



February 13, 2023

MEMORANDUM FOR: Kathi Vidal
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

Leslie B. Kiernan
General Counsel
U.S. Department of Commerce

A handwritten signature in black ink, appearing to read "Frederick J. Meny, Jr.", written over a horizontal line.

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

SUBJECT: Evaluation of Ethics Oversight in Preventing Financial Conflicts of Interest by USPTO Patent Examiners (#2023-049)

We are initiating an evaluation of the United States Patent and Trademark Office's (USPTO's) and the U.S. Department of Commerce's (Department's) ethics oversight of patent examiners. Our objective is to determine whether USPTO and the Department are effectively administering their ethics rules to prevent financial conflicts of interest by USPTO patent examiners.

We plan to begin this work immediately. We will contact your liaisons to schedule an entrance conference, at which time we will discuss in further detail the specific nature of our evaluation—including our objective and scope, time frames, and any potential requests for data. If you have any questions about this evaluation, please contact me at (202) 793-2938 or Amni Samson, Director for Audit and Evaluation, at (202) 793-3324.

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

cc: Derrick Brent, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the USPTO
Erica Dornburg, Chief for Ethics Law and Programs Office, Office of the General Counsel
David L. Berdan, General Counsel, USPTO
Jay Hoffman, Chief Financial Officer, USPTO
Vaishali Udupa, Commissioner for Patents, USPTO
David Shewchuk, Deputy General Counsel for General Law, USPTO
Stacy Long, Senior Counsel for Employment Litigation and OIG Matters, USPTO
Nicolas Oettinger, Senior Counsel for Rulemaking and Legislative Affairs, USPTO
Sean Mildrew, Deputy Chief Financial Officer and Audit Resolution Officer, USPTO
Jennifer Williams, Attorney, USPTO
Welton Lloyd, Jr., Audit Liaison, USPTO

Mohamed Ahmed, Assistant Audit Liaison, USPTO
MaryAnn Mausser, Audit Liaison, Office of the Secretary