

**Esther Lim (00:04):**

Good day, everyone. Welcome to this panel to discuss diversity, equity, and inclusion initiatives and resources at the United States Patent and Trademark Office. My name is Esther Lim and I am Partner and Chief Diversity and Inclusion officer at Finnegan. Finnegan is excited to partner with the USPTO on this panel to discuss these important issues. With us today are Director Molly Kocialski, Director of the USPTO's Rocky Mountain Regional Office, and Director Hope Shimabuku, Director of the USPTO's Texas Regional Office. It's a pleasure to moderate this session with you. Thank you both for being here.

**Hope Shimabuku (00:51):**

Thank you for having us. Thank you, Esther.

**Esther Lim (00:58):**

Director Kocialski and Director Shimabuku, I am so pleased to be discussing important issues around DEI and the USPTO's ongoing efforts and initiatives to increase diversity and inclusion. When talking about diversity and inclusion and intellectual property, many of the USPTO's resources refer to inclusive innovation. What does inclusive innovation mean?

**Hope Shimabuku (01:27):**

Thank you, Esther, and thank you for joining us and having both Molly and I. We are very happy to be here, and that is an excellent question. Diversity and inclusion is a huge, important issue and initiative that the USPTO is working on. And when it comes to intellectual property, the definition of inclusive innovation is a big part of that. So when we're talking about inclusive innovation, we are just not talking about diversity with respect to ethnicity or race or gender. What we're talking about is inclusive innovation across a broad spectrum, specifically the underserved and the underrepresented community. And so what does that really mean? For those who don't typically have access to the USPTO or to intellectual property resources, they would be considered an underserved community in a community that we want to include in the innovation system. And for those who are underrepresented from a minority ethnicity standpoint, those are also folks that we want to include in the innovation space, but we also want to include those who we typically do not see in the innovation space.

**Hope Shimabuku (02:45):**

So for example, veterans. Veteran owned businesses. Those are folks or organizations that we typically are not seeing represented. We are also not seeing a lot of folks who are in the disability space or in the handicapped arena. And so those are also underserved and underrepresented individuals who could be a part of the innovation. So when we're talking about inclusive innovation, we're talking about the whole spectrum of the innovation ecosystem. The other piece of inclusive innovation for us is the difference of what I call the definition between equity and equality. And so there's a lot of discussion that has been out there for a long time with respect to equity. And so what is the definition, or the difference, between equity and equality? So with equality, it is the picture of giving every single person, the exact same resource no matter who they are, but when we're looking at services or different aspects of innovation, equity is really meeting individuals where they are.



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**Hope Shimabuku (03:55):**

So for example, I don't know if you've ever seen the classic picture of someone in which - it's a cartoon and you're looking over a fence trying to see a baseball game. Every individual is a different height. Equity is giving every single person the exact same box or crate to stand on, to see over the fence and look at the baseball game, but not everyone is still going to be able to see the baseball game if you are not that height. So what equity is, is giving them the exact number of boxes or crates that they need to stand on so they can see the game. And so in the same way, when we're looking at inclusive innovation and how we're providing services and including people, we want to make sure that we are meeting people where they are giving them equity, as opposed to equality.

**Esther Lim (04:53):**

Thank you for that excellent explanation. Why is inclusive innovation so important?

**Molly Kocialski (05:01):**

Oh, so thank you, Esther. That's also a really, really good question. And I will say - you know, it's not often that you get to trot out the success of America. But it really is; and inclusive innovation is crucial to the United States' economic success. We know that there is a relationship between intellectual property and the U.S. economy. We face more global economic competition than ever before. And we really need every single brain that has the desire and the want to innovate to be able to innovate. And so like Hope was talking about, when we talk about equality, it's making sure that each and every person who wants to innovate has the tools, and the services, and the information right at their fingertips, where the USPTO can help meet those people where they are and bring them along in their intellectual property journey.

**Molly Kocialski (06:00):**

And at the end of the day, it really is, like - I always say that diversity is not a tagline. It's really just good business. We know, and every single study shows, that diverse teams create better products. They create products that are more relevant to their customers. They create products that sell better, and they create products that last longer in the marketplace, because you have that diversity of experience, you have that diversity of brains around that table to create those products. And really, I mean, over the past 50 years, the United States has become an exporter mainly of intellectual property. We're the innovators, and we need to continue to be the leaders in innovation over the course of the next however many years in order for our country to succeed. And that means that we need every single brain, and we cannot be approaching innovation with anything less than an all-in inclusivity to it, because we won't succeed otherwise.

