March 13, 2020

VIA EMAIL
Mr. Randy Landreneau
U.S. Inventor
17440 Dallas Parkway
Dallas, TX 75287

Re: Freedom of Information Act (FOIA) Request No. F-20-00065

Dear Mr. Landreneau:

The United States Patent and Trademark Office (USPTO) FOIA Office has received your e-mail dated Friday, January 17, 2020 requesting a copy of the following documents pursuant to the provisions of the Freedom of Information Act, 5 U.S.C. § 552. This letter responds to Items 1 through 7 of the request.1

1. Documents relating to or describing how the United States Patent & Trademark Office (USPTO) determines that Administrative Patent Judges (APJs) are "persons of competent legal knowledge and scientific ability" according to 35 U.S.C. §6;
2. Documents relating to or describing how the USPTO determines whether applicants are qualified to be APJs;
3. Documents relating to or describing how the USPTO determines whether an applicant warrants an interview for an APJ position;
4. Documents relating to or describing how the USPTO determines whether an applicant warrants an offer of employment as an APJ;
5. Documents relating to or listing criteria used to determine whether an applicant is qualified to be an APJ;
6. Documents relating to or listing criteria used to determine whether an applicant warrants an interview for an APJ position;
7. Documents relating to or listing criteria used to determine whether an applicant warrants an offer of employment as an APJ.

The USPTO identified 586 pages of documents that is responsive to your request. A copy of this material is enclosed.

Your request is considered complete with full disclosure. However, you have the right to appeal this initial decision to the Deputy General Counsel, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. An appeal must be received within 90 calendar days from the date of this letter. See 37 C.F.R. § 102.10(a). The appeal must be in writing. You must include a copy of your original request, this letter, and a statement of the reasons why the information should be made available and why this initial denial is in error. Both the letter and the envelope must be clearly marked “Freedom of Information Appeal.”

You may contact the FOIA Public Liaison at 571-272-9585 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services.

---

1 On January 31, 2020 a letter was sent via email explaining that the USPTO FOIA Office was unable to process Items 8 – 13 of your request due to insufficient information.
they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

The cost of this request was less than $20.00 and is therefore waived. See 37 C.F.R. § 102.11(d)(4).

Sincerely,

Traci Alexander  
USPTO FOIA Specialist  
Office of General Law