

United States Patent and Trademark Office 2008 Telework Annual Report



Awards

- 2008 **Tele-Vision Award for Best New Telework Initiative**
Awarded by the Telework Exchange
Trademark Assistance Center
- 2007 **Excellence in Telework Leadership Award**
Awarded by the Telework Exchange
- 2007 **Telework Driver Award**
Awarded by the Telework Exchange
- 2007 **Work-Life Innovative Excellence Award**
Awarded by the Alliance for Work-Life Progress
Trademark Work at Home Program
- 2006 **Tele-Vision Award: Telework Program with Maximum Impact on Government**
Awarded by the Telework Exchange
Trademark Work at Home Program
- 2004 **Trademark in the Federal Government Leadership Award**
Awarded by the Potomac Forum
- 2003 **Best Organization for Telework Award**
Awarded by the Mid-Atlantic Telecommuting Advisory Council
- 2003 **Government Telework Award**
Awarded by the Telework Coalition
- 2001 **Commuter Connections Telework Award**
Awarded by the Metropolitan Washington Council of Governments Commuter Connections

The United States Patent and Trademark Office (USPTO), an agency of the United States Department of Commerce, is the Federal agency responsible for granting U.S. patents and registering trademarks. In doing this, the USPTO fulfills the mandate of Article I, Section 8, Clause 8, of the Constitution that the Executive branch “promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.”

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Introduction

USPTO Telework: A Corporate Business Strategy

FY 2008 Highlights



Introduction



Changing the boundaries of old workplace patterns allows for decreased commute time, greater control over workloads, and even a more balanced lifestyle. The USPTO's decision to incorporate telework as a corporate business strategy has translated into increased employee productivity, satisfaction, and retention; helps the agency recruit and retain top talent; reduces costs associated with securing additional real estate; positively impacts traffic congestion in the Washington, DC metropolitan region; and assists employees in maintaining an attractive work-life balance.

The USPTO continues to build upon the historically successful Patents and Trademarks telework programs by expanding telework program development into other corporate business units. This is creating a workforce that can seamlessly perform work from remote locations. The USPTO started its telework programs more than 10 years ago with 18 trademark examining attorneys. Today, more than 4,000 employees agency-wide are working from home at least one day per week. Between

FY07 and FY08 the number of eligible employees teleworking at the USPTO increased by 656 employees.

The agency is considered a model for telework in the federal government and has received numerous awards for its exemplary telework programs. The USPTO's telework programs are carefully designed to include information technology (IT) and telework effectiveness training, pre- and post-pilot surveys, focus groups, and final reports. Because of this strategic design, the USPTO has become the "go-to" agency for other federal agencies interested in starting or expanding their telework initiatives.

As the agency hires new employees, it is anticipated that the USPTO telework programs will continue to grow and remain at the vanguard of federal telework. The USPTO will continue to strive to be an employer of choice, and remain committed to supporting telework agency-wide by encouraging employee participation and ensuring that remote workers have the tools they need to be successful.



USPTO Telework: A Corporate Business Strategy

Telework at the agency:

- Provides for space and related cost savings
- Increases workforce without increasing real estate costs
- Has enabled the agency to avoid securing \$11 million in additional office space
- Incorporates comprehensive training programs
- Provides for continuity of operations planning (COOP)
- Offers hoteling programs for Trademarks and Patents
- Is not a “one-size-fits-all” initiative
- Positions the USPTO as an employer of choice.

FY 2008 Highlights



Trademark Work At Home

In FY08, expansion and improvement of telework opportunities for all Trademark employees became a goal of the Trademark Human Capital Strategic Plan. Today, 70 percent of all Trademark employees are eligible to telework at least one day per week, and 83 percent of those employees take part in one of several different telework program options. Eighty-six percent of all eligible trademark examining attorneys participate in the hoteling telework program.¹ Every eligible trademark examining attorney who wants to telework has been provided the opportunity to do so, and there are telework programs for most Trademark services work units. Many supervisors and managers also participate in telework programs.

This year, Trademarks partnered with the Office of the Chief Information Officer (OCIO) to transition the Trademark Work At Home (TWAH) system to the Enterprise Remote Access

¹ Trademark hoteling employees relinquish office space to work from home four days per week. These employees are required to travel to the USPTO's Alexandria, Virginia campus once per week. To work on campus, hotelers make electronic reservations to use shared office space.

