

UNITED STATES
PATENT AND TRADEMARK OFFICE

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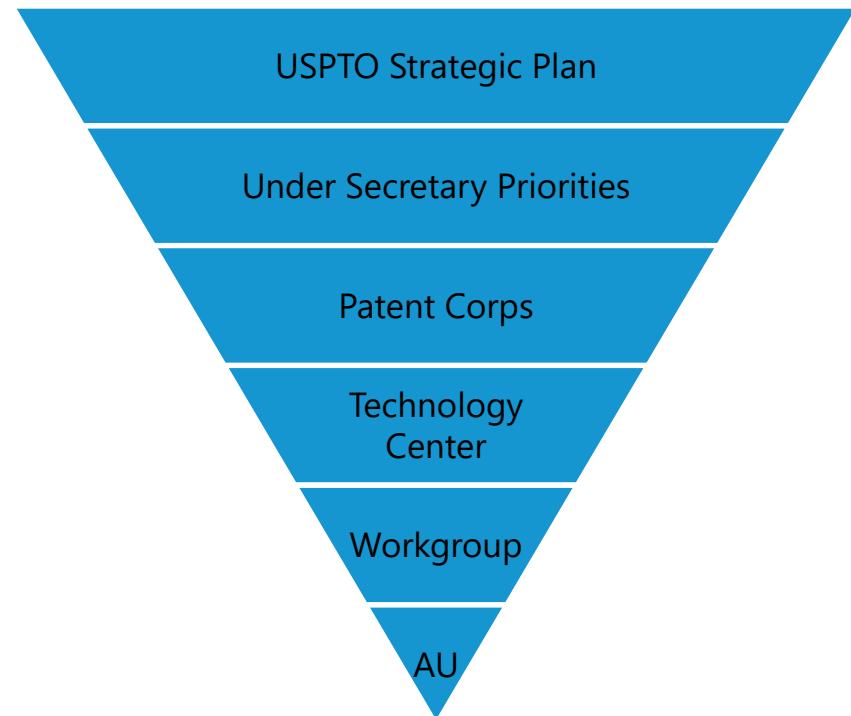
TC 1600 Quality Action Plans

Anne Gussow, TC 1600 QAS
May 8, 2019

Quality action plans

What are they?

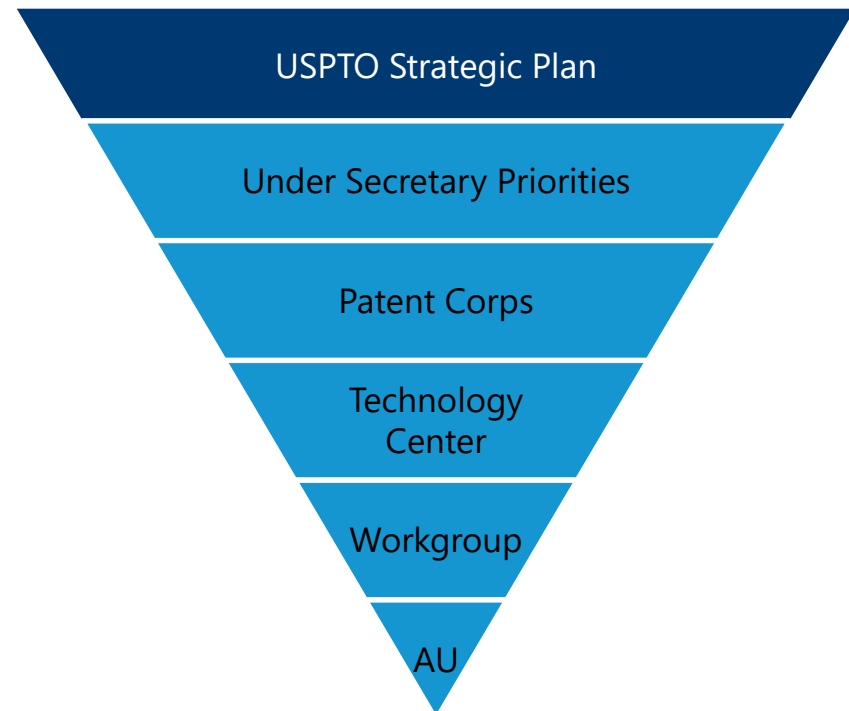
How do we come up with them?



USPTO Strategic Plan 2018-2022

Quality goal:
Optimize patent
quality and timeliness

Quality objective:
Issue highly reliable
patents



Source: [USPTO strategic plan:
www.uspto.gov/sites/default/files/documents/USPTO_2018-2022_Strategic_Plan.pdf](http://www.uspto.gov/sites/default/files/documents/USPTO_2018-2022_Strategic_Plan.pdf)



Quality objective: Issue highly reliable patents

Initiatives:

- A. Increase examiner's ability to obtain the best prior art during examination**
- B. Improve content, delivery, and timeliness of technical and legal training to achieve more predictable outcomes**

[Source: USPTO strategic plan:](https://www.uspto.gov/sites/default/files/documents/USPTO_2018-2022_Strategic_Plan.pdf)

