

The seal of the United States Patent and Trademark Office is centered in the background. It features an eagle with wings spread, perched on a shield with stars and stripes. The eagle is surrounded by a circular border containing the text "UNITED STATES PATENT AND TRADEMARK OFFICE" at the top and "DEPARTMENT OF COMMERCE" at the bottom.

Complex Work Unit Pilot Program

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Biotechnology/Chemical/Pharmaceutical Customer Partnership
March 2007



Exploring Innovation at USPTO

- The Complex Work Unit Pilot is another in a string of innovative options that the Office is exploring or has implemented - all with the goal of improving timeliness and quality. These efforts include:
 - Training Academy
 - Pre-Appeal Conference
 - Appeal Specialists
 - Appeal Center
 - Other Time for Applicant-Initiated Phone Interview
 - Document Verification
 - Pre-First Action Interview
 - Accelerated and Alternative Examination
 - Technical Training Program
 - Peer Review
 - Certification and Recertification
 - Tech Fairs
 - Examiner Education Trips



What is a Complex Work Unit (CWU)?

- CWUs are complex information in patent applications, generally having specific electronic file formats
- CWUs appear most often within the specification, usually as drawings or tables
- CWUs, for 2007 Pilot, can include:
 - Chemical structure drawings
 - Mathematical formulae
 - Large tables
 - 3-D Protein crystal structure data
- CWUs can add significant complexity and cost to the application examination and publication processes



CWU Pilot Framework

- Begins in spring 2007 with a notice in the Official Gazette
- Gather information about existing Complex Work Unit (CWU) electronic formats in use in the IP Community
- Determine file types that may be useful for the USPTO to accept
- Make recommendations for future submission and handling of electronic CWU files



Pilot Objectives

- Electronic CWUs will assist in examination
 - Easier searches of relevant databases
 - Access to data will be streamlined
 - Proper viewing software can be applied
- Electronic CWUs will assist in publication
 - Savings of time and money by streamlining document composition
 - No need to recreate the CWU for publication
- Electronic CWUs will assist in dissemination
 - Files could be exported to public database partners



Key Points

- Electronic CWU files supplement the specification
 - Filing of applications, via EFS-Web or in paper, does not change
 - Source files are not a replacement of CWUs in the specification
 - Not all source files will be accepted at this time
- Adds no additional cost
 - Source file submissions will NOT be considered when calculating the application fees



Filing via EFS-Web

- EFS-Web currently accepts certain ASCII text files in addition to PDFs
- EFS-Web will accept the following CWU source files:
 - InChI™ (IUPAC International Chemical Identifier text files)
 - MathML (Mathematical Markup Language text files)
 - PDB (Protein Data Bank text files)



Filing via EFS-Web

- Submit CWU source files as separate text files
- Ensure the application displays each CWU, as usual
- Applicant must include a statement indicating that the CWUs in the text files are the same as those submitted as part of the application

For specific information on using EFS-Web, please contact the Patent Electronic Business Center at 866-217-9197.



Filing via CD

- USPTO will accept CWU source files on CD for applications submitted either via EFS-Web or on paper
- Source files submitted on CD can be any format or file type, as specified in Official Gazette Notice
- Applicant must include a statement indicating that the CWUs in the source files are the same as those submitted as part of the application



Filing via CD

- CWU source files submitted in the Pilot are not required to comply with 37 CFR 1.52(e)
- Each CD must be labeled “CWU Pilot”
- Only one copy of a source file CD is required
- Additional specific information will be provided at the start of the Pilot



Pilot Participation

- Your feedback and participation are strongly encouraged
 - A survey of potential participants will be released soon
 - On-site focus sessions are also planned
- Advance communications and questions are welcome
- If you would like to participate in CWU Pilot activities please contact:

CWUpilotsupport@uspto.gov



Conclusion

- The CWU Pilot team hopes to reach as many CWU filers as possible, as early as possible, for robust Pilot participation
- An Official Gazette Notice will be posted in the spring with details
- The CWU Pilot is a step forward toward streamlined application filing, increasing possibilities for e-filing, and broadening electronic document management at USPTO
- Please consider participating!



Questions?

For more information, please contact

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