

# Patent Public Advisory Committee Meeting

## Patent Operations



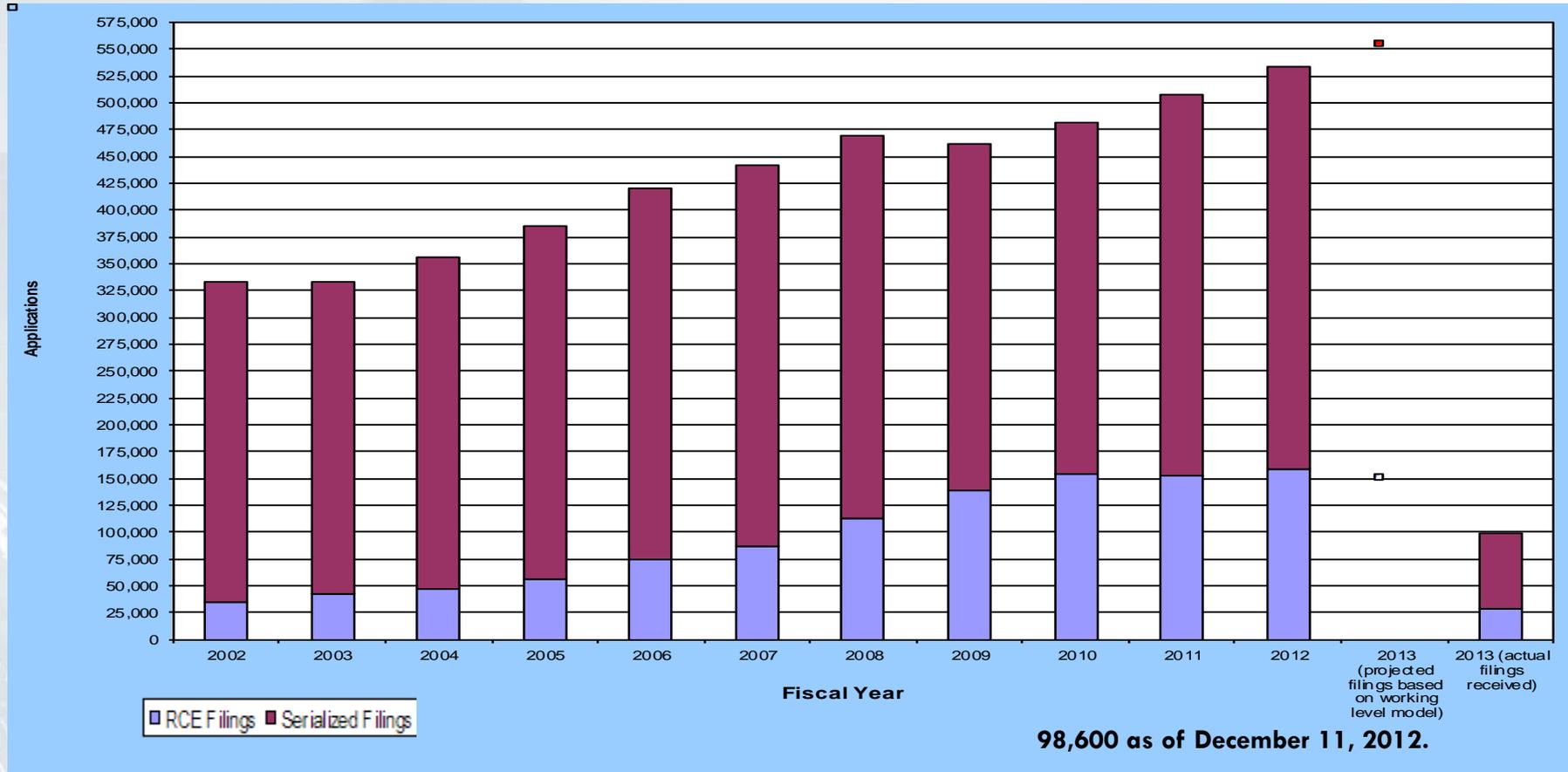
Robert Oberleitner

Assistant Deputy Commissioner for Patent Operations

December 13, 2012



# Total UPR and RCE Filings FY 2002 – FY 2013 (through December 11)

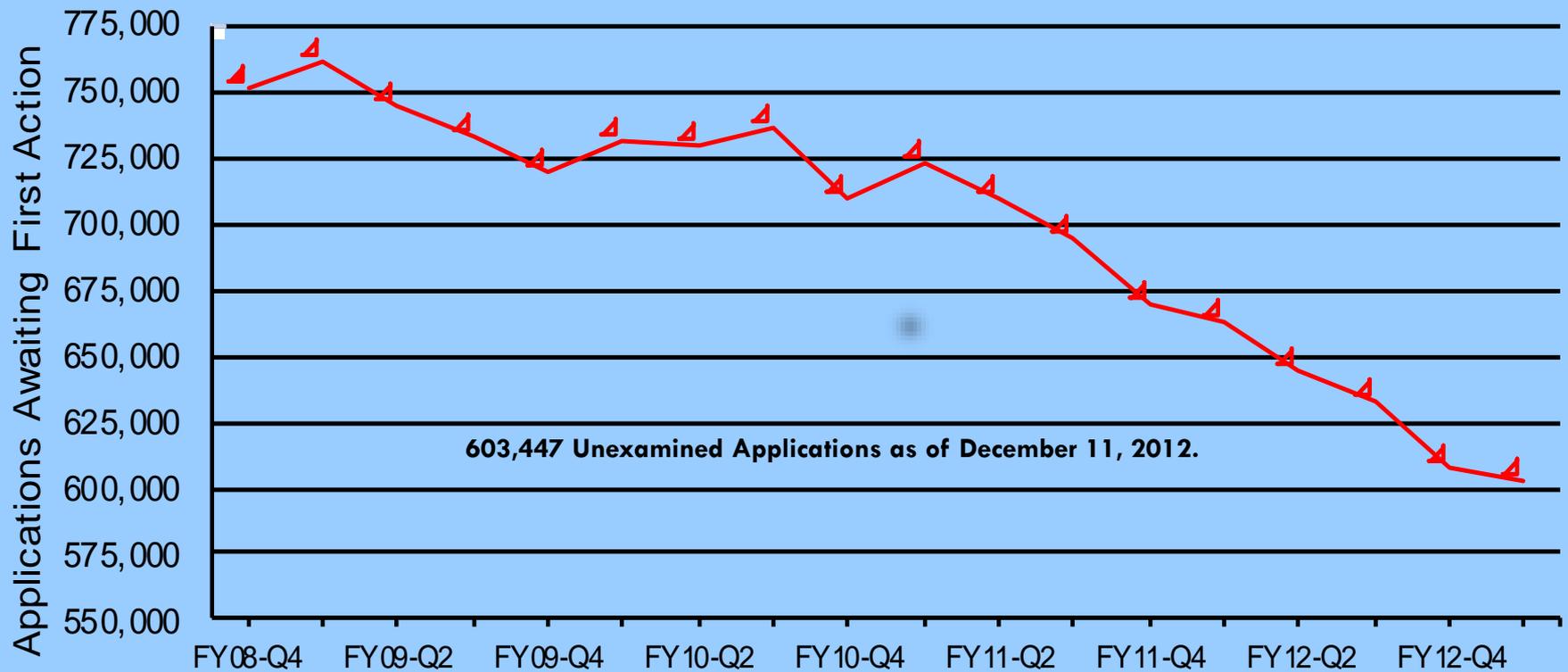


FY 2013 Target based on working estimate model (5% Projected Growth over FY 2012). Serialized filings in FY 2013 are projected to grow 8% over FY 2012. RCE filings are projected to decrease by 2.3%, compared to FY 2012.

FY 2012 Results: 5.2% total UPR growth rate over FY 2011. Serialized filings grew 6% over FY 2011. RCE filings grew 3.3% over FY 2011.



