

June 16, 2014

## Denver Satellite Patent Office Opens

The Denver satellite office of the U.S. Patent and Trademark Office will officially open on June 30, 2014. This is exciting news for Brownstein Hyatt Farber Schreck clients and the broader Denver and Rocky Mountain community for several reasons.

Brownstein's clients can take advantage of having the Patent Office and their patent attorneys located in a geographic area with a less expensive legal market than the Patent Office's main operations in Arlington, Va. The new facility located in the Byron G. Rogers Federal Building in downtown Denver has high-quality teleconferencing equipment for examiner interviews, providing easier access to decision makers at the Patent Office. These interviews are often used to help an examiner understand the technology and basis of an invention, and are helpful in identifying issues that can be addressed in such a way as to get subject matter allowed as a patent. In-person interviews have, in the past, required travel by the inventor and his counsel to the Patent Office in Virginia, or otherwise to talk by phone. Thus, the ability to teleconference within the Patent Office's system will provide a more efficient and useful option for communicating with an examiner. The satellite office also includes a hearing room for holding various proceedings including the newly established post-grant proceedings under the America Invents Act (AIA). And finally, the satellite office will have a room and system dedicated to research on prior art and publications with free public access that is equal to the exact searching capabilities and system the examiners themselves utilize.

Increased integration of the Patent Office into local legal communities such as Denver allows the administrative patent judges to have relationships with and to communicate frequently with local counsel, which leads to local counsel having an understanding of procedures and particularities of judges on a given panel.

The local intellectual property community can also likely expect to see enhanced cooperation and communication between federal judges and the Patent Office regarding inter partes reviews (IPR), derivation proceedings and covered business method (CBM) reviews. For example, judges have the ability to grant stay motions for cases involving patents in IPR or CBM review, so an understanding of the timeline involved with such proceedings before the Patent Trial and Appeal Board (PTAB) will provide greater efficiency in the courts.

(see statistics here: <http://interpartesreviewblog.com/statistics-stays-view-ipr-cbm-proceedings/>)

Finally, the satellite office may have a positive impact on the local economy. The Patent Office is hiring patent examiners, primarily those with software and electrical backgrounds, and administrative patent judges to fill positions at the Denver location. The Patent Office will be able to tap into the talented pool of engineers that populate the Denver-metro area for examiners, and the many intellectual property attorneys well-qualified to sit as administrative judges. The satellite office should be able to retain talent given the lower cost of living (relative to the D.C. area) and offer the quality of life that has made Colorado famous.

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There are other unquantifiable advantages to having the Patent Office physically located in the Denver community, including public resources (for inventors, students, etc.), and access to information from local Patent Office officials. In the past, the Patent Office has offered small-business assistance, on-site inventor training, and other educational seminars from the Alexandria office. These resources might now be offered locally to the benefit of the local inventors and entrepreneurs. The local community has shown a willingness to invest time and money in science and technology, and having a local office to partner with in this outreach, particularly experienced examiners and judges, will provide short- and long-term benefits.

*This document is intended to provide you with general information regarding the opening of the satellite office of the USPTO. The contents of this document are not intended to provide specific legal advice. If you have any questions about the contents of this document or if you need legal advice as to an issue, please contact the attorney listed or your regular Brownstein Hyatt Farber Schreck, LLP attorney. This communication may be considered advertising in some jurisdictions.*

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