

Patent Docs

July 28, 2009

Senate Judiciary Committee to Consider Kappos Nomination on Wednesday

By [Donald Zuhn](#) --

On Wednesday, the Senate Judiciary Committee will hold a hearing on several nominations, including that of David Kappos for Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office. The Committee, which is scheduled to begin the hearing at 10:00 am (EST), will also be considering nominees for the Eleventh Circuit and the South Dakota District Court. A webcast of the hearing can be accessed [here](#).



In preparation for the hearing, the Committee has made available three letters it received in connection with Mr. Kappos' (at left) nomination. The letters were sent by the American Intellectual Property Law Association (AIPLA), the Intellectual Property Owners Association (IPO), and Henry Nothhaft, the President and CEO of Tessera. In its [letter](#), the AIPLA states that:

Mr. Kappos has been a member of AIPLA for nearly 20 years and has served as a member of the AIPLA Board of Directors for the last three years. Based on our own experience with him over this period, we know Mr. Kappos to have a rich and varied experience in intellectual property law and policy, and we believe him to be well qualified to serve in the position to which he has been nominated.

The AIPLA also noted that it had previously advised the Obama Administration that "a new USPTO Director must be an individual of the highest caliber who is experienced and is a highly respected leader in whom Congress and the community of intellectual property owners, businesses, and international communities can place their full confidence," and that it "believe[s] that Mr. Kappos' experience more than meets this standard."

The [letter](#) sent by the IPO also provides an endorsement of Mr. Kappos, stating that:

Mr. Kappos has an exceptional record in intellectual property law and significant experience in industry as a manager. He has worked within IPO and other associations to improve IP practice and communications with the USPTO. He meets all the qualifications that IPO set out recently in letters to the Obama Administration for the position for which he has been nominated.

Finally, in the letter sent by Mr. Nothhaft, the Tessera CEO notes that while "the [USPTO] is underfunded, overburdened, and faces huge hurdles in hiring and retention," Tessera supports the nomination and is "hopeful that Mr. Kappos can quickly address these issues to further strengthen the USPTO." Mr. Nothhaft also offers the Committee a list of recommendations for improving the USPTO, including adopting rules that prevent fee diversion and incentivize the issuance of quality patents, revising the fee structure to take into account the increasing complexity of many patent applications and perhaps charge higher fees for quicker prosecution outcomes, being more proactive in conducting interviews, and attracting and retaining a high-quality quality workforce (perhaps by creating virtual regional offices).

In addition to the letters in support of Mr. Kappos' nomination, the Committee has made available the nominee's [responses](#) to the Committee's background questionnaire, as well as links to the publications and other documents

listed on the questionnaire.

Posted at 11:59 PM in [Patent Office Rules & Procedures](#) | [Permalink](#)

TrackBack

TrackBack URL for this entry:

<http://www.typepad.com/services/trackback/6a00d83451ca1469e20115714fe6da970c>

Listed below are links to weblogs that reference [Senate Judiciary Committee to Consider Kappos Nomination on Wednesday](#):

Comments

Verify your Comment

Previewing your Comment

Posted by: |

This is only a preview. Your comment has not yet been posted.



Your comment could not be posted. Error type:

Your comment has been saved. Comments are moderated and will not appear until approved by the author. [Post another comment](#)

The letters and numbers you entered did not match the image. Please try again.

As a final step before posting your comment, enter the letters and numbers you see in the image below. This prevents automated programs from posting comments.

Having trouble reading this image? [View an alternate.](#)



