

October 29, 2025

The Honorable John A. Squires
Under Secretary of Commerce for Intellectual Property and
Director of the U.S. Patent and Trademark Office
600 Dulany Street
Alexandria, VA 22314

Dear Director Squires,

ACT | The App Association (App Association) represents small U.S. software and connected technology firms that develop new products across consumer and enterprise use cases, enabling the rise of the internet of things (IoT). Today, the ecosystem the App Association represents—the app economy—is valued at \$1.8 trillion and is responsible for 6.1 million American jobs. For our members, a robust, accessible, and efficient IPR system is critical for supporting our ability to grow, innovate, and create new jobs.

Strong patent and trademark policies allow innovators to protect their investments, attract venture capital, and compete fairly with established companies and larger competitors. But the USPTO cannot “promote the Progress of Science and useful Arts” merely by granting patents. It should also protect innovative U.S. product companies and manufacturers—especially smaller businesses who cannot afford to litigate even a weak patent case to a decision on invalidity—from overbroad claims.

We note that the USPTO’s recent directive centralizing institution decisions with the Director and Notice of Proposed Rulemaking (NPRM) concerning the institution of inter partes review (IPR) proceedings would effectively dismantle the IPR system as a meaningful check on patent quality. For our members, these changes would raise costs, deter valid challenges, embolden the assertion of low-quality patents, and replace a balanced and transparent process with a politicized and opaque one. In fact, even the current PTAB cost structure is expensive for truly small businesses. Changes like those proposed will stifle the very innovation and job creation the USPTO is meant to promote. The App Association believes these changes would detrimentally harm American small businesses and startups and must be withdrawn.

As detailed in our appended recommendations, the App Association urges you to take the following actions:

- **Prioritize patent quality** by ensuring that only strong, valid patents issue and safeguard against the issuance or enforcement of low-quality patents;
- **Prevent abusive patent litigation** and behavior by bolstering the USPTO's tools that reduce risks for all entrepreneurs (e.g., the Patent Trial and Appeal Board), including by withdrawing new unprecedented IPR process policy changes (and, where policy changes are proposed, pause development pending further consultations) that will harm American small business developers;
- **Prevent anticompetitive standard-essential patent (SEP) abuses** by taking steps that protect America's small business technology developer community;
- **Advance a strong, fair, and transparent trademark system** that will protect consumers, while supporting small business entrepreneurs;
- **Improve interagency coordination** among agencies that impact intellectual property rights, including the U.S. International Trade Commission, the U.S. Copyright Office, and others; and
- **Expand international leadership** through both bilateral interactions as well as through multilateral fora like the IP5 and others.

The App Association commits to work with you to ensure that the U.S.' intellectual property system powers small business entrepreneurship and growth while advancing national economic and security interests.

Sincerely,

A handwritten signature in black ink that reads "Morgan Reed". The signature is fluid and cursive, with the first name "Morgan" and last name "Reed" clearly distinguishable.

Morgan Reed
President

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RECOMMENDED ACTIONS FOR THE U.S. PATENT AND TRADEMARK OFFICE (USPTO) TO SUPPORT SMALL BUSINESS INNOVATION AND COMPETITIVENESS

Prioritize patent quality by ensuring that only valid patents issue and safeguard against the issuance or enforcement of low-quality patents

The Patent Act allows patents to be granted for any new and useful process, machine, article of manufacture, or composition of matter, as well as for any improvement to such inventions. A robust body of case law now clarifies the limits on patent eligibility and establishes important protections to promote free access to abstract ideas, laws of nature, and natural phenomena. Current Supreme Court case law interpreting Section 101—which defines the subject matters eligible for patent protection—strikes the correct balance between rewarding innovation and protecting competition and further advancement. Notably, the software industry thrived in the years following the Supreme Court’s decisions clarifying patent subject matter eligibility limitations, suggesting that the current restrictions do not harm software developers or businesses. Investment in research and development for the software industry doubled in 2018, four years after the Supreme Court’s decision in *Alice Corp. v. CLS Bank*¹ “clarif[ied] that the addition of a generic computer was not enough” for subject matter eligibility, and venture capital funding for software startups reached record highs.²