**Esther Lim (07:07):**

That's certainly true. But given that importance, what are some challenges, inventors from underrepresented groups face?

**Hope Shimabuku (07:19):**

That's a really good question, Esther. And I think it's a great question for us to really talk about today because there are so many challenges that inventors face; face just in general, but from the underrepresented group, I think there's a particular challenge that they face. And a lot of it is being the first, and the pioneer, in anything with respect to innovation. They are literally trailblazing the path, not only through innovation, but being the first in their family, first in their community, and first in anyone. They have no other examples that they're really looking at to be able to help them along the way. And so there's a couple stories that I would like to share. And one of them is about Ceata Lash. Ceata is the founder and the creator of what is called the PuffCuff.

**Hope Shimabuku (08:14):**

And so the PuffCuff is actually a hair clip design for hairs of different ethnicities. And so every different ethnicity has different type of hair, whether you're Asian, African American, Caucasian, your hairstyles are different. And so what this particular design is, it allows you to put your hair up in a ponytail or a ponytail-like area, and be able to put it up without the hassle of tangles, as well as headaches, really. And so she actually thought of this product in 2006, but didn't really actually pursue it until 2012. And part of the reason that she didn't pursue it was she didn't exactly know what to do. And there were no resources around her to be able to ask the questions on what to do. And so she was able to connect with an engineering professor at a community college that she was working on, and she was telling him about this idea.

**Hope Shimabuku (09:18):**

So he was able to pull together a CAD drawing for the design of what she was thinking initially, and to get the whole process started. She was also able to get connected to the local small business development center and get an initial loan for her particular product. And that loan actually was a \$16,000 loan, but at the end of the day, \$16,000 as you and I know, that doesn't get us very far. And so she actually had to reach out to family members, reach out to her own savings, because she could not get a loan otherwise based on the resources that she currently had. And so she also was able to get connected with a local IP attorney, and that IP attorney was able to help her obtain three to four patents, as well as a trademark for her business. But throughout the whole journey, Ceata really had to network, figure out on our own, and find the resources that she needed.

**Hope Shimabuku (10:19):**

Another person is named Samina Farid, and Samina Farid is actually the co-founder of Merrick Systems. And it is now a global provider of software to the oil and gas industry, and it's one of the largest providers of that software system. When she actually initially started, she came from an immigrant family and she actually launched this particular organization or company in 1992 out of her home in Houston, Texas. The difficulty for Samina was that she had this idea, but it was a software company, but she was a brand new company. No one knew her and she didn't have the resources to be able to compete with all the other well-funded, larger companies that were in the Houston area. So what did she do? She started to think very creatively about how to get her employee base. For example, she was actually one of the first companies to invent maternity leave.

**Hope Shimabuku (11:21):**

And so she had women who were there who had the technical background to be able to help with the company, but they needed the flexibility to be able to work, and be able to come in to work, to help her build this company. So she developed the system of maternity to be able to help facilitate that. She also had a huge immigrant base in Houston, which had the technical ability as well, but they didn't necessarily have the language skills or other things that were critical for them to work in the average company. So she developed a system to be able to bring them in, to encourage them to come in. And as a matter of fact, the diversity of thought made her company that much better. As a matter of fact, in addition to that, she was able to expand because of her of the diversity of languages. She was able to expand internationally to go and sell across borders because she had that base of employees who could speak that particular language and be able to do business in that particular language. So while there are significant challenges, there are also significant stories, but thinking through all of these challenges, they are slightly different, and many of the stories are like Samina and like Ceata as they are trying to figure out their way and become part of the system.

**Esther Lim (12:46):**

Thank you. That's remarkable. Speaking of these innovative firsts, does the USPTO have current statistics on women and minority inventors?

**Molly Kocialski (12:58):**

We absolutely do. And it's a little bit difficult, right? For us. We do not collect demographic information on inventors or on our patent practitioners. So a lot of what we're doing is some analyzing of the public information that we have that of course has an error rate that's associated with it. And you can find a really, really excellent discussion of all of that in our progress and potential reports, as well as in our SUCCESS Act report that we sent to Congress in 2020. But, you know, we know some things, right? We know that women make up about 48% of the general workforce, that we only make up about 25 to 20 7% of the stem workforce, depending on which study you read, and we know that the women inventor rate from the progress and potential report is right about 13.1% in 2020.

