

October 21, 2014

Michelle Lee Nominated to Head USPTO

President Obama announced Thursday the Nomination of Michelle Lee to head the US Patent and Trade Mark Office (USPTO). Lee currently acts as Deputy Director since taking on that role in January. She served as the head of the USPTO Silicon Valley office before she was appointed to be the agency's Deputy Director. The Director position has been vacant for almost two years, since David Kappos stepped down in February 2013, leaving Lee to head the office even without permanent status there.

Lee previously worked as deputy general counsel for Google, forming strong ties to the technology sector. It was speculated that the interim position was a trial period for the nomination. She was also scrutinized at a [hearing](#) of the House Judiciary Committee's Subcommittee on Courts, Intellectual Property and the Internet in July and praised for her performance.

She has faced opposition, namely from members of the pharmaceutical industry. Many in the pharmaceutical industry would have preferred a nominee from that sector. The debate was framed as indicative of which sector would dictate the patent agenda moving forward. The technology sector is pleased with the nomination, [reports](#) The Hill. Lee holds degrees from M.I.T. in electrical engineering and computer science and a law degree from Stanford. She spent 20 years as a patent attorney. Over the summer, the Obama administration had floated the name of Philip S. Johnson, head of the patent practice at Johnson & Johnson, but met resistance.

Lee's nomination must be confirmed by the Senate Judiciary Committee and then the full Senate, though it will likely have broad support. Senator Patrick Leahy (D-VT), Chairman of the Judiciary Committee said in [a statement](#), "I have found Ms. Lee to be thoughtful and respectful of the diverse perspectives across the patent community, and a valuable resource to the Senate Judiciary Committee." Lee has spoken out against so called "patent trolls," organizations that hold patent portfolios just to sue for infringement. Her nomination is seen as helpful for potentially passing legislation to combat patent trolls. A bill addressing the issue sponsored by Senator Patrick Leahy (D-VT) was abandoned in May.

The patent office is 178 years old and employees 10,000 people. Still, here is currently a backlog of more than 600,000 patent applications and the agency has been criticized and found scandal in recent

years. Lee, if confirmed, will also be charged with continuing implementation of the 2011 America Invents Act, intended to update the US patent system. She would also represent the U.S. in international patent negotiations. She would be the first woman Director of the patent office in its history.

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