Section 101 has a critical role to play in weeding out low-quality patents, especially those routinely asserted against startups and small businesses. Indeed, broad, preemptive patents directed to abstract ideas—which are appropriately deemed ineligible under current law—are especially concerning because they can be, and often are, asserted against numerous defendants based on routine business activities or the use of generic technology. Section 101 is a valuable and necessary tool, especially now, to focus the U.S. patent system on genuine technological advances, improvements, and solutions, as well as to curb the volume and expense of litigation over low-quality patents.

Yet, better training is needed to help examiners grant patents appropriately and consistently with the law. Overall diminished patent quality and doubt around the validity of many existing patents limit the ability of patent owners to make full use of their patents and make it harder for independent app developers to avoid litigation when using abstract ideas. The potential cost of a lawsuit means that even when a likely invalid patent is

¹ 573 U.S. 208 (2014).

² *The State of Patent Eligibility in America: Part II Before the S. Subcomm. on Intell. Prop.*, 116th Cong. (2019) (statement of David W. Jones, Exec. Dir., High Tech Innovators All.); *PWC 2018 Global Innovation 1000 & What the Top Innovators Get Right*, PWC 28 (Oct. 2018), <https://www.strategyand.pwc.com/gx/en/insights/innovation1000/2018-global-innovation-1000-fact-pack.pdf>; *Netflix Inc. v. Rovi Corp.*, 114 F. Supp. 3d 927, 934 (N.D. Cal. 2015); *Venture Monitor 4Q 2018*, NAT’L VENTURES CAP. ASS’N 19, https://files.pitchbook.com/website/files/pdf/4Q_2018_PitchBook_NVCA_Venture_Monitor.pdf.

asserted, a small business innovator's only option may be to accede to the patent owner's demands. Inconsistency in applying the *Alice/Mayo* framework has decreased U.S. competitiveness by opening the U.S. system to frivolous patent litigation and reducing access to efficient means of resolution.

The App Association also urges the USPTO to improve its technical training of patent examiners. While we commend the Patent Examiner Technical Training Program (PETTP) for its successful use of skilled volunteers, we recommend a more formalized, curriculum-based approach, akin to the USPTO's proven legal training programs for examiners. Further, the PETTP's subject matter should be constantly updated to keep pace with technological advances (e.g., today's PETTP omits key emerging technologies such as artificial intelligence).

Prevent abusive patent litigation and behavior by bolstering the USPTO's tools that reduce risks for all entrepreneurs (e.g., the Patent Trial and Appeal Board), including by withdrawing new unprecedented IPR process policy changes (and where policy changes are proposed, pause development pending further consultations) that will harm American small business developers

When enacting the America Invents Act (AIA) in 2011, Congress sought “to establish a more efficient and streamlined patent system that will improve patent quality and limit unnecessary and counterproductive litigation costs.”³ Congress also recognized “a growing sense that questionable patents [were] too easily obtained and are too difficult to challenge.”⁴ Small businesses, the main drivers of the U.S. economy, were at the core of Congress's decision to enact the AIA, particularly the *inter partes* review (IPR) process. IPRs provide a more affordable and efficient recourse for businesses of all sizes to exercise their rights—whether defending the validity of their granted patent or challenging a granted patent. Since its creation, the IPR process has worked as intended, reducing unnecessary litigation and saving \$2.3 billion over just five years.⁵

The IPR process allows App Association members to have a fair and dispassionate tribunal to first assess whether the patent used against them was properly reviewed and issued. Our members have limited resources for litigation, and IPRs successfully provide a much-needed alternative to years of expensive federal court patent litigation which can easily cost millions of dollars. Patent litigants often exploit the fact that it is less expensive to bring a patent lawsuit than it is to defend against a patent lawsuit, and small businesses lack the capital to fight a case, using this advantage to force them into licensing arrangements with terms that greatly benefit the litigant. Even when App Association

³ H.R. REP. NO. 112-98, pt. 1, at 40 (2011).