(ERA) model.² This has resulted in substantial, immediate cost savings and will support future cost avoidance. Internet connectivity through cable or fiber-optic service (FiOS) is provided for Trademark workers through a contractor. This year, Trademarks completed deployment of



John Wilke, trademark examining attorney and teleworker, testifies remotely before Congress while working from his home in Chicago.

Nortel's Multimedia Communication System (MCS) as a digital TWAH telephony solution and as a collaboration tool for the trademark examining attorneys, resulting in the discontinuance of more than 150 landlines. Moreover, Trademarks collaborated with OCIO

² The Office of the Chief Information Officer (OCIO) has created a standard, Enterprise Remote Access (ERA) solution to meet the needs of USPTO's many telework and hoteling programs.



Trademark Work at Home Programs	
Examining Attorneys	Examination Support Units
Trademark Assistance Center	Intent to Use Unit
Madrid Processing Unit	Post Registration
Program Control	Operations Program Staff
Legal and Policy	Petitions
Examination Support Quality Review and Training	Trademark Quality Review and Training
Supervisors	Managers

to adopt webcasting as a communication tool to enhance the telework experience. Trademarks “all hands” meetings and several legal training sessions were webcast reaching more than 200 remote workers at each event.

Considerable progress was made in FY08 expanding telework in other Trademark services work units, as well as the law offices. In fact, the Trademark Assistance Center (TAC) telework program was recognized by the Telework Exchange with the 2008 Tele-Vision Award for

best new telework program. The TAC program is believed to be the only government call center with a telecommuting plan. New TWAH pilot program agreements were signed in FY08 for telework programs in the Trademark law office examination work units and the Intent-to-Use unit. Each of these programs was developed in cooperation with the National Treasury Employees Union (NTEU) 243 without formal bargaining. Outside the bargaining units, a new pilot was developed in FY08 for Trademark law office management and senior attorneys, who went from participating in a one-day-per-week program to one that allows telecommuting up to 16 hours per week.



Representatives from the General Services Administration and the Telework Exchange joined USPTO staff in presenting federal telework information to the Japan Unisys Users Association in October 2008.



The Trademark Work at Home model has become a benchmark for federal telework programs. As a result of their successful telework initiatives, Trademark representatives have participated in several congressional briefings on telework. In addition, the Trademark Geographic Expansion pilot, which began last year, was evaluated and doubled in size this year. That pilot, developed in cooperation with the National Treasury Employees Union 245 (NTEU 245), allows trademark examining attorneys with experience teleworking to move more than 110 miles from headquarters. These teleworkers are still required to report to headquarters once per week. As a result of the pilot, teleworking examining attorneys now reside in California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Maryland, Michigan, New York, North Carolina, Pennsylvania, South Carolina, Texas, Virginia, West Virginia, and the District of Columbia.

The Trademark organization is often asked to speak on teleworking, and this year it presented information to other government agencies such as the National Labor Relations Board and the Internal Revenue Service. Trademarks also represented the United States, speaking at the

International Telework Symposium in Tokyo, sponsored by the Japan Telework Association. While in Tokyo, a presentation about telework was given at the Japan Patent Office.

Patents Telework Programs

In FY08, the Patents Hoteling Program (PHP)³ was further expanded to include patent examiners GS-12 and higher. Previously, participants in the PHP were patent examiners GS-13, 14, and 15. This telework program provides participants with the option to perform officially assigned duties at home (four days per week) during paid working hours. Major elements of this telework program include remote online access to all relevant USPTO patent business systems, job performance

Patent Programs
Patent Hoteling Program (POPA-union)
Patent Legal Instruments Examiners Hoteling (NTEU 243-union)
Patent Management Telework Program
Patent Telework Program
Patents Part-Time Telework Program

³ Patents hoteling employees relinquish office space to work from home four days per week. These employees are required to travel to the USPTO's Alexandria, Virginia campus once per week. To work on campus, hotelers make electronic reservations to use shared office space designated by the agency.



Anastasia Midkiff, patent examiner and hoteling participant, works from her home office.

tools, patent information, and patent application documentation, and incorporates the use of collaborative communication technologies. The PHP also includes a component whereby participants can remotely reserve workspace in hoteling offices, located throughout the USPTO's Alexandria campus. To date, more than 1,300 patent examiners have relinquished their office space to participate in PHP. In addition to a hoteling program for patent examiners, the PHP for NTEU 243 is a hoteling program for legal instrument examiners (LIEs). Participants in this program give up their offices and use a designated set of hotel cubicles or rooms when on campus. LIEs are provided a full complement of ERA equipment to work seamlessly from home.

