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**USPTO Postpones Implementation  
of Fast-Track Patent Processing**

Director David Kappos of the U.S. Patent and Trademark Office (USPTO), announced on April 22, 2011, the postponement of the Fast-Track examination program, which was scheduled to go into effect on May 4, 2011. The Fast-Track Patent Process (Track One) was developed to provide applicants with an optional process to have their patent applications processed within one year, in contrast to the current processing average of 35 months from filing to issuance. The USPTO made the announcement following Congress' Full-Year Continuing Appropriations Act, 2011, which capped the USPTO's budget at \$2.09 billion for the remainder of the 2011 fiscal year (\$1.9 billion

greater than last year's budget, but well below the \$2.32 billion requested by Kappos). "Without the resources to hire a sufficient number of examiners to implement Track One, we must postpone the effective date of the program until we are in a position to implement it successfully while ensuring there will be no adverse impact on non-prioritized examination applications," said Kappos. The USPTO will announce a new start date for Track One as soon as circumstances permit.

*For questions and more information on this development, please contact Ted Barthel at (414) 978-5317 or tbarthel@whdlaw.com, or Alisha Bull at (414) 978-5420 or abull@whdlaw.com.*

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