Washington State Patent Law Association

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Agency Status

- Quality goals met, Pendency unchanged, good progress on backlog reduction

- Improvements:
  - Patent Count System
  - Performance Plans for examiners, SPE's
Strategic Goals

Achieve First Office Action on the Merits within 10 months. And reduce overall pendency to 20 months.

Our work has been focused on:

- increasing collaboration and transparency with our stakeholders;
- making changes to processes, policies and programs; and
- continuing work sharing efforts with global partners.

Stakeholder Relationships

Creating a two-way dialogue, and soliciting feedback.

- Providing Information
  - Directors Blog, webinars and online chats
  - Independent Inventor Conference, and Inventor's Eye publication
  - Patent Examiner Technical Training Program (PETTP)
  - Peer to Patent Pilot Project
  - Policy guidelines
  - Data Visualization Center

- Gathering Information
  - Roundtables
  - Public Comment requests
Applicant Collaboration to produce better applications and facilitate issue resolution:

- Compact Prosecution Training
- First Action Interview Program
- Ombudsman Program
Applicant Collaboration - Interviews

• Interview Training improved communication skills of our examiners
  – interview time up nearly 40%
  – examiners logged 138,222 interview hours in FY 2010.

• First Action Interview Pilot Program
  – First action allowance rate over twice that for all filings

• Applicants embrace the open, collaborative culture change

Accelerated Examination

Initiatives that help move applications through the patent prosecution system:

• Enhanced Examination Timing Control – “Three Track”

• Green Tech pilot program

• Project Exchange

• Accelerated-Examination Program
Efficiency Through Process Improvement

- Reengineering Classification system
- Reengineering patent processes
- Patents ‘end-to-end’ IT development initiative

Workload Distribution

Number of Applications Awaiting FA vs. Application Age
First Action Output in 2014

FY 2014 First Action Distribution

Work-Sharing Initiatives

Current Programs:

• PPH
• PCT-PPH Pilots
• SHARE-type initiatives:
  – USPTO-KIPO SHARE Pilot
  – USPTO & UK-IPO Action Plan for Re-use
• PCT
• IP5 Foundation Projects
Patent Prosecution Highway

- Provides quicker patentability determination in multiple jurisdictions
- Fourteen participating offices
- First Office Actions within 3 months on average (from program acceptance), providing the pre-exam processing has been completed.
- The program cumulative allowance rate is 95.1%, as compared to 45.6% in FY 2010 for all applications.

Total PPH cases

Date

Cumulative total
Applications

Number of PPH Requests Cumulative

0 500 1000 1500 2000 2500 3000 3500
Improving Quality

- All Quality measures met our targets in FY 2010.

- Shift resources from the “second-pair-of-eyes” effort to a front-end quality program that assists examiners early in the examining phase.

- Five new measures of patent quality were developed through the Patent Quality Task Force study, bringing the total quality metrics to seven.

Quality Metrics

**Existing Measures:**

- Final Disposition Compliance Rate
  - Appropriateness of final dispositions of applications

- In-Process Compliance Rate
  - Appropriateness of Office actions on the merits during the prosecution

**New Measures:**

- First Action on the Merits Search Review
  - Degree to which the search conforms with the best practices of the USPTO

- Complete First Action on the Merits Review
  - Degree to which the first action on the merits in an application conforms with the best practices of the USPTO

- Quality Index Report (QIR)
  - Statistical representation of quality-related events in the prosecution of the patent application

- External Quality Survey
  - Experiences of patent applicants and practitioners with USPTO personnel and examination issues

- Internal Quality Survey
  - Experiences of examiners with internal and external interactions and issues
Conclusions

• Our strategic priorities guide us to the goal of reducing pendency and backlog, and contribute to the improvement of the global IP system.

• The USPTO has launched new initiatives that bring new ways of thinking; an open-minded thinking to our Agency.

• We have embraced transparency and openness because collaboration with our partners and our applicants brings us the insight we need to reach all of our goals.

Thank You