

Client Alert.

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The Patent Office Knows the Way to San Jose (and Denver and Dallas)

By **Brian B. Ho** and **Michael R. Ward**

This week, the United States Patent and Trademark Office (“USPTO”) announced plans to open satellite offices in Silicon Valley (San Jose), Denver, and Dallas. The three new satellite offices will join the previously announced Detroit satellite office as part of the USPTO’s efforts to fulfill its requirement to expand and modernize under the *Leahy-Smith America Invents Act of 2011*. Notably, these satellite offices mark the first expansion of the USPTO outside the Washington D.C. metropolitan area since the USPTO was founded in 1802. The Detroit satellite office is scheduled to open on July 13, 2012, and the precise timelines and details for the three additional offices are expected in the upcoming months.

One of the main goals of the satellite expansion is to reduce the significant backlog of pending patent applications and the average pendency for patent examination, which currently averages approximately 34 months.¹ Moreover, the satellite offices will allow the USPTO to tap a previously unavailable pool of technically trained individuals to train and develop as patent examiners, particularly in the technology-rich Silicon Valley. For inventors and applicants, the satellite offices present a greater opportunity for direct interaction with examiners to advance prosecution and increase the overall quality of examination. The two Western satellite offices, Silicon Valley and Denver, will be particularly significant for Californian innovators. In recent years, California represented approximately 25% of the total U.S.-originated patent applications at the USPTO.² Of that 25%, nearly 15% originated from the San Francisco-Silicon Valley greater metropolitan area.³ The Silicon Valley satellite office will join and strengthen the remarkable innovation ecosystem that already includes world-class inventors, technology companies, and universities.

Morrison & Foerster, with offices in San Francisco, Palo Alto, and Denver, is well-positioned to assist our clients in taking full advantage of the new satellite offices. More information on the announced expansion may be found on the USPTO website, available at <http://www.uspto.gov/news/pr/2012/12-40.jsp>.

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¹ USPTO Patent Pendency Statistics, available at http://www.uspto.gov/about/stratplan/ar/2011/oai_05_wlt_04.html.

² USPTO Patents By Country, State, and Year - Utility Patents (2006 to 2010), available at http://www.uspto.gov/web/offices/ac/ido/oeip/taf/cst_utl.htm.

³ USPTO Patents by U.S. Metropolitan and Micropolitan Areas (2006 to 2010), available at http://www.uspto.gov/web/offices/ac/ido/oeip/taf/cls_cbsa/allcbsa_qd.htm.

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