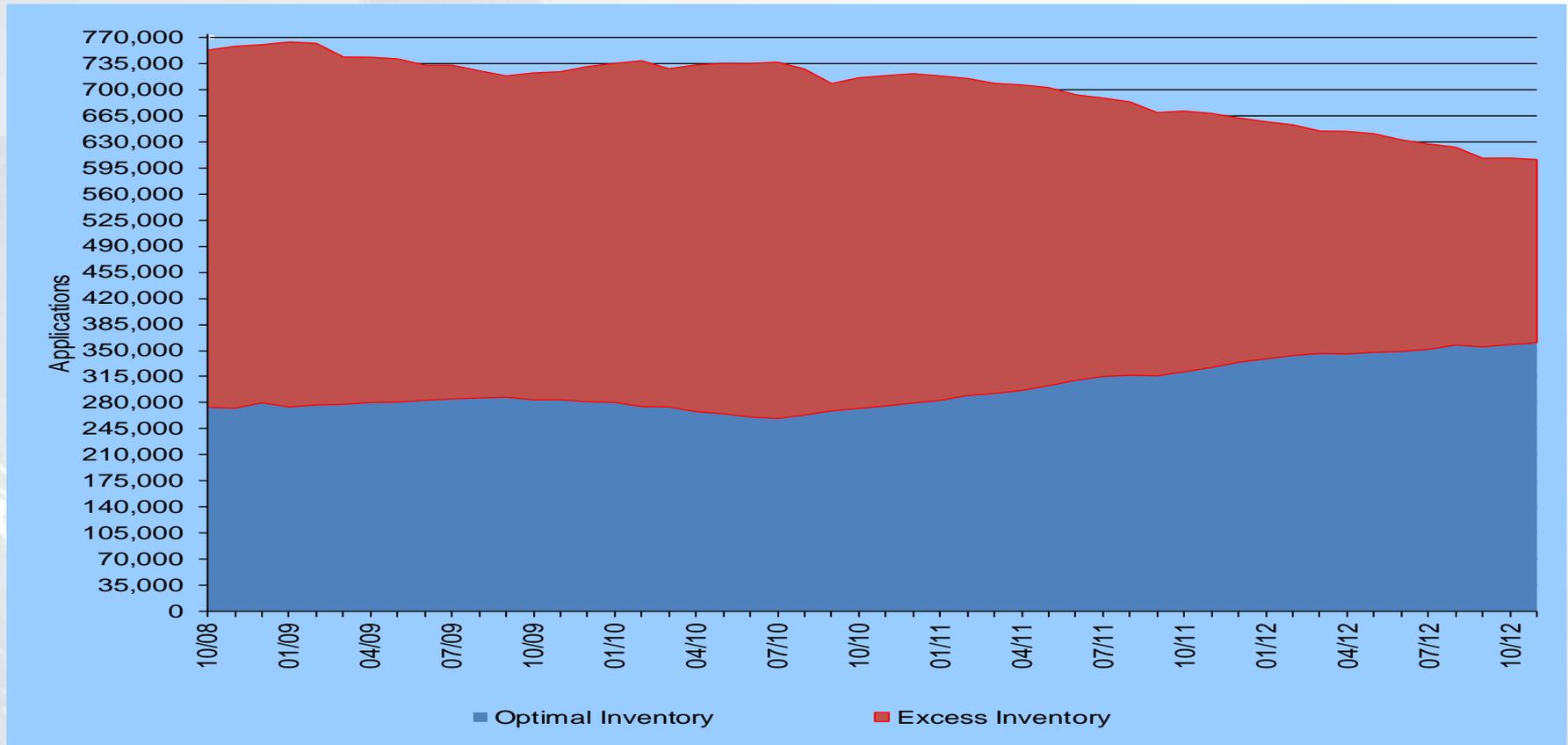
# Unexamined Patent Application Backlog FY 2009 – FY 2013 (through December 11)



End of Fiscal Year 2012 backlog was 608,283.