⁴ *Id.* at 39.

⁵ See, e.g., Josh Landau, *Inter Partes Review: Five Years, Over \$2 Billion Saved*, PATENT PROGRESS (Sept. 14, 2017).

members are not the petitioners, they benefit from the IPR process because non-practicing entities often assert weak patents against many companies, and successful IPRs brought by others deliver fast, expert review that clears out invalid patents that have been, or could be, used against App Association members in licensing or litigation. IPRs help to level the litigation playing field by protecting our members from some of the financial and temporal burdens associated with proceedings in Article III courts.

Unfortunately, over the last few years the USPTO has taken a series of actions that impose requirements Congress rejected in the AIA, thereby reducing IPRs' effectiveness. For example, following *SAS Institute Inc. v. Iancu*, the USPTO implemented a rule change requiring the Patent Trial and Appeal Board (PTAB) to institute review for all challenged claims or none in IPRs, post-grant reviews (PGR), and covered business method patents (CBM) proceedings. As part of this change, the USPTO eliminated the presumption in favor of the petitioner for a genuine issue of material fact created by testimonial evidence when deciding whether to institute review. This shift unduly favors patent owners, significantly reducing due process for PTAB petitioners. Further, it appears that the USPTO has failed to meet the requirements of the Administrative Procedure Act in proposing this rule change.

Equally worrisome is the rapid increase of "discretionary denials" from the PTAB. Contrary to Congressional intent, the USPTO has chosen to ignore the statutory deadline allowing an IPR to be brought within one year after service of the complaint upon a petitioner. Instead, it has substituted its own policy preference and directed the "discretionary denial" of timely IPR petitions if a district court docketed an early trial date in a parallel infringement suit. This practice results in meritorious petitions being denied on extra-statutory grounds, adding cost, complexity, and uncertainty that Congress specifically sought to avoid by adopting a simple, clear one-year time bar. These discretionary denials under Section 314(a) have grown exponentially over the past three years and are on track to double yet again this year, leaving invalid patents in force to be litigated. Such policy changes most negatively impact minority-founded and operated small businesses that demonstrably experience more difficulties in launching and growing new ventures in the digital economy.

Unsurprisingly, the PTAB's reserved approach to patent scrutiny has not gone unnoticed by patent assertion entities (PAEs). Abusive patent litigation, along with forum shopping, is increasing as a result of changes made to the IPR system. PAE litigation has grown substantially across districts, particularly in the Western District of Texas. The surge began after the precedential *NHK Spring Co. v. Intri-Plex Techs., Inc.*⁶ and *Apple Inc. v. Fintiv, Inc.*⁷ decisions, which improperly allowed PTAB judges to discretionarily deny institution of IPRs when there are parallel district court proceedings. Contingent fee agreements and litigation funding make it financially trivial to bring a patent lawsuit, but defending against

⁶ *NHK Spring Co. v. Intri-Plex Techs., Inc.*, IPR2018-00752 (P.T.A.B. Sept. 12, 2018).

⁷ *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019 (P.T.A.B. Mar. 20, 2020).

frivolous litigation is prohibitively expensive for all but the largest companies and far more costly than an IPR.⁸ The resurgence of behavior that necessitated the creation of IPR should send a strong signal that the USPTO's policy changes have been ineffective and stray from the role Congress envisioned.

