

Patent Public Advisory Committee Quarterly Meeting

Optimal Pendency Levels



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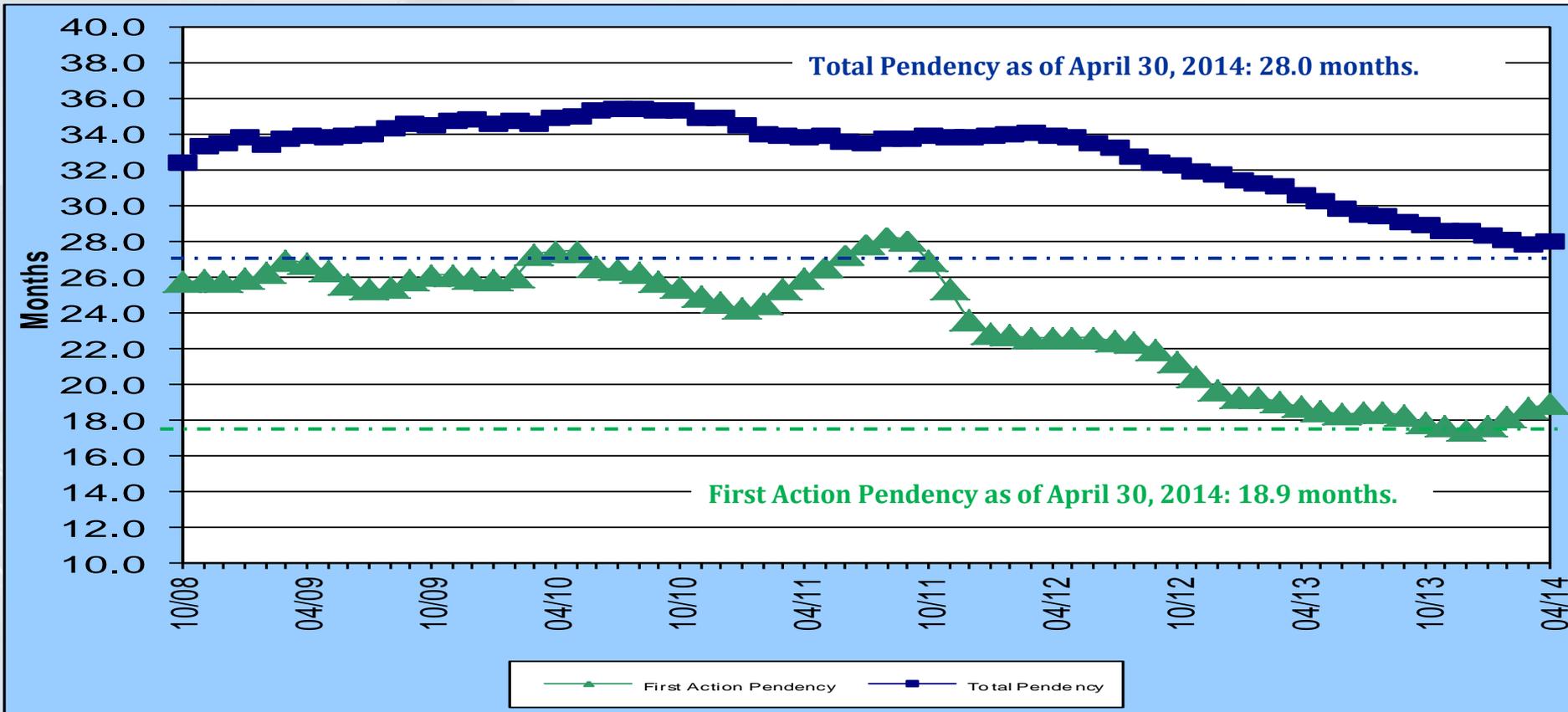


Input on Optimal Patent Pendency Levels

- ❑ Current Patent Pendency targets are:
 - *10 months average first action pendency, and*
 - *20 months average total pendency.*
- ❑ New 2014-2018 USPTO Strategic Plan includes an initiative to work with stakeholders to refine long-term patent pendency goals.
- ❑ These goals help determine our staffing levels and resource needs.
- ❑ Will gather public input via a Request for Comments as a preliminary step to the next biennial fee setting analysis.