**Molly Kocialski (13:56):**

So we know, right? Like there's just kind of this drop off of women who are in the workforce, women who are in STEM jobs that maybe could be innovators, but I actually suggest that it doesn't matter what your job is for you to innovate. And then we have this other drop off and we're losing the women that would normally be that foundation of the base for inventors, right, the 25 to 27% of the workforce to 13.1%. So that's a large drop off and we're really looking at what we can do in, and what we need to do in order to kind of peel back the layers of that multifaceted problem and find out what's really going on, and then also encourage women to innovate. And the best statistics that we have are on women. You can see from our SUCCESS Act report that we have a little bit more of a challenge in identifying other minority aspects or diversity aspects. So we start with women, and we have the conversation about women, and see what we can do there,

**Esther Lim (15:05):**

Recognizing those start statistics, what steps has the USPTO taken to address these challenges and to serve underrepresented inventors and promote inclusive innovation?

**Molly Kocialski (15:19):**

So I'll take this one. Like I said, inclusive innovation is a multifaceted problem. So there's a lot that we're doing to really look at what we can do to encourage innovation, to be much more inclusive than perhaps it currently is. So we do have our council for innovative or inclusive innovation or our CI2 Initiative. And within that, we're doing an innovation internship program that has 50 paid internships to provide hands-on job training to community college and university students. We have announced, although we have not published the rules and regs about how to do it, so it's not quite prime time - but we have announced a first time filer expedited examination petition, which of course mirrors our fast track program, or track one program, for expedited examination and early indication of patentability for first time micro entity filers.

**Molly Kocialski (16:21):**

We will definitely publish that in the Federal Register Notice, so keep your eyes out for that. We expect it to launch this fiscal year, but probably early fall. For people who might be under resourced, we're expanding our pro bono patent services. Our law school clinic certification program has more than 60 participating law schools. Four new law schools are joining us this year, George Mason, Case Western, Wake Forest, and Brigham Young. Universities are all joining that. We have a community outreach campaign that we're going to pilot to see if we can maybe have, you know - we have a nationwide workforce of our examiners, perhaps we can leverage a lot of them in their local communities to help educate people on the importance and accessibility of IP resources. We created the Patent Trial and Appeal Board pro bono program for underserved and under-resourced inventors.

**Molly Kocialski (17:15):**

We are working on a Trademark Trial and Appeal Board pro bono program for underserved and under-resourced inventors. We're working internationally with WIPO, their committee on development and intellectual property. We are a member of several interagency working groups on STEM education. We are also working with the national science foundation, and we have a large number of outreach and educational programs designed to uplift underrepresented groups, starting from kindergarten all the way up through college. Our National Inventors Hall of Fame, a USPTO educational program for Camp Invention, which is K through 6, served 165,000 students this year who received support to attend those. There were 2,400 schools and districts that participated in 2021, 22,000 educators participated in those programs. And then for the Collegiate Inventors Competition that we also run with the National Inventors Hall of Fame,

**Molly Kocialski (18:17):**

we had about 6,500 collegiate inventors' competition participants. And I will put a plug in for this program. I remember going to see one of the awards ceremonies for collegiate inventors. And I just remember coming out so impressed with the next generation of scientists and engineers and

innovators. The sophistication of their thought and the care that they put into it. I really felt like I hadn't accomplished anything over the course of my lifetime compared to these kids that were just in college. So I will say there's all of that. In the corporate world, the regional offices worked with Santa Clara University's High Tech law Institute to create best practices for increasing diversity in invention harvesting, which is that first gate of how an idea becomes a patent application inside a corporation. There's usually some committee that reviews those ideas, and we put together a little paper about best practices for that. So, like I said, it's a multifaceted problem, multifaceted solutions. And I can say that everyone at the USPTO is behind our CI2 initiatives and anything that we can do to increase inclusivity in innovation.

**Esther Lim (19:49):**

That's certainly a very impressive list of steps that the USPTO has undertaken, and really addressing the challenges through a multifaceted approach. Thank you so much for that. Has the USPTO established specific initiatives to encourage and to facilitate diversity of inventors?