Using USPTO-supplied equipment, participants can remotely connect to PTOnet, an internal operating network, and view patent applications, perform prior art searches, create and electronically sign necessary documents, and access timesheet reporting, e-mail, and other support systems available at the USPTO.

The PHP positions the agency to retain experienced senior examiners, eliminate unnecessary commuting time, and has made patent examining in the Washington, DC metropolitan area more attractive to potential candidates who currently reside outside of the region. This telework program will enable the USPTO to continue to recruit from a highly qualified hiring pool and retain existing valuable employees.

Patents also integrates telework by incorporating one-day-per-week telework programs through the Patent Telework Program (PTP) and the Patent Manager Telework Program (PMTP).

- **The Patent Telework Program**—This program is for patent examiners who work up to 16 hours biweekly from the alternate



Corporate Business Unit Programs		
Board of Patent Appeals and Interferences (BPAI) Flexiplace	BPAI Remote Duty Location Pilot Program	BPAI Office Sharing Pilot Program
Office of the Chief Financial Officer - Pilot Program	Trademark Trial & Appeal Board Work-at-Home	Non-Patent Telework Program (POPA)
Assignments Branch, Office of the Chief Information Officer	Office of Government Affairs	Office of General Law
Office of External Affairs	Office of the Solicitor	Office of Civil Rights
Office of Human Resources		

work space. Examiners on this program are not provided with ERA equipment.

- **Patents Management Telework Program (PMTP)**—This is a telework program for non-bargaining unit employees who are in management positions. Managers on this program are provided ERA equipment.

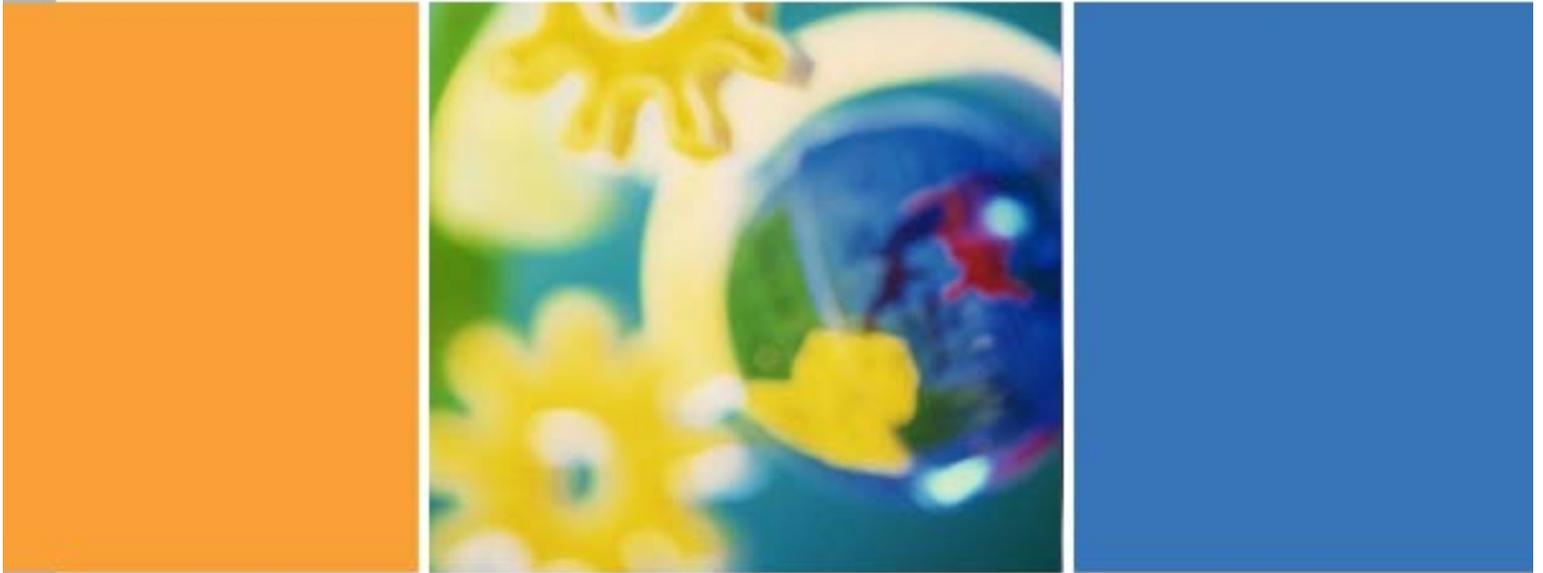
Corporate Business Units' Telework Programs

The USPTO is committed to telework as an enterprise-wide business strategy. The agency has directed resources towards ensuring that persons filling eligible positions within the corporate business units are also afforded the opportunity to telework.