First Action and Total Pendency FY 2009 – FY 2014 (through April)



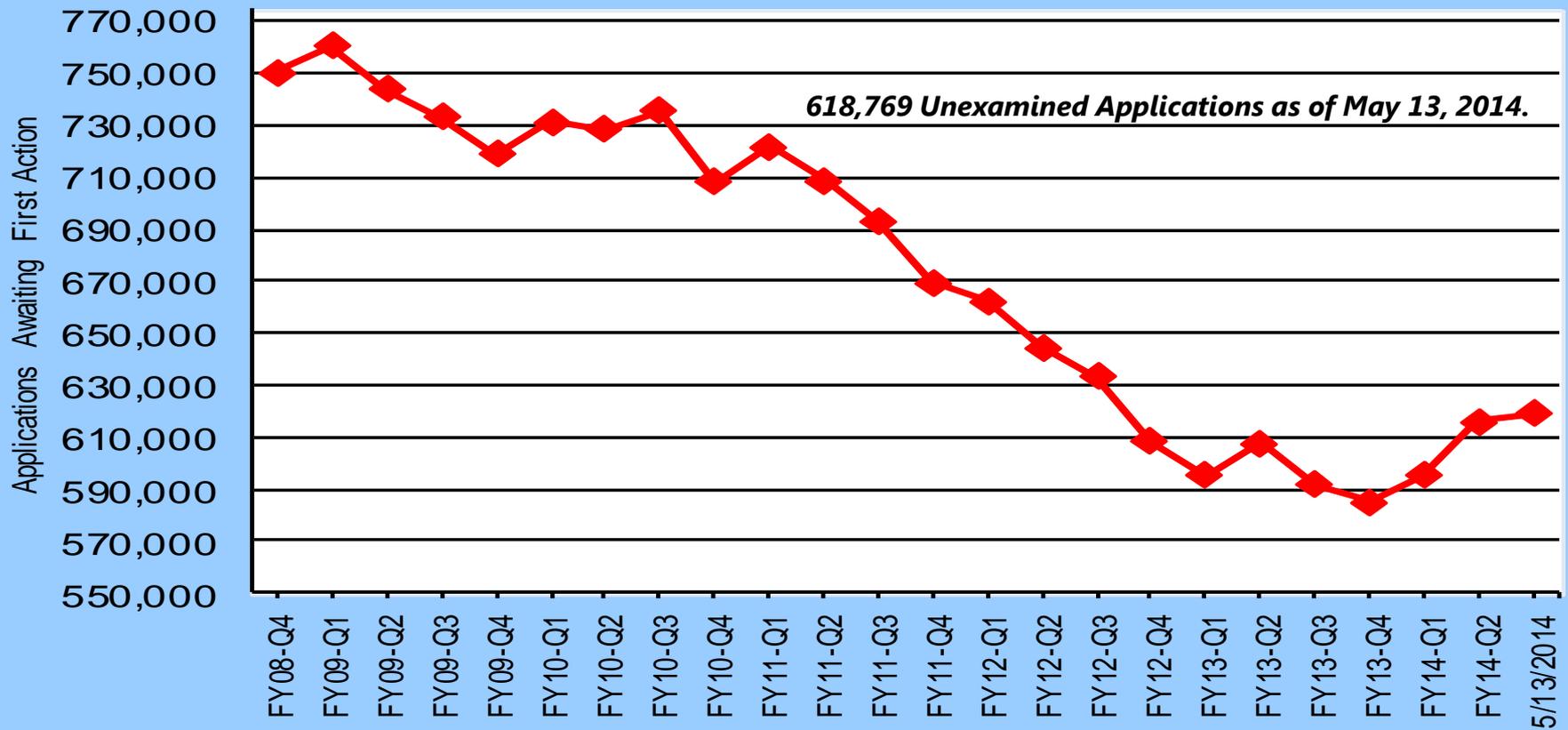
--- Average Total Pendency FY 2014 Target (2015 President's Budget): 26.7 months

--- Average First Action Pendency FY 2014 Target (2015 President's Budget): 17.4 months

CPC training time and the change to the RCE count scheme will effect First Action pendency in FY 2014



Unexamined Patent Application Backlog FY 2009 – FY 2014 (through May 13)





Examples of Pendency Measures currently on the USPTO Data Visualization Center (<http://www.uspto.gov/dashboards/patents/main.dashxml>)

- **First Office Action Pendency**
- **Traditional Total Pendency**
- **Unexamined Patent Application Backlog**
- **RCE Backlog**
- **Track One Pendency**
- **Traditional Total Pendency including RCEs**
- **Forward-Looking First Action Pendency**
- **Pendency from Filing to PTAB Decision (Ex Parte Appeals)**
- **Pendency of RCEs**
- **Pendency from RCE Filing to Next Office Action**
- **Pendency of Continuations**
- **Pendency of Divisionals**



Discussion Points

- Optimal Pendency levels
- Which pendency measures are important to stakeholders and why?
- Pendency definitions from various perspectives



Questions and Comments?

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