



December 11, 2015

Hon. Charles Grassley, Chairman, Senate Committee on the Judiciary

Hon. Patrick Leahy, Ranking Member, Senate Committee on the Judiciary

Hon. Bob Goodlatte, Chairman, House Committee on the Judiciary

Hon. John Conyers, Ranking Member, House Committee on the Judiciary

Dear Chairmen and Ranking Members:

NTEU is proud to represent the administrative and clerical employees as well as the trademark attorneys of the U.S. Patent and Trademark Office (PTO). As you know, the PTO is of constitutional authority and does the important work of protecting the intellectual property of American inventors and businesses, playing an essential role in job creation and our economy.

I am writing to express my concern regarding proposals to have certain functions of the Office shifted to the Department of Commerce as part of a shared services initiative. The functions being considered for the shared services initiative include information technology (IT), human resources, and procurement. I believe that transferring these duties out of PTO to the departmental level would not benefit the unique needs of PTO. The Office has very particular personnel needs as well as IT systems that must be designed to respond to applicants' vital business needs and PTO's obligation to exchange information with the intellectual property agencies of other nations.

More importantly, NTEU is concerned that the shared services initiative could become a new form of fee diversion. Our union has opposed fee diversion at PTO and is grateful for your long standing support of our position. The Department of Commerce would be using fees paid by patent and trademark applicants for a portion of the costs of these shared services with no firm safeguards that the fees paid by applicants are being protected.

I hope that you share our reservations about this proposed action and will join with NTEU in asking the Department of Commerce not to mandate that PTO (the only fully fee funded bureau of the Department) participate in the shared services initiative.

If you or your staff have any questions on this matter, please feel free to contact Kurt Vorndran in our Department of Legislation at 202.572.5560 or kurt.vorndran@nteu.org. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Anthony M. Reardon". The signature is written in a cursive style with a large, prominent initial "A".

Anthony M. Reardon
National President