

USPTO Update

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UNITED STATES
PATENT AND TRADEMARK OFFICE

uspto

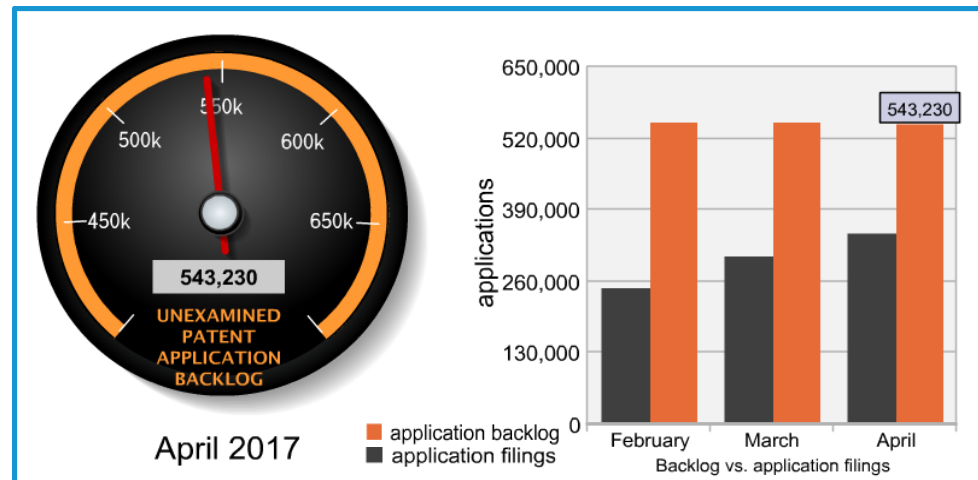
Patent Office Statistics – Patent Applications

Backlog

The backlog of unexamined patent applications decreased ~30% since 2009.

Filings

Patent application filings increased ~32% since 2009.





Strategic Goal:

***Optimize Patent Quality
and Timeliness***

Patent Office Statistics – Patent Applications

First Office Action Pendency

First Office Action (FOA) pendency decreased ~42% since 2011.

FY 2011	FOA Pendency = 28 months
April 2017	FOA Pendency = 16.3 months

Total Pendency

Total pendency decreased ~26% since 2010.

FY 2010	Total Pendency = 35 months
April 2017	Total Pendency = 25.7 months

Patent Office Statistics – Ex Parte Appeals

Ex Parte Appeal Backlog

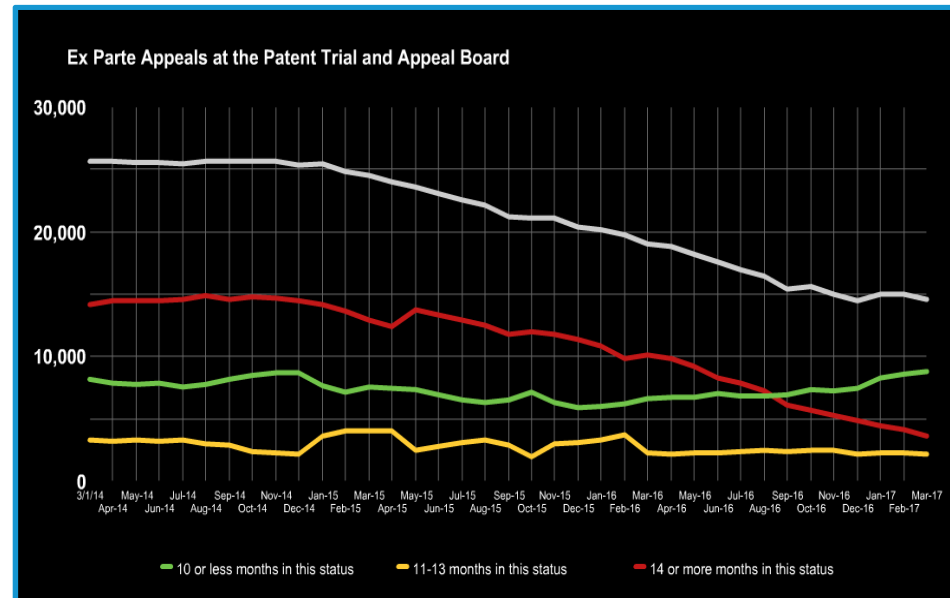
The Backlog of Ex Parte Appeals decreased ~45% since 2011.

