



October 1, 2019

**MEMORANDUM FOR:** Andrei Iancu  
Under Secretary of Commerce for Intellectual Property  
and Director of the U.S. Patent and Trademark Office

**FROM:** Frederick J. Meny, Jr.  
Assistant Inspector General for Audit and Evaluation

**SUBJECT:** Evaluation of the Patent Term Adjustment (PTA) and Patent Term  
Extension (PTE) Processes (#2020-354)

We are initiating an evaluation on U.S. Patent and Trademark Office's (USPTO's) PTA and PTE processes. The objectives for this evaluation is to determine whether USPTO (1) calculates and awards PTA and PTE in compliance with relevant statutes, regulations, and case law; (2) has adequate internal controls to ensure the proper calculation and award of PTA and PTE; and (3) uses valid and reliable data to calculate PTA and PTE.

We contracted the MITRE Corporation, an independent firm, to perform the evaluation. My office will oversee the progress of the evaluation to ensure that it is performed in accordance with quality standards for inspection and evaluation, as well as contract terms.

We plan to begin this work immediately. We will contact your audit liaison to schedule an entrance conference, at which time we will discuss our objectives and scope in further detail. If you have any questions, please contact me at (202) 482-1931 or Amni Samson, Audit Director, at (571) 272-5561.

We thank you in advance for your cooperation during this evaluation.

cc: Laura Peter, Deputy Under Secretary of Commerce for Intellectual Property and Deputy  
Director, USPTO  
Sarah Harris, General Counsel, USPTO  
Sean Mildrew, Acting Chief Financial Officer and Audit Resolution Officer, USPTO  
Welton Lloyd, Audit Liaison, USPTO  
Mohamed Ahmed, Audit Liaison, USPTO