



U.S. Department of Commerce ★ Office of Inspector General

Report Highlights

The United States Patent and Trademark Office Needs to Strengthen Its Patent Examination Quality Review Program

Audit Report OIG-25-029-A

August 28, 2025

➤ **What We Audited** | Our objective was to determine the effectiveness of the United States Patent and Trademark Office's (USPTO's) quality reviews of continuing patent applications completed in fiscal years 2021–2023.

➤ **Why This Matters** | USPTO's Office of Patent and Quality Assurance (OPQA) performs quality reviews to ensure decisions to either allow or reject a patent claim comply with all legal requirements. OPQA's reviews are used to generate and report USPTO's statutory compliance measures for quality. Insufficient quality reviews and patent examiner errors can have patent quality and financial implications.

➤ **What We Found** | We found that USPTO needs to strengthen its quality review program to be more effective at meeting its intended purpose: improving patent quality. Specifically:

- USPTO did not consistently use the results of OPQA reviews to improve the quality of continuing application examination.
- OPQA did not ensure quality assessments were performed on compliant quality review findings.
- USPTO did not report certain patent examination quality errors in its annual performance reports.

These issues resulted from incomplete and insufficient policies and procedures. Addressing them will help USPTO strengthen its quality review program and promote high-quality patent examination and improved patent quality.

➤ **What We Recommend** | We made six recommendations to help ensure consistent review processes and effective internal controls, as well as accurate reporting of patent examination quality performance measures to Congress and other stakeholders. USPTO concurred with our recommendations and is working to implement them.