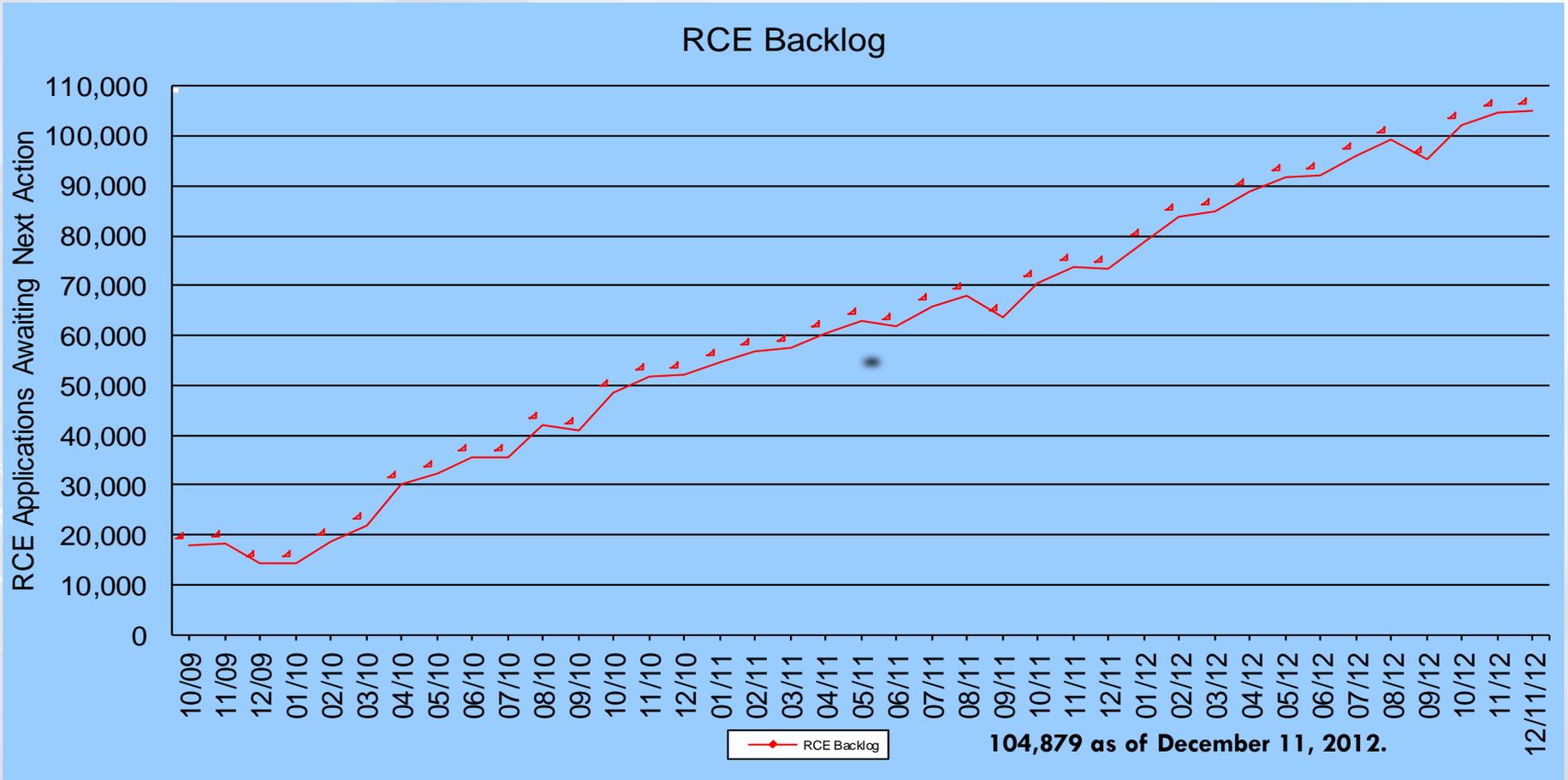
# Excess and Optimal Unexamined Patent Application Inventory FY 2009 – FY 2013 (through November)



