

**UNITED STATES  
PATENT AND TRADEMARK OFFICE**



# Routing of applications to examiners

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# Background - Classification

- **USPTO uses classification to:**
  - Identify and group the technology captured in an incoming application
  - Match the technology in an application to a patent examiner
  - Assign examination time to an application

# Background - Classification

- In October of 2010, USPTO and EPO agreed to jointly implement CPC
- Significant step towards international harmonization
- CPC is a more flexible and up-to-date classification system

# Symbols on an application

	USPC	CPC
Number of symbols used for routing	One	One or more
Symbol(s) directed to	Most comprehensive claim	Entire disclosure

CPC and application routing:

- Opportunity to address multi-disciplinary applications via more than one CPC symbol.
- Personal expertise in the claimed art is an enhancement to productivity or ability to examine in a timely manner.
- **Challenge:** How to maintain examiners' technology expertise, and take advantage of the opportunity to use multi-disciplinary symbols to match applications to examiners?

# Updates to the routing of applications (1 of 2)

## Key goals:

- **Finalize the transition to CPC by eliminating USPC dependencies on operational processes**
  - Decrease examiners' burden of understanding and operating within two classification systems
  - Ultimately eliminate the Office's administrative and cost burden of using two classification systems
- **Maximize the retention of expertise and institutional knowledge of examiners**

# Updates to the routing of applications (2 of 2)

- Utilizing CPC:
  - Applications will be routed to examiners based on an examiner's work history (portfolio)
  - The classification picture on incoming applications will be compared to all examiners' portfolios to find the best examiner to examine the application

# Route applications based on CPC

- Match an application's classification picture with an examiner's work experience
  - **Application classification picture**
    - One or more CPC symbols allocated to an application
  - **Examiners' portfolios**
    - Representation of work experience in CPC



# Examiner portfolio

- Representation of an examiner's work experience
- Tally of the CPC symbols found on applications in which that examiner has completed at least one action
  - Actions include:
    - Final and non-final rejections
    - Allowances
    - Ex Parte Quayle actions,
    - First Action Interview Pilot Steps 1 and 2
    - Examiner's answers

# Example of examiner portfolio

- An examiner does a non-final rejection on a patent application with CPC symbols A01B1/01, A47C35/15, and F16H55/05.
- The examiner also issues an allowance on a different patent application with CPC symbols A47C35/15, F16H55/05, and B35J21/07.

Examiner Portfolio	
CPC SYMBOL	CPC TALLY
F16H55/05	2
A47C35/15	2
A01B1/01	1
B35J21/07	1

# Example of qualification assessment

CPC Symbols on an application	Examiner A tally	Examiner B tally	Examiner C tally	Examiner D tally
C12N15/1137	45	20	32	15
C12Y115/01001	32	10	10	10
C12N2310/14	21	15	9	4
C12N2750/14143	9	15	4	4
C12N15/1159	7	2	2	0

# Match examiners to an application

- Size of each examiner's new application docket.
- Examiner's symbol percent qualification.
- Number of other applications in the unassigned backlog for which an examiner has symbol qualification.
- Similarity between an examiner's portfolio and the classification picture on the application.

