



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

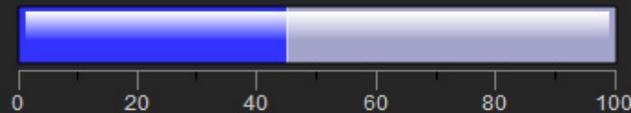
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**PPAC**  
**Patents Operations Update**

**Peggy Focarino**  
**Deputy Commissioner for Patents**  
**September 23, 2010**



# Check out our New Dashboard



UPR allowance rate, including RCEs = 45%

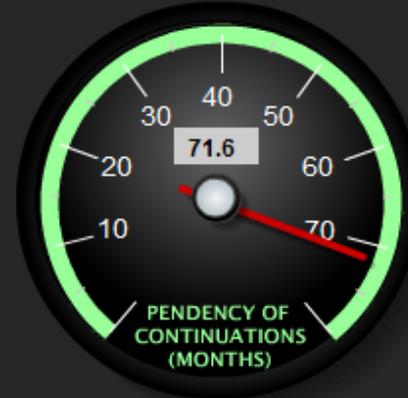


UPR allowance rate, without RCEs = 60.2%



# Check out our New Dashboard

## New Pendency-related Measures





# Statistics for Key USPTO Initiatives

## First Action Interview Pilot Program

- A total of 1,133 applicants have joined the program.
- 594 interviews have been conducted, and 360 of the applications have been allowed.
- The program has an overall first action allowance rate of 32.3% as compared to 10.9% for all non-continuing applications in FY 10.
  - The first action allowance rate of just the applications since the expansion at the beginning of the FY is 45.1%.



## Statistics for Key USPTO Initiatives

### **Prioritizing Patent Applications—Application Acceleration Pilot (Project Exchange):**

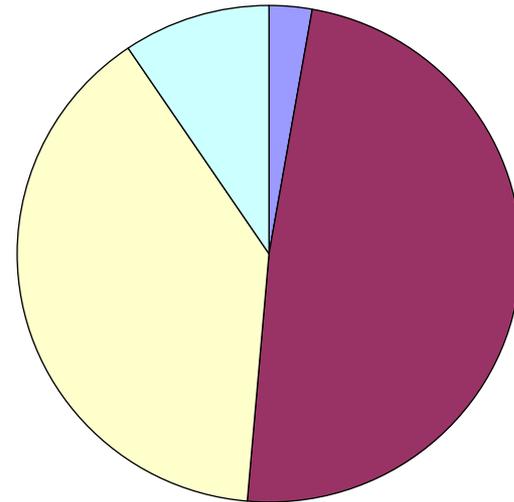
- As of August 31, 2010, 67 requests have been received under the Project Exchange Pilot. While this number is modest, the Office expects it to pick up as more applicants become aware of the program.
- 35 requests have been granted and 14 have been dismissed.
- 18 requests are currently awaiting decision.
- The time from filing of the petition to the petition being granted is currently 22 days.



# Statistics for Key USPTO Initiatives

## Prioritizing Patent Applications— Green Technology:

- 40 applications received in the Green Technology program have been allowed.
- The average time from filing of the Green Technology petition to the petition being granted is 32 days.
- The average time from the granting of the petition to a first office action on the merits is 46 days.
- For the 40 applications that have been allowed, the average time from the filing date of the application to the time of allowances is 15.9 months. The average time from the filing date of the petition to the time of allowances is 4.7 months.



■ Petitions awaiting decision ■ Petitions granted ■ Petitions dismissed ■ Petitions denied