Recent PTAB denials of legitimate and proper IPR petitions, based on *Fintiv*, undermine the PTAB and its intended role. Increasing procedural burdens on IPR petitioners saddles them with higher costs and forces them to bring claims against invalid patent holders in court. The USPTO's actions modifying IPR proceedings can be traced directly to the recent growth in the number of abusive suits brought by non-practicing entities.⁹

Furthermore, recent steps taken by the USPTO have continued to undermine the PTAB, including:

- Unconstitutionally eliminating the *Fintiv* safe harbors retroactively, which deprives PTAB petitioners of due process; and
- Creating a "settled expectations" rule that effectively bars all PTAB validity review of a patent once it is six years old (and sometimes earlier).

The October 17, 2025, Notice of Proposed Rulemaking (NPRM) (PTO-P-2025-0025) represents the most severe of these damaging actions. The proposed rules contravene the AIA's core purpose by creating insurmountable barriers for petitioners. The mandatory stipulation, which forces a petitioner to forfeit all §102 and §103 grounds in district court merely for seeking an IPR, is a punitive measure that unfairly advantages patent owners and neuters a defendant's ability to mount a full defense. Furthermore, the bars on re-challenging "vetted" claims and on parallel proceedings would render vast swathes of patents unreviewable, granting them unjustified immunity after a single, non-final, potentially flawed decision about one particular combination of prior art. These changes would embolden the assertion of low-quality patents and force small businesses into costly and lengthy district court litigation, precisely the outcome the AIA sought to prevent.

Compounding the problem, the centralizing of authority to institute IPR reviews within the Office of the Director politicizes a process designed to be an impartial adjudication by technical experts. Replacing the judgment of specialized adjudicators with that of a single political appointee invites inconsistency, perceptions of partiality, and a lack of transparency. This shift creates a bottleneck that will lead to delays and unpredictability, undermining the efficiency that makes IPRs a vital alternative to litigation. For small businesses that rely on a fair and expeditious process to manage litigation risk, this

⁸ *The High Cost of Frivolous Patent Suits: Stifling Innovation or Protecting Rights?*, GLOB. COUNCIL FOR THE PROMOTION OF INT'L TRADE, <https://gcpit.org/the-high-cost-of-frivolous-patent-suits-stifling-innovation-or-protecting-rights/> (last visited Oct. 7, 2025).

⁹ *Q3 2020 Patent Dispute Report*, UNIFIED PATENTS, (Sept. 30, 2020), <https://www.unifiedpatents.com/insights/q3-2020-patent-dispute-report>.

centralization replaces a transparent, merits-based system with an opaque and potentially arbitrary one, fundamentally damaging the integrity of the PTAB.

The USPTO should course correct by returning its attention to patent quality and restoring the IPR system to its intended function. This must begin with rescinding the proposed NPRM (PTO-P-2025-0025) and ending the policy of centralized Director authority over institution decisions. We encourage the USPTO to unwind its efforts that have undercut the purpose of the IPR process in contrast to Congressional intent. The USPTO should undertake a new and reoriented approach that uses all available data to correctly focus on patent quality, and which appropriately makes the IPR process available to identify and eliminate invalid patents that should never have been issued. Making these changes will boost both the functioning of, and confidence in, the U.S. patent system, sparking innovation and removing the financial weight of litigation. Without those overbearing risks, small businesses can focus on their actual business. The USPTO has the power to re-prioritize patent quality through IPR, and we request that it use that power to reinstate the system as Congress intended.

Prevent anticompetitive standard-essential patent (SEP) abuses by taking steps that protect America's small business technology developer community

Sitting at the intersection of patent rights, competition law, and standards policy, abuse of the standard-essential patent (SEP) ecosystem represents an immediate and significant threat to the U.S. economy and national security. Supporting a balanced approach to SEP licensing through policy and enforcement is critical to supporting U.S. small business innovation across technology-driven markets and to the economy and national security writ large.

