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Setting and Adjusting Patent Fees during Fiscal Year 2017

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General Comment

There is currently a proposal to increase Plant Patent issue fees by more than 30% for Fiscal year 2017. On behalf of many horticulturists and plant breeders, we would like to request reconsideration of this increase. Horticulture is an industry of many small and mid-sized companies relying on new patented plant varieties to stimulate the plant buying market.

Innovation is a long-term venture for companies of any size, from single employee companies, to those with several hundred. Before an application is made for plant patent, the inventor of a new variety may have many years of hybridizing and testing. Growers rely on new varieties to keep customers coming back every year for something new. New varieties are essential to the marketing program of nearly every grower.

Horticulture is a labor-intensive industry faced with many regulations. It would be a great benefit to the horticulture industry to maintain patent costs at their current levels. A 30% increase in issue fees seems a bit steep for a small industry to absorb.