

2021



Telework Annual Report



UNITED STATES
PATENT AND TRADEMARK OFFICE ®

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Introduction

The United States Patent and Trademark Office (USPTO) leads the federal telework landscape while protecting the health and safety of all stakeholders and delivering on the USPTO's mission to protect and foster innovation. Since initiating the first USPTO telework pilot decades ago, the USPTO pragmatically implemented a wide variety of telework programs for more than 13,000 employees with numerous award-winning telework strategies. The USPTO's telework programs, headquarters, and regional offices exemplify a successful distributed hybrid workforce model serving external stakeholders from all US continental time zones.

When the exceptional circumstances of COVID-19 led to maximum telework, the USPTO's twenty-four years of telework experience enabled uninterrupted transitioning of non-telework ready employees and smooth on boarding of new employees virtually. While many employers scrambled to shift employees to telework, the USPTO's decades of tested and proven protocols for telework training, IT infrastructure, employee performance, and management of hybrid teams empowered the USPTO's leadership to forge ahead to appropriately expand telework eligibility across all business units.

Congressional acknowledgement of the USPTO's highly skilled work force maintaining high productivity, quality, customer service, and mission realization while teleworking resulted in the USPTO receiving permanent authority to administer the Telework Enhancement Act Program (TEAP). On January 1, 2021, the Telework for U. S. Innovation Act, part of the National Defense Authorization Act for Fiscal Year 2021, gave the USPTO permanent authority to administer the TEAP just nine years after initiation of the Telework Enhancement Act Pilot Program in February 2012. The tried-and-tested and highly popular TEAP remote work option enables TEAP participants to voluntarily change their duty station to a location of their choice within the 50 states or Puerto Rico, so long as it is beyond a 50-mile radius of the USPTO Headquarters. In return for waiving their right to travel reimbursement expenses for a limited number of trips to the USPTO each year, TEAP participants are free of any bi-weekly and recurring reporting requirements to the USPTO.

The USPTO's leadership diligently considered each position for expanded telework eligibility and is collaborating with all three labor unions to update the TEAP standard operating procedures and business unit telework guidelines. Additionally, the USPTO is continuously employing Agile/DevOps to

modernize its robust information technology (IT) systems to further boost its IT infrastructure and to reliably and seamlessly support the increasing telework and collaboration demands.

Telework at the USPTO is a data-driven business strategy, which enhances the USPTO's ability to recruit and retain nationwide talent. It also provides employees with pragmatic work options that support mission achievement and goal fulfillment, while also delivering on real estate cost-savings, positive environmental impacts, and a better work-life balance for employees.



Executive Interviews

AN INTERVIEW WITH THE COMMISSIONER FOR TRADEMARKS, DAVID GOODER

David S. Gooder is the Commissioner for Trademarks at the United States Patent and Trademark Office (USPTO). The Commissioner serves as the primary agency official for trademarks, domestically and internationally, and is responsible for all aspects of the Trademarks organization, including policy, operations, and budgets relating to trademark examination, registration, and maintenance.

Mr. Gooder joined the USPTO as Commissioner for Trademarks in March 2020. Prior to joining the USPTO, Mr. Gooder worked for more than 25 years in intellectual property. Mr. Gooder's initial focus was entertainment law and the intellectual property law work which accompanies it. Eventually though he shifted primarily to trademarks.

Q1. WHAT WAS A DECIDING FACTOR THAT ENCOURAGED YOU TO COME OUT OF AN EARLY RETIREMENT FROM THE PRIVATE SECTOR AND JOIN THE USPTO?

A1. I received a call from then Trademark Commissioner Mary Boney Denison, a former colleague in private practice, asking me to look into the Commissioner role. Ultimately, the more I considered it, the more I thought that it was the perfect time in life to be able to give something back to a profession that has given me so much.

Q2. HOW HAVE THE COVID-19 RESTRICTIONS, INCLUDING THE CAMPUS SHUTDOWNS AND MAXIMUM TELEWORK FOR EMPLOYEES, IMPACTED TRADEMARK FILINGS?

A2. Both the trademark community and our Trademarks professionals have had to adjust since March 2020. In spite of these conditions, by the end of December 2020, new filings had soared to 71.3% above the previous year, and by the end of September 2021, application filing levels were still up 27.9% from 2020. This increase was driven by a number of factors, notably cross-border e-commerce, financial incentives from various governments, and brands branching out into other categories such as products and services to help fight COVID-19. But one of the biggest contributors was entrepreneurialism in the form of people starting up new ventures.

To handle this growth, some of the changes that Trademarks undertook were to increase hiring of trademark Examining Attorneys and support staff, an updated webpage that provides current processing wait times, a reorganized workload amongst Trademarks staff, and the implementation of IT solutions and process improvements.

Q3. TELEWORK AT THE USPTO STARTED IN 1997 IN TRADEMARKS WITH 18 EXAMINING ATTORNEYS AND AT THE END OF FY2021, TRADEMARKS BOASTED 826 EMPLOYEES WORKING FROM HOME AT LEAST ONE DAY PER WEEK. WHAT DO YOU ATTRIBUTE THAT SUCCESS TO?

A3. I would attribute our success to a number of factors. Our examining attorneys have specific measurable goals, and, with the growth of collaboration and communication technologies, we are able to work remotely in a highly efficient way. We have robust training and support programs for those working at home; this has also allowed those who have already been and, those who just started working from home due to mandatory telework, to have the skills and support they need to thrive. Also, we have been open to piloting new ideas and did so during the pandemic. The secondary pre-approved alternate work-site was one of those ideas and was highly successful. The Trademark Work at Home (TWAH) working group, comprised of management and union representatives, does a great job collaborating on the details of the various programs. But even with all this, it comes down to the professionalism of our people because without that, you can have all the tech you want and teleworking won't be as effective. It is all of this combined that creates the win-win for the Agency, Trademarks employees, and the communities where our people live, which now includes, Alaska, Hawaii and Puerto Rico.



Q4. WHAT ARE SOME OF THE RETURNS ON INVESTMENT (ROI) THAT HAVE BEEN GENERATED AS A RESULT OF THE TWAH?

A4. I'm really glad you asked this question because the ROI is what supports this initiative as a business strategy. There have been many positive impacts to both employees and the Agency. First, telework has improved our retention rates. Attrition is still very low. Other than employees receiving promotions or retiring from federal service, we rarely see a Trademarks employee leave. This not only helps us maintain our examination quality and production levels, but also reduces the cost to train replacement trademark examining attorneys. Second, without the travel time back and forth to the office, employees have the opportunity to put in extra hours if they like without as much impact on their personal lives. Third, telework is a terrific continuity of operations (COOP) strategy that allows productivity during inclement weather events. And longer term, the savings in the cost of office space is enormous.

Q5. WHAT DO YOU THINK TRADEMARKS' WORKFORCE WILL LOOK LIKE IN THE FUTURE?

A5. As we prepared for Phase 3 of our reopening plan, not only did the number of people teleworking grow, but our new programs allow new employees and supervisors/managers to telework which greatly expands not only our geographic diversity but will allow more of our people to take on future management rolls. All this will in turn continue the process of reducing the Agency's real estate footprint, enhance recruitment and retention, increase productivity, and provide opportunities for expanded work flexibility and better work-life balance for participating employees.

AN INTERVIEW WITH JAMIE HOLCOMBE, CHIEF INFORMATION OFFICER (CIO) FOR THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mr. Holcombe serves as the Chief Information Officer to the United States Patent and Trademark Office (USPTO) responsible for the design, development, and management of the agency's technology information systems. Prior to joining the agency in 2019, Mr. Holcombe served in multiple executive roles in the private sector for more than 20 years, including most recently, as Chief Executive Officer of Visium Technologies, Chief Operations Officer for TJ Westlake LLC, and Vice President and General Manager for Harris CapRock Critical Networks.



Q1. HOW DID THE USPTO PREPARE FOR ALL ITS EMPLOYEES TO TRANSITION FROM AN ENVIRONMENT OF 84% OF EMPLOYEES TELEWORKING AT LEAST ONE TIME A BI-WEEK TO 100% WORKING REMOTELY BECAUSE OF THE PANDEMIC?

A1. When the pandemic struck, the servers needed to be scaled to reflect approximately 13,000 remote employees. Testing and resiliency helped to prepare the USPTO to withstand this change. However, when the agency tried to add another node to its security server, the master server thought it was being attacked and would not let in the new server. We had to actually scale down that night, and then bring that next server up and into the fold. So, it was a great feature for security, but it prevented us from having performance metrics that one day. One of the lessons learned is to make sure you exercise your continuity of operations.

Q2. EVERY YEAR THE TOTAL NUMBER OF TELEWORKERS AT THE USPTO INCREASES, ESPECIALLY IN THE CURRENT ENVIRONMENT. HOW HAS THE USPTO'S NETWORKS AND IT INFRASTRUCTURE BEEN ABLE TO SUPPORT THE INCREASED DEMANDS?

A2: In the OCIO we are always looking to improve the user experience of our customers. In January of 2020, we upgraded the network bandwidth at the campus from 6GB to 10GB. We also entered into an interagency relationship with the National Oceanic and Atmospheric Administration (NOAA) in an effort to enhance telecommunications using NOAA's N-Wave. Adopting NOAA's N-Wave network services will add significant bandwidth and deliver more efficient, higher-speed connectivity, and flexibility to our IT infrastructure for USPTO operations.

