



UNITED STATES PATENT AND TRADEMARK OFFICE

Clearing the Oldest Patent Applications (COPA)

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Commissioner Memorandum

- From: Commissioner for Patents: Robert L. Stoll
- To: all Patent Employees: March 10, 2011
 - Subject: “Clearing the Oldest Patent Applications” (COPA)
 - Addresses 2010-2015 Strategic Plan Goal to reduce pendency to 10 months for a first office action by 2014.



COPA Kickoff

- April 7, 2011: Madison Auditorium
- “Start Your Engines’ : COPA 300: USPTO SPEEDWAY
 - Employee Briefing on Initiative and Need for COPA
- Details Given by:
USPTO Deputy Director Teresa Stanek Rea and
Deputy Commissioner for Patents Peggy Focarino

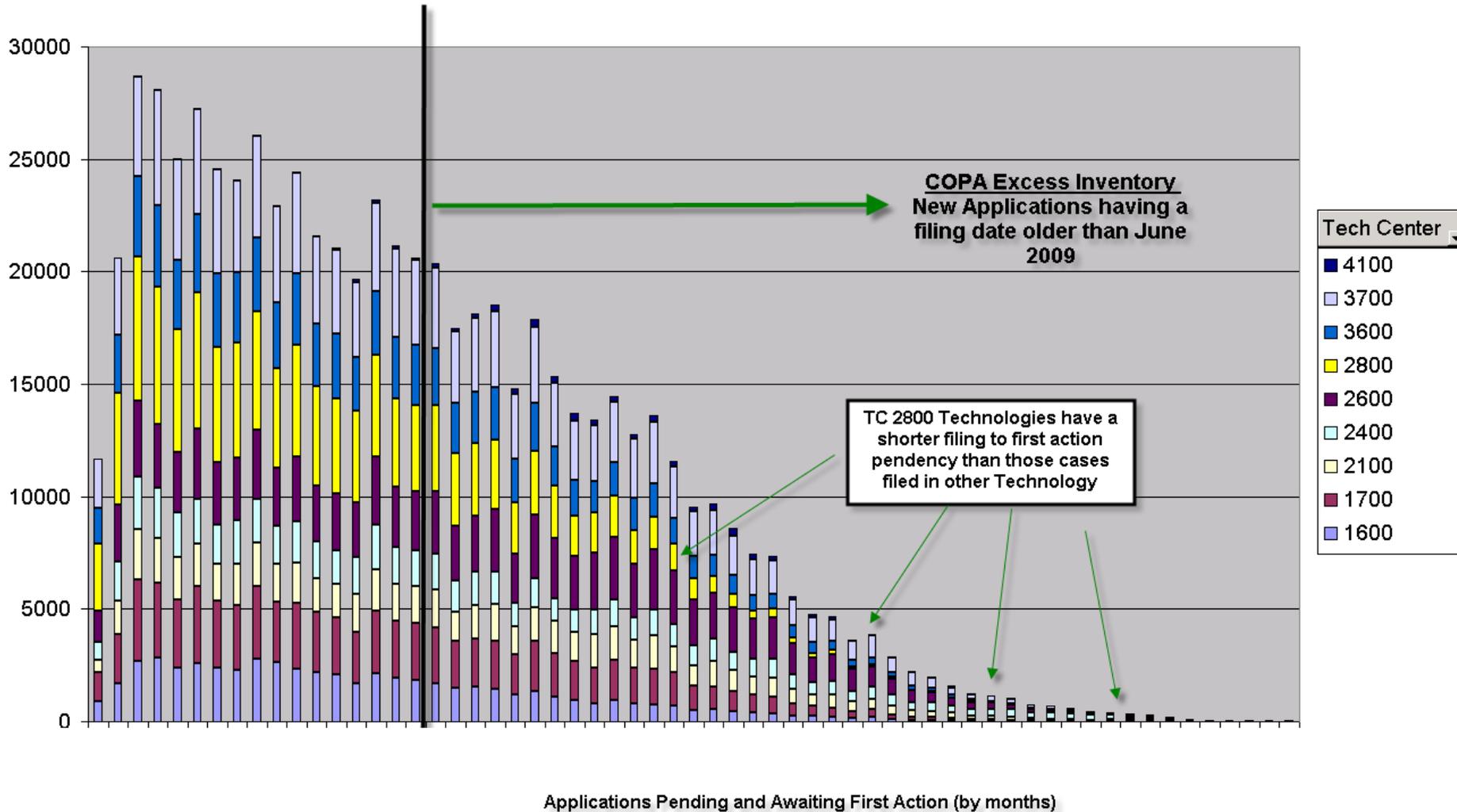


COPA

- Initiative: Redistribute oldest new case backlog to examiners having the skills and capacity to assist
- Commence: 2nd half of Fiscal Year 2011
- Goal: to reduce pendency by eliminating the backlog of oldest unexamined new applications
 - FY 2011 target: those with filing dates on or before June 7, 2009.
 - FY 2011 successful result : all applications >28 months old will have been initially examined.



COPA Inventories Beginning FY 2011





USPTO: Short Term Approaches

- Share resources between technology centers
 - rebalance workloads: identifying technological overlaps between art units and TCs to match backlog applications to available resources.
 - significantly eliminating the oldest cases moving toward an average 10-month first action pendency.
- Direct examiners to focus on applications with an “actual filing date of June 7, 2009 or earlier”.



USPTO: Longer Term Approaches

- Focusing on hiring additional examiners
 - Matching hiring focus into technological growth areas
 - Tuning our firepower to match docket inventories
 - Work within budgeting constraints
- Increasing the skills and technical knowledge of our employees
- Enhancing information technology (IT) efficiencies.



Workload Rebalancing

Vision:

- Identify closely related technology areas to facilitate case transfer and maintain quality examination.

Approach

- Query of Supervisory Staff to identify “Sister Art Units”
- Review Classification Dispute and Case Transfer Trends
- Examiner questionnaire:
 - Indicate expertise or work experience in an area outside current docket which may have a shortage of examiner resources.
 - The examiner may transfer to new art unit or accept cases in out-of-docket areas (no obligation for examiner or management)



Workload Rebalancing: by location

- Identify areas:
 - with a high number of COPA cases (high inventory), but
 - low capacity (number of examiners); and
 - areas with a low inventory and higher capacity.
- Match areas with similar arts
- Rebalance: shift cases
 - from art units with low capacity and many cases
 - to art units with high capacity and fewer cases.



Workload Rebalancing: by examiner

- Identify examiners:
 - willing to take COPA cases from outside their own art areas, and
 - willing to move to other art areas.
- Provide training and support for examiners who are willing to take cases from other art areas.
- Shift cases to the trained examiners.
- Monitor quality and production:
 - continue to shift cases as appropriate/necessary.



Workload Rebalancing: examiner incentives

- Examiner incentives:
 - goal adjustments
 - award upon achieving the COPA organizational goals.



Workload Rebalancing: Desired Results

Maintain Quality Focus

- Evaluating knowledge and experience correlation
- Selecting Assisting Examiners based on competencies
- Conducting technical and search training primers
- Establishing Home docket expertise support
- Monitoring Search and Technology application in shifted cases



Workload Rebalancing: Desired Results

- Decreasing time to first action in backlogged areas
- Realigning Technology Center backlog time frames
- Refocusing on oldest pending unexamined applications
- Continuing to reduce time to first action to under one year at the Corps level



Questions

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