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

BEFORE THE
**SUBCOMMITTEE ON INTELLECTUAL PROPERTY
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE**

“Oversight of the U.S. Patent and Trademark Office”

September 29, 2026

I. Introduction

Chairman Tillis, Ranking Member Schiff, Chairman Grassley, Ranking Member Durbin, and Members of the Subcommittee:

Thank you for the opportunity to report on the work of the United States Patent and Trademark Office (USPTO or the Office) and on the progress America’s Innovation Agency has made over the past year.

I am grateful for this Subcommittee’s sustained attention to the patent and trademark systems. Congress built the legal architecture within which we operate, and our shared obligation is to ensure that architecture continues to reward American ingenuity, support investment, and strengthen the Nation’s economic and national security.

President Trump has called on the United States to usher in a Golden Age of American Innovation. That charge provides direct operational opportunities for the USPTO. To flourish and become new engines of prosperity, new technologies must be protected, financed, manufactured, licensed, branded, scaled, and brought to market. They must enter the economy. Born strong intellectual property rights provide the legal infrastructure that makes those steps possible.

For me, America First intellectual property policy begins with a straightforward objective: the United States should be the best place in the world for innovators to come to protect, brand, and ultimately commercialize the next generation of technology and value. As we have celebrated America’s 250th anniversary this year, we have rediscovered that there is nothing in the world

quite like American ingenuity. Our job at the USPTO is to make sure there is nothing in the world like American ingenuity for at least the next 250 years.

In remarks delivered to stakeholders, at WIPO, at convocations directed toward global innovation, the USPTO's just-released economic report (based on 2024 data) shows the importance of IP-intensive industries to the US private sector GDP – to the tune of \$11.4 trillion. I have described the USPTO as the Department of Commerce's Central Bank of Innovation because intellectual property is an economic asset. One of America's most important. Americans supply the ingenuity. The USPTO supplies the legal vehicles and initial economic infrastructure that together convert eligible inventions and brands into valuable property rights, capable of circulating through the economy. These rights must command respect both at home and abroad—for every patent or trademark we put into circulation can represent a job, a new business, a competitive advantage, an investible asset, or a life-saving drug. It is movement from an idea into the real world, into the real economy.

The data shows the scale of that through-line. As mentioned, the USPTO's report on intellectual property and the American economy, which was just released last month, found that IP-intensive industries accounted for approximately \$11.4 trillion, or 44 %, of private-sector U.S. GDP. Those industries directly employed 49.6 million American workers and supported an additional 16.2 million jobs through their supply chains—roughly 66 million jobs in all, or 44 percent of private-sector employment. Workers in IP-intensive industries also earned substantially more, on average, than workers in other industries. Intellectual property policy is, therefore, economic policy, industrial policy, technology policy, and, increasingly, national-security policy. And, America is now leading again.

My operating standard for the patent system is equally straightforward: American patents should be born timely, born strong, and born globally respected. “Born timely” means that an inventor should not lose a market window while waiting unnecessarily for the Office to act. “Born strong” means that a patent should issue only after rigorous, consistent, and high-quality examination and it should be reliable enough to support investment and commercialization. “Born globally respected” means that a U.S. patent should carry weight around the world and that American innovators should be able to protect and enforce their rights abroad without unnecessary friction.

We have meaningful momentum on each of those fronts. As of September 2026, the unexamined utility, plant, and reissue patent application inventory had fallen by approximately more than 83,000 applications from its all-time high—about a 10 % reduction. We have eliminated over 97 % of the inventory of patent applications that otherwise would have aged beyond 36 months. For trademarks, first-action pendency has fallen to approximately 4.2 months from a high of 8.5 months in 2023, even as filings have risen. At the Patent Trial and Appeal Board (PTAB), the *ex parte* appeal inventory has been reduced to roughly 1,800 cases and maximum pendency to approximately nine months. At the same time, we have deployed new tools and programs described in more detail below—LOOP, ASAP!, SMEDs, Class ACT, PTAB STRONG,

COMPASS, SCOUT LLM, and others—to improve quality, accelerate time to market, and create a more accountable and responsive Office.

Those results belong to our dedicated professionals at the USPTO. I have said repeatedly that our patent examiners, trademark examining attorneys, administrative patent and trademark judges, technologists, attorneys, economists, and support professionals are the best in the world at what they do. During the last government shutdown, the USPTO remained operational on fee reserves and continued serving its stakeholders. That continuity reflected both the dedication of our workforce and the importance of the user-fee structure Congress created.