Q3. AFTER 23 MONTHS, THE USPTO HAS DEMONSTRATED ITS SUCCESS BY OPERATING IN A MAXIMUM TELEWORK ENVIRONMENT WHILE CONTINUING TO PROVIDE EXCELLENT CUSTOMER SERVICE. WHAT IS IN THE FUTURE FOR IT AT THE AGENCY, AND WHAT IS YOUR PHILOSOPHY ON NEW IT TOOLS?

A3. The future of IT at the USPTO is the continuation of IT modernization. We are assessing moves from a client server environment to the cloud. This assessment occurs on an application-by-application basis based on solid business case analyses. Recently, we have been focused on security and the stabilization of our core infrastructure, network operations, and security operations center.

We also need to be open to new tools and ways of doing business. We want to create architectures that are open to options that can help the agency get work done more efficiently and more economically in the future. The tools and technology used in our successful telework programs are a great example of this. As an agency, we recently transitioned to the MS Teams platform for virtual meetings, instant messaging, and group chats. This allowed us to combine what used to take several different tools to accomplish into one, thus increasing the ease and efficiency of communication for our employees.

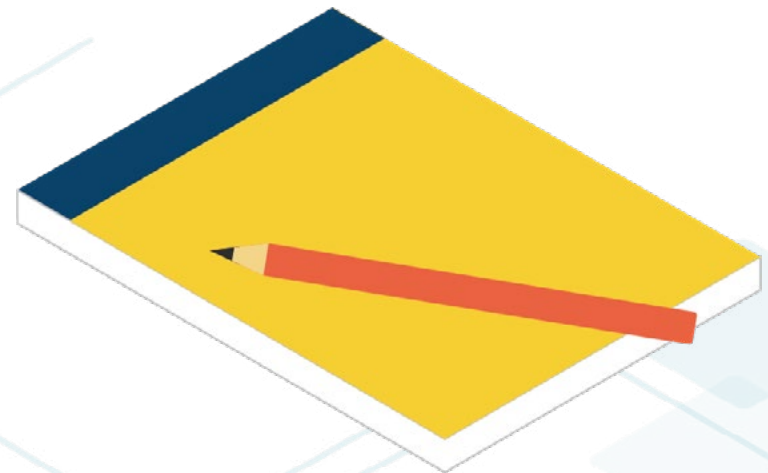
We are fortunate to be fee-funded and do not rely on taxpayer money. With that, however, we have a fiduciary duty to the fee payers, who are the patent and trademark applicants and the IP community as a whole. We take that duty and those fees to heart. We want to ensure that we provide the most value for the money we collect so we conduct our operations in a business-like manner so that we have enough money to continue operating.

Q4. WHAT ARE SOME OF THE AGENCY'S IT ACCOMPLISHMENTS UNDER YOUR LEADERSHIP AT THE AGENCY THAT YOU ARE MOST PROUD OF?

A4. I am very proud that we were able to stabilize a core foundation system and stop the accumulation of technical debt. First, we brought all the hardware, software and networking components up to current versions. And, that was not an easy task! It is not easy to implement IT stabilization, because as soon as an application is placed in production, you incur technical debt based on decisions made during the months and months of design and development before deployment. So, it is a challenge to always strive to figure out how we can remain current while also providing our stakeholders with new and needed functionality.

Second, I am proud that the agency has been able to remediate the vulnerabilities throughout these custom applications and that take remediation process commands a constant and diligent effort. We have to be diligent in the remediation of those vulnerabilities, so that we are ready to quickly respond and effectively mitigate any vulnerabilities.

Third, I am proud that we are creating a mindset or culture shift in which we are building resiliency for active operations in disparate physical locations. Although we are not completely there yet, we are moving as many applications as feasible to the cloud so we can have active physical resilience.



DANETTE CAMPBELL, TELEWORK PIONEER, RETIRES

Danette Campbell, the architect and champion of the United States Patent and Trademark Office (USPTO)'s telework program, retired on July 31 from her position as Director of the USPTO Telework Program Office.

When Campbell arrived at the USPTO more than 16 years ago, teleworking as a federal practice was still in its infancy. But already, the possibilities were getting a lot of attention. Indeed, after just six months on the job, Campbell was testifying before a subcommittee of the Congressional Committee on Government Reform, sharing the metrics and explaining the benefits of telework.

The USPTO had been experimenting with telework since 1997, when 18 trademark examining attorneys participated in a telework pilot program. Soon, the patent [organization] followed suit with its Patents Hoteling Program. The USPTO hired Campbell to oversee and expand these initiatives. Having worked since the early 1990s with federal and elected officials on teleworking projects, Campbell had already proven herself one of the foremost specialists in government telework programs.

At the time of Campbell's arrival at the USPTO, in 2006, some 2,270 employees were teleworking at least one day a week. In the ensuing decade and a half, that number grew, with telework becoming available to employees in more and more business units.

This expansion did not happen naturally or out of the blue. Campbell had to fight for it—or rather, as has always been her approach, to educate executives on the value of telework, to acknowledge and work through their misgivings about it, and to collaborate in crafting telework plans specific to each business unit, its needs, and its workforce.

From within the agency, Campbell made cold calls to key executives, explaining telework, selling it on its merits, and listening to the feedback from the community. Campbell remembers well the

early exchanges with business unit leaders in particular: “The mindset was, well, you know what, it’s a great initiative for production employees because their performance metrics are so clearly defined. But we can’t do it in my business unit.” Gently, with data on her side, and with a certain degree of salesmanship, she’d reply, “We can do it in your business unit, and let me tell you why.”

An early triumph for Campbell's telework program was actually a misfortune everywhere else: the punishing snow storm of 2010, the so-called “Snowmageddon.” Thousands of USPTO employees were able to keep working from home when most of the rest of the federal government in Washington, D.C., had to shut down, the roads and rails impassable for days. The present, much more punishing crisis—the COVID-19 pandemic—has provided another case in point for telework.

As much if not more so than anyone else, Danette Campbell transformed the way we do business, helping the USPTO to retain employees, increase efficiency, and even decrease carbon emissions, an early and increasingly urgent selling point in the case for telework. For her work in this area, Campbell received the Energy and Environmental Stewardship Award (Department of Commerce) in 2013 and the USPTO's Leadership in Action award the year before that.



Statistics

FY 2021 (4TH QUARTER) TELEWORK STATISTICS*

(Based on the number of USPTO federal employees enrolled in a formal telework program)

Current Number of Teleworkers at USPTO **10,943**

Current Number of Eligible Positions at USPTO **12,287**

Percent of Positions at USPTO that are Eligible **94.39%**

Percent of Positions at USPTO that are Teleworking
(Agency-Wide) **84.07%**

Total Number of Patent Teleworkers **8,597**

Percent of Eligible Patent Positions that are Teleworking **88.46%**

Total Number of Trademark Teleworkers **841**

Percent of Eligible Trademark Positions that are Teleworking **98.59%**

Number of Patent Positions Teleworking 4 or 5 days per week **6,582**

Number of Trademark Positions Teleworking 4 or 5 days per week **637**

Number of TEAP Participants **3,079**

* Not all positions are filled

ENVIRONMENTAL AND REAL ESTATE IMPACT OF TELEWORK**

(Based on the number of USPTO federal employees enrolled in a formal telework program)

7,530 TELEWORKERS WORKING FROM HOME FOUR OR FIVE DAYS PER WEEK:

- Avoid driving 63.5 million miles in a year
- Collectively save \$8.5 million in gas a year
- Collectively reduce emissions by 25.7 thousand tons a year
- \$45.4M Real Estate cost avoidance due to Hoteling and Remote Teleworkers

3,118 TELEWORKERS WORKING FROM HOME ONE, TWO, OR THREE DAYS PER WEEK***:

- Avoid driving 9.6 million miles in a year
- Collectively save \$1.3 million in gas a year
- Collectively reduce emissions by 3.9 thousand tons a year

ENVIRONMENTAL IMPACT OF PANDEMIC TELEWORK**

(Based on the number of USPTO federal employees teleworking due to maximum telework policy)

13,017 TELEWORKERS WORKING FROM HOME FIVE DAYS PER WEEK:

- Avoid driving 110.2 million miles in a year
- Collectively save \$14.7 million in gas a year
- Collectively reduces emissions by 44.5 thousand tons a year

