding tech transfer initiatives.
 - o We are more fully engaged with the Native American community on how we can best support innovation and entrepreneurship on tribal lands and elsewhere.
- Military and veteran entrepreneurs
 - o We have worked to support more active military, military family members, and veterans and to encourage them to bring their innovations to life, build successful businesses, and protect their creations with IP.
 - o We've met incredible people hustling to start new businesses and commercialize their products during events at Fort Bragg, MacDill Air Force Base, and the military innovation competition Dragon's Lair 8.



Director Vidal has met with service members and military family members at Fort Bragg and MacDill Air Force Base and participated in the Dragon's Lair 8 competition finals at the University of South Florida. (Photos by Michael Cleveland/USPTO)

While we work to support our current pipeline of talent in America, we must also foster an innovation mindset in the next generation. Last year alone, more than 280,000 children participated in invention education activities through our partnership with the National Inventors Hall of Fame's [Camp Invention summer camps](#) and other innovation programs. We also launched a new online resource, [EquiP HQ](#), which features online games, interviews with inventors, and lesson plans for the classroom, and we hosted events throughout the year for K-12 educators, including [monthly webinars](#), our annual [National Summer Teacher Institute](#), and our first ever [Master Teacher of Invention Education Program](#).



From our partnership with the National Inventors Hall of Fame, which provided hands-on learning to over 280,000 K-12 students last year through programs like Camp Invention, to our National Summer Teacher Institute, a yearly program that gives K-12 teachers in-depth training on integrating invention education into their classrooms, the USPTO is reaching students where they are.

As we expand participation in the IP ecosystem, we are doubling down on our pro bono legal services (free to qualifying applicants), which will open the doors for additional support and representation for innovators while maintaining the high quality of representation before the USPTO.

We have also expanded our free resources and pro bono programs. Over the past year:

- Our [free services webpage](#) has amassed over 77,000 views, ranking it among the most popular pages on our website.
- We launched the [Trademark Trial and Appeal Board Pro Bono Clearinghouse Program](#).
- We launched the [PTAB Pro Bono Program](#).
- We expanded the [Law School Clinic Certification Program](#).
- We solicited feedback on [ways we can expand the patent bar, create a design bar, and expand opportunities for practice before the PTAB](#).

When we meet people where they are with our Patent Pro Bono Program, 43% of those we assist self-identify as women, 35% as identify African American or Black, 14% identify as Hispanic American, 8% identify as veterans, 5.7% identify as Asian American or Native Pacific Islander, and 1.5% identify as Native American. With this kind of data, we know that innovation is everywhere, and through our continued commitment to meet people where they are, we will make our great country stronger and more resilient.

We are excited about what the rest 2023 will bring and look forward to making a meaningful impact for our country and all of you!