**246,094 Excess Unexamined Applications as of November 2012.**



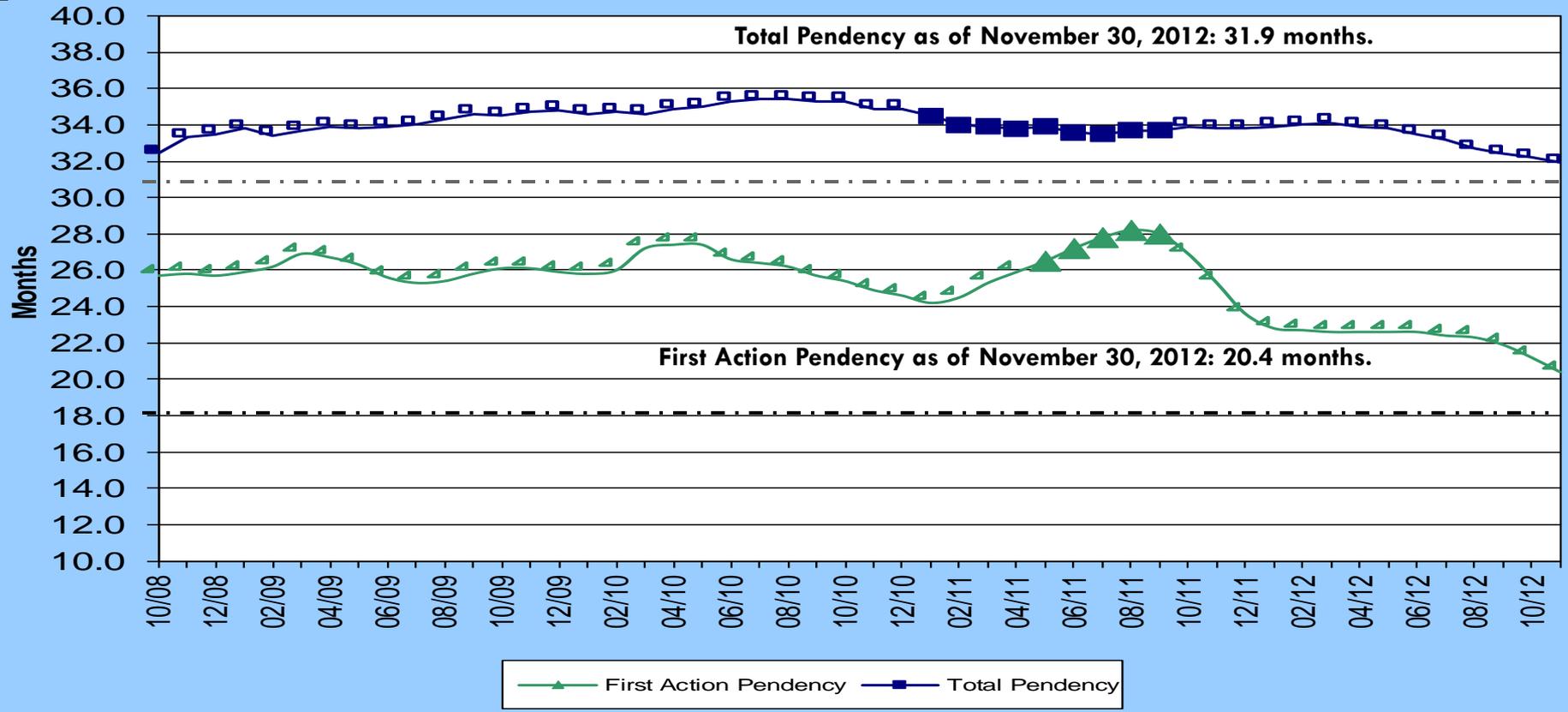
# RCE Backlog FY 2010 – FY 2013 (through December 11)



End of Fiscal Year RCE backlog was 95,200.



