



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

April 23, 2021

The Honorable Thom Tillis
Ranking Member
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Mazie K. Hirono
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Christopher A. Coons
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Tom Cotton
Subcommittee on Intellectual Property
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Senators Tillis, Coons, Hirono, and Cotton:

Thank you for your letter of March 5, 2021, requesting that the United States Patent and Trademark Office (USPTO) gather information on the current state of patent subject matter eligibility jurisprudence in the United States and report on those findings. I agree that our country has the world's strongest innovation economy and that we must take steps to ensure that we remain the global leader, including examining the impact of current patent subject matter jurisprudence on innovation and investment in critical technologies.

In response to your request, the USPTO anticipates issuing a request for information in the near future. As we move forward, I would be glad to provide you with updates on our progress.

Again, thank you for your letter. Please do not hesitate to contact me should you have any questions about this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Hirshfeld".

Andrew Hirshfeld
Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent
and Trademark Office