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Quality objective: Issue highly reliable patents

Initiatives:

- C. Use patent quality data to identify areas for improvement to achieve more consistent outcomes**
- D. Refine production standards to achieve patent quality**
- E. Enhance transparency and communication of quality metrics**

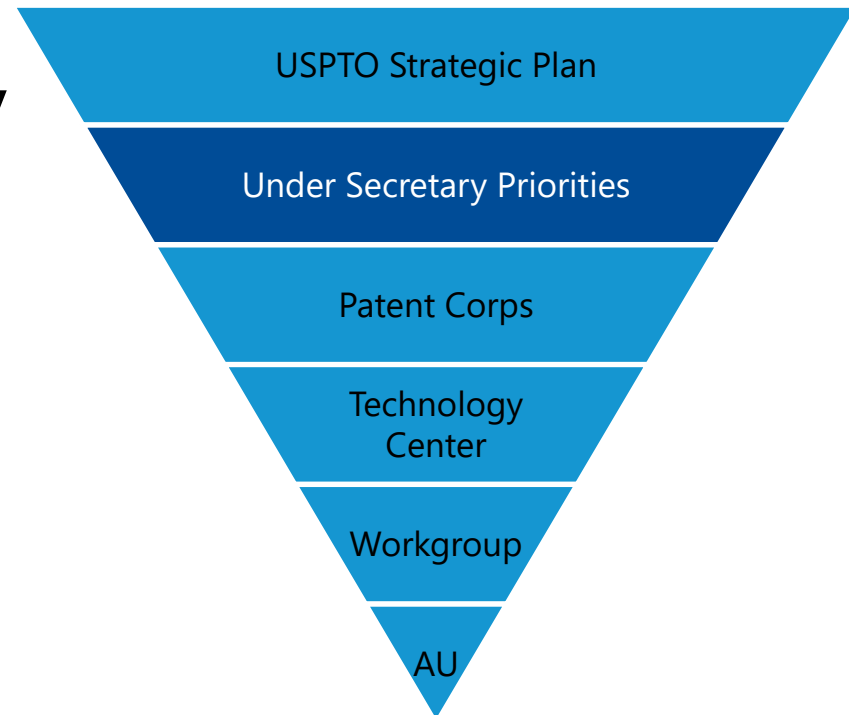
Source: USPTO strategic plan:

https://www.uspto.gov/sites/default/files/documents/USPTO_2018-2022_Strategic_Plan.pdf



Under Secretary priorities

- Subject matter eligibility (35 U.S.C. 101)
- Search – finding the most relevant prior art early in prosecution



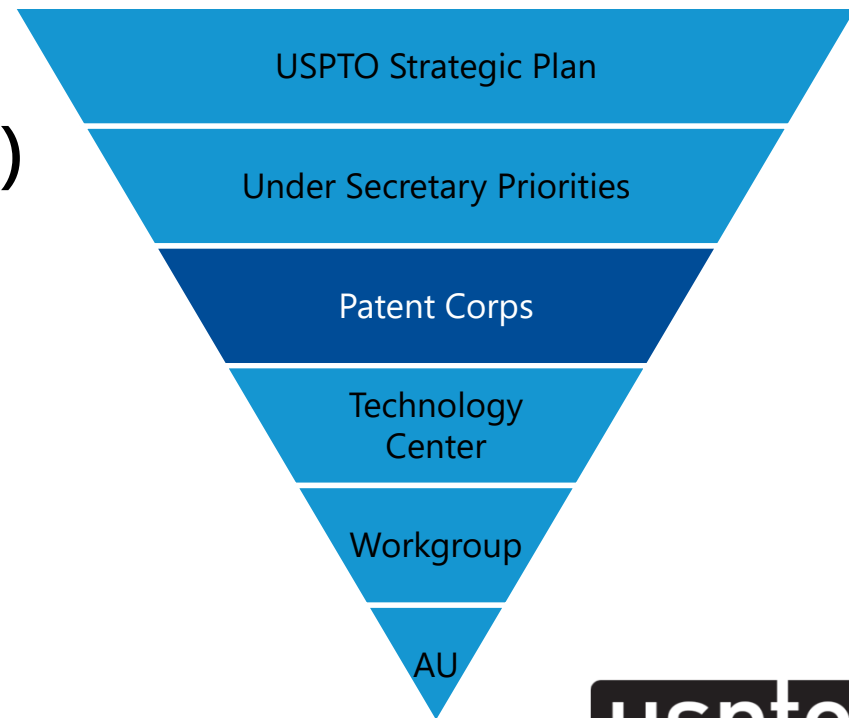
Sources:

<https://www.uspto.gov/about-us/news-updates/us-patent-and-trademark-office-announces-revised-guidance-determining-subject-matter-eligibility>
<https://www.uspto.gov/about-us/news-updates/remarks-director-iancu-artificial-intelligence-intellectual-property>