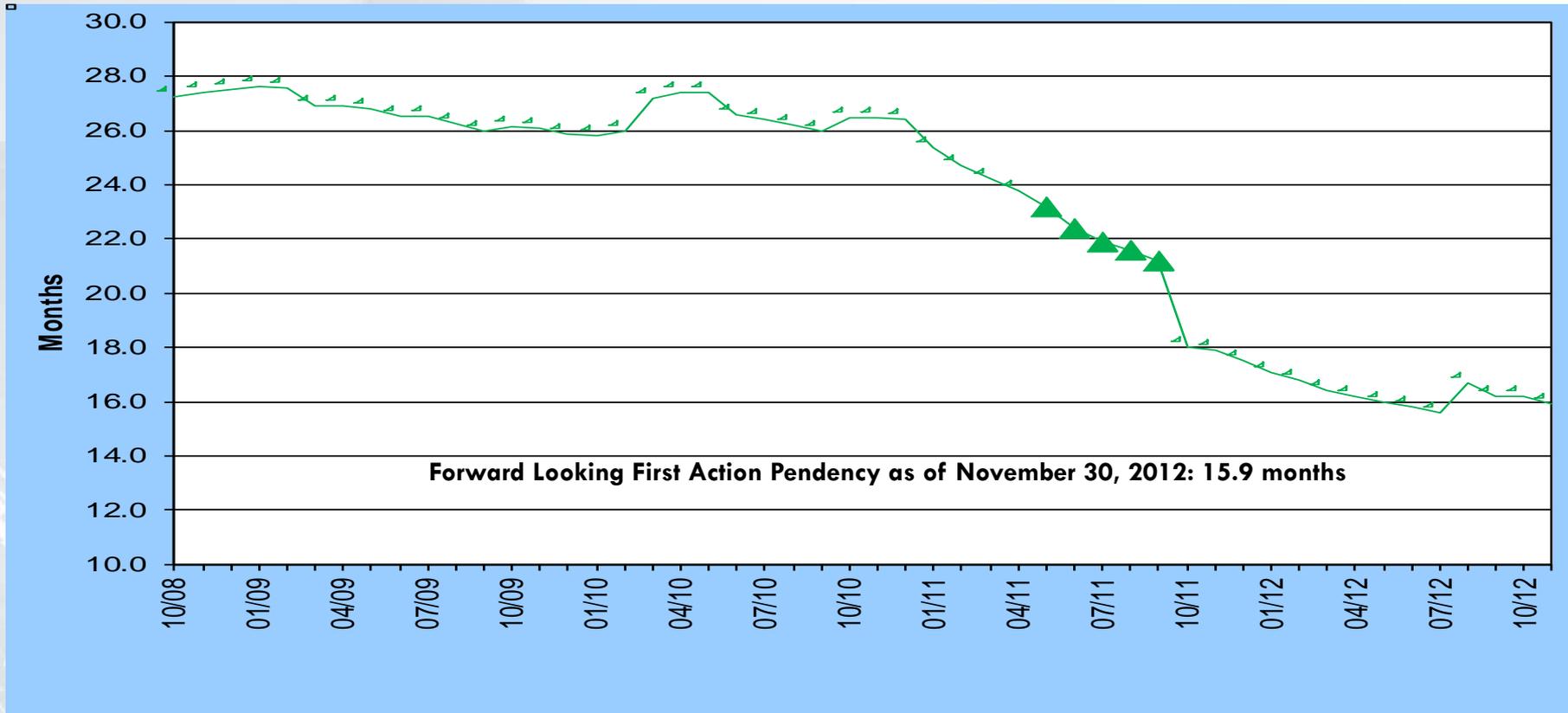
# First Action Pendency and Total Pendency FY 2009 – FY 2013 (through November)



**Average Total Pendency FY 2012 Target: 34.7 months. Actual result: 32.4 months.**  
**Average First Action Pendency FY 2012 Target: 22.5 months. Actual result: 21.9 months.**  
**FY 2013 Targets:**  
 - - - Average First Action Pendency: 18.0 months.  
 - - - Average Total Pendency: 30.1 Months.



