

# Operations update

**Dan Vavonese**

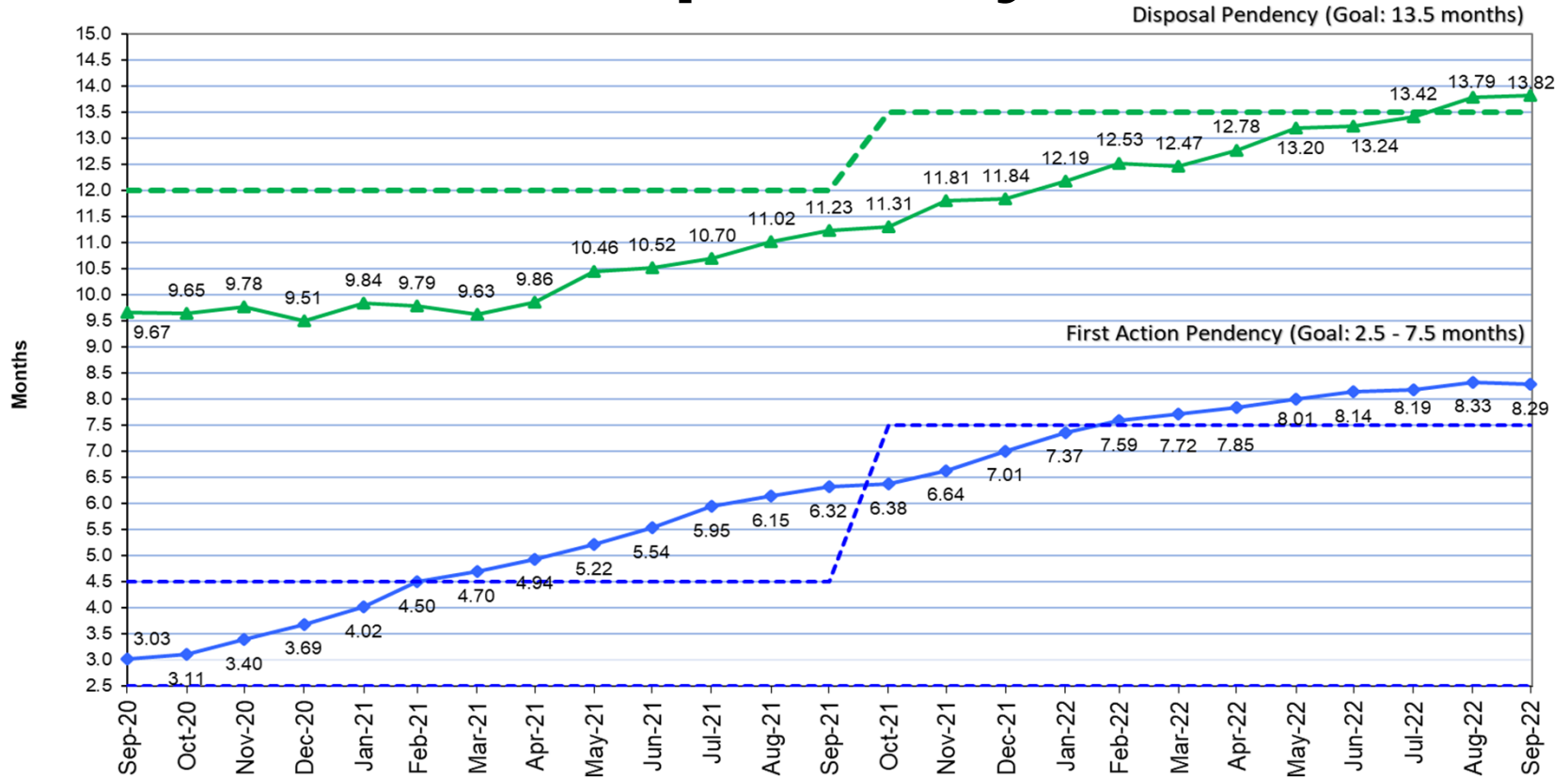
Deputy Commissioner for Trademark Operations