Technical industry standards aim to provide an efficient and interoperable base upon which technology developers can create new inventions across multiple sectors. When a patent holder voluntarily chooses to contribute its technology to a technical standard, it agrees to license its SEPs on fair, reasonable, and non-discriminatory (FRAND) terms. This commitment balances the anticompetitive risks associated with standard setting by ensuring reasonable access. Therefore, by choosing to participate in the standardization process and making this commitment, a SEP holder understands and agrees not to unduly exclude competitors from a standard but rather to license on FRAND terms.

A growing number of foreign businesses, however, have exploited this system. Recognizing how easily a SEP holder can make FRAND promises and then later obfuscate and disregard them, these entities built a business model that preys on good faith innovators and small companies who simply need to use standardized solutions to compete. And their efforts have, in part, been successful; today's framework of SEP laws and policies, both in the United States and abroad, unduly favor foreign SEP holders. For instance, they promote

seeking injunctions on FRAND-committed SEPs, even before a court assesses the validity or essentiality of the SEP at issue. Such practices, long seen in telecommunications markets, are now finding their way into new sectors where connectivity is being built into products, such as automotive and medical. The result of these unchecked practices is limited availability and higher prices for American consumers—to the benefit of foreign adversaries and their proxies—undermining a core goal for the Trump-Vance Administration.

ACT | The App Association believes clear guidance is necessary to prevent foreign entities and U.S. adversaries from holding technical standards hostage through anticompetitive SEP licensing. Standards provide a base that American small business use to innovate in emerging technologies and provide American consumers with low-cost market alternatives.

China Has Empowered Its Domestic Businesses to Weaponize SEP Licensing Against American Companies

China has already demonstrated its willingness to weaponize the standards and intellectual property (IP) systems to disadvantage the American economy and national security—e.g., its development of the WLAN Authentication and Privacy Infrastructure (WAPI) Chinese national standard to undermine Wi-Fi and restrict access to the Chinese market¹⁰. A growing number of companies, including those controlled by foreign adversaries—most notably China—have turned SEP licensing into a business that, at its core, is predation of good-faith American innovators and small companies who use standardized solutions to interoperate and compete. And their efforts have, in part, been successful. Today’s legal framework unduly favors these foreign adversaries and their proxies, enabling them to lock out U.S. competitors. Even more concerning is their strategic effort to accumulate key technology patents that are essential for global supply chains, presenting a direct economic and national security threat to the United States.

SEP abuses also represent a glaring flaw in U.S. supply chains for critical and emerging technologies. For example, in automotive supply chains, some SEP holders in foundational wireless communication standards refuse requests for FRAND licenses from reasonable and willing licensees. Instead, they arbitrarily insist on licensing the end product (the vehicle) in order to extract value unrelated to their patented technology, leaving suppliers unable to license components and indemnify their customers against patent infringement claims. This introduces preventable uncertainty and disruption to supply chains, undercutting important interoperability and safety, as well as U.S. economic and national security interests. Due to inaction by the Biden-Harris Administration, foreign adversaries and their proxies—such as state-controlled enterprises and strawman SEP pools—are well

¹⁰ Morgan Reed, *Mobile Mythbusting, Wi-Fi, WAPI, and the Encryption Debate*, APP ASS’N (Mar. 17, 2016), <https://actonline.org/2016/03/17/mobile-mythbusting-wifi-wapi-and-the-encryption-debate/>.

positioned to exploit and shut down U.S. supply chains.

Notably, courts in foreign markets are being wielded to exert control over critical U.S. supply chains. Foreign courts, including in China, have forced standards users to accept global FRAND terms under threat of a national injunction. The precedent set by such decisions has emboldened some companies to abuse their position in key telecommunication standards and encouraged other foreign SEP holders to similarly harm American economic and national security interests by excluding competitors and disrupting mature supply chains.