That leads to one immediate legislative priority for me: extending the USPTO’s authority under section 10 of the America Invents Act to set and adjust fees. It is currently extended through December 11, 2026. That authority is an essential financial-management tool for a fee-funded agency whose workloads, technologies, and operating costs change over time. I respectfully urge Congress to extend it further. Predictable fee-setting authority helps us preserve service continuity, invest in the tools our workforce needs, reduce pendency, and maintain the financial stability expected of America’s Innovation Agency. In short, it ensures America will lead.

II. America’s Invention Agency: The Patent Foundry

A. Born Timely: Backlog, Pendency, and Time to Market

Pendency is ultimately an economic metric. Every month of unnecessary delay can represent a financing event postponed, a hiring decision deferred, a product launch pushed back, or a competitive window lost. The patent bargain works best when the Office delivers a rigorous answer in a commercially meaningful timeframe. And the economic effect is measurable: studies show that even a one-week reduction in patent pendency can increase a U.S. company’s cumulative sales by approximately \$50,000 on average over the next five years.

During FY 2026, for the first time in nearly a decade, cumulative patent output exceeded cumulative filings over a sustained period. That is the inflection point required to reduce inventory rather than merely manage its growth. From an all-time high of almost 838,000 unexamined utility, plant, and reissue applications, the inventory fell below 754,000 by September—a reduction of approximately 84,000 applications, or about 10 percent. Of course, we have much, much more to do, but the script has been flipped. We understand that everything done to drive down the unexamined inventory meaningfully gets intellectual assets to market faster.

We also attacked the age of the queue. The Office has eliminated over 97 % of the inventory of unexamined applications that otherwise would have aged beyond 36 months, and we are working to eliminate the remainder. At the end of FY2025, a full 10% of our unexamined inventory had been awaiting first action for over 29 months. We’ve focused on the tail and have worked to push that number down, reducing our longest wait times by over 7 months, to 21.5 in September.

While working the oldest cases can temporarily move headline first-action and total-pendency measures in the wrong direction, the underlying queue becomes healthier. We made the conscience decision to solve the underlying problem rather than optimize a snapshot. The inventory is smaller, materially younger, and moving in the right direction.

Our objective is sustained throughput with high quality. We have focused production resources on examination, improved workload balancing, modernized search and classification tools, reduced avoidable non-production burdens, and hired and trained examiners to strengthen capacity. Together, these add up to an increasingly more nimble time-to-market strategy for American innovation.

B. Born Strong: Quality, Examination, and AI

Of course, speed without reliability is of little value to inventors, investors, competitors, or the public. A patent should emerge from examination as a definable property right, and one in which the market can have confidence from the get-go. That is what I mean by “born strong.” Patent quality begins with the applicant even before filing, engages with the Office at filing, continues through search and examination, and is informed by what the Office learns during examination and the market has learned after issuance.

One of the most important changes we have made is to connect the front end and back end of the patent system. Through Learning from Outcomes to Optimize Patents (LOOP), PTAB and the Patent business unit use examples of potential examination error identified in post-grant proceedings as structured learning material for supervisory patent examiners. The purpose is simple: when the Office learns something material on the back end, that knowledge should improve examination on the front end. The higher the quality of initial examination, the less often the system should need a corrective proceeding later.

We are also using artificial intelligence (AI) to strengthen examiner access to prior art and efficiencies and thereby strengthen the bases of the exercise of examiner judgment. Our governing principles in using AI are that examiners should lead and that tools should support and work for the examiner. Only launched a few months back, our Application Summary tool has been used more than 100,000 times to help examiners identify the technical essence of complex applications and focus their prior-art work. Compliance Monitoring and Processing for Applied Sequence Standards (COMPASS) automates portions of the labor-intensive review of biological sequence submissions and was prototyped and validated by the employees who do that work. Our Key Assessment Tool (KAT) initiative is testing agentic pre-examination functions with subject-matter experts validating results before those functions are trusted at scale.