November 4, 2022



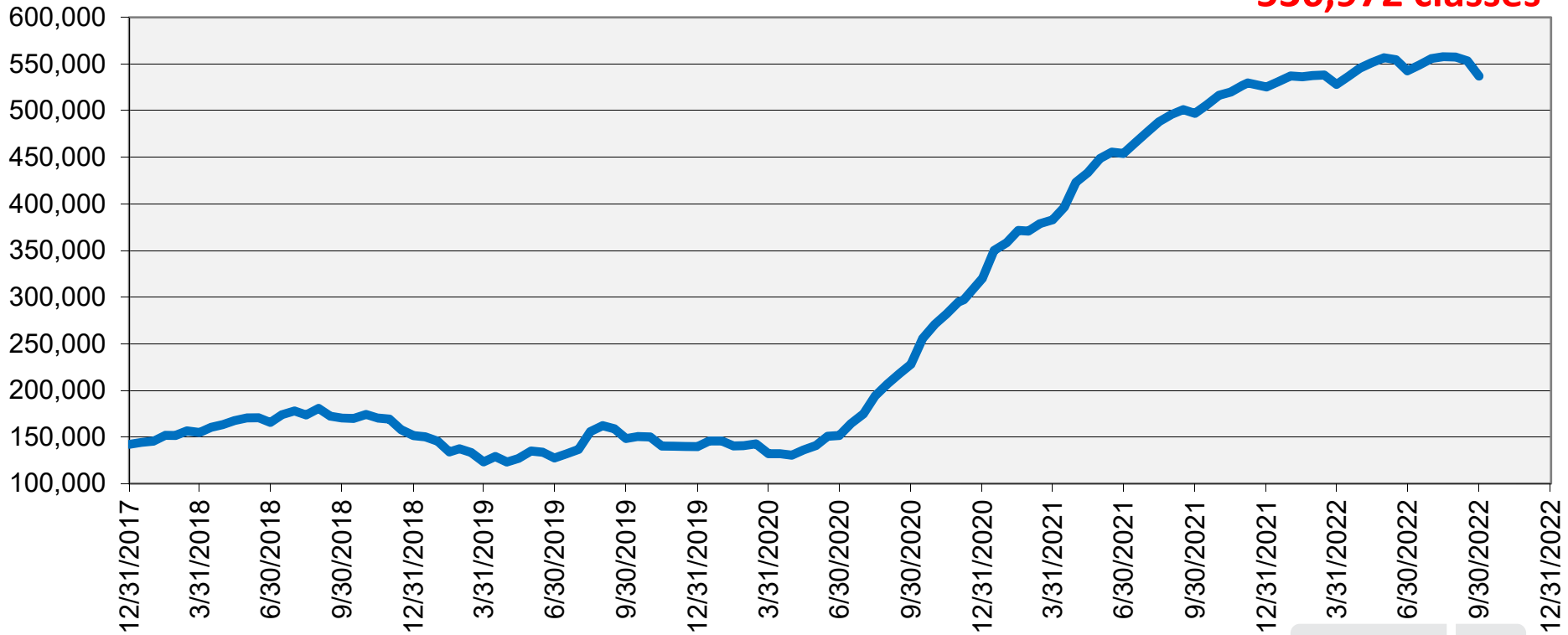
UNITED STATES  
PATENT AND TRADEMARK OFFICE ®