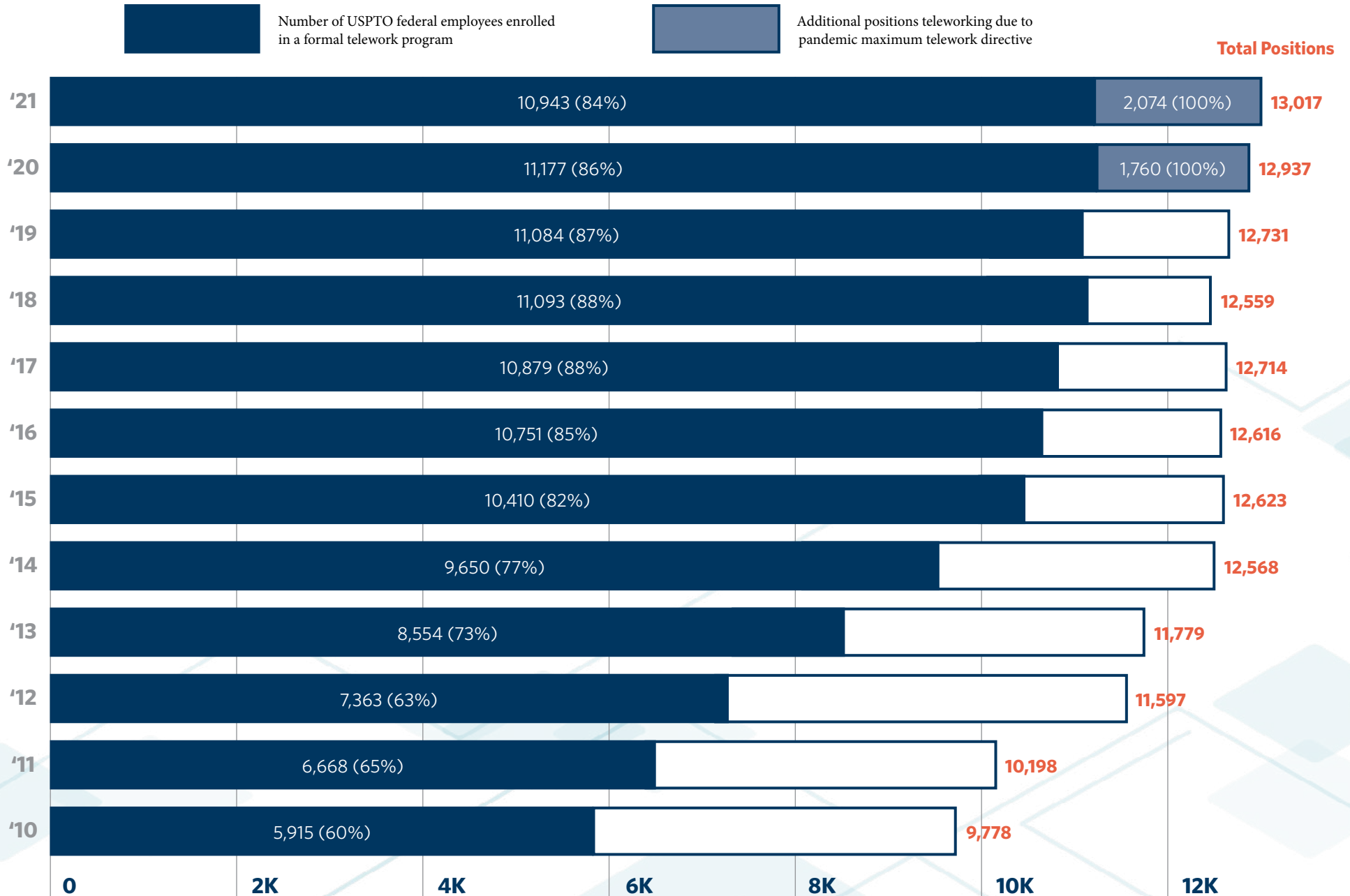
** In the Washington D.C. Metropolitan Area

*** Includes Patents Telework Program (PTP)
10 hours a bi-week



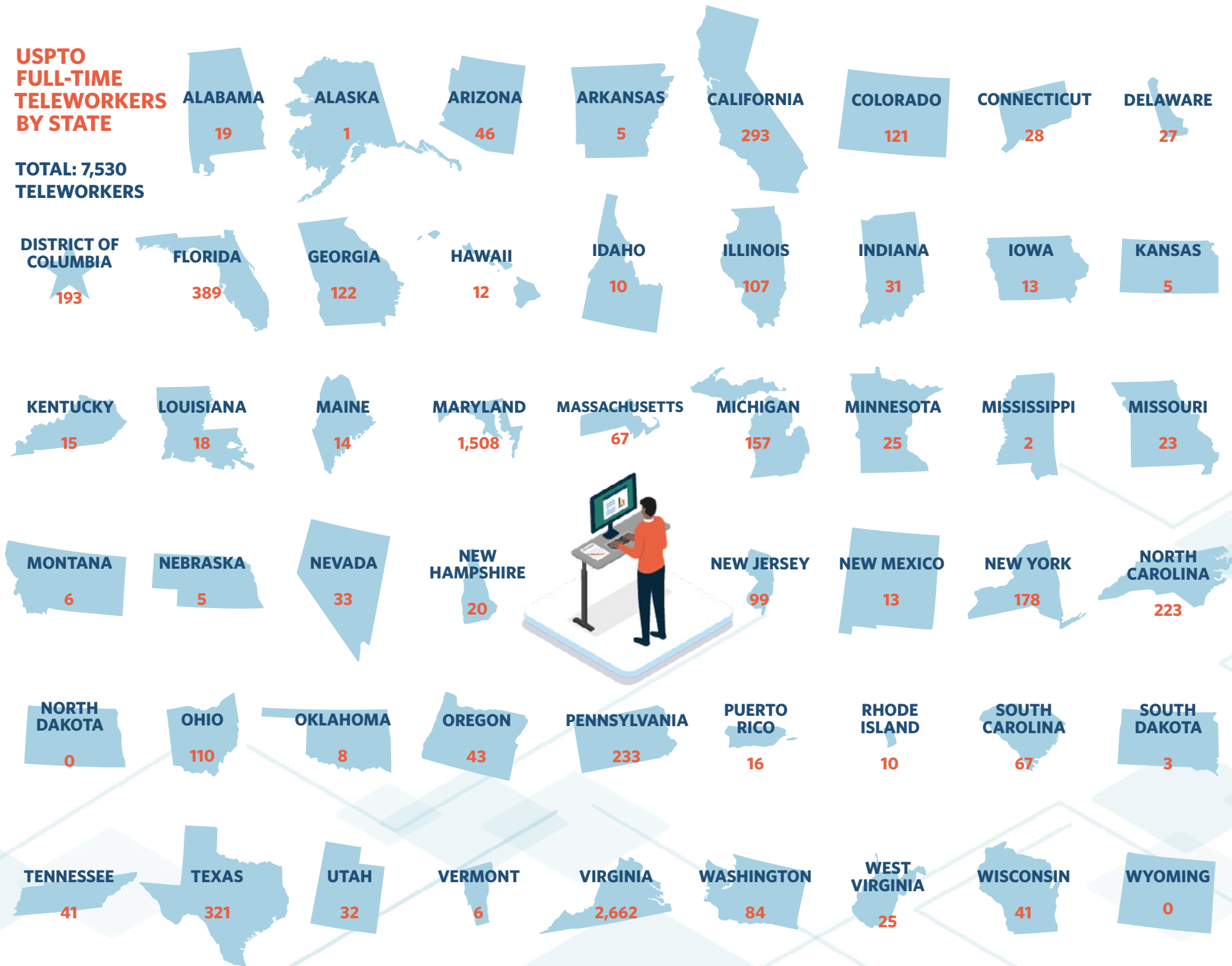
TELEWORK GROWTH

Since its start 24 years ago with 18 Trademark examining attorneys, telework has grown dramatically at the USPTO. The graph shows the growth of the total positions and eligible positions teleworking agency-wide.



**USPTO
FULL-TIME
TELEWORKERS
BY STATE**

**TOTAL: 7,530
TELEWORKERS**



Business Unit Highlights

OFFICE OF THE CHIEF INFORMATION OFFICER (OCIO)

OCIO employees discovered creative ways to adapt to the current maximum telework environment to continue meeting the USPTO's goals while maintaining a work-life balance at home. The transition from office to maximum telework has been seamless for most teleworkers. Many teleworkers adjusted their telework hours to meet their personal needs and those of the agency.

Currently, over 90% of OCIO's employees have standard telework agreements. All employees with a signed standard telework agreement can receive the full complement of approved telework equipment, including dual monitors.

Before the closure of the Boyers, Pennsylvania facility, OCIO and NTEU-243 signed a full-time telework agreement for the Remote Production Services Section, providing a post-pandemic full-time telework arrangement. As employees did not have to relocate or look for other employment when the facility closed, the mission-critical work continued uninterrupted.

OFFICE OF THE UNDER SECRETARY AND DIRECTOR (OUS)

The Office of the Under Secretary and Director, United States Patent and Trademark Office (USPTO), successfully transitioned from an in-office working environment to a mandatory full-time telework operation as a direct result of the COVID-19 pandemic. Leadership, collaboration, and robust communication provided seamless business method continuity of operations to ensure the health and safety of our employees, and provide uninterrupted service to intellectual property stakeholders throughout the world.

Under mandatory full-time telework, executives and staff members remain fully engaged and responsive to their assignments and duties without delay or connectivity challenges. The OUS quickly and successfully adapted to the full-time telework environment by utilizing collaboration tools such as WebEx, Microsoft Teams, Zoom, GotoMeeting, Blue Jeans, KUDOS, and many others.

The health and safety of USPTO employees remains the priority during the pandemic. Promoting a flexible work-life balance and robust telework program is critical in performing the USPTO's core mission of protecting intellectual property of our stakeholders.

TRADEMARKS

As the agency maintained a mandatory telework posture due to COVID-19 in FY 2021, Trademarks continued to support employees in a variety of ways.

To ensure that employees could maintain the same level of productivity and customer service to stakeholders, employees were allowed to use their secure Wi-Fi connections as well as their personal monitors and printers in order to work efficiently. Trademarks continued to provide peripherals to employees when requested.

Trademarks continued to assist employees as they balanced their work responsibilities with the demands of their personal lives by permitting production employees to continue working on an expanded work schedule of 4:30am to 11:59pm, Monday through Friday. The USPTO also implemented Emergency Paid Leave for those employees unable to work due to reasons related to COVID-19.

To meet the surge in trademark applications, Trademarks virtually hired, on boarded, and trained 74 examining attorneys in FY 2021 successfully. New hires benefited from mentors and "buddies" who were able to virtually connect with them and provide professional and collegial support as they became acclimated to workplace culture.