Earlier this fiscal year, we also ran the Artificial Intelligence Search Automated Pilot Program—ASAP!—to test whether an automated search conducted before examination could identify potentially relevant prior art sooner. The pilot was designed to give applicants an earlier look at potential prior-art issues and to give the Office evidence about where AI-assisted search can

improve quality and efficiency. That kind of structured experimentation is how the USPTO should adopt and use AI: defined use case, a measurable objective, human validation, a record from which we can learn and metrics by which we can leverage better outcomes.

The same discipline applies to our broader AI roadmap. We are adopters. We are assessing tools for prior-art analysis, image search, application intake, drafting assistance, and other examination tasks. In this way, we are deploying AI where it makes a skilled examiner faster, more consistent, and better informed while preserving the examiner's legal and technical judgment. In a world in which the pace of invention is accelerating, a modern USPTO must itself be an innovation organization.

C. Digital Design Protection

American innovators also deserve protection that keeps pace with the way products are actually designed and experienced. For years, U.S. businesses faced uncertainty about design protection for digital designs, including graphical user interfaces and other designs that appear electronically rather than as traditional physical ornamentation. On March 11, 2026, I issued guidance clarifying that a digital design may qualify for design patent protection when it satisfies the statutory requirements for a new, original, and ornamental design for an article of manufacture. The issue had been under consideration for years. We brought it across the finish line because American design-intensive businesses should not be placed at a disadvantage in a global market increasingly defined by digital products and interfaces.

D. Integrity of the Patent System

A strong patent system also requires integrity in the record. Congress, through the Unleashing American Innovators Act (UAIA), gave the USPTO authority to address false assertions or certifications relating to fee status. The Patent Fraud Mitigation Unit uses that authority, together with existing Office rules, to identify improper entity-status assertions, falsified signatures, unauthorized representation, spurious high-volume filings, and material misrepresentations submitted to the Office. That work protects honest applicants from bearing the cost of abuse and protects the reliability of our public records.

The growth of generative AI makes that responsibility even more important. Parties remain responsible for what they submit to the United States Government. AI-generated text does not excuse a false factual assertion, a fabricated citation, or an inadequately reviewed filing. We are pairing new technology with clear accountability because confidence in a property-rights system depends on the integrity of the record from which those rights issue.

E. PTAB: Expert Review, Accountability, and Predictability

The PTAB is an essential component of the American patent system. It hears appeals from adverse examiner decisions and administers the post-grant review proceedings Congress created

in the America Invents Act (AIA). Those functions affect patent quality, investment certainty, litigation costs, manufacturing decisions, and confidence in the overall system. Therefore, they deserve both technical excellence and institutional clarity.

Operationally, the Board is performing well. It has continued to meet every statutory deadline in AIA trial proceedings while reducing the *ex parte* appeal inventory to roughly 1,800 cases and maximum pendency is no more than nine months. Faster *ex parte* appeals are important for the same reason faster examination is important: an applicant awaiting a Board decision is also awaiting commercial certainty.

On institution decisions, I have worked to return the Board to the statutory design Congress intended. Sections 314 and 324 assign the institution decision to the Director and establish different thresholds for *inter partes* review (IPR) and post-grant review (PGR) proceedings. They also leave room for the Director to exercise the discretion Congress provided within the bounds of the statute, the Constitution, and other applicable law. There is no predetermined institution rate that must be achieved, rather the institution rate is the result of the cases presented and the governing law, not a targeted number.

In 2025, the Office centralized discretionary institution review in the Director's office and subsequently centralized merits institution determinations as well. That reset allowed the Office to articulate policy consistently, apply the governing thresholds with single accountability, and develop a more complete institutional record. Administrative patent judges have remained deeply involved: they analyze the facts, identify important and novel issues, and provide the technical and legal work that supports consistent decision-making.

I have also used precedential decisions to make the principles governing discretion more transparent. In *Magnolia Medical Technologies, Inc. v. Kurin, Inc.*, for example, I explained that discretionary review must remain tethered to Congress's statutory design and to public-interest considerations such as the economy, the integrity of the patent system, efficient administration of the Office, and the Office's ability to timely complete instituted proceedings. No single discretionary consideration is dispositive, and domestic manufacturing, parallel litigation, serial petitions, apparent examination error, and other relevant facts and market factors are evaluated as part of the record presented in a particular case.

