

**United States General Statement at the Standing Committee on the
Law of Patents 19th Session, February 25-28, 2013**

- Thank you Mr. Chairman.
- The U.S. delegation would also like to thank your for your skillful leadership of this Committee.
- We would also like to thank the Secretariat for its hard work in preparing for these meetings. The U.S. delegation appreciates the detailed studies and documents prepared by the Secretariat that will guide the SCP's work in addressing important questions of the current international patent system.
- The US delegation remains committed to an ongoing, balanced work program of the SCP. We look forward to engaging in rich and constructive discussions on all the issues before the Committee this week.
- In particular, the U.S. hopes that this week's discussions can be undertaken in a manner that seeks to improve the quality, functioning and effectiveness of the patent system as a tool to deliver economic progress.
- To that end, we are pleased to present our proposal on **Efficiencies of the patent system** (document SCP/19/4) to be discussed under the Agenda item 6, quality of patents and opposition systems.
- Mr, Chairman, we would like to take this opportunity to provide to the member states a brief update on the implementation of the Leahy-Smith America Invents Act, which was passed by the US Congress in September 2011.
- Our AIA implementation efforts are proceeding on a timely basis. American and other innovators seeking patent protection in the United States are currently seeing the benefits of this legislation. We have implemented most of the provisions of the AIA – all within the time frames prescribed by the Act. The remaining provisions (First inventor to File, Fee Setting and Micro-Entity) will be implemented as planned, in March 2013.
- Several of the AIA provisions, such as First Inventor to File, continue to align US law with the laws of many of our global partners.

- Other provisions contribute to form a more cost-effective administrative challenge mechanism to granted patents. These include the inter partes review and post-grant review. Yet other provisions are aimed at improving quality of the issued patents, for example the third party pre-issuance submissions system.
- In addition to the AIA implementation, the USPTO has been engaged in a number of initiatives aimed at improving the quality and efficiency of the patent examination process. In collaboration with a number of other countries, we continue to actively pursue ways to make use of previous examination results from partner offices under the PPH, PCT-PPH and PPH2.0 programs. We currently have 25 PPH partners and we hope that list will continue to grow.
- The USPTO has also been engaged in promoting patenting of technologies used in humanitarian endeavors, and in helping to move important innovations to the marketplace more rapidly.
 - o For instance, the USPTO recently announced the Patents for Humanity pilot program. This voluntary program encourages patent owners to address humanitarian needs with their patented technology. The program advances the US president's global development agenda by rewarding companies who bring life-saving technologies to underserved people of the world, while showing how patents are an integral part of tackling the world's challenges. Winners will receive a certificate for accelerated processing of select patent matters. The program creates a powerful tool for businesses to expedite handling of their most important matters and help validate technology in the market—leading to quicker and more efficient investment decisions.
 - o Another important program is a partnership between the USPTO and Cornell University in NYC that was announced in October 2012. USPTO placed a permanent staff member at Cornell's NYC Tech campus in order to bring its resources to the university community, helping students and faculty with intellectual property strategies, export assistance tools, government grants, and connecting with academic partners and early-stage investors.

- In conclusion, we would like to share our hope that under your able guidance, this session of the SCP will be productive and will achieve progress on the important issues in front of the Committee. You have our delegation's full support and commitment to engage constructively in the discussion.
- Thank you Mr. Chairman