During the pandemic, many employees assumed additional caretaker responsibilities for family members. Others relied on the support of family as they navigated school closings and virtual learning. Trademarks implemented innovative ways to address these concerns, including a pilot program permitting employees to work from temporary alternate worksites. Trademarks also implemented a telework eligibility pilot program that relaxed grade requirements permitting full-time teleworkers to apply for and deploy to hoteling programs.

Trademarks utilizes a variety of tools to maintain communication and engagement with its employees. Our quarterly publication, TMPeople, highlights employees hired and promoted during the fiscal year. Our Commissioner's Office keeps our employees up to date with monthly communications via its Madison Messages newsletter.

Trademarks also participated in the USPTO's annual Community Day celebration by creating an exhibit with the theme "Virtually United: the Mark of Our Success." The exhibit highlighted how Trademark employees worked during the past year and invited employees to leave messages on a virtual

bulletin board about how they thrived during the pandemic. This exhibit was a huge success.

Managers and supervisors continue to find creative ways to engage with employees. Employees participate in case law chats, virtual game nights, and happy hours. Trademarks continued its employee led “Let’s Get Together” series featuring weekly yoga sessions. Trademarks also highlighted the artwork of its employees by hosting a Trademark virtual art gallery.

As USPTO employees migrated to Microsoft Teams, Trademarks encouraged its managers and supervisors to use its features to communicate with and engage employees. Many managers created teams that permit successful collaboration.

PATENT TRIAL AND APPEAL BOARD (PTAB) ALL-VIRTUAL HEARINGS

The PTAB transitioned to all-virtual hearings and in the nineteen months since the transition to mandatory telework, the PTAB held about 1,852 virtual hearings.

HEARINGS TYPE	NUMBER OF HEARINGS (MAR.16 – OCT. 22)
Appeal	1,093
Reexam	32
AIA Trials	727

The PTAB’s foresight to recognize a need, acquire the technology, develop and implement a process, and hire and train staff to run the systems smoothly made this transition virtually seamless. For example, the PTAB has long permitted counsel to appear remotely in ex parte appeal cases. This allows counsel to save on travel-related costs and time, which ultimately is a cost savings passed on to applicants. Likewise, up to two of the three judges assigned to any PTAB proceeding (ex parte appeal or AIA trial) have appeared remotely. Enabling the judges to appear remotely further supports the USPTO’s well-known telework program, which allows the PTAB and the USPTO to recruit highly qualified judges and examiners who prefer to work outside the Washington, D.C. metro area. Additionally, the PTAB established a program that enables parties in all proceedings to request to appear from a USPTO regional office.

While the PTAB had experience with virtual hearings, transitioning to a completely virtual environment for *every participant* in hearings in *every PTAB jurisdiction* required, amongst other things, dedication and creative thinking from the PTAB and its support staff. These hard-working individuals worked quickly and efficiently to address issues as they arose, including determining how to work with court reporting, and creating and authorizing the ability for the public to virtually access hearings.

The PTAB continues to improve the user experience and welcomes suggestions for improvement from all stakeholders. If you wish to provide any feedback or suggestions, please email PTABhearings@uspto.gov. The PTAB recognizes that for many practitioners, appearing remotely is a new experience that poses some challenges. As a result, we have identified some [best practices](#) that we share with counsel in advance.

Also, with the expansion of remote hearings, the PTAB is now able to offer stakeholders the opportunity to listen to hearings remotely. For more information, please visit the [PTAB page of the USPTO website](#) for schedules and further instructions.

During the time the PTAB transitioned to all virtual hearings, the PTAB launched the Legal Experience and Advancement Program, otherwise known as LEAP. LEAP encourages the professional development of patent attorneys and agents through oral advocacy opportunities, helping them gain experience in proceedings before the PTAB. The program authorizes up to 15 minutes of additional argument time, depending on the proceeding length and the PTAB schedule, to allow junior practitioners from every demographic to gain court access and experience.

PTAB ENGAGEMENT

The Engagement Committee is dedicated to providing resources and opportunities to engage the entire PTAB staff. The committee believes that an engaged employee cares about their work and about the performance of the organization, and that their efforts can make a positive difference. This committee strives to provide relevant material and to facilitate activities to help employees stay engaged in their respective jobs. For example, we have had Great Debates, Day in the Life, Virtual Connection Happy Hours, PTAB Community Building, and PTAB Holiday Parties.

Additionally, the PTAB established the PTAB Diversity, Equity & Inclusion Committee (DEI Committee) last year. The DEI Committee was established to ensure active and continuous support of the USPTO’s Diversity and Inclusion program and endeavors to ensure activities conducted at the PTAB leverage

the diverse perspectives of PTAB members to enhance communication with colleagues and stakeholders.

Finally, the PTAB's top priority is to maintain the health and safety of our employees, contractors, and the American public, while continuing to provide valuable services, programs, and resources at the highest level.

OFFICE OF THE CHIEF FINANCIAL OFFICER (OCFO)

The OCFO's stance is "Work is what you do, not where you do it." The CFO organization surveyed its employees over the last year and learned that many people felt they were as productive or more productive teleworking and hoped that teleworking opportunities would expand after the pandemic subsides. As a result, OCFO initiated an employee-centered effort to propose a new "Hybrid First" working model that greatly expands telework across the office. In the Hybrid First proposal, still under review, 99.5 percent of OCFO positions will be eligible to telework at least one day per week, and 95 percent will be eligible to telework up to five days per week. To support the shift to Hybrid First, OCFO is reviewing and identifying new cultural norms that will support and sustain our successful track record.

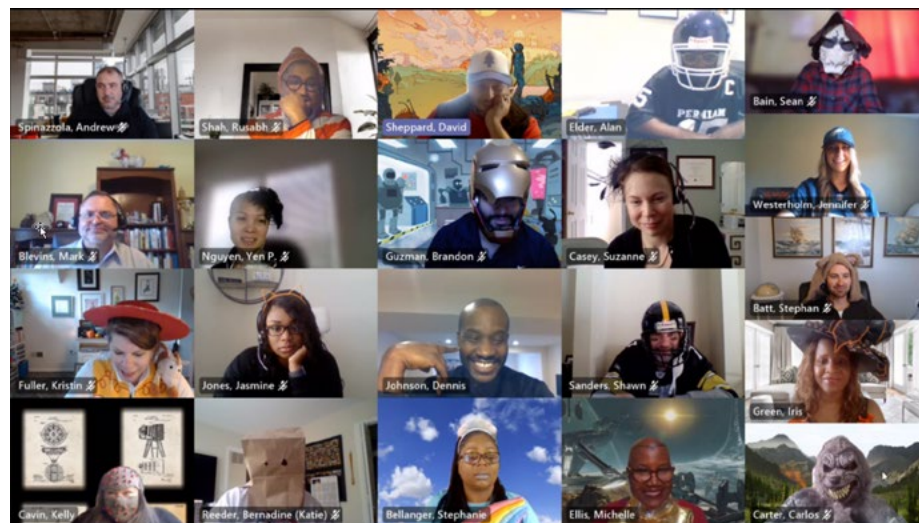


Jay Hoffman,
Ivana Miranda.

During FY 2021, the USPTO launched its first ever **virtual Combined Federal Campaign** given the agency's maximum telework posture for employees and contractors. In the spirit of innovation, USPTO created an interactive SharePoint site for employees to obtain information on CFC as well as participate in virtual events. In his first CFC campaign with the USPTO, CFO Jay Hoffman won the 2020 Best Campaign Awareness Award for raising awareness about the CFC via "Pandemic selfies." The Pandemic Selfie events were an opportunity for CFC donors and the CFO CFC keyworker team to meet, chat, and take pictures with the CFO, Jay Hoffman, as displayed here.

OCFO continued to build on communication strategies and cultural change first adopted in FY 2020. The OCFO Weekly Update, an email newsletter distributed to all OCFO staff each week, continues to highlight issues of interest across OCFO offices. Beyond news about USPTO's financial posture, the newsletter frequently celebrates staff and leadership achievements, including positive customer interactions, external recognition received, and employees' career development activities like advanced trainings or details. In FY 2021, there was a month-long series on employee wellness after a recent survey found that employees wanted more information about available wellness options in the virtual environment.

Each of the OCFO offices is innovating to create a strong sense of shared purpose and camaraderie among leaders and staff as maximum telework persists. Our Office of Procurement has adapted to the "new normal" by being more explicit about communication needs between employees and staff. A best practice adopted was informing people in advance that they are expected to use their cameras during meetings and phone calls. The OCFO offices also know how to have fun! The Office of Procurement's virtual Halloween party feature increasingly clever costumes and high-attendance as staff play games and compete for acclaim and prizes, see below photo.



October 2021 "Virtual" Halloween Party

Virtual book clubs, virtual happy hours, and virtual lunches persist from FY 2020. In FY 2021, OCFO created a holiday SharePoint site with space for employees to share recipes (captured in the first annual OCFO Family Cookbook), holiday pictures, and resolutions for the new year in lieu of the annual office party. All of these gatherings enabled OCFO employees to have space to show their personalities, stay engaged with each other, and have some fun during the work week. Nurturing these bonds as we prepare for the Hybrid First transition is critical to our long-term success, including high productivity and a workforce that is engaged and willing to help the USPTO achieve its mission.



TRADEMARK TRIAL AND APPEAL BOARD (TTAB) OPERATING UNDER MAXIMUM TELEWORK AND ADAPTING TO THE NEW NORMAL

In FY 2021, the TTAB continued working under a maximum telework environment with 100% of our employees working from home. The ongoing global pandemic compelled the TTAB to be creative under our “new normal” while working to decrease our pendency numbers, find new ways to engage with our employees and external stakeholders, and learn new lessons that will carry the TTAB into the future.