# FY 2021 - 2022 pendency

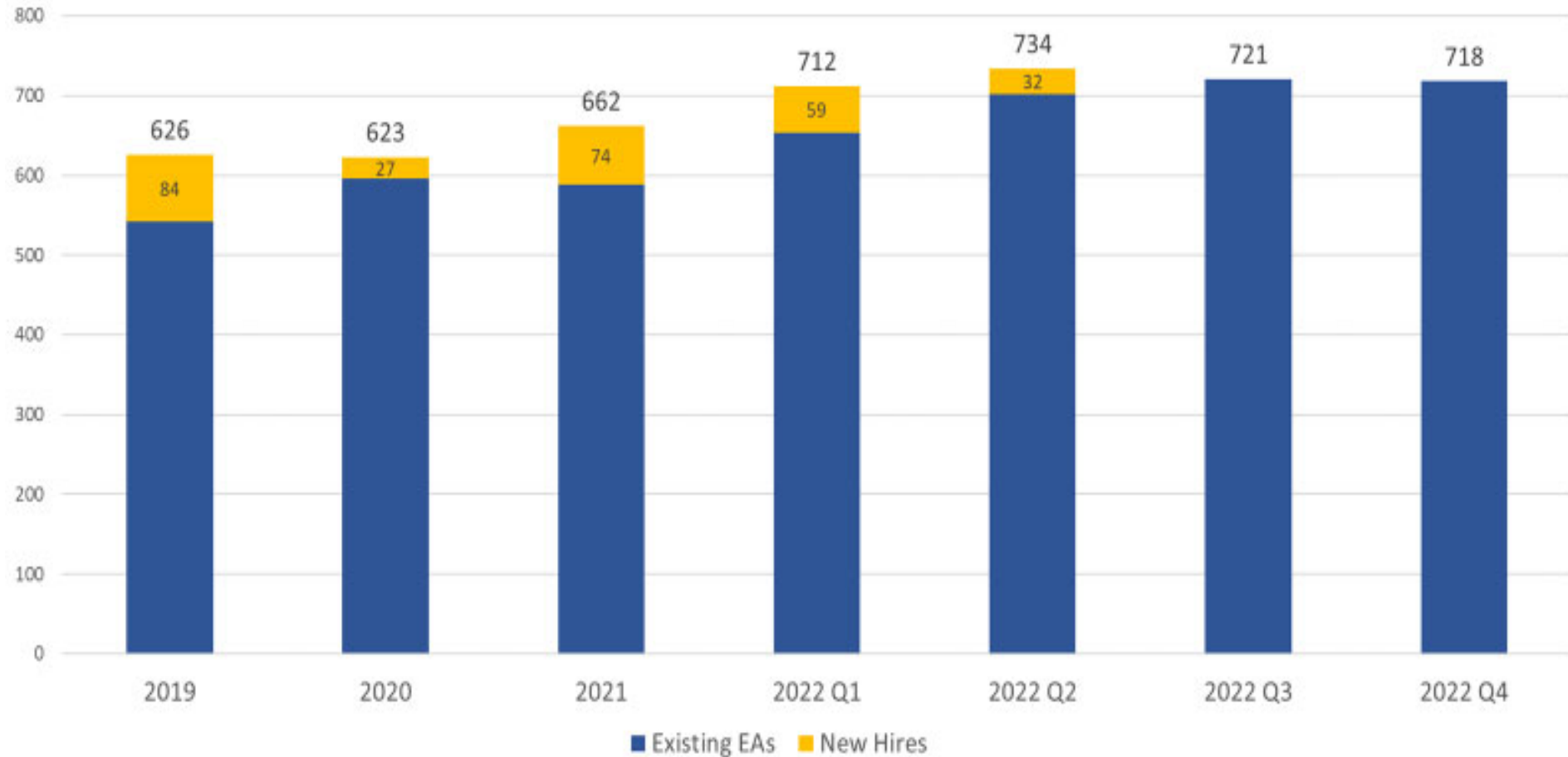


# Unexamined application inventory

536,972 classes



# USPTO Trademark examining attorneys FY 2019 to FY 2022



# Trademarks performance: quality

Trademarks performance measures	FY 2022 targets	FY 2022 final results
<b>First action compliance</b> In-process review evaluation of the statutory bases for which the USPTO raises issues and/or refuses marks for registration based on the first Office action	<b>95.5%</b>	<b>96.1%</b>
<b>Final action compliance</b> In-process review evaluation of the statutory bases for which the USPTO raises issues and/or refuses marks for registration based on the examining attorney's approval or denial of the application	<b>97.0%</b>	<b>98.5%</b>
<b>Exceptional office action</b> Measure indicating the comprehensive quality of the first Office action search, evidence, writing, and decision making	<b>50.0%</b>	<b>59.8%</b>

# Current processing timelines

- First actions: 8.3 months;  
Disposal: 13.8 months
- Post Registration: maintenance filings processed in 100+ days
- Current processing times viewable on [uspto.gov](https://www.uspto.gov)
  - Updated monthly
  - TM Dashboard provides yearly and quarterly statistics

Current Trademark average processing wait times		
Trademark Processing Times	As of May 2022	Target
<b>Pre-Examination Unit</b>		
TEAS	3 days	10 days
MADRID	4 days	10 day
<b>Examination Support Unit (ESU)</b>		
Amendments/Corrections	3 days	14 days
<b>Intent to use</b>		
Extension requests	6 days	15 days
Statement of use	9 days	15 days
Divisional requests	14 days	15 days
<b>Petitions Office</b>		
Letters of protest	45 days	60 days
<b>Post Registration</b>		
Affidavits of Use/Incontestability	102 days	30 days
Renewals	93 days	30 days
Amendments/Corrections	87 days	30 days

<https://www.uspto.gov>



# Staffing and process

- Examining attorney hiring
  - FY 2022: 93 examining attorneys hired
  - FY 2023: classes in October and April
  - TM Academy
- Post registration specialist hiring
  - More specialists being hired to assist with the backlog
- TM Flex conducting bad faith investigations
- TM Exam – transition of examining attorneys to modernized IT system

# Trademark Modernization Act flexible response periods

- **Pre-registration responses to Office actions**
  - Effective for Office actions issued on or after 12/3/22
  - Three months to respond
  - May request three month extension
  - Does not apply to Madrid Protocol Section 66(a) actions
- **Post Registration responses**
  - Effective for Office actions issued on or after 10/7/2023





# Thank you!

**Dan Vavonese**

Deputy Commissioner for  
Trademark Operations

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[www.uspto.gov](http://www.uspto.gov)