Apparent examination error is especially important as it is always a potent through-line. Indeed, I recently instituted an IPR challenge with a patent that is over 20 years old and had already expired when an IPR petition was filed. When a petitioner makes a persuasive showing that the Office may have erred in issuing a claim, IPR or PGR can be an efficient mechanism for redress. LOOP then carries the information learned back into examination. That is the system working as a complete system—review informing quality, rather than review existing as an isolated second track.

At the same time, Congress did not design IPR as an unlimited series of duplicative administrative attacks. The Office has proposed amendments to its IPR institution rules to address duplicative and serial challenges, preserve adjudicative capacity, and increase predictability. As part of the rulemaking process, the proposal received over 11,000 comments, more than 2,800 of which were unique comments. We are reviewing those comments as part of the rulemaking process.

Our real-party-in-interest work advances the same goal of accountability. The AIA expressly requires IPR and PGR petitions to identify all real parties in interest before they may be considered. Enforcing that requirement helps the Office and the courts apply statutory bars and estoppel where appropriate, manage conflicts, understand who is invoking the federal administrative process, and account for national-security considerations where the facts and/or appropriate reciprocity require it. Transparency about the real party behind a petition is a basic condition of sound adjudication.

I also designed PTAB STRONG—Support, Training, Resources, Opportunities, Networking, and Guidance—to build institutional alignment among administrative patent judges and the Office of the Under Secretary. The program combined internal learning with engagement from experienced academics and practitioners on institution standards and Board administration. Its purpose was to ensure that the reset became institutional knowledge rather than a set of individual decisions. Based on the progress of that work, I have announced my intention to return merits institution determinations to the PTAB in October, one year after they were centralized. Accountability and institutional development should reinforce one another.

Finally, when I speak about “quiet title,” I mean greater protection against repeated or duplicative administrative attacks after the Office and the market have had a meaningful opportunity to assess a patent. Traditional invalidity defenses remain available in district court and at the U.S. International Trade Commission. The policy question for the USPTO is how to administer the additional, discretionary administrative review Congress created in a way that promotes quality, efficiency, and predictable property rights.

F. Fee-Setting Authority

The operational progress I describe herein depends on the ability to effectively manage a large solely fee funded agency responsibly. Fee-setting authority, provided in Section 10 of the AIA, allows the USPTO to adjust its fees after a thorough analysis and public process so that revenues, workloads, and mission requirements remain aligned. It is one of the Office’s most important financial-risk-management tools.

The authority is currently extended only through December 11, 2026. I welcome the opportunity to work with this Committee and Congress on a further extension so that the Office can continue to plan, invest, and serve its users without avoidable financial uncertainty. Indeed, for the record, I include last year’s [FY 2025 Agency Financial Report](#), which details the strong business and

risk management the agency undertakes to deliver for American ingenuity. And, I'm proud to report that we received a Best-in-Class award for outstanding leadership message in delivering our report.

III. America's Branding Agency: Protecting the American Brand

A. Trademark Pendency and Throughput

The trademark side of the USPTO is equally important to American commerce. A brand can be among a company's most valuable assets, and, for a small business, athlete, creator, or entrepreneur, a federal trademark registration can be the foundation for expansion into new markets. Our job is to make that system timely, accurate, accessible, and difficult to exploit.

We have made substantial progress on pendency while filings have continued to rise. FY 2026 filings are up approximately 11 % over the comparable prior-year period. Even with that growth, average first-action pendency has fallen to approximately 4.2 months from a high of 8.5 months in 2023, and average disposal pendency has fallen to approximately 9.8 months from 14.7 months. Over the last two fiscal years, productivity on new application examination increased approximately 11 %. Those results reflect better intake, smarter forms, improved workflows, incentive structures, targeted hiring, and increasing use of automation and AI.

The larger point is the same as in patents: time to decision is time to market. When an entrepreneur files a trademark application before a launch, a licensing campaign, a sponsorship, or an expansion, the calendar matters. America's Branding Agency should operate at the speed of American commerce without compromising the integrity of the register.

B. Class ACT and AI-Assisted Trademark Operations

Class ACT is a powerful example of what operating at the speed of American commerce looks like in practice. The Trademark Classification Agentic Codification Tool immediately assigns international classes, design search codes and pseudo marks to incoming applications, making those records searchable far earlier in the process. Work that previously took approximately five months can now be accomplished in approximately five seconds. Yes –five seconds. Indeed, Class ACT has already analyzed more than 350,000 trademark applications. The results have been remarkable—improving speed and consistency, while getting useful information into the hands of our trademark examining attorneys and the public dramatically sooner. Class ACT also supports applicants in the Trademark Center by generating proposed mark descriptions and color claims.

