

Mr. Cygan,

The following are suggestions for addressing improving patent quality in the patent examining operation.

1. Repeated withdrawal of an office action rejection in an application should warrant review for error by the examiner. Such repeated withdrawals reflect acknowledgment that the previous rejection was in error. This may not be a problem where there is only a single instance of such withdrawal during prosecution of an application, but repeated withdrawals is indicative of poor quality. USPTO monitoring and investigation of applications having repeated withdrawals would be one way to identify examiners that need training or other action in order to improve quality.
2. Unreadable signatures on an office action with no printed name of the person taking the action is problematic. Often such letters are sent in the form of a missing part(s) notice and have only a general phone number for response. It is difficult to use the general number to find a person who can speak to the issues raised in the missing parts notice.
3. General observation – Examiners who only word search are not sufficiently learning the relevant art so as to make meaningful combination rejections. Please contact me if you would like me to elaborate.
4. If the USPTO is serious about patent quality then there should be some external input to the quality review process. Measuring one's own quality is not objective.
5. It would be nice to have a central number to call and leave a message requesting a return phone call from an examiner so that the USPTO can monitor when the call is received and also to have a mechanism identifying when the call is returned by the examiner. Too often calls to examiners are not returned for many days or weeks.

Thank you for the opportunity to comment.

Richard

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