**Hope Shimabuku (20:14):**

Yes. So I'll go ahead and take that. In addition to all of the programs that Molly just mentioned, the USPTO actually has done a number of different things. We actually do have outreach programming in which we do look for diversity of inventors in which we are looking across the board where we are at and where we need to be. And so we have this whole map that we've laid out, in what we call the hub model. And so we are looking at different programming based on the location, the technology areas, and what's actually out there in which we are able to bring programming to the different areas that may not necessarily have that programming. And so the regional offices are doing a mixture of different things. We're either out there in person, or we are giving virtual programs, which has allowed a lot broader depth and access to a number of different people who otherwise would not have had access to our particular programs.

**Hope Shimabuku (21:21):**

In addition to that, though within the PTO, we've been doing a lot of other things, we've been doing things like having training materials be more inclusive and diverse, but onsite as well. We wanted to make sure that the services that we had, and the tools that we had, were able to be inclusive so that we could serve our entire stakeholder community. So, for example, if we have been increasing the availability of non-English personnel, as well as literature. And so we are increasing that not only within the hard copies of the literature we have, but we are looking at that on our website as well, so that we are able to be able to provide information in different languages. We are also looking at tools and support onsite. So for example, if you are coming onsite and you are visually impaired, you are probably not going to be able to use the regular search tools and the different facilities that we have to be able to search for a patent or search for trademark, but we want you to be able to still do that.

**Hope Shimabuku (22:30):**

And so we are looking at different tools to be able to help facilitate that they exist, and we do have them in certain areas, but they may not necessarily be available in all the regional offices. So we're looking at that for those who are visually impaired, as well as hearing impaired as well. And so all of these things,

as well as the trainings of additional personnel, to be able to help provide training in certain languages, all of these things are different initiatives that we are looking at inside, as well as providing those trainings outside of the USPTO as well.

**Esther Lim (23:07):**

Thank you. The patent bar is a specialized group of practitioners, both agents and attorneys. What steps has the USPTO taken to foster diversity in the patent bar, including diversity of patent agents?

**Molly Kocialski (23:26):**

So, again, right, it's a multifaceted problem, and you really do want to tackle both sides of the equation. You know when we talk about innovating and when you talk about your baby, your product, you really want someone that you feel a connection with, and that you feel that you have something in common with to represent you, someone you trust. And so if we expand the number of people who are participating in innovation, and we expand the number of brains that are doing that, we need to expand it on the other side of the house too. Well, there's a couple of issues that go along with that, right? If in order to be a patent attorney or a patent agent, you have to have a scientific background, right? And if you are a patent attorney, you then have to have a law degree. For people who may be the first in their families to go through, this is a really esoteric kind of career and field, and they don't necessarily understand what we do.

**Molly Kocialski (24:33):**

So I think, right, one of the things that we have been doing a lot through the regional offices, through, I think, everyone at the agency, is really advertising what an amazing career patent law can be. I don't know - well I do know about Hope because we talk about this all the time - but you know, I fell in love with this area of the law in the early nineties, we'll just date me there, and I've stayed in love with it ever since. It is amazing to be at that intersection between technology and law and watch what it does for people and watch how it opens up people's lives, opens up their communities, supports their communities. It's just an amazing place to be. So we're really serious about taking and creating a more inclusive environment in the patent bar as well.

**Molly Kocialski (25:29):**

Right? So we've made some administrative changes to the patent bar examination, eligibility requirement. We've moved some commonly approved Category B degrees to Category A, making it easier for people with those degrees to actually qualify in the past, if you had a master's degree or a doctorate in a technology but your undergrad was in rhetoric, you couldn't qualify under Category A. You can now, right? Like if you're getting a master's or a doctorate in a hard science, you should be able to qualify for the patent bar. So that's one of the things that we've done. We've also modified the Category B criteria so that if there's a demonstration of scientific or technical proficiency, the USPTO will now recognize that proficiency that's gained through the coursework. So we have also conducted a supplemental review of all the patent bar applicants from 2018 to 2020 to determine their salutation preference, and gained new insights into those the gender breakdown mainly of those applying for the exam.