The Trademarks organization has also deployed AI-enabled image search and expanded access to SCOUT LLM, the USPTO's controlled generative-AI environment. As on the patent side, trademark examining attorneys lead and tools support. We are building workspaces and evaluating use cases that can assist with identification of goods and services, evidence gathering,

translations, quality review, fraud detection, and other repetitive or search-intensive tasks while preserving human legal judgment.

C. Register Integrity, Fraud, and Government Impersonation

Speed has value only if the register remains trustworthy. The Office continues to confront sophisticated filing fraud, government-impersonation scams, unauthorized representation, and abuse of USPTO.gov accounts. In FY 2026, the Office received nearly 20,000 scam-victim emails. The Trademarks organization has removed more than 9,400 applications and registrations for nonuse and fraud, shut down more than 1,200 USPTO.gov external user accounts for violations, and worked with registrars to suspend more than 700 infringing or impersonating domain names.

We are also building a safer and more robust customer experience. Real-time account monitoring, risk-based application screening, improved case-management tools, and a customer portal can make the USPTO's own authenticated account the authoritative place for an applicant to verify deadlines, fees, and case activity. Government impersonators thrive on confusion. A secure, direct relationship between the Office and the applicant reduces that attack surface.

D. Name, Image, Likeness, and the New Personal Brand Economy

The branding economy is also changing. Application filings are on the rise as student-athletes, entertainers, creators, founders, and other public figures increasingly build businesses around their names, voices, images, motion, and other source-identifying elements of a personal brand. AI-generated deepfakes raise the stakes by making unauthorized imitation cheaper and more convincing. Federal trademark registration is one important part of the protection toolkit when a name or other indicia functions as a mark. We are expanding education and engagement so that young entrepreneurs understand how federal trademark rights can help them build and defend a legitimate brand before a problem arises.

IV. The Office of the Under Secretary: Innovation Policy

A. Section 101 and Patent Eligibility

The USPTO's responsibilities extend beyond examination and registration. Under Title 35, the Office advises the President, through the Secretary of Commerce, and other federal agencies on domestic and international intellectual-property policy. Few issues illustrate the economic importance of that role more clearly than patent eligibility under 35 U.S.C. § 101.

Section 101 is thirty-six words of deliberately broad statutory text. It authorizes patents for “any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof.” The categories were written to endure technological change. The inventions at the frontier today—AI, quantum technologies, diagnostics, advanced computing, biotechnology, and new uses of known technologies—should be evaluated with disciplined

adherence to the statute and the judicial exceptions the Supreme Court has recognized, without overgeneralizing away a concrete technological improvement.

On my first full day after confirmation, the first two patents I signed into issuance were in distributed-ledger technology and medical diagnostics. That was deliberate. Those fields sit directly in areas where eligibility uncertainty can affect investment. That same week, I authored the PTAB Appeals Review Panel decision in *Ex parte Desjardins*, which was later designated precedential. The *Desjardins* decision addressed an improved method for training machine learning models to reduce “catastrophic forgetting” and emphasized the importance of identifying the claimed technological improvement rather than describing it at an artificially high level of abstraction.

I sometimes refer to the inquiry as looking for “Something Morse,” a reference to Samuel Morse’s eligible fifth claim on his famous “Morse code” for transmitting information telegraphically. The point is not a slogan—it is a reminder that the eligibility inquiry should identify the concrete technological contribution actually claimed in the patent. Sections 102, 103, and 112 remain the principal statutory tools for novelty, nonobviousness, enablement, written description, and claim scope. Collapsing those distinct requirements into an overbroad eligibility analysis can create uncertainty without improving patent quality.

We have translated that policy into examination practice. The Office issued updated guidance following *Desjardins*, provided targeted training in software, AI, and machine learning arts, and created a voluntary framework for Subject Matter Eligibility Declarations (SMED). I view a SMED as a modern constructive model: objective evidence in the record that can help an examiner understand a technical improvement that may be difficult to see from the face of software code, an algorithm, a diagnostic correlation, or another less tangible technology. This is exactly what patent models used to do, back in the day.