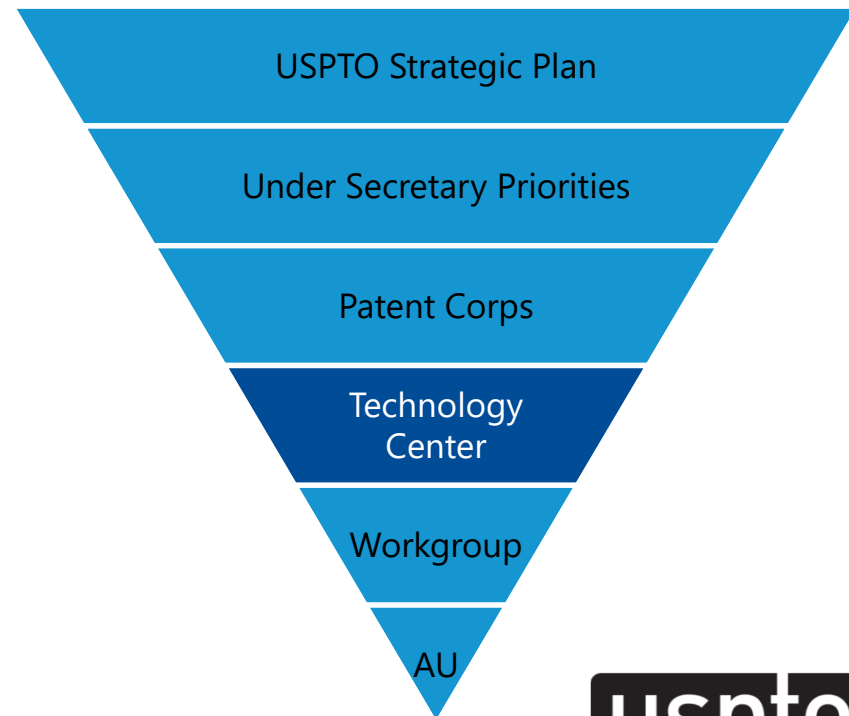
Patent Corps initiatives

- Subject matter eligibility (35 U.S.C. 101)
- Claim Interpretation
- Search training
- Election/restriction



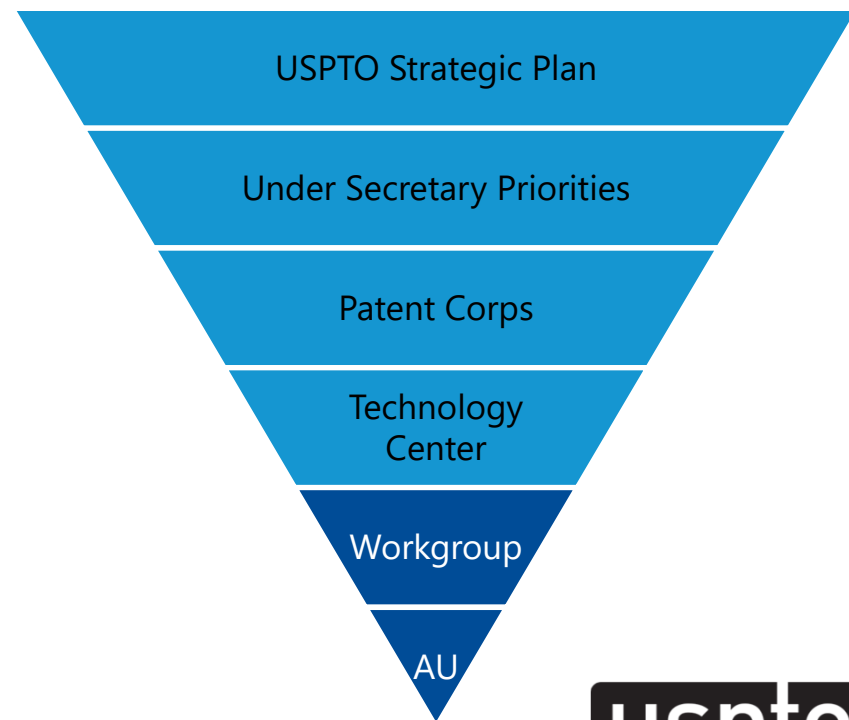
Technology Center plans

- Complements patent corps initiatives
- Takes into account Office of Patent Quality Assurance and Supervisory Patent Examiner case reviews
- Address areas of confusion



Workgroup and art unit

- Different arts can have different issues
 - Art-specific concerns
 - Examiner requests



Fiscal year 2019 TC 1600 initiatives

- **35 U.S.C. 101**
 - New guidance presented to examiners in late January
 - TC specific examples to follow

Fiscal year 2019 TC 1600 initiatives

- Search
 - Workshops “search best practices”
 - Databases
 - Synonyms
 - Key terminology

Fiscal year 2019 TC 1600 initiatives

- **Claim interpretation**
 - TC-specific examples
- **Election/restriction**
 - TC-specific examples

Fiscal year 2019 workgroup initiatives

- **Written description and antibodies**
 - *Amgen Inc. v. Sanofi*, 872 F.3d 1367 (Fed. Cir. 2017)
- **Ranges and new matter**
- **Search and sequences**
- **Search and chemical structures**



Questions?