By conducting telework pilot programs and gathering data through surveys and focus sessions with teleworkers, managers, and non-teleworkers, the agency corporate business units determined that remote work is seamlessly successful for non-production driven business units with the appropriate position selection, collaboration tools, non-IT and IT training, and clearly defined performance measures. This has been validated through the agency's establishment of telework in business areas such as the Office of Human Resources, the Office of the Chief Financial Officer, the Office of the Chief Information Officer, the Office of Civil Rights, the Office and External Affairs, the Office of General Law, and the Office of the Solicitor.

Building Successful Telework Programs

Meeting the Challenges of Telework



Building Successful Telework Programs



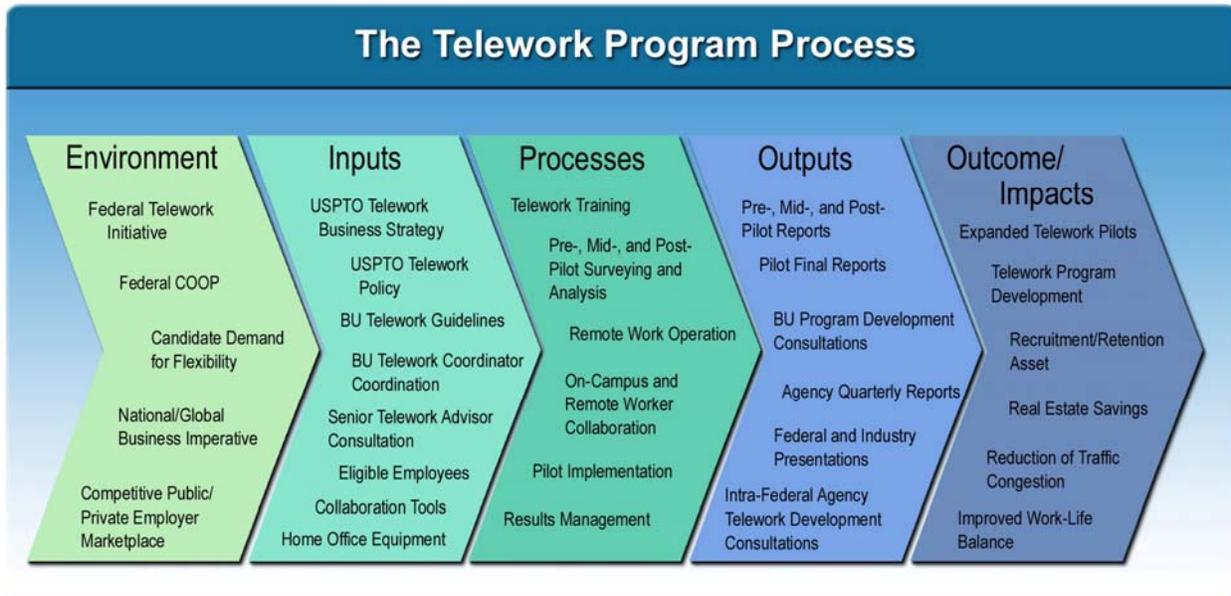
Benefiting from the business advantages of telework requires an agency to focus on their role in facilitating successful program implementation. Having a strong, well-communicated telework policy and business unit guidelines affords a foundation from which individual business units can tailor programmatic guidelines. The Telework Program Development Process is summarized in the chart below.

An awareness of the **environment** recognizes the relationship between telework and national initiatives as well as global business needs. This includes readiness to compete for talent in the public and private marketplaces. Both candidates and existing employees are seeking greater flexibility in their lives, and telework is an employment benefit that meets that need. Further, by readying personnel to work from home, telework is positioning us to comply with the Federal Continuity of Operations Planning (COOP) initiative. Nationally, there is a need to

ensure that the business of government continues to operate during times of natural or terrorist disaster. Telework is helping us to prepare for our agency's continuity of operations.

Successful program development requires an investment in the necessary **inputs** to ensure sound operations. Having a strong, well-communicated telework policy together with supplemental business unit guidelines affords a foundation to which teleworkers and their supervisors can refer throughout the duration of the telework agreement. Supporting this business strategy has led the USPTO to go beyond the necessary provision of equipment, tools, and eligibility reviews to the positioning of a senior telework advisor and a network of telework coordinators throughout the agency's business units.