# Statistics for Key USPTO Initiatives

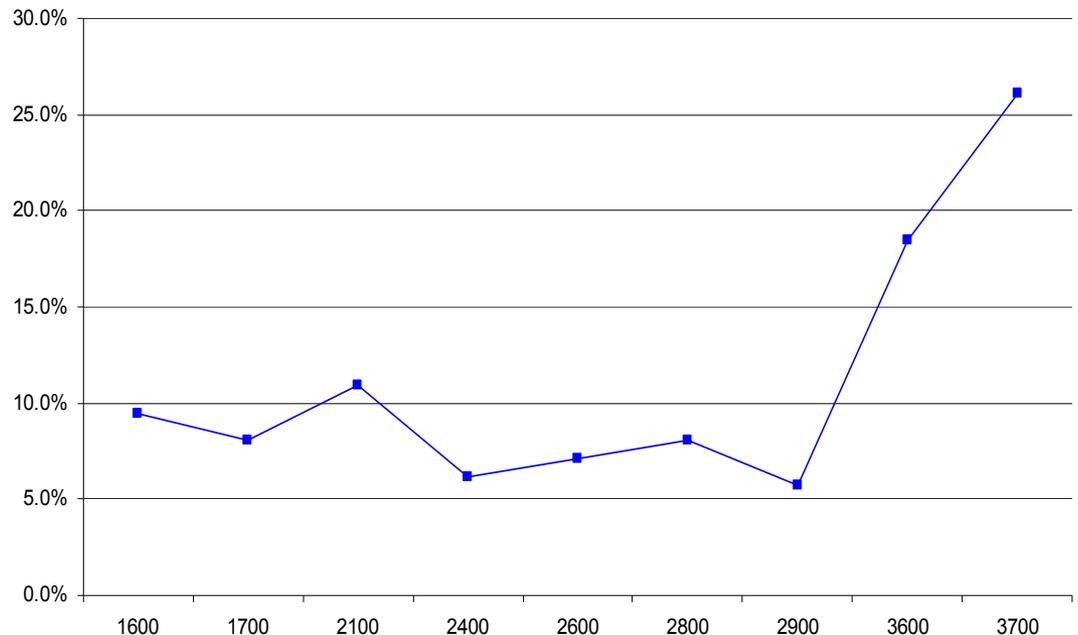
## Ombudsman Program:

■ As of August 31, 2010, 214 inquiries have been made to the program. 211 of these issues have been resolved and 3 remain active.

■ Issues are resolved, on average, within two business days.

■ In the first quarter of FY 2011, USPTO intend to go out with a survey to participants. Based on the survey results, we may make further refinements to the program.

Percent of Ombudsman Inquires





## Statistics for Key USPTO Initiatives

### Revision to Patent Examiner Production System (Count System):

- As of August 31, 2010, the number of actions per disposal was approximately 2.4. This is down from over 2.9 in FY 2008-2009, which represents a significant increase in efficiency.
- The new system made changes to examiners' docket management policies to provide a more "first-in, first-out" (FIFO) inventory management system to align with applicant's expectations that examination will generally be done in the order applications are received.
- Average first action pendency on August 31, 2010, was 26.2 months.
- Average total pendency on August 31, 2010 was 35.4 months.
- As of August 31, 2010, the UPR backlog has been reduced to 728,055.
- The growth rate of RCE filings has slowed from FYs 2008 and 2009. The growth rate of RCE filings in FY 2008 was 29.1% and 23.1% in FY 2009. This compares to a 9% growth rate so far in FY 2010.
- As of August 31, 2010, the patent application allowance rate was 45%.



