

## AI Usage by USPTO Employees

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Last year, as reported in a memo [recently](#) obtained by *WIRED*, the United States Patent and Trademark Office (USPTO) issued internal guidance that its examiners and other employees cannot use generative artificial intelligence (AI) for any purpose. The memo, authored by USPTO chief information officer Jamie Holcombe, expressed security and bias concerns associated with generative AI.

However, the guidance does not fully limit an examiner's ability to use AI. The USPTO press secretary clarified to *WIRED* that employees can still use approved AI programs. For example, USPTO examiners have access to the [AI-based "Similarity Search"](#) in the Patents End-to-End (PE2E) search tool. The Similarity Search feature in PE2E allows examiners to input selected portions of a patent specification and receive related prior art that can be used to form rejections. Examiners must indicate in the application file that Similarity Search was used to put the public on notice.

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