Attentiveness to the **processes** of telework includes mandatory training prior to telework



deployment as well as pre-, post, and sometimes mid-pilot surveying to facilitate analysis, effectiveness, review, and program enhancement. This aims to maximize the telework experience by keeping a finger on the pulse of readiness, collaboration, and sustained performance.

Subsequent to program implementation, the USPTO produces a number of **outputs**. These include internal and external reporting, as well as program development consultation. As telework leaders in the federal sector, the agency is

committed to affording fellow federal agencies the opportunity to benefit from the USPTO's lessons learned through presentations, briefings, and tailored consultations.

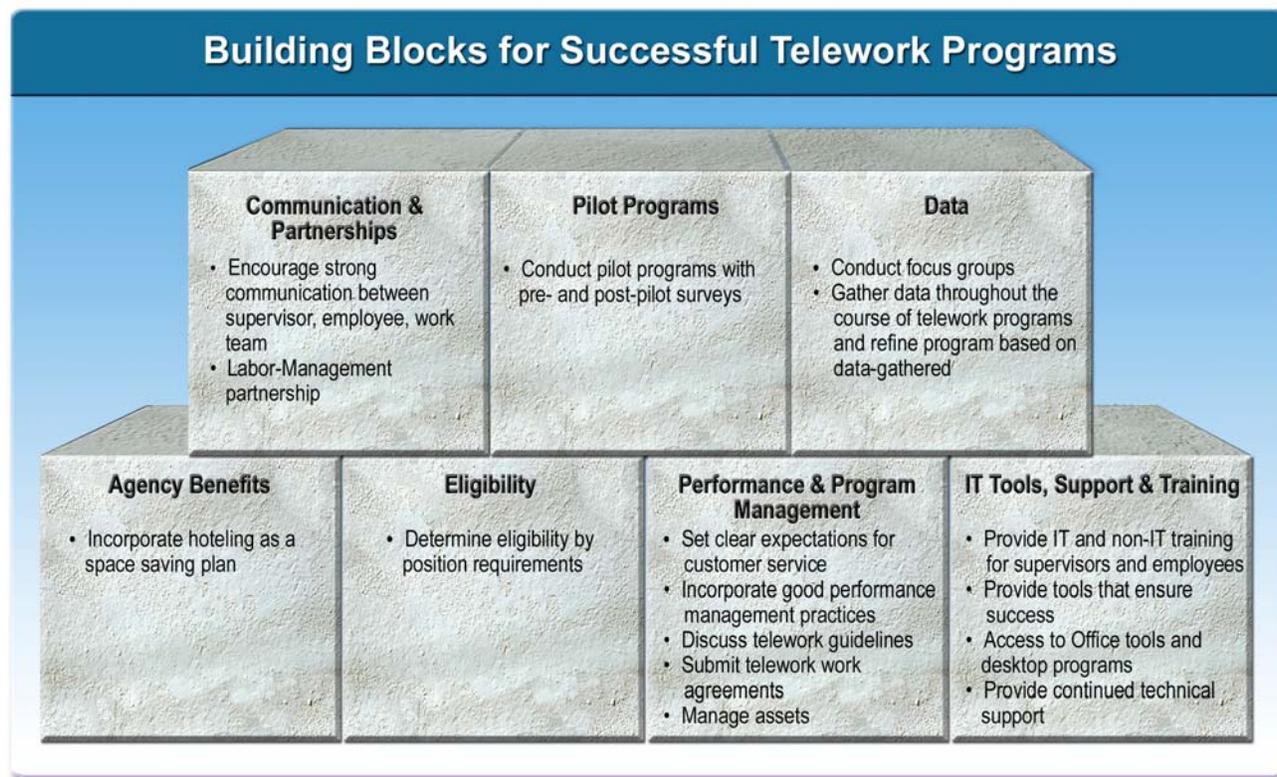
Of paramount importance is the assessment of the **outcomes and impacts** of telework programs. Largely communicated through survey summaries, pilot final reports, teleworker/supervisor sharing, business unit updates, and the employment of analysis tools, the USPTO aims for impact throughout the agency hierarchy and



beyond. Benefits have included growth in telework participation, enhanced employee recruitment and retention, real estate/facilities cost avoidance, and increased employee satisfaction through improved work-life balance.

Other significant components include: ensuring that the goals and benefits of telework are

consistent with agency goals and benefits; establishing metrics to track progress; working within a supportive administrative infrastructure; allocating adequate resources to provide the necessary equipment and technology; having an optimal leadership support system and a comprehensive communications strategy; and providing training for all stakeholders.