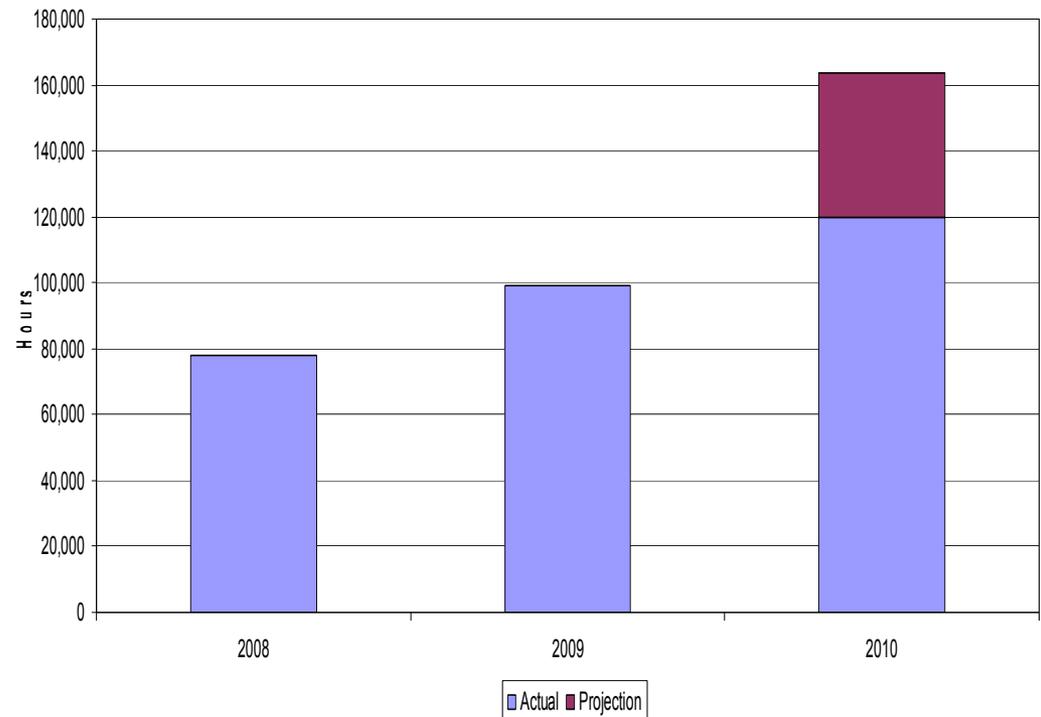
# Statistics for Key USPTO Initiatives

## Institutionalize Compact Prosecution Of Apps:

■ As of August 14, 2010, a total of 119,793 hours of interview time have been granted with over a month left to go in FY 2010 -- which surpasses the 99,313 total of interview hours granted in the entire FY 2009.

■ The first action allowance rate is currently 16% compared with 11.8% in FY09 meaning a greater percentage of applications are granted sooner.

■ Final Rejections of applications have also increased, from 223,277 in FY2009 to 239,174 in FY2010.





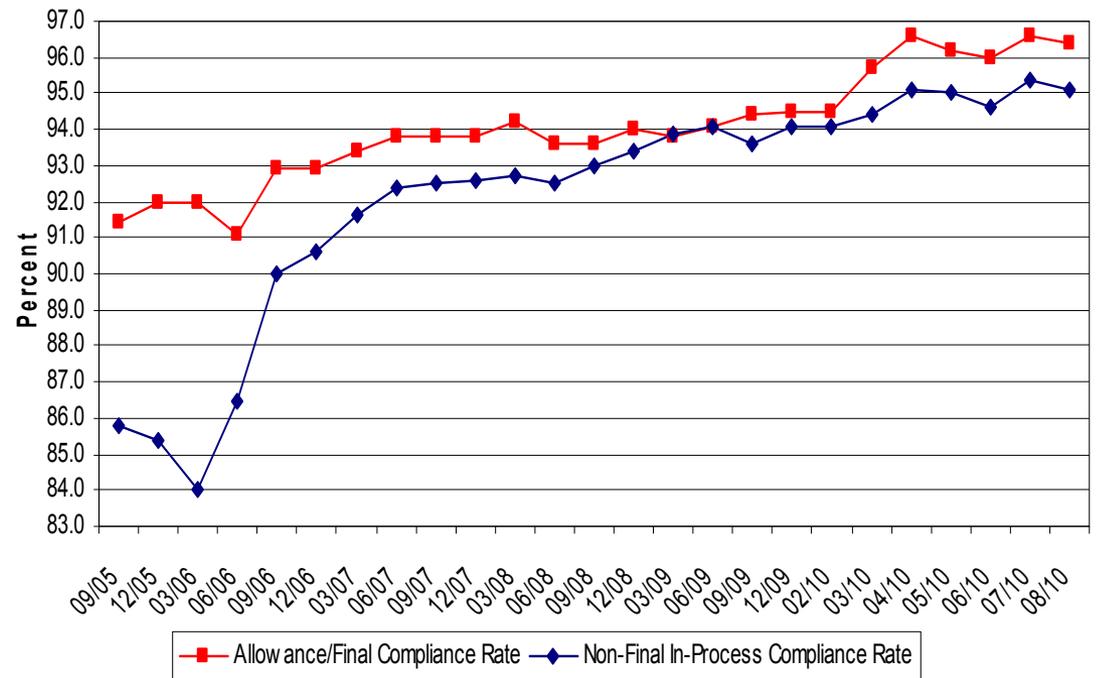
# Statistics for Key USPTO Initiatives

## Reformulated Performance Appraisal Plan (PAP) for Supervisory Patent Examiners (SPE) and Patent Examiners:

■ As of August 31, 2010, the 12-month rolling average allowance/final allowance compliance rate was 96.4%.

■ As of August 31, 2010, the 12-month rolling average non-final in-process compliance rate was 95.3%.

■ As of August 31, 2010, the attrition rate (less transfers and retirees) was 4.09%. This compares with the attrition rate in FY2009 of 5.66%.





# Statistics for Key USPTO Initiatives

## Targeted Examiner Hiring:

- A total of 176 patent examiners have accepted offers. Of these 176 hires, 98 are IP experienced hires and 44 are former patent examiners.