April 13, 2022

The Honorable Katherine Vidal  
Under Secretary of Commerce for Intellectual Property and  
Director of the U.S. Patent and Trademark Office  
600 Dulany Street  
Alexandria, VA 22314

Dear Director Vidal,

We write to congratulate you on your confirmation as Director of the United States Patent and Trademark Office and to express our confidence in your ability to lead the Office and to direct U.S. intellectual property policy.

The High Tech Inventors Alliance (HTIA) represents leading technology providers and consists of some of the most innovative companies in the world.\(^1\) HTIA exists to promote innovation and American jobs through equitable patent policies and a more efficient, effective, and inclusive patent system. HTIA member companies are some of the world’s largest funders of corporate research and development, collectively investing more than $146 billion in these activities annually. They are also some of the world’s largest patent owners and have collectively been granted nearly 350,000 patents. HTIA members contribute significantly to the economy, providing nearly 2 million jobs and generating $1.1 trillion in annual revenues.

HTIA’s priorities include restoring the availability and efficacy of inter partes review (IPR) through reversal of recent policies that have undermined certainty and hobbled IPR procedures. We also have a strong interest in working with you to increase patent quality. While the U.S. intellectual property system is ranked as the best in the world,\(^2\) a recent benchmarking study of patent quality ranked the USPTO second to last among the five major patent offices.\(^3\) And an analysis of examination accuracy at the five largest patent offices found that the USPTO ranked dead last.\(^4\) It is essential to U.S. innovation and competitiveness that the USPTO improve the

\(^1\) HTIA members include Adobe, Amazon, Cisco, Dell, Google, Intel, Oracle, Microsoft, Salesforce, and Samsung. More information on HTIA is available at https://www.hightechinventors.com.


\(^4\) Gaétan de Rassenfosse, Adam B. Jaffe and Elizabeth Webster, Low-quality patents in the eye of the beholder: Evidence from multiple examiners, Centre for Transformative Innovation Working Paper (Jan. 2016) (determining the “relative accuracy rates” of major patent offices were: 5.8 for EPO, 4.8 for JPO, 3.25 for KIPO, 2.3 for SIPO, and 2.15 for USPTO, which “implies that the EPO and JPO are the most accurate offices and the USPTO and SIPO
accuracy of examination and the quality of issued patents. HTIA is also focused on keeping patent eligible subject within its proper scope and reserving patent protection for technological innovations. Finally, we are committed to expanding American innovation to increase diversity, equity, and inclusion in the U.S. innovation ecosystem.

HTIA looks forward to engaging with you and your team. We are excited to hear more about your agenda and priorities and stand ready to work with you in your efforts to improve the U.S. patent system and to expand U.S. innovation. Congratulations again on your confirmation.

Sincerely,

David W. Jones
Executive Director
High Tech Inventors Alliance