Case Study: Government-Backed Chinese Enterprise Huawei Deploys Strategic Efforts to Corner and Exploit the Market for SEPs in Connectivity Standards

Founded in 1987, Huawei is a prominent telecommunications company with demonstrated links to the Chinese government and military, raising serious national and economic security concerns for the United States.¹¹ In 2019, the U.S. Department of Commerce added Huawei to its Entity List, a decision that effectively banned the company from buying parts and components from American companies without U.S. government approval. The first Trump Administration imposed Huawei-related trade restrictions and expanded bans on sales of semiconductors for 5G devices to China.

Holding more than 22,000 U.S. patents, Huawei has positioned itself as prominent aggressor against U.S. companies, including leading American telecommunications company Verizon. Notably, Huawei has transferred 766 3GPP-related patent assets to a new non-practicing PAE that has publicly targeted U.S. companies.¹² Huawei is a long-time abuser of the standards system and has targeted critical standards like 5G—where it is a leading SEP holder—to exert disproportionate control over industries that incorporate connectivity into their products.

Huawei has been central to many major international SEP disputes, including in the United States:

- **NETGEAR** was forced to sue Huawei in California federal court under a civil Racketeer Influenced and Corrupt Organizations Act (RICO) claim for weaponizing their SEPs to obstruct compliance with international standards.
- Huawei targeted **Tesla** in SEP lawsuits in the United Kingdom where it has sought to have UK courts impose global terms (including for the United States).
- In 2022, Huawei sued **Stellantis** automotive group (Fiat, Opel, Peugeot, and Citroën)

¹¹ Jill C. Gallagher, *U.S. Restrictions on Huawei Technologies: National Security, Foreign Policy, and Economic Interests*, CONG. RSCH. SERV. (Jan. 5, 2022), <https://crsreports.congress.gov/product/pdf/R/R47012/>.

¹² Angela Morris, *Huawei Transfers 766 3GPP-Related Patent Assets to New NPE*, IAM (June 14, 2024), <https://www.iam-media.com/article/huawei-transfers-766-3gpp-related-patent-assets-new-npe>.

in the German court system for alleged SEP infringement, significantly disrupting automotive supply chains.¹³ Auto manufacturer Continental has detailed the impacts of SEP abuses on the industry.¹⁴

- Huawei weaponizes courts where injunctions on SEPs can be improperly attained,¹⁵ including Brazil where Huawei has already made 1794 patent applications since 2018.¹⁶
- In 2024, Huawei has utilized the Munich division of the EU's newly-established Uniform Patent Court (UPC) to pressure American companies **NETGEAR** and **Amazon** into excessive licensing fees. The Munich division is particularly attractive to opportunistic SEP holders like Huawei for its tendency to apply a German approach to SEP disputes with the power to award an injunction that applies across 18 EU Member States.¹⁷

These public examples are likely just the tip of the iceberg, as many disputes are settled with agreements that include strict confidentiality obligations. Further, in an effort to shield itself from SEP abuses, Huawei has committed thousands of its SEPs to Sisvel SEP patent pools, allowing it to distance itself from its own abusive licensing practices.

Recommended USPTO Actions to Deter SEP-Related Threats

The USPTO has the means to deter SEP-related threats to American economic and national security and should take the following steps:

- **Setting clear Administration policy** that supports innovation and protects national security by reinforcing domestically and abroad that:
 - FRAND-committed SEP licenses must be made available to any licensee in order to implement a standard;
 - Injunctions (district courts) and exclusion orders (ITC) for FRAND-committed SEPs should be awarded only in exceptional circumstances, such as when monetary remedies are not available;
 - FRAND royalties must be based on the value of the patented technology

¹³ *Huawei Suing Major US and EU Companies for Patent Infringement of its Wi-Fi/WLAN-Related Patents*, SONDA & KOBAYASHI INTELL. PROP. L., <https://www.lexology.com/library/detail.aspx?g=b6466f6d-b998-4e85-a96c-de3e06da7719>.