**Molly Kocialski (26:37):**

We estimate that of the 45,000 to 50,000 active patent practitioners in the United States, about 22% of them are women. And Harrity & Harrity did a study that actually concludes from their analysis that there are more registered patent attorneys named Michael than there are minority women patent attorneys. So clearly we have a lot of work to do. For the insights that we gained for those applying for the exam, 65% selected a "Mr." as their salutation, 35% selected a "Ms." and about 0.29% didn't select either. So we do think that we're pretty close on what those percentages for the patent bar are. We're exploring additional ways to expand the admission for registration to practice in patent cases before the agency and before the Patent Trial and Appeal Board will be seeking public input on these topics in the near future. And just a plug for all of us -

**Molly Kocialski (27:46):**

any initiative that we talk about, we really want to hear from our stakeholders on that. So please do not hesitate to reach out if you have something to say about any of the initiatives that we're talking about now, or you have ideas about more things that we can be doing. We would love to hear about them. Our Patent Trial and Appeal Board also initiated a LEAP program that helps less experience practitioners gain practical experience in the proceedings, and a chance to strengthen their oral advocacy skills. As of May, 2020, 135 practitioners have given arguments in cases, ex parte appeals, or AIA trial proceedings. And one of the things that we have heard from them is especially for the younger attorneys, this is like a defining moment of their career. This is their war story. This is what they get to talk about over cocktails.

**Molly Kocialski (28:40):**

So they're really excited about it. So we love that. Our law school certification program, I think that's a win-win, both for our stakeholders as well as from the students who gain experience under experienced practitioners to represent clients that really need their services in both the patent and the trademark side of the house. Our office of education is initiating several educational programs with HBCUs, tribal colleges, Hispanic serving institutions, minority serving institutions and especially in more of a "train the trainer" IP curriculum. So we're really targeting faculty to get the word out to the students about what they're going to be facing in their careers when it comes to intellectual property. We applaud anybody who's doing anything, and I do have to give a shout out to Finnegan here. Your IP University is amazing. The other diversity and inclusion efforts that Finnegan has made and initiatives that they have started and supported are absolutely fabulous. So keep up the good work. And we love joining with other institutions, other law firms to speak at any of those universities to you know, encourage people to come into the patent profession. Because it really is, again, we think critical to the success of the United States.

**Esther Lim (30:09):**

Thank you so much for your kind words. It has been a privilege at Finnegan to launch the Finnegan IP university this year, which has been a resounding success in increasing awareness early on to STEM majors, both undergraduate and graduate levels, to introduce them to the world of IP and related career opportunities. We've continued to be surprised to hear from students that this may have been the first touch point to the possibility of IP and using their STEM degrees in this fashion. So it will be an ongoing effort and we are very pleased to be partnering with the USPTO on a number of initiatives as well,



Director Kocialski. I also share with you the memories in the nineties of being in the IP profession. And I personally had to jump through hoops to qualify, to sit for the patent exam as a double major in computer science and mathematics. And so I really applaud the Patent Office for its ongoing efforts to reduce barrier to entry for those with adequate STEM backgrounds to sit for the patent bar and to enter this wonderful profession.

**Molly Kocialski (31:31):**

And there is one more thing, just when it, when we talk about like how the USPTO is looking at this, we're not just looking at, you know, barriers to entry. We're also looking at obstacles and barriers to practice, right? So Esther and Hope, I know you both recall there used to be a fee that was associated with changing the name on your registration certificate at the agency. That's no longer the case. We realized, you know, just again, because we're taking a look at everything, everything is on the table for us to take a look at, is it a barrier? Is it an obstacle? Does it affect one population more than another? And the name change, we realized, affected women and transgender (people), mainly. And so we removed it

**Esther Lim (32:21):**

Every little bit helps.

**Molly Kocialski (32:23):**

I know!

**Esther Lim (32:27):**

What is the USPTO doing to promote diversity and inclusivity for practitioners and inventors?

**Hope Shimabuku (32:36):**

So that's a great question, Esther. And I think that in all of our discussions we have been doing a lot. I think we live in a very exciting time, as a matter of fact, Molly and I were at a conference last week and we heard a speaker and for the first time ever, I was shocked. And she said that there are more female engineers than male engineers that are currently being that are currently graduating from school in the U.S. today. And I think that is huge for our community, for the diversity and inclusivity innovation community, because I think that that is leaps and bounds beyond what I had even thought that we would ever be talking about today. And so with that, even with our Progress and Potential Report - so the USPTO did a report about three or four years ago, in which we were studying female inventor rates.

