



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