

Statement of Michelle K. Lee

**Nominee for Under Secretary of Commerce for Intellectual Property and Director of the
United States Patent and Trademark Office**

**Before the
Senate Judiciary Committee
December 10, 2014**

Chairman Leahy, Ranking Member Grassley and distinguished members of the Committee, Thank you for the opportunity to appear before you today. I am honored and grateful to President Obama for nominating me for this important position and to Secretary Pritzker for her past and ongoing support for me in this role.

With me here today, and without whom I would not be here today, are my husband, Christopher Shen, our four-year old daughter Amanda Mavis, and my mother Agnes, who traveled from her home in Palo Alto, California.

I was born and raised in the Silicon Valley, the daughter of an immigrant family that settled in a place that turned into one of the most innovative regions in our country, if not the world. My father was an electrical engineer. We spent many of our weekends and evenings tinkering, working together to fix or build things, like a Heathkit handheld radio.

In fact, all the dads on the street where I grew up were engineers, innovators in the truest sense of the word. It was not uncommon for them to work for companies founded by a person with a clever invention, who patented that invention, and who obtained venture capital funding to start a company to bring the technology to the marketplace.

Some of the companies succeeded. Some did not. But for those that did, they created good jobs for families such as mine and, in some cases, new products and services that revolutionized the world and the way we live.

Seeing that process up close and personal growing up left a lasting impression on me. I wanted to contribute, and enable others to contribute, to innovation. It's why I studied electrical engineering and computer science and later intellectual property law with the goal of representing innovative companies.

While working at M.I.T.'s Artificial Intelligence Laboratory and Hewlett-Packard's Research Labs as a computer programmer, I witnessed innovation at its inception. It was an exciting experience I'll never forget, and one that still informs my work to this day.

Later, as an attorney, I worked on patents and patent strategy for a then-small company that grew into a Fortune 500 corporation in the span of eight short years. Along the way, we built the company's patent portfolio from a few handfuls of U.S. patents to over 10,500 patents worldwide, and in the process I used many of the services of the USPTO.

Through my experiences as an in-house corporate counsel and, before that, as a partner in a Silicon Valley law firm, I represented a wide range of innovators, from independent inventors to Fortune 500 companies. I came to understand and practice many areas of intellectual property law and almost every aspect of patent law—including writing patents, asserting patents, defending against patent infringement, and licensing, buying and selling patents.

I understand and appreciate, from a business perspective, the important value and uses of intellectual property for innovators and to our economy.

During the past three years, through my service on the USPTO's Patent Public Advisory Committee, then as the agency's first Silicon Valley satellite office director and, now, during the last year as the Deputy Under Secretary and Deputy Director – I have been leading the agency and worked with a broad range of stakeholders from every industry while gaining a first-hand understanding of the USPTO – its strengths, challenges, potential and opportunities.

I have seen and worked with the impressive talent of the dedicated USPTO team. It's clear to me how the USPTO's work benefits our nation's innovators, large and small.

I believe that the USPTO must remain focused on reducing backlog and pendency of its patent applications while maintaining the highest level of quality for both patent and trademark examination. Given the increasingly global economy, it is also imperative that American companies have access to efficient, cost-effective and strong intellectual property protection overseas.

In my current role, I have had the privilege of working on many of these initiatives, and if confirmed, would continue to work toward those important goals. Finally, as with any large organization, I appreciate the need to both effectively manage and motivate the USPTO workforce – this is especially true for an organization that has doubled in size during the last decade to keep up with our nation's innovation.

I believe that our intellectual property laws and the USPTO play a critical role in advancing American technological competitiveness which is so necessary for our nation's continued economic success.

If confirmed by the Senate, I commit to bring to bear all my energy, creativity and intellect to protect and strengthen the intellectual property system that has served our country so well.

Thank you.

* * *