FY 2012	~26,000 appeals
April 2017	~15,000 appeals

Average Pendency for Appeals

Average Pendency for Ex Parte Appeals decreased ~30% since 2016.

FY 2016	Pendency = 28 months
April 2017	Pendency = 19 months



Patent Quality

- Enhanced Patent Quality Initiative (EPQI)
 - Established in 2015
- 12 EPQI Programs
 - Search and Training
 - Prosecution
 - Post-Examination
 - Evaluation



Patent Quality: Consistency

- Technology Center-Specific “Best Practice” / Quality Concerns
 - Reopening Prosecution
 - Rework of Office Action
 - Consistency of Decision Making
- Root-Cause Analysis Across 1,000+ Examiners
 - Quality Concerns / Negative Examination Performance
 - Improper Claim Interpretation
 - Failure to Identify / Apply the Most Appropriate Art
 - “Best Practice” Examination Performance
 - Searching Both the Claimed Invention and Inventive Concept
 - Early Identification of Allowable Subject Matter
- Focused training based on root causes and best practices





Strategic Goal:

***Optimize Patent Quality
and Timeliness***

Patent Quality: Measuring Quality

Product
Indicators

Include metrics on the correctness and clarity of our work products. Formulate these metrics using data from reviews conducted by OPQA using Master Review Form.

Process
Indicators

Assist in tracking the efficiency and consistency of internal processes. Our current focus is on analyzing reopening of prosecution and rework of Office actions as well as improving consistency of decision making.

Perception
Indicators

Use both internal and external stakeholder surveys to solicit information that can be used for root cause analysis and to validate/verify other metrics.

Patent Quality: Post Grant Outcomes

- Harness art raised during Patent Trial and Appeal Board (PTAB) AIA trials to enhance examination of related applications.
- Identify best practices and deficiencies that arise in examination.
 - Use information to tailor examiner training.



Domestic and Global Outreach

Total Remote
Programs
in Fiscal Year 2016

16

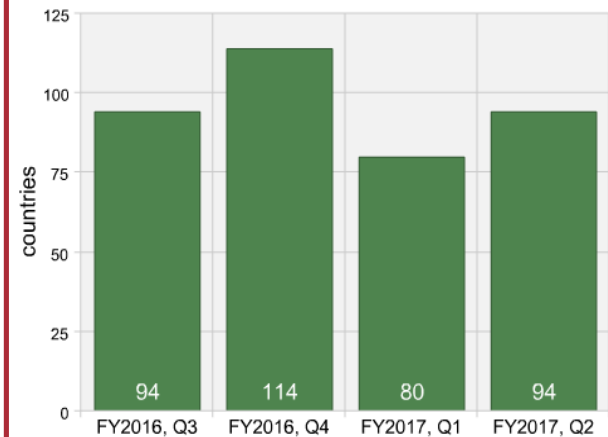
143

Total Programs in
Fiscal Year 2016

7,073

Number of Attendees Trained
in Fiscal Year 2016

Cumulative Number of Countries Trained in
the Fiscal Year



Domestic and Global Outreach

IP Attaché Program

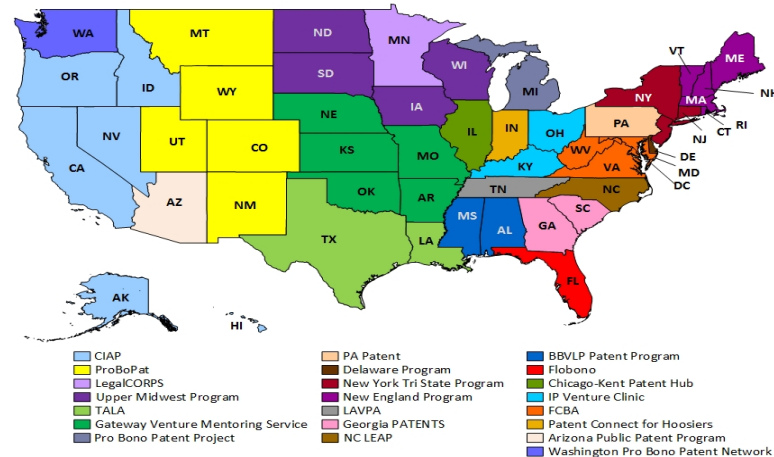
- Promote U.S. Government IP Policy Internationally.
- Secure High Standards in International Agreements and Host Country Laws.
- Encourage Effective IP Protection and Enforcement by U.S. Trading Partners.