While working exclusively from home, the TTAB experienced no drop in production and in many cases, our employees increased productivity. The TTAB diligently worked through case matters, brought down overall pendency times throughout the year, and met all its yearly pendency goals. Further accomplishments include:

- The TTAB Assistance Center consistently maintained or exceeded its 90% production goal each quarter and continued to identify opportunities to improve quality.
- The Paralegal branch exceeded its 80% production goal of items in the queue less than or equal to seven days.
- The Analytics and Information Technology (AIT) revised, created, and published multiple Standard Operating Procedures and supported system enhancements through-out the year.

Our staff adjusted quickly to full time telework with the support of management, co-workers, and the USPTO’s excellent service desk.

The TTAB continued its commitment to engagement with stakeholders and customers by participating in numerous virtual events throughout the year. Just to name a few: our judges and attorneys participated in the Chicago Kent College of Law, Intellectual Property Law Association; European Union Intellectual Property Office IP Case Law Conference; an event with the University of the South; US China Industry Seminar on Practice Protecting Trademarks; and the World IP Forum. Since the TTAB’s outreach was exclusively virtual, the TTAB has been able to participate in more events and accommodate more attendees while saving the cost associated with travel and lodging. Now, more than one employee is able to participate in such events versus in the past when only a single employee participated due to cost. During FY 2021, our Chief and Deputy Chief Administrative Trademark Judges, several Administrative Trademark Judges, and Interlocutory Attorneys

participated in the Lanham Act 75th Anniversary celebrations and the 9th Annual ABA-IPL Trademark Days, by speaking and providing presentations. Furthermore, the TTAB performed outreach to various law school clinics to provide guidance about a clinic appearing before the TTAB. The TTAB also successfully conducted more than 70 virtual hearings with few, if any, interruptions in the process.

The Client Services branch supported the USPTO by participating in its annual conference for independent inventors, entrepreneurs, and small business owners, “Invention-Con 2021.” During the event, the Client Services Branch staffed a virtual resource booth for the TTAB to provide education and resources for the user community. The TTAB participated in the USPTO Annual Community Day, “Virtually United,” with a videotaped introduction to the TTAB done by our Chief Administrative Trademark Judge along with a match game and word search puzzle. New under our virtual environment, multiple judges recorded video and audio presentations for various virtual events, which required them to record presentations prior to the events. This was done with the support of the USPTO’s communications office, the Office of the Under Secretary, and conference services for recording and posting the information online for event access. The recording process went smoothly and the presentations were very successful.

This type of cross-business unit collaboration, along with the use of available technology, shows how adaptable we can be and how incredibly talented our workforce is. As part of an outreach pilot program, the Deputy Chief Judge transferred and relocated to the Rocky Mountain Regional Office in Denver to conduct outreach with our user community. Although he is in Denver to be closer to stakeholders, because of telework he is still able to seamlessly work with TTAB employees, employees in other business units and attend virtual TTAB engagement events. Having a TTAB presence in a geographic region away from headquarters promotes trademark intellectual property awareness.



INNOVATIVE METHODS OF EMPLOYMENT ENGAGEMENT

In FY 2021, the TTAB continued its commitment to staying connected collegially and professionally and created innovative methods to keep our employees engaged. Some of the engagement activities conducted include

- **Staff Meetings:** Attorneys attended virtual monthly engagement meetings to collaborate on specific trademark cases, discuss ideas with one another, and simply to stay connected with each other. Paralegals continued to meet monthly with management on procedural changes, keeping everyone informed. The TTAB administrative team continued to work with all branches of the TTAB to procure and test the equipment since technology is continuing to evolve. In June 2021, we held our second “All Hands Meeting” for the year with a special guest from the Office of the Ombudsman who shared a presentation on identifying the organization, who they are, and the services they can provide for any work-related issue. Guests from the Office of General Law also provided a presentation on the “Whistleblower Protections.”
- **Virtual Engagement:** The TTAB continues to host activities for all TTAB employees to maintain an engaged workforce. Activities include “photo of the week” where we ask employees to share photos of family, vacation locations, special recipes, special projects, grandkids, volunteer work, and anything they would like to share about themselves, which has been a huge success. We conducted a virtual “All Hands Meeting” in December 2020, which included our third annual “Ugly Sweater Attire” photo. We were all encouraged to dress for the occasion. Photos were taken to add to our SharePoint site, along with photos from previous years, when we were able meet in person in the Madison atrium level. As a bonus, the TTAB’s virtual holiday attire photo appeared on the PTOWeb for the final two weeks of the calendar year.
- **Outreach Library:** We created an outreach presentation library on our SharePoint site so the office would have easy access to current information. The library includes archived presentations from past years that judges and attorneys can access and revise for future outreach events.
- **Training and Onboarding Activities:** The TTAB modified its training programs for new employees and detailees. In 2021, TTAB hired one Trademark Administrative Judge and two Interlocutory Attorneys and brought in two Trademark detailees, all of whom were onboarded and trained 100% virtually. Internal cross training continued online. Two summer law school externs trained and worked remotely using a secure USPTO virtual workspace with virtual universal laptops. All transitioned

smoothly to the TTAB while working exclusively from home. As part of the introduction to the MS Teams desktop app, which replaced the Skype for Business application, the TTAB scheduled online training events, using an outside vendor, to help familiarize TTAB employees with the new application. Any questions the attendees had were answered.

- **Recognition:** Despite our all hands meetings being virtual, we realize the importance of recognizing the accomplishments of employees such as pendency goals met by our judges and attorneys, posting the results and conclusions for the “Expedited Cancellation Pilot Program” by the Senior Level Attorney, and ongoing updates to the “Accelerated Case Resolution” program. TTAB leadership continued to identify and market opportunities to supervisors and employees for one-on-one and informal peer-to-peer recognition utilizing existing HR programs or exploring new virtual initiatives. We are currently in the process of building out the Employee Recognition and Engagement section on our SharePoint site to better recognize our employees in a virtual environment.

LESSONS LEARNED

The flexibility of Telework has had a positive effect on many employees, allowing them the ability to take care of family needs, e.g. kids, parents, and illnesses. Eliminating the stress of commuting and having more time at home allows employees additional time with family while still being able to meet their work requirements with positive results in productivity and quality of work.

We have successfully transitioned to a state of maximum telework, and our employees have been very happy with the extended telework options. Employees are more positive, more productive, team committed, adjusted to the flexibility, and have indicated their stress levels have dropped because they no longer have the stress of commuting into to the office. The benefits of increased productivity, lower pendency, the ability to have a more diverse, dispersed workforce, and continued engagement with our stakeholders, even during a global pandemic, have all been positive. While the positive benefits far outweigh any negative ones, our employees have expressed through the USPTO’s People Survey results that the opportunity to engage in person with their coworkers was a top item. To that end, the TTAB continues to pursue more engagement activities. The Interlocutory Attorney group participated in an outdoor engagement event attended by many of our employees. The Analytics and Information Technology group connected with each other in person to attend an exercise class and take nature walks. They also meet for virtual coffee breaks. Members of our support staff also participated in an off-site, after-work event and used that as an opportunity to review the TTAB

pulse survey results on engagement. All attendees enjoyed a good, safe time together.

While the pandemic can and does present changes in the way the TTAB does business, the TTAB continues to show resiliency and adaptability in meeting those changes, thus reinforcing its motto, “We may have our trials, but our work is appealing.”

To borrow a 1963 quote by Leon C. Megginson: “It is not the strongest of the species that survives, nor the most intelligent, but rather the one most adaptable to change.” The TTAB strives to adapt while remaining focused on our mission and goals.

OFFICE OF THE GENERAL COUNSEL (OGC)

OGC continues to have a successful full-time telework program. OGC had a number of new employees who joined the USPTO during maximum telework. The employees seamlessly transitioned into their new work environment with the support of the OGC telework coordinators and existing staff.

OGC continues to utilize a virtual platform for court hearings, depositions, and trials. On-campus employee support is still required for document and mail processing, as well as trial preparation in certain circumstances.

OGC continues to hold monthly staff meetings, as well as smaller informal meetings to keep employees connected and aware of agency updates and developments.

Some of OGC’s non-customer service related activities can be done virtually, while others require an onsite presence. We are currently exploring options that may potentially allow these functions to be handled virtually in the near future.

OFFICE OF POLICY AND INTERNATIONAL AFFAIRS (OPIA)

OPIA’s transition to a fully remote environment was very smooth due to most staff having experience as part-time teleworkers. The technology support from the OCIO both in network fidelity and equipment provided optimal conditions critical for us to maintain operations matching those provided on campus at the Alexandria, VA office. For the most part, our telework success has been a direct result of maximizing the collaboration tools that were already in place. Many new employees who joined OPIA over the past year expressed an appreciation for the smooth remote onboarding process and ease with which they were able to set up a home workstation. This made starting a new job in uncertain times considerably less intimidating than it could have been. Our IP Attaches and their locally employed staff live and work abroad, so communicating via conference calls and email with U.S. based colleagues

was already standard practice. All staff have benefitted from the schedule flexibility afforded by telework to balance working with counterparts in other time zones without having to factor in late or early hours on campus.

OPIA staff frequently host and present at IP programs worldwide, so the shift to virtual conference environments was necessary and swift. USPTO has robust technology resources that enabled us to transition quickly to offer online training programs, which have been very successful and well attended. Many program managers have noted an increase in overall attendance by remote participants, inspiring the consideration for hosting more hybrid events when in-person meetings return. Administrative staff stepped up to the challenge of supporting a fully remote office by employing increased information sharing strategies, coordinating schedules to ensure seamless coverage for our policy teams, and supporting each other with collaborative team development practices.

