


DEC - 3 2002

Mr. Carl B. Feldbaum
President
Biotechnology Industry Organization
1225 Eye Street, N.W., Suite 400
Washington, DC 20005-5958

Dear Carl,

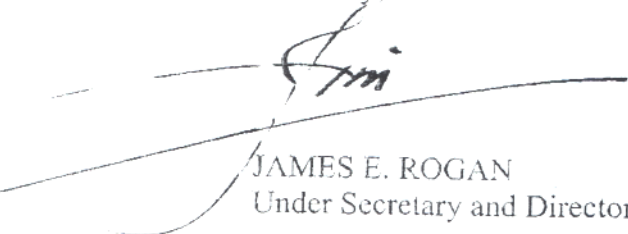

I write to thank you and BIO for supporting the USPTO's revised 21st Century Strategic[®] Plan and expressing your position in your letter of November 25, 2002, to Director Daniels. I appreciate your work in helping to forge a Strategic Plan that enjoys broad support across the intellectual property community.

Under the Strategic Plan, we will be able to improve patent quality, implement e-government initiatives and reduce pendency rates at a time when the creation and protection of intellectual property have never been more needed for America's economic security. As we have previously discussed, it was our hope in the initial version of the Strategic Plan to achieve a patent pendency level of only 18 months, but that goal is no longer feasible as we are now estimating that within five years pendency will be between 26 and 29 months based upon the Strategic Plan's revised parameters. However, even though we are focused on quality, we will continue to look for meaningful ways to help reduce pendency, such as the Strategic Plan's provision for the collaborative issuance of first actions on the merits and the publication of search reports after 18 months from the effective filing date.

I also understand your views on the need to modify U.S. restriction practice and am committed to working with your organization and others to remedy this problem as early in the 108th Congress as possible.

Again, thank you for your supportive efforts and for your commitment to work for the enactment of supporting fee legislation that would generate additional resources and would appropriately address the issue of fee diversion.

Sincerely,


JAMES E. ROGAN
Under Secretary and Director