

USPTO Publishes Artificial Intelligence Strategy

A photograph of a modern building with a curved, glass-and-metal facade, showing multiple floors and windows, set against a light blue sky.

1 MIN READ

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On January 14, 2025, the United States Patent and Trademark Office (USPTO) published its Artificial Intelligence Strategy, outlining five AI Focus Areas:

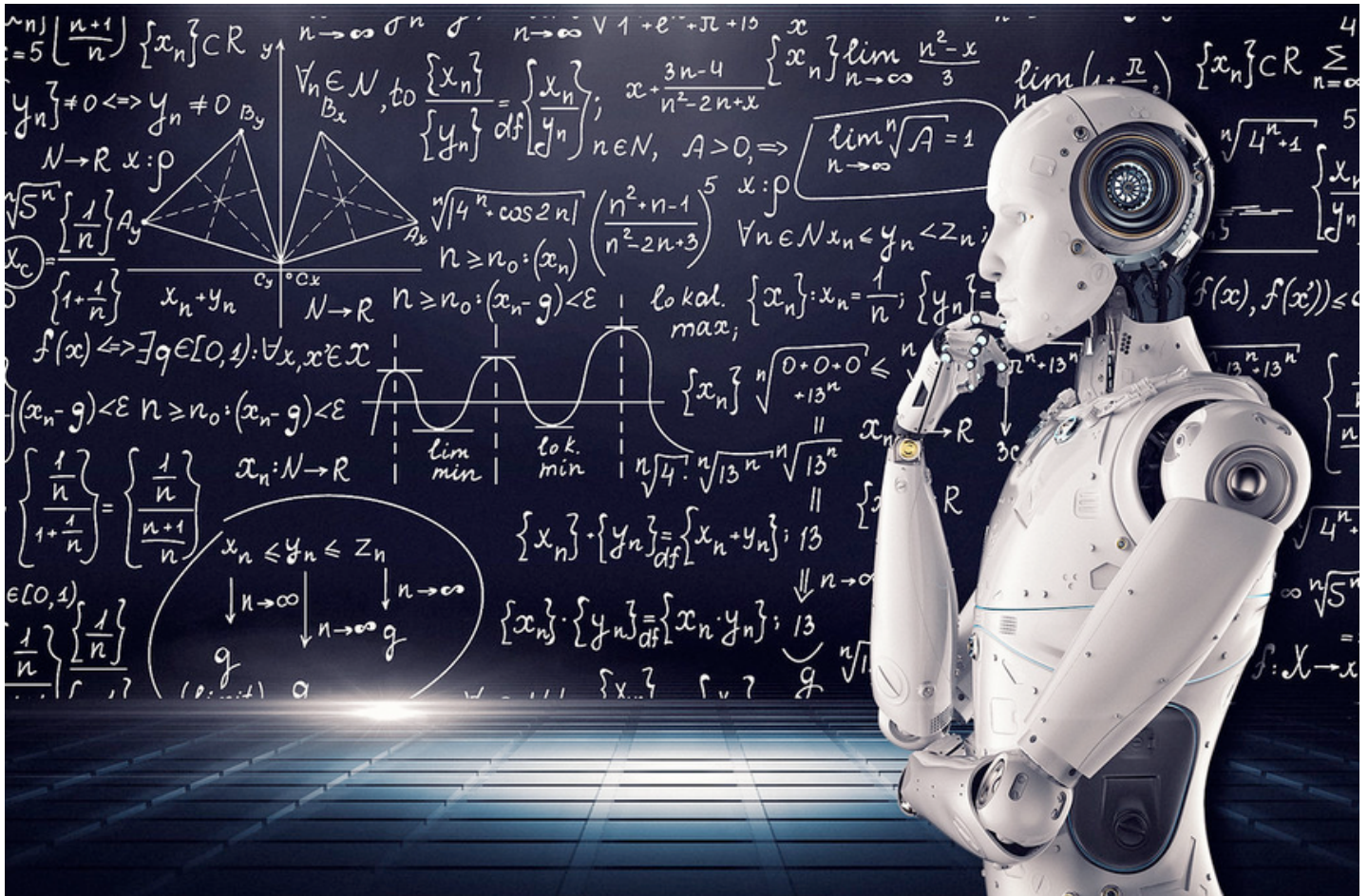
1. Advance IP policies to promote inclusive AI innovation and creativity;
2. Invest in computational infrastructure, data resources, and business-driven product development to build AI capabilities;
3. Promote the responsible use of AI within the USPTO and across the broader innovation ecosystem;
4. Develop AI expertise within the USPTO's workforce; and
5. Collaborate with other U.S. government agencies, international partners, and the public on shared AI priorities.

Consistent with the April 30, 2024 Request for Comment, this Strategy Paper reiterates that the USPTO expects AI to have significant implications for patent law issues, such as inventorship, subject matter eligibility, obviousness, enablement, and written description, see page 9 (“Patents”), as well as the “volume and character of” patent applications. The USPTO signaled its intent to participate in and influence IP policy and jurisprudence regarding

AI, stating that it “will identify and pursue opportunities to engage with courts” and “work with Congress to address policy issues at the intersection of AI and innovation.” See pages 12-13 (Action 1.4). The USPTO further indicated that it would develop “foundational curricula available to all examiners” to ensure “a baseline level of foundational AI fluency,” as well as in-depth programs for examiners “who examine particular complex applications of AI.” See page 21-22 (Action 4.1).

Our agency’s AI vision is to unleash America’s potential through the adoption of AI to drive and scale U.S. innovation, inclusive capitalism, and global competitiveness. To realize this vision, we will pursue a mission centered on fostering AI innovation, leveraging AI effectively and responsibly, and empowering the AI ecosystem with data and research.

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