**Hope Shimabuku (33:32):**

And a lot of those numbers that you heard today are from that particular report. And at the rate that we were going, it was predicted that it would take over a hundred years before we even saw parity with respect to patent inventors from the female and male standpoint, which there would be even number of patent male and female inventors across the board. But with those statistics and the numbers that we just heard, I'm super excited that we will be meeting that a lot faster. And the attention and programs like y'all are doing with Finnegan's university and this particular program, I think, all add to that. So with

that being said, the USPTO, in addition to the reports and a number of the different outreach events that we have been talking about, we have started the CI2 Initiative, which is led by our Secretary of Commerce, Gina Raimondo.

**Hope Shimabuku (34:30):**

And she is really looking at and brought together a brain trust of the leading minds and the universities, as well as the companies and government, to come together to think about what we need to do to continue to advance the innovation ecosystem and be more diverse and inclusive. We have a number of different programs that Molly and I are constantly speaking at one of my favorite that I have been really speaking at is the DEIA and the workplace initiatives. And so just speaking about that and talking to different law firms and companies and different groups on how we can continue to bring in DEIA concepts very simply in everyday life, just simply by conversations, and making, especially our supervisors aware of how to bring in those programs and be more inclusive in the work environment.

**Hope Shimabuku (35:30):**

I, as well as Molly participated in a number of different stakeholder events. The one that I'm thinking about is something that I think is very near and dear to yours and my heart, Esther, is the NAPABA Convention, and Molly is an honorary Asian, and she has been there to speak as well. She came with me a couple of years ago when we were at the NAPABA Convention as well. And so for those of you who are not familiar with it, that's the National Asian Pacific American Bar Association conference. And there are thousands of attorneys that go every year to go to this particular conference. Other events that we are looking at participating in are the SWE and the SHIP national conferences, as we are trying to actively recruit and encourage women, as well as Hispanics and minorities to be able to be a part of the innovation system.

**Hope Shimabuku (36:25):**

And then the last group that we've been really focusing on are a lot of the women-owned and veteran communities. And so they are a huge community, especially the veteran owned businesses, as they are coming out of their service. And they are looking at reintegrating and looking at different business opportunities. We have been working with a number of those business centers to be able to connect with them and encourage them and give them the tools that they need to be able to come out and start their business and be contributors in the innovation system.

**Molly Kocialski (36:56):**

And then I will also add to Hope's a little bit on that because I don't think we've actually discussed the specific hub model of the regional offices when we're conducting our trainings. One of the things that we recognize is that the population that's bicoastal, you know, the west coast or the east coast population, they really do seem to have more of the IP language. They have more of an education and understanding and an awareness of the IP language. That may not be the case when you go inland from the coast of California into the inland empire. It, it is definitely not the case when we're talking about some of the people in the population in my region, in Wyoming or North Dakota or South Dakota. You know, it just hasn't become part of their lexicon and yet, right,

**Molly Kocalski (37:55):**

they are starting businesses. They are trying to improve their communities and create and innovate. And so they need to have that as part of their lexicon. So what we've done from a regional office perspective with the trainings that we provide - we've divided it into hub models based on zip codes. And that way we know we're targeting that geographic diversity as well. And I think both Hope and I have participated with other aspects of our economic development communities in our regions. And we really like to focus on a lot of those typically underserved communities. So REI does something called Outward Bound that is really amazing. And that is an accelerator program for outdoor gear equipment, those kinds of things, but for minority business owners. And I got to teach and mentor some of those this year. And so we really do look for those opportunities. We look for those companies that are doing things that we can bolt onto and help them and mentor those companies. And again, with the philosophy that we meet them on their IP journey, wherever they are.

**Esther Lim (39:17):**

Thank you both. It's so wonderful to recognize diversity in so many different dimensions including geographic diversity, regional diversity, socioeconomic diversity, and so on. The patent bar inventor and practitioner initiatives target college and postgraduates, but the USPTO is also reaching out to even younger populations to promote STEM for the next generation of entrepreneurs and inventors. What are some of the USPTO's initiatives promoting STEM?

**Molly Kocalski (39:52):**

So we do participate in a number of interagency working groups. The interagency working group on STEM education - we're part of the Committee of Science, Technology, Engineering, and Mathematics there. We work with the National Science Foundation on inclusion, across the nation of communities of learners, of underrepresented discoverers in engineering and science, or the INCLUDES National Network. Every acronym has to have a meaning, right? So the USPTO's work has really, especially in inspiring the next generation of STEM participants really started a very long time ago, and we have any number of learning and resources that are available. One of my favorites is what I consider to be our premier program in that space, is the National Summer Teachers Institute. It's a free program for teachers where they get a week of innovation and intellectual property education for free.