Meeting the Challenges of Telework

There are several challenges associated with the design and implementation of a secure IT environment for remote workers. The USPTO has identified the following:

Security

The USPTO has to move massive patent application and trademark agreement documents back and forth online continuously, which means it must be able to do so in a very secure, error-free environment.

USPTO ensures that all data exchange is secure, utilizing an encrypted point-to-point VPN connection. The agency has gone to great lengths to be certain no critical data are stored permanently on USPTO-issued employee laptops, so information is stored on a USPTO server, not on the laptop itself. All PTO issued laptops have encrypted hard drives to ensure that, should the unit fall into unauthorized hands, access to any

information that may be stored on the system is unavailable.

Bandwidth (a production risk)

Because of the size of the documents with which both the patent examiners and trademark attorneys work, large bandwidth is needed to move information; exceeding bandwidth may impair production goals of trademark attorneys and patent examiners. The agency has built the necessary IT infrastructure to support these operations.

Training

Comprehensive training is key to effective implementation of telework programs. The USPTO provides extensive training for teleworking employees and all teleworkers receive non-IT and IT training before they are deployed to work from home. This training is required and teaches the employee how to work



from home; perform basic computer troubleshooting; use their equipment properly; and communicate with their team, their supervisors, and their customers.



One of the Enterprise Remote Access (ERA) training facilities on the USPTO campus.

USPTO Educates Its Employees About USPTO IT Policies

Prior to participating in a telework program, each employee receives instruction on how to access USPTO systems remotely. The USPTO has an

extensive IT security infrastructure and strong security policy that work together to ensure that both personally identifiable information and business sensitive information are adequately protected from loss or theft. These protections have been implemented throughout the USPTO Telework initiative and help to prevent the possible occurrence of a sensitive information security breach.

USPTO teleworkers are trained on and receive associated documentation describing the IT Policies that must be followed when working remotely. These policies are also published on their intranet Web site. The USPTO IT Policies address:

- Employee responsibility for taking all necessary steps to safeguard government equipment from loss or theft
- Prohibition of data storage, of any kind, on the local laptop hard drive



- Prohibition of additional software installation on the USPTO telework laptop
- Employee responsibility to maintain the confidentiality of applicant files and agency work products in accordance with their business area requirements
- Prohibition of laptop use where non-agency personnel may be able to view restricted



USPTO teleworker, Gloria Hicks of the Office of the Chief Information Officer (OCIO) (middle), receives Enterprise Remote Access (ERA) training before being deployed to work from home. Training is provided by Information Technology Resource Personnel (ITRPs) Thomas Hooks and Anjana Mirajkar.

information, such as hotel lobby, airport, or coffee shop

- Unless on leave from the Office, employee responsibility to connect their ERA laptops to the USPTO's VPN at least once per week (i.e., every seven days) for a minimum of 15 minutes. (This action may be taken during core business hours, at night, or on weekends. Ensuring all ERA laptops make this connection weekly will permit the USPTO to perform routine asset verification, and provide an opportunity for any critical software updates ("pushes") to occur. These create the environment to ensure a secure connection while reviewing applications.)

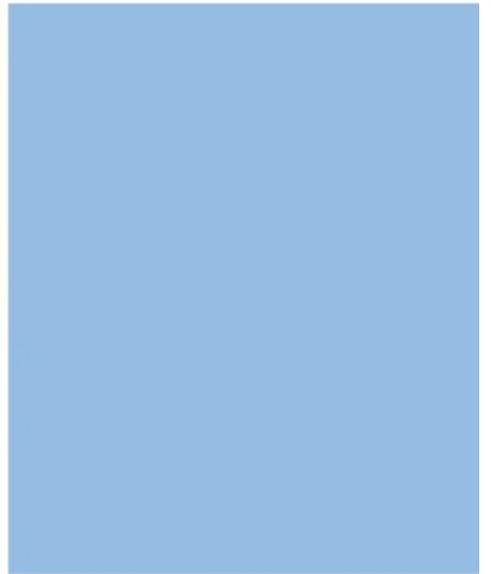
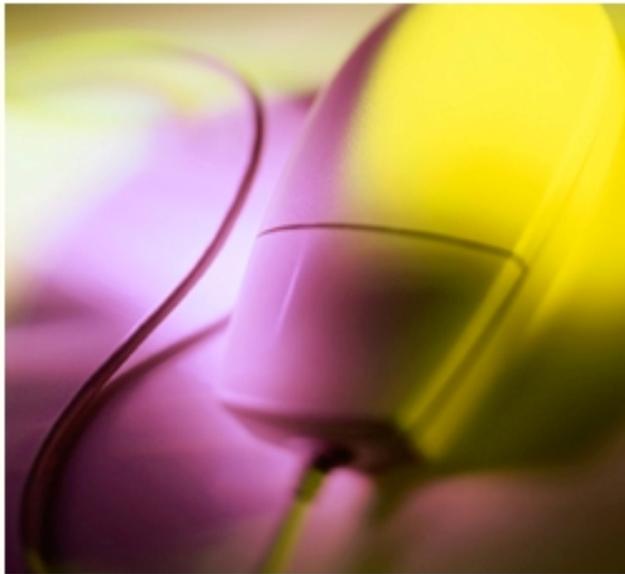
USPTO Configures the Remote Laptops