I have also convened an internal Section 101 working group so that examination, PTAB adjudication, and the Office’s litigation positions remain aligned with the statute and with one another. Patent eligibility is not an abstract law school debate. It affects where capital flows, where companies conduct R&D, whether startups can attract financing, and whether breakthrough technologies are developed and commercialized in the United States.

B. AI Policy and American Leadership

Artificial intelligence is both a subject of intellectual property policy and a tool for administering the intellectual property system. On the policy side, the Office revised its guidance on AI-assisted inventorship to make clear that the ordinary legal standard for inventorship continues to apply when AI tools are used in the inventive process. We also established an AI Policy Working Group to identify emerging legal issues, coordinate policy across the agency, and represent U.S. interests in international forums including the World Intellectual Property Organization (WIPO), the G7, the IP5 (a cooperation of the USPTO, the European Patent Office, the Japan Patent

Office, South Korea's Ministry of Intellectual Property and the China National Intellectual Property Administration), and the Trilateral Cooperation (a cooperation of only the USPTO, the European Patent Office, and the Japan Patent Office).

That work was reflected earlier this month when the United States hosted the G20 Innovation Ministerial in Chapel Hill, North Carolina. The G20 Ministers reached consensus on the *Carolina Principles for Emerging Technologies*, establishing a pro-innovation framework that follows technology across its lifecycle from foundational research, through commercialization, and into widespread adoption and deployment. Importantly, the Ministerial produced consensus on intellectual property policies for AI by recognizing the role of robust IP and trade secret protection, enforcement, and appropriate remuneration in sustaining the investment necessary for technological progress. These principles reinforce an important point: emerging technology policy must create the conditions in which human ingenuity can be protected, financed, commercialized, and brought into the real economy. The strategic objective is American leadership. A nation seeking to lead the AI race should have an intellectual property office capable of understanding the technology and administering rights at its pace.

C. Standards, SEPs, and SPARK

Voluntary technical standards form the connective tissue of the modern technology economy. Telecommunications, connected devices, advanced manufacturing, and increasingly AI depend on interoperable standards. Those standards are built through enormous private investment in R&D and through engineers who contribute patented technology to standards-development organizations.

In December 2025, I established a Standard Essential Patent (SEP) Working Group focused on three objectives: robust and predictable remedies for valid patent rights; meaningful U.S. participation in standards development, especially by smaller companies, universities, and nonprofit organizations; and greater transparency and engagement around SEP licensing. If American engineers are absent when the technical rules of the next generation are written, America cedes influence before the market has even formed.

The SPARK Pilot Program—**S**tandards **P**articipation and **R**epresentation **K**udos—turns that policy into a concrete incentive. U.S.-domiciled small businesses, universities, and nonprofit organizations that meaningfully participate in voluntary consensus standards work may qualify for expedited examination of a patent application or an *ex parte* appeal. It is a targeted way for the USPTO to recognize that standards participation consumes scarce time and resources and that broader American participation advances both U.S. competitiveness and national security.

D. Remedies and the Right to Exclude

A patent is a property right whose core statutory attribute is the right to exclude. That right has economic value only when the legal system provides meaningful remedies for infringement.

Therefore, under my leadership, the USPTO has been willing to formally state its views in litigation when an issue implicates the functioning of the patent system as a whole.

Working with the Department of Justice (DOJ) Antitrust Division, the Office has filed Statements of Interest in several cases. In *Radian Memory Systems v. Samsung*, No. 2:24-cv-1073 (E.D. Tex. June 24, 2025) in the Eastern District of Texas, we made clear both that the incentive to innovate is undermined when preliminary injunctions are unduly limited, and that irreparable harm is common in patent cases precisely because patents are unique assets that are hard to value. We explained that damages alone can be insufficient to capture the loss of market position, reputation, and the “first-mover” advantage that innovation provides. When injunctive relief is requested, courts should have a line of sight into the complex reality of the innovation economy.

We followed this with a filing in *Collision Communications v. Samsung*, No. 2:23-cv-0587 (E.D. Tex. Aug. 26, 2025), where we again joined the DOJ Antitrust Division to explain that categorically limiting a patentee’s ability to seek injunctive relief can undermine the very competition antitrust laws seek to protect.