**Molly Kocalski (40:58):**

They have to apply and they have to take back what they learn and implement it in their classrooms, but it's a really amazing "train the trainer" program. And it has an amazing uptake. Like once someone gets involved with the National Summer Teacher's Institute, they're converts for life, and they really get jazzed by all of the things that they're able to do through that, all of the learnings that they get, all of the teaching tools that they get from that. But we also have lots of different things that the agency is doing, more along the lines of showing people that they can be an inventor. I really think that you can't be it if you can't see it, and like Hope was talking about, that trailblazing it to be like the first person to do it.

**Molly Kocialski (41:51):**

That's a really hard path. So if you know that someone's done it before you, it's a little bit easier, you've got a role model, you've got someone that you can look up to. And so I love our inventor trading card set for that particular purpose. You can find that in the Learning and Resources area of our webpage. I love our Journeys of Innovation series, one of my favorite quotes from that is from Susann Keohane, who is a master inventor at IBM. And thank you, Hope, for inviting me to South by Southwest so I could meet Suzanne. She still says - she has what, like 140 patents to her name, something like that in the United States alone? And she still says she doesn't think of herself as an inventor.

**Molly Kocialski (42:39):**

It's truly amazing to me that, you know, someone that innovative - and she works in IOT for the aging, right? Someone that innovative can think of themselves still, not really, as an inventor. And so our Journeys of Innovation page features, Susann Keohane. We feature any number of other people from all walks, all aspects, of inclusivity. It is, you know, whether you're young or old, whether you're in a wheelchair, whether you're LGBTQ or transgender, whether you are whatever, right. There is a Journeys of Innovation story for you. There is also an inventor trading card for you to look up to someone that might look like you. And then when we added Dr. Temple Grandin into our inventor trading cards so that children with autism or people with autism have somebody who thinks like them in that set of cards.

**Molly Kocialski (43:40):**

And so it's just really neat, the work that the agency has done over the last several decades to build those stories, to build that community, and to build that educational platform that Hope and I get to benefit from every time we go out and talk. And when we do go talk to the younger generation, they get it really easily. They get that intellectual property is something that you should be able to protect because you created it with your mind. And they love a lot of the educational tools and resources and exercises that are on our Learning and Resources page that go along with those inventor trading cards. So if you are doing something for your kid's school, if you're doing something for someone else's kid's school, whatever it might be, please do check out that aspect of our website, check out our Journeys of Innovation. Those stories are so inspiring. And if there's someone that you know of that should be featured in them, please do reach out to us, because we love to hear about that inspiration and then spread the word.

**Esther Lim (44:49):**

It certainly does give us calls for inspiration and Hope for a better future, thank you for that. Both of you have referred to the USPTO having started the Council for Inclusive Innovation, CI2. Can you explain the CI2 program a bit more and how inventors and practitioners can get involved?

**Hope Shimabuku (45:13):**

Absolutely. So we actually call it "CI Squared", even though when it's typed out it's CI2. And so, as I mentioned before, CI2, which is the Council for Inclusive Innovation, is an organization that is chaired by Secretary Raimondo, who's the secretary of commerce. Our director, Kathi Vidal, sits on this particular council. And it is a group of the leading thinkers in business, academia, government, and the leaders that

are coming together with the goal of expanding innovation across the entire innovation ecosystem. So they're doing a number of different things in which they're holding round tables, they are talking to different people, and then they're looking at different ways to be able to spur innovation across the underserved and their underrepresented communities. So the question of how you can become involved is be involved! Reach out to us, Molly and I, or even those members of the Council for Inclusive Innovation and ask, can you host a round table?

**Hope Shimabuku (46:21):**

Can you be a part of the conversation? Can you be a part of the dialogue? And even though you may not be able to do it specifically under the umbrella, or the auspices of CI2, there are many other opportunities that exist within the regional offices, as well as within the USPTO, that you can get involved. The most important thing that we want you to hear is: be a part of the story, be a part of the journey of innovation, and be a part of increasing the number of people who are involved in the innovation ecosystem, because we can't do it ourselves. And we need you to be a part of it. We need to get your great ideas, and we need to understand how you are doing it and how we can help those who are first and trailblazing. Right now, how can we be a part of your life and your journey to make it a little bit easier? We have a number of different resources that we can provide across the board, but sometimes we don't know that you need the resource until you tell us. We can guess at it, but until we know, we won't know. So definitely let us know, be a part of the story and be a part of the different things that are out there.