To mitigate risks of them being used in a manner that compromises the USPTO's mission, USPTO safeguards laptops through:



- Encryption—Industry standard strong encryption of the hard drive
- Login—Unique, single-user, pre-boot authentication (“Strong Password” required to change on a regular basis) through the hard drive encryption software and laptop operating system
- User Permissions—Users are not setup with local administrative rights
- Software Firewall—Pre-configured firewall software allows network traffic required to conduct work and remote support while blocking unsolicited network traffic
- Antivirus—Automated and regular definition updates and virus scanning are pre-configured
- Spyware—Spyware, Adware, Trojan Horse, and Hijacker detection software are pre-configured with automated definition updates
- Operating System Updates—Automated/scheduled updates to the operating system for security and critical patch related updates, and
- One Master Baseline—All laptops are configured with one master baseline, and are maintained and supported through remote assistance and remote management software.

FY 2008 Accomplishments



FY 2008 Accomplishments



- Eligible employees teleworking increased by 656 employees.
- Margaret J.A. Peterlin, deputy under secretary of commerce for intellectual property and deputy director of the United States Patent and Trademark Office, provided work testimony before the Subcommittee on the Federal Workforce, Postal Service, and the District of Columbia Committee on Oversight and Government Reform in the United States House of Representatives.
- John Wilke, trademark examining attorney and teleworker, testified remotely before Congress about his teleworking experience at the USPTO from the basement of his home in Long Grove, IL, a suburb of Chicago. Through the use of webcam technology, Wilke responded to questions asked by Congressman Danny Davis, committee chair; Maryland Congressmen Elijah Cummings and John Sarbanes; and others to help shape the next generation of federal telework programs across America. Wilke was projected live from his home on plasma screens in the hearing room.

- The Trademark Assistance Center was awarded the Award for Best New Telework Initiative by the Telework Exchange.



Deputy Under Secretary Peterlin swears in before providing telework testimony in front of the U.S. House of Representatives.

USPTO Telework Presentations

- European Patent Office
- Advanced Patents Program
- Federal Real Property Advisory Committee
- Global Intellectual Property Academy (GIPA) Trademark Administration Program
- Telework Exchange Town Hall Event
- Boston Collaboration Summit
- Future of Continuity of Operations and Telework Training Conference



Media Coverage/Interviews

- Meadows, Vickers. (December 22, 2007). Versatile Bureaucracy: A Telework Case Study. *Public Manager Magazine*.
- Welles, Judy (February 15, 2008). Home is Where the Work Is. *Federal Computer Week*.
- Greenberg, Alan and Andy Nilssen (August 2008). Telework and the U.S. Federal Government: At the Tipping Point. *Wainhouse Research*.
- Rosenberg, Alyssa (April 22, 2008). Telework Can Improve Management. *Government Executive*.
- Norfleet, Donna (June 2008). City of Alexandria: *Local Motion* Interview.
- Coombs, Joe (May 2, 2008). Telework Options Slowly Pick-Up Steam in Region. *Washington Business Journal*.
- Stevens, Larry (July 10, 2008). Risks of Having a Dispersed Workforce. *Federal Computer Week*.



Deborah Cohn, deputy commissioner for trademarks at USPTO, Dora Best, supervisory trademark information specialist at the USPTO Trademark Assistance Center, and Shana Trotman-Webster, management and program analyst at the USPTO Office of the Deputy Commissioner for Trademarks, receive the “Best New Telework Initiative” award from Stephen O’Keeffe, CEO, Telework Exchange, and John Palguta, vice president, Policy for Partnership for Public Service.