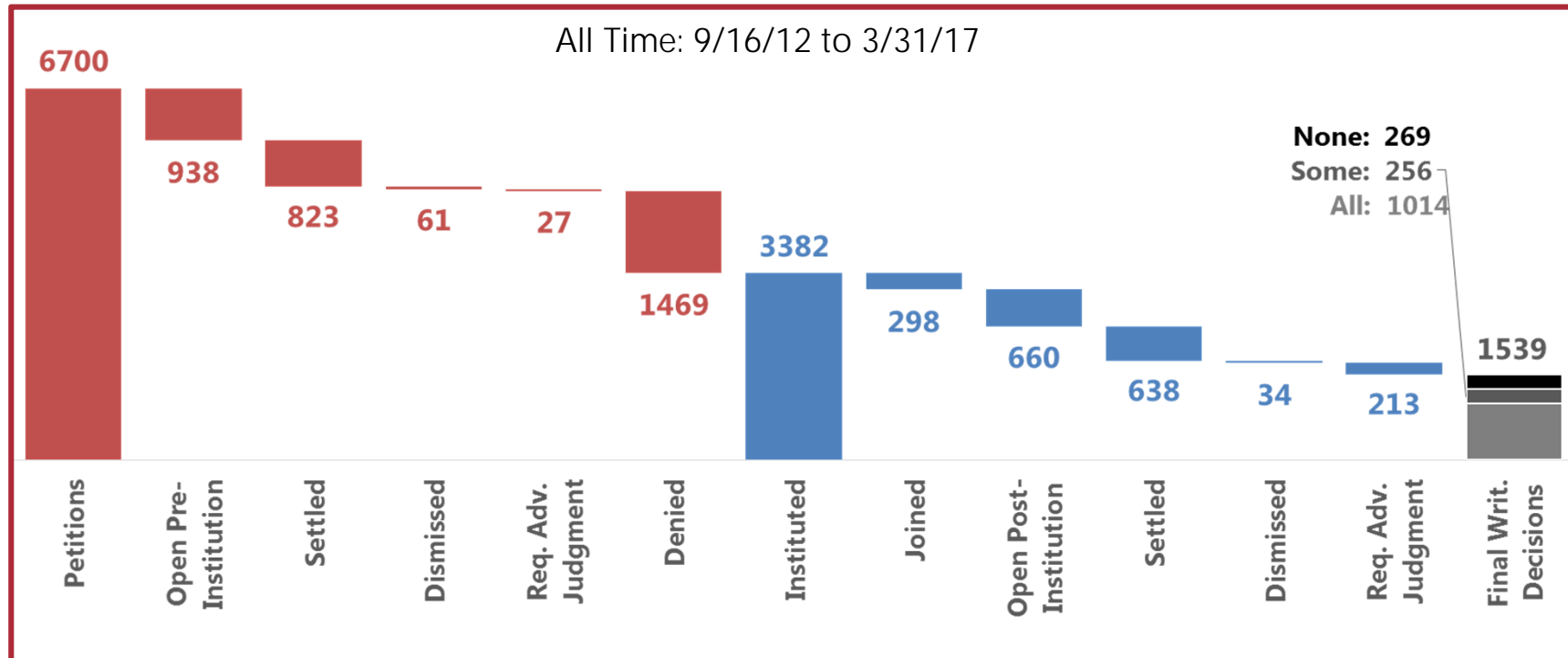
Patent Pro Bono Program

- Provides free legal assistance to under-resourced inventors who wish to secure patent protection for their inventions.

Coverage of Patent Pro Bono Program



Status of Petitions in All Trial Types



Institution Rates in All Trial Types