**Molly Kocialski (47:37):**

I'll echo that in every way. Absolutely do not hesitate to ask us for help. And I know how that sounds coming from the federal government, but, right? Like really, we really, really, really mean it. And, we will come and we will have a conversation about DEIA issues. We will have a conversation about IP and your journey pretty much anytime, anywhere, right, Hope?

**Hope Shimabuku (48:05):**

And then if I can't be there, Molly will be there. <Laugh> as you can hear, <laugh> we share a lot.

**Esther Lim (48:13):**

Well, both of you are with the federal government and both of you are here to serve the public, so thank you. We've focused a lot on what the USPTO does as an organization to promote DEI in the IP profession. Stepping back a little bit: More generally, what can organizations do to promote DEI in the workplace, including becoming allies for inclusivity and steps to foster inclusive workplaces?

**Hope Shimabuku (48:46):**

That's a great question. And Molly, feel free to jump in if you have additional input. But I think the one thing that you have to remember is that you don't have to have a big giant program to be a part of the DEI story or the journey for those in your workplace. It can be as simple as being curious. There are many, many, many world events that are happening across the board and many things that are happening that you click on your TV, you look on the internet, and there are things that are happening

across the world, whether it's within the United States, whether it's across the world in China and Ukraine, all of those things. And if you have a colleague that's there, ask them the question, ask them how this situation has affected them, how you could be supportive, even though they are not directly there, they may have family there, or they may just feel sympathy because they've been in that same position and felt those same feelings for those particular events.

**Hope Shimabuku (49:52):**

So be a part of the story, ask them questions, because I think that once you start asking them questions, getting to know them, then you know how to be an ally to them as you are in the workplace. The other thing is - one of the things is - don't always assume you can't be a part of the group because you are not that group. So for example, Molly is an honorary Asian. She came and joined me at the NAPABA conference. She's not Asian. But because of her willingness to be a part of the organization, to come and join me to kind of learn about a different culture, she's becoming an ally and she's being able to understand some of the things and the different struggles that we've gone through in the DEI world. So, Molly, do you have any other suggestions?

**Molly Kocialski (50:45):**

So I love that suggestion because first of all you're right, the curiosity about other people using a lot of empathy when you're having those conversations and trying to put yourself in that person's shoes, I think is definitely something that you should reach for every time. And again, it's, it's on an individual level, on an organizational level. Get involved in things that aren't your typical organization. Be a mentor to somebody who looks different from you. And really, you know, I know I myself have grown so much, both as a person, as a lawyer, as a leader, when I have somebody who looks different for me, that's teaching me about who they are, who their culture is. And I find more in common with them than there are differences, and it's made me better on so many levels. So I always, you know, and especially if your workplace or your organization has a mentor program, really go out of your way to make sure that you're mentoring someone who looks and has a different background from you and bring them along in the organization.

**Molly Kocialski (51:57):**

And so, and again, as Hope says, we want you to be part of the story. Everybody has a story. I know that for both Hope and I, we certainly wouldn't be in the position that we're in without the people and the men who mentored us along the way. And we are both very committed to mentoring others. You know, there was a Colorado Technology Association event here that had the theme of reaching forward while pulling from behind. And so we really do have that philosophy at the USPTO. We're moving forward, we want to move forward, and we're reaching forward, but we want to make sure that we bring everybody with us.

**Esther Lim (52:38):**

Well, thank you for moving forward while you pay it forward. And for promoting cross-community allyship to strengthen all of the collective communities. Thank you so much for doing that on behalf of the USPTO and for our community at large. Thank you so much, Director Kocialski and Director

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Shimabuku, for sharing your insights and for your leadership in promoting DEIA. It's been a pleasure speaking with you.

**Molly Kocialski (53:14):**

The pleasure's all ours, Esther. Thank you so much for inviting us.

**Hope Shimabuku (53:18):**

And thank you to Finnegan for helping to support this as well. So we appreciate you both.

**Esther Lim (53:25):**

It's been an honor. Thanks so much.