¹⁴ Cont'l Auto. Sys. Inc., Comment Letter on Special 301 Review: Identification of Countries Under Section 182 of the Trade Act of 1974 (Jan. 30, 2024), <https://www.regulations.gov/comment/USTR-2023-0014-0040>.

¹⁵ Sam Lovatt, *Inside Huawei's Americas IPR Department*, IAM (May 15, 2024), <https://www.iam-media.com/article/inside-huaweis-americas-ipr-department>.

¹⁶ Olivia Rafferty & Sam Lovatt, *The Top Chinese Patent Holders Adding Brazil to Their Strategic Maps*, IAM (May 30, 2024), <https://www.iam-media.com/article/the-top-chinese-patent-holders-adding-brazil-their-strategic-maps>.

¹⁷ Florian Mueller, *New Huawei v. Netgear Filings Discovered in Munich and UPC Interim Conference to Take Place Next Week: WiFi 6 SEPs*, IP FRAY (Aug 21, 2024), <https://ipfray.com/new-huawei-v-netgear-filings-discovered-in-munich-and-upc-interim-conference-to-take-place-next-week-wifi-6-seps/>.

- itself;
 - Tying non-essential patents in with FRAND-committed SEP licensing requirements is prohibited, such as by using non-SEP injunctions to force non-FRAND terms of related SEP licenses; and
 - The FRAND commitment follows the transfer of a SEP.
- **Uphold good case law**, such as the U.S. Supreme Court precedent, *eBay v. MercExchange*, which prevents bad faith patent holders, including non-practicing entities, from using injunctions to deplete U.S. innovation and harm downstream consumers.
 - **Bolster key mechanisms that ensure patent quality**, including the Patent Trial and Appeal Board (PTAB), to ensure patent quality and protect against frivolous enforcement of patents.
 - **Increase antitrust enforcement** against foreign and other opportunistic SEP holders to prevent foreign entities and their adversaries from holding technical standards hostage, harming American businesses and increasing costs for American consumers.
 - **Leverage restrictions, sanctions, and tariffs** against foreign adversaries and their proxies which target American innovators and jeopardize U.S. supply chains through SEP abuses.

Advance a strong, fair, transparent trademark system that will protect consumers while supporting small business entrepreneurs

Small business innovators must build and maintain customer trust to succeed, and protecting their brand identifiers is crucial in achieving this goal. The USPTO should build on its successful implementation of the Lanham Act, by enhancing the ability of small businesses and startups to leverage the trademark system proactively to protect their brands and avoid consumer confusion. Building on the USPTO's successful efforts to date, we urge (1) a review of ways to make trademark protections more accessible and affordable for small businesses, including a review of access to the Trademark Trial and Appeal Board (TTAB); and (2) enhanced training of and support for trademark examiners.

Improve interagency coordination among agencies that impact intellectual property rights, including the U.S. International Trade Commission, the U.S. Copyright Office, and others

Numerous federal agencies have an impact on intellectual property rights and would benefit from the USPTO's expertise as they make these decisions. For example, the ITC regularly conducts investigations under Section 337 of the Tariff Act of 1930 to address allegations of patent and trademark infringement by imported goods and would greatly benefit from enhanced coordination in intellectual property matters. Further, the U.S. Copyright Office's policies on copyrights are increasingly addressing emerging technology issues, including artificial intelligence. We support enhanced collaboration between the USPTO and other federal agencies to advance a coordinated approach to intellectual property rights, particularly to support small business education.

Expand international leadership through both bilateral interactions as well as through multilateral fora

The USPTO should continue its leading role in advancing the rule of law and sound intellectual property rights policy internationally. Notably, the USPTO's Global Intellectual Property Academy (GIPA) is a successful program that has advanced responsible enforcement, patent, trademark, and copyright policies abroad. The App Association supports the USPTO's role in advancing pro-innovation intellectual property policies through bilateral and multilateral international discussions. We urge for increased funding to the GIPA and commit to assisting the USPTO in accomplishing its international goals.