The collaboration features in MS Teams increased our ability to stay connected through both spontaneous ‘huddles’ and scheduled meetings. Conducting large all-staff style meetings on the platform permits attendees to personalize audio settings and utilize MS Teams’ live captioning option, increasing their ability to follow along with the speaker’s content in real time. In essence, all attendees get a front row seat. Over time, many have grown accustomed to joining meetings with cameras on for the benefit of being able to see each other’s faces and share views of their workspaces, plants, and if we’re lucky- pets! The Office of the Chief Economist regularly uses the platform to hold (virtual) staff appreciation activities, providing a creative venue for social interaction and filling the gap left by missed in-person lunches and spontaneous hallway chats. These activities help keep colleagues connected and learning about each other.

OPIA teams utilized SharePoint and Office 365 to share documents online so that multiple contributors could make edits in real time, which reduced delays in passing edited files back and forth and nearly eliminated the practice of printing documents and marking them up by hand. We hope to see this continue following the return to campus, as so many have adapted to paperless processes and enjoy reducing the waste associated with frequent printing. OPIA supports USPTO’s culture of supporting a healthy work life balance, and throughout the full time telework period, many staff redirected time that would have been spent commuting to prioritize self-care. For some, this has meant a little more time to linger at the breakfast table, neighborhood walks and bike rides, or time spent on a hobby. These activities help delineate the start and end of a work day, establishing boundaries that might otherwise blur when work and personal time occur in the same physical space.

OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY AND DIVERSITY (OEEOD)

Quite unexpectedly, the USPTO Diversity Program, administered by the OEEOD, took an outsized role in the agency's efforts to keep the workforce engaged after the mandatory work-from-home order was issued in March 2020. Whereas previously the majority of the Program's work took place in person on the Alexandria campus, the Diversity Program leveraged the agency's telework capabilities using Webex conferencing software to host a variety of events and activities that were formerly conducted in-person. For example, Community Day 2020, a one-day annual, in-person event attended by hundreds of employees, including residents of the City of Alexandria, was conducted for the first time exclusively online in July 2020, with more than 8,000 employees participating in the streamed broadcasting of remarks, exhibit booths, scavenger hunts, coffee chats, games, and more. In FY 2021, Community Day took place online once more, with more than 4,000 employees participating nationwide in real time. Moreover, in FY 2021, the Diversity Program continued sponsoring, co-sponsoring, and facilitating special emphasis month observances, albeit virtually, commemorating Black History Month; Women's History Month; Asian American, Native Hawaiian/Pacific Islander Month; Jewish American Heritage Month; Caribbean American Heritage Month; Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) Pride Month; Juneteenth; Hispanic Heritage Month; National Disability Employment Awareness Month; and Native American Heritage Month. All planning, coordination and execution of those events, to include networking gatherings, welcome wagon socials, and flagship events with keynote speakers were conducted remotely.

Also in response to the 2020 pandemic, the USPTO Diversity Program used the agency's telework capabilities to implement its Engagement in the Time of Telework Initiative, collaborating with the leaders of the agency's 30 officially recognized employee groups and additional volunteers from across the agency to stand up a host of regularly scheduled virtual events and activities including: weekly book club meetings, film discussions, after-hours online gaming, kids' story time, mid-afternoon coffee chats, photography contest, parent support group, online art gallery, and more.



Additional virtual flagship events included:

- First Generation Professionals (FGPS@USPTO) Fireside Chat
- Meet the Employee Groups Webinar Series
- Noche de Ciencia/Night of Science
- Veterans Day Celebration
- Lunar New Year Celebration
- Martisor Celebration
- Diwali Virtual Celebration

Moreover, to teach and promote diversity, equity, inclusion and accessibility, each year the Diversity Program produces the Diversity Download podcast, now in its third season, and an annual wall calendar.

The podcast, an inclusion initiative, explores various topics and aspects of diversity, equity, inclusion, and accessibility (DEIA) through informative, entertaining and relatable stories and segments to help USPTO employees understand DEIA and how to build better, stronger relationships with others. The annual wall calendar, mailed in early FY2021 to all senior executives and employee group leaders and whose theme was "12 Ways to Become a Better Ally in 2021" provided a variety of ways for individuals to practice DEIA in their daily lives and become better allies to communities and groups different from their own. A 508-compliant version is also available.

USPTO Affinity Groups also enhanced virtual engagement and workplace inclusion by contributing to the following activities during FY2021:

- Bring Your Own Mug Coffee Breaks
- Monthly and End-of-Quarter Socials
- Virtual Field Trips
- Health & Wellness and Finance Seminars
- Welcome Wagons
- Scholarships
- Food and Clothing Collection/Donations
- Community Service Activities
- Tutoring (local students)
- Mentoring & Shadowing Programs
- Networking Events
- Career and Leadership Development Courses
- Recruitment & Outreach to Minority-Serving Institutions (MSIs)

In FY2021, in an effort to encourage engagement, the USPTO Diversity Program revamped the existing Affinity Groups page on the agency intranet, expanding the scope of the page to a full Employee Organizations website, with resources, brochures, policies, checklists for starting groups, charter/bylaws templates, a robust and interactive calendar, and mini sites for all 30-plus employee groups. A 508-compliant version of the annual wall calendar is housed on the landing page and is available for immediate download.

To align with Executive Order 14035, “Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce,” the Diversity Program led the agency’s effort to comply with the Administration’s unanticipated deadlines for two major data calls requiring Front Office clearance prior to submission to OPM, OMB, and DOC: 1) agency assessment on Promising Practices; and 2) the DEIA agency assessment. Both deliverables were completed remotely and submitted earlier than the specified deadlines. Additionally, the Diversity Program developed the framework, to include the charter/bylaws, for the USPTO DEIA Council, to be stood up in FY2022.

In FY2021, the agency held its inaugural virtual Leadership Forum Extra event, with a specific focus on equity and community. As with the biannual Leadership Forum, the 2021 Extra event featured keynote addresses and a variety of breakout sessions supporting the 10 USPTO Ideal Leader Profile Qualities, particularly communication skills, management expertise, and inclusivity/collaboration. The Diversity Program assisted with the planning and implementation of the three-day conference, including speaking, moderating, and conducting workshops.

Lastly, the USPTO Diversity Program was able to continue its diversity outreach and recruitment activities seamlessly, despite working remotely, by conducting workshops for and exhibiting and recruiting virtually from the Society for Professional Engineers (SHPE-USPTO) Regional Conference and Career Expo; the University of Puerto Rico Mayaguez (UPRM) School of Engineering biannual Career Fairs; the League of United Latin American Citizens (LULAC) National Convention, Federal Training Institute and expo; and the Federal Asian Pacific American Council (FAPAC) National Leadership Training Program and career fair. They also conducted Find & Apply employment webinars and leadership and professional development workshops for students and professionals from the UPRM School of Engineering, FAPAC, the Conference on Asian Pacific American Leadership (CAPAL), LULAC, and Arkansas State University, in addition to various federal agencies, such as HHS, the State Department, FAA, and EPA. Moreover, the Diversity Program partnered with SHPE-USPTO and the Office of Education and Outreach to put on the annual, and first virtual Noche de

Ciencia (Night of Science) event for K-12 students and their parents and educators, geared toward promoting STEM education and careers.

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER (OCAO) OFFICE OF ADMINISTRATIVE SERVICES (OAS)

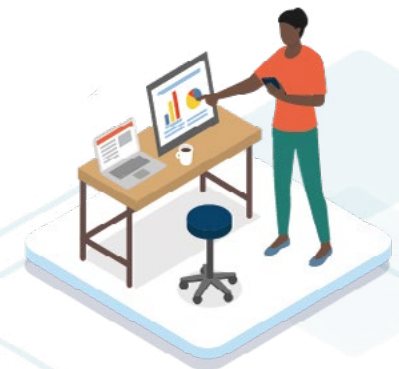
OAS set clear communication for in-office tasks versus remote tasks, explained telework guidelines and expectations to all OAS employees, and ensured all employees had telework agreements in place. OAS also ensured all our employees had the equipment required to assist with the transition. We also encouraged employees to stay social and connected by starting weekly and monthly check-ins, keeping up face-to-face communication with MS Teams, offering online training to keep employees engaged, and held virtual team-building activities.

We adapted to the “new normal” by maintaining regular communication between management and employees through MS Teams, email, and phone. Our employees have the resources and support they need to optimize their telework conditions.

OAS employs the following innovative methods to keep staff connected and engaged:

- All Hands meetings with agency updates
- Virtual happy hours
- Promoting personal development
- Creating psychological safety at work
- Encouraging teamwork and collaboration among all employees
- Recognizing OAS staff for their work on special projects related to, but not limited to COVID efforts
- Providing tools and resources for employee success
- Holding regular one-on-one meetings and group climate meetings
- Promoting creativity

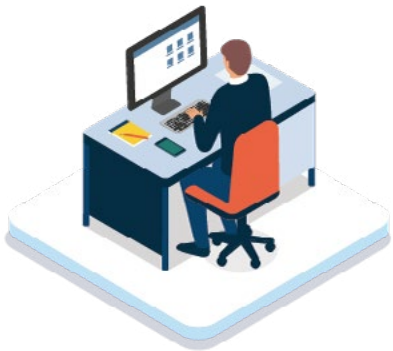
We learned that flexibility, communication, and clear and established guidelines are key to success and having empathy for others helps employees to perform at their full potential. We are in the process of establishing a new onboarding program for new OAS staff to acclimate to the OAS team and the USPTO.



