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ONE HUNDRED FIFTEENTH CONGRESS

# Congress of the United States

## House of Representatives

### COMMITTEE ON THE JUDICIARY

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February 14, 2018

The Honorable Andre Iancu  
Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
Madison Building  
600 Dulany Street  
Alexandria, VA 22314

Dear Under Secretary Iancu,

On behalf of the House Committee on the Judiciary, I would like to congratulate you on your confirmation as Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO). Throughout your career, you have been a strong advocate for an effective U.S. patent system and I am confident that you will serve the American people well. I, along with the Members of the Committee, look forward to working with you on the issues facing America's inventors, innovators, small and large businesses, and consumers alike.

The Committee has always had a strong working relationship with the agency. In recent years, we have worked closely with the USPTO to eliminate patent litigation abuse by ensuring that only valid patents issue and that invalid patents are invalidated in proceedings before the Patent Trial & Appeal Board (PTAB). As a result, we have reduced patent litigation abuse in this country. We look forward to continuing to work with you to ensure that trend continues while also ensuring that American innovators have adequate protections to secure the investments they need to grow their businesses. We also look forward to soon hearing from you on your plans for improving examination, patent quality, and what, if any, improvements to PTAB proceedings are needed.

In connection with our oversight responsibilities, we will want to discuss ways of improving USPTO internal processes and eliminating waste and abuse. In the past, we have held hearings to investigate claims that USPTO employees had abused agency time and attendance policies and we were pleased to see the agency take remedial steps to prevent these abuses. Recently, we were very troubled to read published reports that a high-level Obama appointee likely violated several federal laws when he charged the agency's taxi cab account to pay for approximately 130 cab rides to and from work, in clear violation of the agency's transportation services policy. A report by the Department of Commerce Office of Inspector General estimates that the political appointee charged more than \$4,000 worth of personal rides to the agency's account, and falsely indicated that other employees were the recipients of these cab services to hide the fact that he was impermissibly charging the agency account to pay for his commute. Incredibly, the agency took no action against him and he was never required to reimburse the USPTO. This brazen misuse of agency funding erodes the trust the American people place in their government

officials and simply cannot be tolerated. Although this misdeed occurred under another administration, the USPTO, and all Commerce Department agencies, must establish policies and develop appropriate mechanisms to recover misappropriated funds and ensure that no federal employee under its control can again undertake any schemes to defraud the government in flagrant violation of federal laws.

Again, I congratulate you on your appointment to the position of Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office and look forward to working with you to further strengthen our nation's intellectual property system.

Sincerely,

A handwritten signature in blue ink, reading "Bob Goodlatte", with a stylized flourish at the end.

Bob Goodlatte

Chairman

House Committee on the Judiciary