No. 22-704 IN THE Supreme Court of the United States

KATHERINE VIDAL, Under Secretary of Commerce for Intellectual Property and Director, United States Patent and Trademark Office, *Petitioner*,

v.

STEVE ELSTER, *Respondent*.

CERTIFICATE OF WORD COUNT

As required by Supreme Court Rule 33.1(h), I certify that the document contains 4,767 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 1, 2023.

/s/ Susan J. Kohlmann Susan J. Kohlmann