OFFICE OF HUMAN RESOURCES (OHR)

The Office of Human Resources (OHR) successfully continued to work in a maximum telework posture due to the flexibility and adaptability of its entire staff. The commitment to provide exceptional customer service challenged the team to persevere through initial obstacles, come up with creative solutions, and continuously improve existing processes. OHR has demonstrated that service to our customers is not reliant on in person interaction, and can be effectively completed using a variety of tools that have enhanced the customer experience and the staff's capabilities. OHR quickly and creatively found work arounds to several lingering paper-based processes which enabled continued successful completion of all critical work in the mandatory virtual environment.

OHR Leadership challenged the staff to find ways to adapt through a three part approach: (1) continuing to provide exceptional customer service, (2) leadership continuing to provide training and support to our OHR workforce, and (3) all employees to find ways to continue enhancing our culture of connectivity and community within OHR.



Exceptional Customer Service

To ensure the mission of the USPTO continues with minimal or no interruptions it was imperative that we continue to onboard new hires into critical positions. Our OHR divisions worked in tandem with our business partners in the Chief Information Office and Office of Administrative Services to ensure that system access and equipment were issued timely to new hires. Virtual orientation was set into motion covering

headquarters and all of our regional offices. In addition to the seamlessness of the virtual onboarding, the teams were able to make improvements within the process that will continue once we move into a more hybrid environment.

Throughout the maximum telework posture, policies and guidance are often changing or being updated. OHR has been at the forefront of ensuring that these policies are interpreted appropriately and issued timely to the entire USPTO workforce. Through collaboration with the Office of General Counsel and the Office of the Chief Communications Officer, we are able to ensure that our USPTO employees have access to any flexibilities provided by the government that may assist them with any additional needs.

Leadership

OHR leadership focused on listening to the needs of their employees and ensuring that communication was clear, current and consistent. It was important that employees continued to feel connected to the OHR culture and therefore, OHR had to pivot from the typical types of engagement and seek out alternatives. It was also crucial for OHR Leadership to be receptive and accommodating to the needs of the employees whose home lives were severely disrupted by illness, childcare changes, and financial burdens.

OHR spearheaded the first ever “OHR Listening Session” which was a forum built to encourage connectivity amongst the OHR colleagues. Employees were provided a forum to share their experiences during the pandemic, as well as interactive opportunities to support each other and provide feedback based upon different prompts provided by the moderator. This session had a very large level of engagement and received very high satisfaction rates.

In addition to holding large events like the “OHR Listening Session” and other virtual All Hands, divisions focused on smaller opportunities to celebrate with each other through virtual baby showers, holiday celebrations, and weekly touchpoints.

Enhancing a culture of connectivity

OHR employees embraced the new environment and looked for ways to connect with each other. Teams began partnering with each other, hosting events like paint and sips, watching and discussing TEDTalks, and eating virtual lunches together. One of the more popular activities was the creation of the CAO, OHR, and OAS cookbook consisting of shared employee recipes. Notably, this cookbook served an even more important purpose as it was dedicated to the memory of a beloved colleague who passed away.

Throughout this maximum telework posture, we learned the significance of small moments of connectivity. We learned that reaching out to our colleagues to check-in not only improved work performance, but enhanced relationships between leadership, colleagues, and our customers.

OFFICE OF THE CHIEF COMMUNICATIONS OFFICER (OCCO)

OCCO is responsible for all public affairs and communication, invention education, and public outreach activities, including national-level partnerships with outside organizations. OCCO plans and manages nationwide information and marketing campaigns about USPTO programs and initiatives, for audiences including news media, employees, the IP community, inventors and entrepreneurs, the general public, and students and educators. OCCO continues to work a fully remote schedule and continues to work tirelessly to keep

employees, inventors, and entrepreneurs informed of the latest operational and procedural notices regarding COVID-19. OCCO employees adapted to the “new normal” very well and found that working from home has been very satisfying and rewarding. They also found that it benefited them by eliminating their daily commutes, increased their productivity and lead them to live a healthier lifestyle. OCCO continues to take full advantage of the virtual environment and video teleconferencing tools for daily operations, media interviews, and a variety of external outreach events for the Director and Deputy Director. OCCO enjoys having a fully remote schedule, but recognizes that a lot of lessons have been learned. First, that remote work is sustainable, and doesn't affect productivity. Second, the experiment has been uneven, mainly enabling some staff to work from the comfort of their homes, while mission essential workers could not have a fully remote schedule. Third, available technologies and video conferencing tools have proven themselves in stressful situations. Finally, OCCO realizes that even though this great work from home experiment has been great, there's still going to be a need to meet and interact face to face.

PATENTS

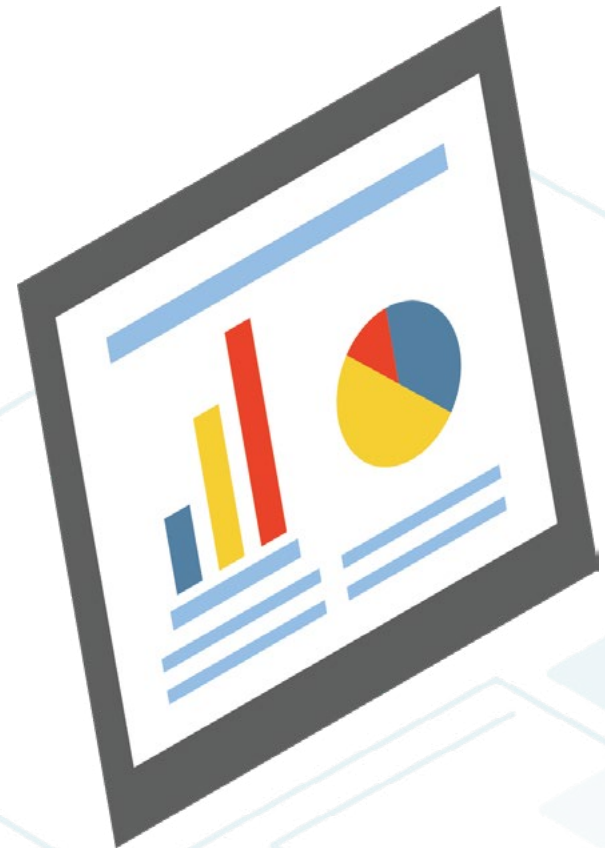
The business of hiring new employees continued throughout the year even with the in-person restrictions associated with the COVID-19 pandemic. Prior to the pandemic, new employees were greeted by their supervisor and fellow co-workers on campus and given the grand tour of our facilities. During the pandemic, using the array of collaboration tools available to USPTO employees, Patents was still able to “meet” their new hires through video sessions.

With an intentional effort to be on camera, newly-hired employees had the opportunity to feel more welcomed and connected by seeing and communicating with their supervisors and colleagues during meetings, trainings, and activities, albeit in a virtual environment. It also gave them a sense of belonging and inclusion despite the restriction of in-person contact. This practice will continue in Patents as we continue to operate in a virtual and remote setting. Patents also strived to place a strong emphasis



on “work-life balance”. Stressing to its employees that while diligently focusing on work was important, it was equally important to maintain a good quality of life. Patents organizational leaders promoted the practice with reminders, inspirational quotes, suggested activities, and more.

One way Patents helped in this effort was in the area of Patents Hoteling Program (PHP) Training. The PHP curriculum was reviewed and updated with new initiatives aimed at working smarter, not harder. These changes included a reduction in classroom training from 15 to 8 hours and reducing the number of days from four to two. Additionally, some previously instructor-led classes were redone for placement in the Commerce Learning Center. Participants could then finish specific training at their own pace and receive a Certificate of Completion. This effort saved the amount of time employees needed to complete each class while using a learning platform already available to Patents employees.



Nationwide Workforce

REGIONAL OFFICES

Each USPTO Regional Office provides support in maintaining every employees' ability to maximize telework during the pandemic. Most importantly, the regional offices remain committed to the health and safety of our employees and take a proactive approach in monitoring local COVID-19 pandemic key data, trends, and metrics in accordance with directives from headquarters to determine the feasibility of sustaining operation status and implementing required safety measures while adhering to the state and local COVID safety protocols. The regional offices have remained open to eligible employees through the standardized building access request processes. Also, each regional office facilitates, upon approval, teleworkers in their region with Homeland Security Presidential Directive 12 (HSPD-12) PIV card-related services to renew or re-authenticate their PIV card status. In addition, the regional offices continue to provide seamless support and services related to virtual PTAB hearings as the number of Ex Parte Appeal, Inter Partes Review (IPR), and Re-exam Hearings with regional Administrative Patent Judges (APJs) participation have risen substantially during the pandemic.

Furthermore, during the pandemic, many USPTO employees elected to participate in full time telework from alternate worksite locations across the 50 states, Puerto Rico and Washington, D.C., significantly expanding the nationwide workforce. Notably, the following table shows the growth in each region including the total number of full-time teleworkers, TEAP participants, 50-mile program participants, full-time teleworkers with a reporting requirement, and part-time teleworkers.

