

Members of the NAPP Board met with senior leaders of the USPTO Monday morning to discuss the shutdown of key Patent Office tools for filing patent applications (EFS and PAIR). Commissioner for Patents Vaishali Udupa, Deputy Commissions for Patent Administration Richard Seidel, and members of the USPTO Patent Center development team met with NAPP President Rich Baker, Vice President Dan Smith, Alex Pokot, and Anne Fahrni during the one-hour Teams meeting.

The meeting featured a cordial discussion on the readiness of Patent Center to replace the EFS and PAIR patent filing and monitoring tools. The NAPP Leadership explained the importance of these tools to the NAPP membership, and the legal requirements to meet patent filing deadlines that NAPP members face every day. The USPTO leadership explained that EFS was costing the USPTO \$1 Million per month to keep open and explained that EFS has security risks. For instance, a paralegal could file a document without the approval of a registered patent practitioner. The NAPP Members explained that the current software is still demonstrating an unacceptable level of bugs and that the USPTO call center was telling users of Patent Center to use the old EFS software to avoid some of these Patent Center software anomalies.

Commissioner Udupa explained that the USPTO was increasing the staffing on the USPTO call center and that Patent Center has been stress tested for the expected significant increase in usage later this week.

NAPP President Baker explained that once Patent Center achieved stability, users would move to Patent Center without being forced. He noted that the conversion from FAX to EFS twenty years ago occurred over time and that the FAX system still remains in place as a backup. As such, there is no need to shut off existing systems during the transition phase; customers will migrate to Patent Center as it becomes stable.

At the conclusion of the meeting, the parties respectfully disagreed on the readiness of Patent Center to take over once EFS and PAIR are shut down. However, both sides agreed to continue discussions on how to make Patent Center better.