US INVENTOR
Innovators, Inventors, Dreamers, and Builders

June 28, 2025

VIA ELECTRONIC MAIL FOIARequests@uspto.gov; efoia@uspto.gov

USPTO FOIA Officer
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Re: US Inventor Freedom of Information Act Request Regarding the Patent Prosecution Highway

Dear FOIA Officer:

US Inventor, Inc., a not-for-profit § 501(c)(4) corporation, hereby requests under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, the following records from the U.S. Patent and Trademark Office (USPTO or Office) regarding the Patent Prosecution Highway (PPH).

Please provide the following records on the USPTO **as the Office of Later Examination (OLE)**, the data on PPH applications claiming the benefit of allowable claims **from the five originating Offices of Earlier Examination (OEE)**, CNIPA (China), EPO (Europe), JPO (Japan), KIPO (Korea), and the USPTO:

1. For each such application entering the PPH at the USPTO during the Fiscal Years 2021-2025, provide by originating OEE and by USPTO Working Group (e.g. Group 2660) the following:

(a) US application serial number;

(b) US Pat. No. (if issued);

(c) US filing date;

(d) Priority date to which benefit is claimed;

(e) Invention title;

(f) Assignee name;

(g) OEE decision date (on allowable claims);

(h) PPH petition date;

(i) PPH Decision date;

(j) US Patent issue date (if issued);

(k) Application Abandonment date (if abandoned); or otherwise

(m) Indication if application is still in "pending" status.

2. For the Fiscal Years 2006-2025, please provide by the Fiscal Year of the filing date, by OEE, and by USPTO Working Group:

(a) The number of PPH petitions that were **ultimately** (i) dismissed, (ii) denied, (iii) granted; (i.e., not counting separately amended or repeat PPH petitions in the same application);

(b) The number of PPH applications that were (i) allowed, (ii) allowed on First Action (iii) Abandoned; and (iv) still pending;

(c) The average pendency (in days) for the periods of (i) PPH petition to PPH decision (ii) PPH decision to First Action On Merits (iii) PPH decision to Allowance (iv) PPH decision to Abandonment;

3. Please provide copies of all quality assurance reports, statistics, surveys and/or audits that were conducted to assess the operation of the PPH and/or verify that requirements for entry into the PPH have been met. While Requests 1-2 above are limited to applications originating in the five OEEs listed above, for avoidance of any doubt, this instant request is for any responsive records without limiting the OEEs involved.

Definitions:

"Records" are defined at 44 U.S.C. § 3301, and per 5 U.S.C. § 552(f)(2), include "any information that would be an agency record subject to the requirements of [FOIA] when maintained by an agency in any format, including an electronic format." The terms "and" and "or" shall be construed both conjunctively and disjunctively.

Public Interest Fee Waiver

Because records requested herein were identified explicitly and may be readily located within USPTO datasets without undue search burden, US Inventor anticipates that no fees should be assessed. However, in the event that the Office intends to assess fees for this request, US Inventor requests a public interest fee waiver because *it has no commercial interests* and the requested records directly concern and bear upon the USPTO's operations and activities. The public has a compelling interest in knowing how US and foreign patent applicants are treated in processing their applications under the PPH, given its benefits in prioritizing the examination of such applications out of turn at no extra fees.

Upon receipt, US Inventor will make these records and their analysis publically available on our website at https://usinventor.org/ptab-foia-documents for use by our members, journalists, scholars, students, and interested members of the public at no charge. We also use the information in reports, educational videos (https://www.youtube.com/@USInventor), newsletters (which can be subscribed to at https://usinventor.app.neoncrm.com), and other public disseminations to advance our educational mission. Therefore, disclosure of the requested information "is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester,"[1] a 501(c)(4) corporation.

[1] 5 U.S.C. § 552(a)(4)(A)(iii).

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U.S. Inventor asks to receive the responsive documents in their electronic native Excel spreadsheet format that preserves all data integrity, by email, to rlinventor@protonmail.com.

We may be reached at the address below, if you have any questions.

Respectfully submitted,



US INVENTOR

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