Perhaps most critically, in the *Certain DRAM Devices* investigation at the U.S. International Trade Commission (USITC), the USPTO filed its first-ever public interest submission at the USITC to emphasize that strong enforcement of valid U.S. patents is itself an important public interest. Predictable remedies support licensing, technology transfer, commercialization, and the willingness to invest in expensive R&D. They also reduce the incentive to treat infringement simply as a cost of doing business.

E. Born Globally Respected: International IP and America First

American innovators compete globally from the moment a product leaves the laboratory. Our international policy, therefore, begins with protecting American rights abroad and reducing unnecessary friction in obtaining and enforcing them. America First IP policy means insisting on strong protection for U.S. innovators, resisting foreign practices that weaken the value of American intellectual property, and using U.S. leadership to make international systems more efficient and predictable.

The USPTO remains active at WIPO, in bilateral and regional engagements, and through the Global Intellectual Property Academy (GIPA). In FY 2025, GIPA conducted 77 programs serving more than 3,800 participants, including foreign IP officials, judges, prosecutors, customs and law enforcement personnel, policymakers, and U.S. stakeholders. Training foreign officials on sound IP administration and enforcement serves American companies when they enter those markets.

We also continue to expand work-sharing and accelerated-grant arrangements that allow partner offices, consistent with their national law, to rely on high-quality USPTO search and

examination. Ten Accelerated Patent Grant arrangements are currently in place. Each agreement that reduces duplicative work can lower costs, shorten time to protection, and increase the global weight of a U.S. patent.

Our IP Attaché Program is another front-line asset, and a tremendous global resource for our stakeholders. Fourteen attachés serve in embassies, consulates, and U.S. missions in key markets and regions around the world, working with the Department of State, the International Trade Administration, and the Office of the U.S. Trade Representative. They advocate for U.S. policy positions, help American companies navigate local systems, train foreign officials, and report emerging risks. I appreciate Congress’s longstanding support for this program.

To be sure, many substantial international challenges exist. American companies continue to confront bad-faith trademark practices, patent infringement, trade secret theft, counterfeiting, and government interventions that can distort licensing and market access. For specific countries, the USPTO conducts IP roadshows and webinars for U.S. entities doing business in those regions, and the USPTO works across the Federal Government to respond to those risks. Protecting the American innovation base requires attention both to who receives rights here and to whether American rights are respected and protected abroad.

V. Expanding the Front Door to America’s Innovation System

At its core, our great patent system rests on the great patent bargain. Ours is the greatest in economic history: disclose your invention to the world and, if you satisfy the law, receive a time-limited right to exclude. George Washington signed the first U.S. patent in 1790, and President Trump signed U.S. Patent No. 10,000,000 in 2018. And, on our current trajectory, around this time next year, I look forward to proudly presenting President Trump with U.S. Patent No. 13,000,000 for his signature.

You see, America’s bargain is written into the Constitution itself. Indeed, the word “Right” appears only once in the original Constitution—and it appears in Article 1, Section 8, Clause 8, where the Framers empowered Congress to secure to Authors and Inventors the “exclusive Right” to their respective Writings and Discoveries. I believe there is no better patent bargain in the world to be made than with America. At America’s Innovation Agency, our job is to make that bargain stronger still—patents born timely, born strong, and born globally respected—and then make certain that American inventors everywhere know that the front door is open to them.

That said, the best patent and trademark system in the world has limited value to an inventor who does not know how to enter it. That is why outreach is the top of the innovation funnel, rather than an ancillary communications function. The Office should meet inventors, entrepreneurs, universities, small businesses, and creators where they are, help them understand the IP tools available, and connect them to the resources that can turn an idea into a protected IP asset and, ultimately, a business.

Our Regional Outreach Offices provide that infrastructure across the country, and we have expanded the model through Community Engagement Offices built with local innovation ecosystems. The network now includes offices at the University of New Hampshire, the University of Utah, Montana State University, Alabama A&M University, the Atlanta University Center Consortium, North Carolina State University, and the University of South Florida. These are nodes, and their value is measured by the entrepreneurs, inventors, researchers, and small businesses they connect to the federal IP system.

In FY 2026, our regional and community engagement teams met with more than 52,000 stakeholders, participated in more than 400 events, and held more than 700 stakeholder meetings. We are also evaluating additional community engagement office locations in the Southwest Region. The goal is national coverage that reflects where innovation actually occurs—in research universities and national laboratories, in manufacturing corridors and startup hubs, and in communities far from Alexandria, Virginia that may never have considered the USPTO as accessible to them.

