Regarding Topic Submission for Case Studies pilot program
Submissions may concern any topic affecting the USPTO's ability to effectively issue high-quality patents.

Office actions from the USPTO sometimes contain rejections based on seemingly irrelevant citations. For example the citations sometimes reference pages which do not exist or appear to have no relationship to the rejected claim except for sharing some generic terminology. This may indicate a lack of understanding or a lack of time on the part of the examiner.

These rejections are easily overcome but consume "counts" or rounds of office actions (roughly correlating with effort) the USPTO allocates staff to examine an application before mandating a final decision. Rejection would likely lead to an appeal (in which the applicant is likely to prevail since the citations are irrelevant), which may count against the examiner's performance. Therefore, the examiner is motivated to grant the application, even without an insightful examination.

Such grants destabilize the patent ecosystem; in any subsequent license or litigation process, a patent's presumed validity--even if it was never properly examined--can terrorize businesses. The USPTO is therefore properly responsible for granting only applications which have been carefully considered (the "quality" part of the USPTO's mission statement).

Irrelevant citations are among the easiest aspects for a quality assurance process to check. As the USPTO's current quality assurance process is not subject to public scrutiny, it's impossible to know why it doesn't address the above. Possibly, the USPTO has disabled the QA process because it doesn't know how else to limit backlog given government salary caps and a work environment leading to high turnover. However, a quality assurance program should not be disabled due to political or management issues. Outside stakeholders including Congress and applicants deserve earnest reporting on USPTO patent quality in order to triage public resources towards reform. Hiding such quality issues results in the worst possible outcome.