The regional offices provide resources, services, and outreach efforts that augment the mission and goals advanced by the USPTO through various methods. For example, the regional offices provide unique detail assignments to USPTO employees with efforts directed to providing meaningful outreach programs and activities to stakeholders. These experiences expand the knowledge of detail participants and serve as career development opportunities. The maximum telework environment encouraged the regional offices to rethink the geographic eligibility for detail opportunities. In particular, this past year, the regional offices selected the USPTO's first-ever detailee located in Hawaii. This enabled the USPTO to provide IP education programs targeting the needs

NUMBER OF PTAB HEARINGS IN EACH USPTO REGIONAL OFFICE

PTAB HEARINGS	DETROIT	DALLAS	DENVER	SAN JOSE
# of Ex Parte Appeal w/ RO based judge participating	40	41	--	94
# of IPR Hearings w/ RO based judge participating	24	79	54	104
# of Re-exam Hearings w/ RO based judge participating	6	1	--	2
# of Ex Parte Appeal Hearings at RO	30	16	--	71
# of IPR Hearings at RO	2	18	16	35
# of Re-exam Hearings at RO	2	--	--	1

of the local community in Hawaii, including the Veteran’s Business Outreach Center of the Pacific, which is more convenient to the local participants.

The regional offices enhance employee engagement through the establishment of Voluntarily Employee Organizations (VEOs) including Rocky Mountain Region Work Life Organization, Rocky Mountain Region Outdoor Club, Silicon Valley Work Life Organization, and Texas Regional Work Life Organization, along with locally assigned POCs from various affinity groups from APANET, BAIPO, PTOS, UMA, AMACA, and others. The management and staff actively participate in planning, coordinating, and execution of various virtual events and activities. These efforts resulted in higher marks in the 2021 USPTO People Survey, especially under the employee engagement category for all regional offices. Regional office employees also fully participate in USPTO-wide initiatives including the USPTO Combined Federal Campaign (CFC), Virtual Fitness Challenge, and the like.

Overall, the regional offices remain resilient and adaptive to provide continuous support of USPTO employees throughout the nation and its telework programs. The management and staff of the regional offices are dedicated to solving challenging problems and finding ways to make a positive impact through collaboration and communication.

NUMBER OF TELEWORKERS IN EACH USPTO REGIONAL OFFICE'S AREA OF RESPONSIBILITY

	ALL FULL-TIME TELEWORKERS	TEAP	50-MILE	FULL-TIME W/ REPORTING REQ.	PART-TIME TELEWORKERS
Detroit	527	423	73	31	30
Dallas	427	340	59	28	47
Denver	181	131	40	10	54
San Jose	468	415	36	17	43
Total	1,603	1,309	208	86	174

TELEWORK ENHANCEMENT ACT PROGRAM (TEAP)

The Telework Enhancement Act of 2010 authorized the USPTO to conduct a pilot program allowing employees to waive their right to travel expenses for a reasonable number of mandatory trips to the USPTO. The program allows USPTO employees to telework from locations anywhere in the United States and Puerto Rico; the locations must be more than 50 miles from the USPTO offices in Alexandria, Virginia. The USPTO may cover any necessary travel expenses to and from a USPTO worksite after a reasonable number of trips. Since Congress permanently authorized the TEAP pilot under the National Defense Authorization Act (Public Law 116-283) on January 1, 2021, participation is not limited to a number of slots in a business unit, and more business units are providing the TEAP as a teleworking opportunity for their employees.

While enrolled in the TEAP, participants change their duty station to an approved alternate worksite in the city or town in which they reside. The participants must travel to the USPTO when directed and as outlined in the TEAP operating procedures.

In FY 2021, 3,079 employees participated in the TEAP. In 2021, the TEAP Oversight Committee began working on updating the TEAP Operating Procedures to reflect the expanded telework and remote work environments at the USPTO.

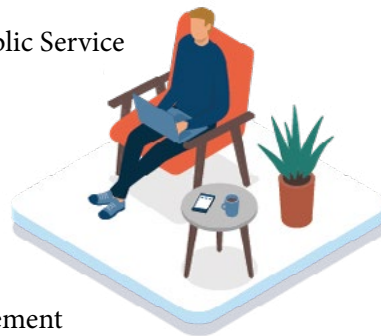


Agency Outreach and Speaking Efforts

The USPTO is often asked to present the USPTO telework strategy as well as provide support and guidance to outside organizations to support various telework efforts.

AGENCY ASSISTANCE

- National Endowment for the Arts
- Federal Emergency Management Agency
- Federal Trade Commission
- Census Bureau
- U.S. Air Force
- The National Oceanic and Atmospheric Administration
- National Institute of Standards and Technology
- Library of Congress
- Postal Regulatory Commission
- EIG Results Group — Partnership for Public Service
- National Sanitation Foundation
- Office of Inspector General
- U.S. Agency for Global Media
- National Science Foundation
- United States Department of Justice
- Office of Inspector General
- U.S. Army
- United States Office of Personnel Management
- Accelerated Leadership Partners
- General Services Administration
- U.S. Department of Housing and Urban Development
- International Trade Administration
- Internal Revenue Service
- Defense Civilian Personnel Advisory Service



- GovExec Panel Future of Work — Managing a Hybrid Workforce — Panelist
- IP Office Telework and Administration Workshop — Presentation
- Association of Southeast Asian Nations — Presentation

LEADERSHIP FORUM EXTRA

During September 13-16, 2021, the USPTO held its first Leadership Forum Extra sponsored by the OCAO and OEEOD. This forum, for USPTO supervisors and managers, had a specific focus on equity and community. As with the biannual Leadership Forums, the 2021 event featured keynote addresses and a variety of breakout sessions. The sessions focused on contemporary topics such as equity in organizations, homophobic discrimination in the federal workplace, sexual orientation and identity, and building connection and community within a remote workforce. Chief Administrative Officer Fred Steckler opened the event with powerful remarks about creating an equitable workplace and developing a genuine atmosphere of change. Office of Equal Employment Opportunity and Diversity Director Bismarck Myrick also spoke, voicing impactful reminders about why the USPTO prides itself on being an industry model when it comes to diversity, equity, inclusion, and accessibility. Drew Hirshfeld, performing the functions and duties of USPTO Director, offered meaningful closing remarks that called upon leaders to be aware and accepting of the different needs of each worker and to seek ways to eliminate barriers between individuals and groups. Two of the sessions specifically addressed remote work and the telework environment. One of the sessions, “Leading from Anywhere: Unlock the Power and Performance of Remote Teams,” addressed how supervisors and managers can use collaboration tools to engage hybrid, remote, and on-campus employees. Another session, “Plugged In: Consistent Leadership in a Virtual World,” demonstrated how supervisors and managers can promote an equitable workforce in remote and hybrid work environments. Both sessions provided supervisors and managers different examples of providing opportunities for employees, engaging with them remotely, and encouraging their workplace contributions.

PRESENTATIONS/SPEAKING EFFORTS

- Chief Human Capital Officers — Presentation
- The National Oceanic and Atmospheric Administration Executive Panel — Presentation
- Federal Council of Executive Secretariats — Presentation
- Federal Human Capital Collaborative Meeting — Presentation

Future of Telework at the USPTO

In 2021, 24 years after the inception of the original telework pilot in 1997, the USPTO had 84% of its 13,017 employees participating in a regular telework program one to five days a week. The USPTO telework program provides cost savings by reducing the need for additional office space, enhancing recruitment and retention, fostering greater efficiency in production and management, enhancing the resiliency of the agency during continuity events, and providing opportunities for expanded work flexibility. Because the USPTO has been at the vanguard of federal telework, we are often called upon to provide assistance to other federal agencies interested in starting or expanding their telework programs.

The TPO works with USPTO business units to continue the success of our telework programs by providing support and resources. During FY 2021, business unit leaders reevaluated the telework eligibility of each position in light of the extensive period of mandatory telework; the TPO evaluated this data and presented the current and proposed eligibility to the Telework Executive Steering Committee. The evaluation of this data demonstrated that every business unit has proposed to increase the number of days of telework for its eligible positions or to increase the number of positions eligible to telework. The greatest percentage increase in telework eligibility is for three or more telework days per week, from 78% of total positions to at least 98% of total positions. The TPO will continue to provide support to telework coordinators and telework participants.

TECHNOLOGY

Using a wide suite of hardware and software, teleworkers at the USPTO are able to remain seamlessly connected to each other, their managers, and their overall work environment, regardless of where they are physically located. This suite includes the Universal Laptop, Virtual Private Network (VPN) connection, the Cisco Voice over Internet Protocol (VoIP), Microsoft Teams, webcam, Cisco WebEx, and small office/home office (SOHO) router.

REOPENING SAFELY

The health and safety of all USPTO employees remains the top priority for the agency. The USPTO will continue to monitor and consider guidance and orders from the White House, other federal regulatory agencies, and local and state governments. The USPTO will also continue to monitor and assess community changes in support of risk-based decision making. The plan for reopening all our facilities and the disciplined, three-phased approach for returning workers to campus workplaces will include leveraging our telework capabilities, encouraging telework and continuing maximum telework in Phase Two, and optimizing telework programs in Phase Three.

POLICY	PHASE ONE	PHASE TWO	PHASE THREE
Capacity	< 25%	< 25%	No limit
Telework Level	Maximum	Maximum	Regular/Optimized
Main Campus Building Hours	M – F 7 a.m. – 6 p.m.	M – Sat 6 a.m. – 8 p.m.	Regular
Public Access	No	No	Yes
Self-Health Certification	Required	Required	Required
Face Coverings	Required	Dependent on CDC guidelines	Dependent on CDC guidelines
Cleaning & Tracing	Highest diligence	Highest diligence	Highest diligence

TELEWORK RESOURCES

The USPTO Telework Program Office has developed an internal telework resource center, located on the PTO intranet, to support telework-eligible employees, existing teleworkers, and managers. We encourage you to visit the [Telework Resource Room website](#) for various resources, best practices, and tools.