We have also created specialized engagement points for emerging markets. Our Emerging Technologies Office at the National AI Center in San Francisco, developed with the International Trade Administration, brings the USPTO directly into the country's leading AI ecosystem and supports the Administration's AI leadership agenda. We intend to develop a Name, Image, and Likeness Program Office at the University of Colorado Boulder to help athletes and other young entrepreneurs understand the relationship between personal branding, federal trademark protection, licensing, and the risks created by deepfakes and impersonation.

The Patent and Trademark Resource Center (PTRC) network extends that front door through libraries across the country. With 104 PTRCs operating in 48 states, Puerto Rico, and the U.S. Virgin Islands, trained librarians provide free access to search tools, educational programming, and navigation assistance. Innovation should not depend on whether an inventor happens to live near Washington or already knows an intellectual property lawyer.

VI. Modernizing America's Innovation Agency

A twentieth-century technology stack cannot support a twenty-first-century innovation economy. The USPTO depends on IT for virtually every filing, search, examination, registration, appeal, and public interaction. Modernization is therefore core mission infrastructure.

In 2025, Patent Center replaced six legacy systems and more than 200 aging servers with a modern filing environment. Across the enterprise, the Office has retired 52 legacy patent, trademark, corporate, and infrastructure-support systems, including major systems that had accumulated significant technical debt. Approximately 74 percent of USPTO products now operate in the cloud, which improves scalability, deployment speed, resilience, and, in many cases, cost efficiency. We also migrated critical systems to a modern data center with stronger disaster-recovery capability and improved security and stability.

AI is now part of that enterprise infrastructure. The USPTO's SCOUT LLM provides a controlled environment through which nearly 7,000 users can access leading models within USPTO policies and guardrails. More than 700 developers can use generative-AI coding assistance for modernization work. We have established an AI Hub, workforce training through an AI Academy, and risk controls intended to ensure that use cases satisfy security, mission, and accuracy requirements.

Our measure of success in all instances is whether applicants get better service, whether examiners and examining attorneys can devote more time to high-value legal and technical judgment, whether systems are more reliable, and whether the Office can nimbly process growing complexity and with higher quality outcomes. That is the discipline we are applying to our broad-based modernization efforts.

VII. Conclusion

Chairman Tillis, Ranking Member Schiff, Chairman Grassley, Ranking Member Durbin, and Members of the Subcommittee, the United States celebrated its 250th year with a remarkable inheritance: a constitutional and statutory system that has repeatedly converted individual ingenuity into national prosperity. The USPTO's charge is to help ensure the stability and flow of ideas, and by protecting them, encourage new ones, in a marvelous, virtuous cycle that has sustainably delivered prosperity and bettered people's lives for over 250 years, like no nation before, like no nation ever.

President Trump has called for a Golden Age of American Innovation, and, in that, the USPTO's role is equally clear. We must get strong patent and trademark rights into the hands of American innovators faster; make those rights reliable, predictable and respected in the marketplace; protect the integrity of our patent and trademark registers; ensure that American property rights receive meaningful protection at home and abroad; and keep the United States the best place in the world to invent, build, brand, invest, manufacture, license, scale and win.

The Central Bank of Innovation analogy is useful in this regard because systems that put hard dollars or soft-dollar assets into circulation share a common characteristic: they compound. A strong patent can attract investment, support a license, finance a factory, create a job, and generate the next round of R&D. A trusted trademark can turn reputation into enterprise value and let a small business scale beyond its first market. Each reliable right placed into circulation can become the foundation for the next act of American innovation and the next push on the innovation frontier.

We are meeting the moment: the patent backlog is down; the oldest inventory has been nearly eliminated; trademark pendency has been cut dramatically; *ex parte* appeals are moving faster; AI-assisted tools are improving search, classification, and workflow; PTAB learning is feeding back into patent examination; and our engagement network is bringing America's Innovation

and Branding Agency closer to innovators across the country. Our task now is to compound those gains.

I appreciate the Subcommittee's partnership and its oversight. I look forward to working with the Members on extending our fee-setting authority and on the statutory and policy issues that will ensure that the United States continues to lead the world in innovation. Our standard is clear and has never been more important: patents born timely, born strong, and born globally respected; brands protected with speed and integrity; and an intellectual property system that propels the Golden Age of American Innovation.

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