- Federal News Radio Interview (September 22, 2008). Telework for Government: Meeting the Challenges for COOP, Security, and “Green.”



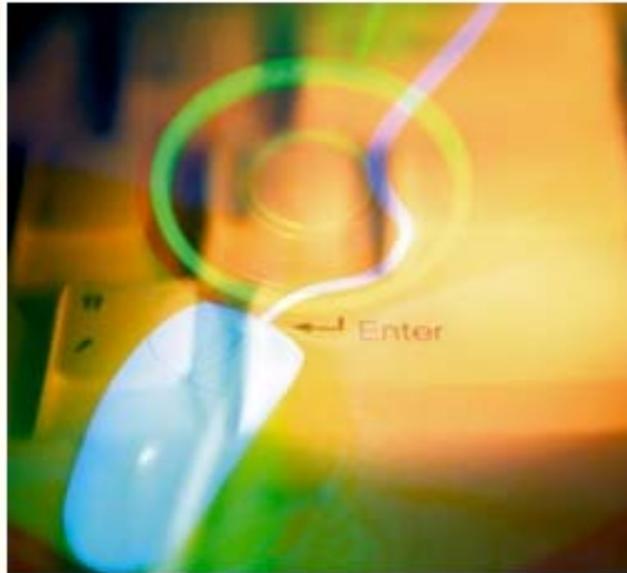
Assistance to Federal Agencies Seeking to Start or Expand a Telework Program

In FY08, the USPTO Telework Advisor met with the agencies indicated in the following chart to

respond to questions regarding telework program design, development, implementation, and IT infrastructure necessary for successful telework deployment.

USPTO Telework Assistance to Federal Agencies			
Pension Benefit Guarantee Corporation	Federal Energy Regulatory Commission	Homeland Security	U.S. Nuclear Regulatory Commission
National Navy Medical Center	United States Department of Agriculture	General Services Administration	Federal Trade Commission
Pension Benefit Guarantee Corporation	Federal Energy Regulatory Commission	Internal Revenue Service	Treasury Inspector General

Future of Telework at USPTO



Future of Telework at USPTO



The USPTO Telework Programs position the agency to recruit from a highly skilled workforce, retain experienced senior employees, eliminate unnecessary commuting time, and has helped make the agency an employer of choice.

The USPTO currently has hoteling employees (employees who relinquish their office space to work from home 4 days per week and travel to the Office once per week) residing in California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Maryland, Michigan, New York, North Carolina, Pennsylvania, South Carolina, Texas, Virginia, West Virginia, and the District of Columbia. Having the opportunity to work at the USPTO and reside outside of the Washington, DC metropolitan area is an attractive option for agency employees and helps the agency maintain its commitment to sustaining high performance. The USPTO will continue to explore options that may permit even broader distribution of its workforce through legislative flexibilities.

The USPTO plans to offer this initiative in the coming fiscal year and will use expanding participation in its hoteling programs as a retention incentive and to help avoid the cost of

securing a comparable amount of additional employee office space.

Telework will continue to be a critical component of the USPTO's strategic vision FY09 and beyond. The USPTO intends to remain at the vanguard of federal telework, positively impacting traffic congestion and emissions in the Washington, DC metropolitan area, maintaining its position as an employer of choice, and achieving agency goals.

“There are clear benefits to telework. For example, the United States Patent and Trademark Office has one of the most effective telework practices in the federal government.”

Congressman Tom Davis, former representative of the 11th District of Virginia, included in Statement for the Record during November 6, 2007 Oversight and Government Reform hearing “Telework: Breaking New Ground.”

Acknowledgements



The Telework Coordinators Working Group, pictured above, meets on a quarterly basis with Senior Telework Advisor, Danette Campbell, to discuss telework issues that may impact the agency.

Pictured from left to right:

Meryl Hershkowitz, Mary Sparrow, Ann Farson, Bonita Royall, Jackie Davis-Maxfield, Michael McGill, Amanda Putnam, Danette Campbell, Keith Peterson, Viviana Bernstein, Jill Taylor, Joyce Miller, Michael Christensen, Tung Nguyen, Pam Wadsworth, and Maraky Sissay

Special thanks is extended to the Telework Coordinators Working Group, Chief Administrative Officer, Steven Smith, and the Office of Public Affairs.



Telework Resources

Federal Government Telework
www.telework.gov

Telework Exchange
www.teleworkexchange.com

Telework Virginia
www.teleworkva.org

Commuter Connections
www.commuterconnections.org

Washington Metropolitan Telework Centers
www.wmtc.org

www.uspto.gov