# Forward Looking First Action Pendency FY 2009 – FY 2013 (through November)

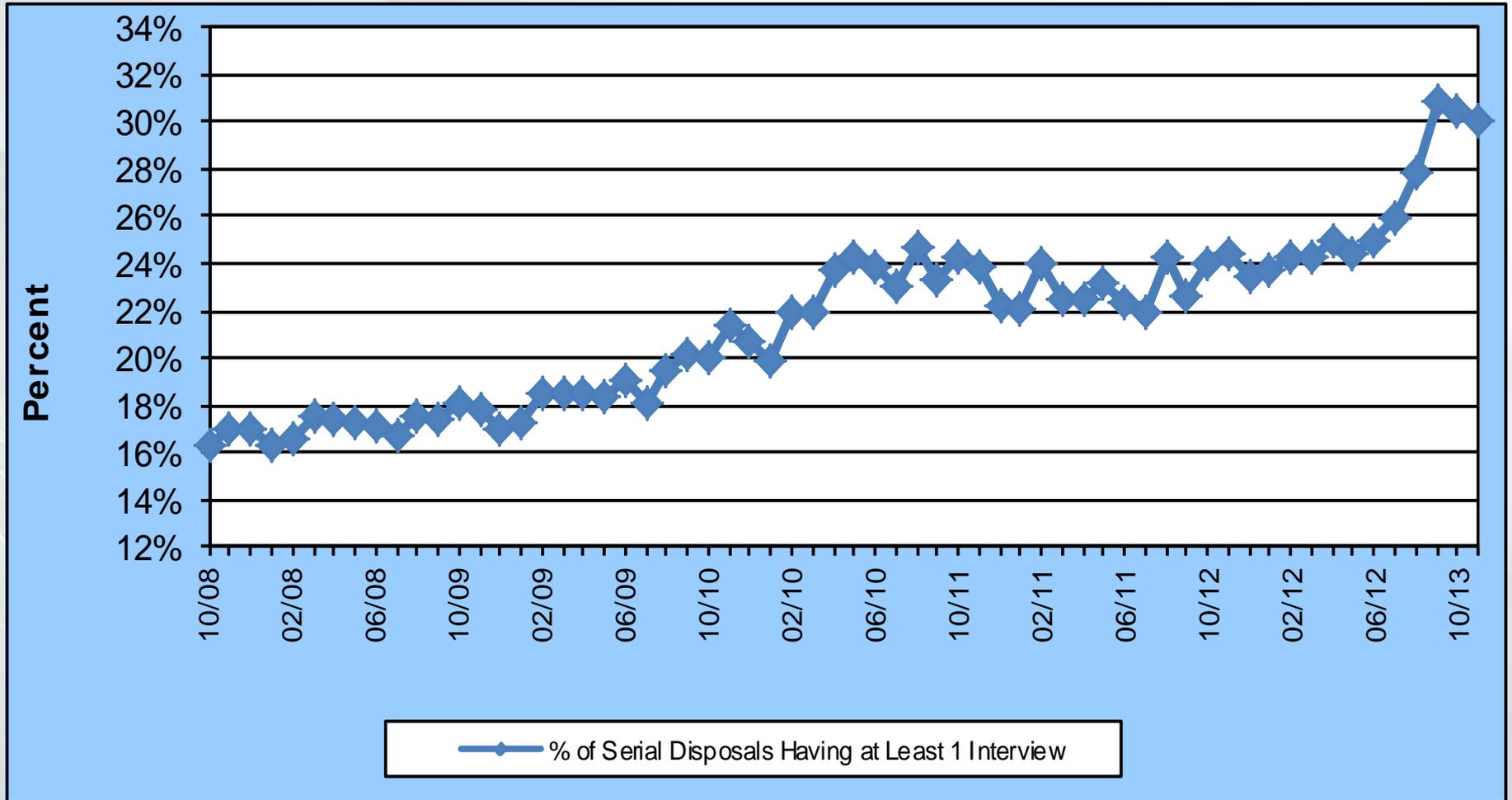


Forward Looking Pendency represents an estimate of the average number of months it would take to complete a first Office action under current and projected workload and resource levels for an application filed at the given date.



# Percent of Serial Disposals Having at Least One Interview

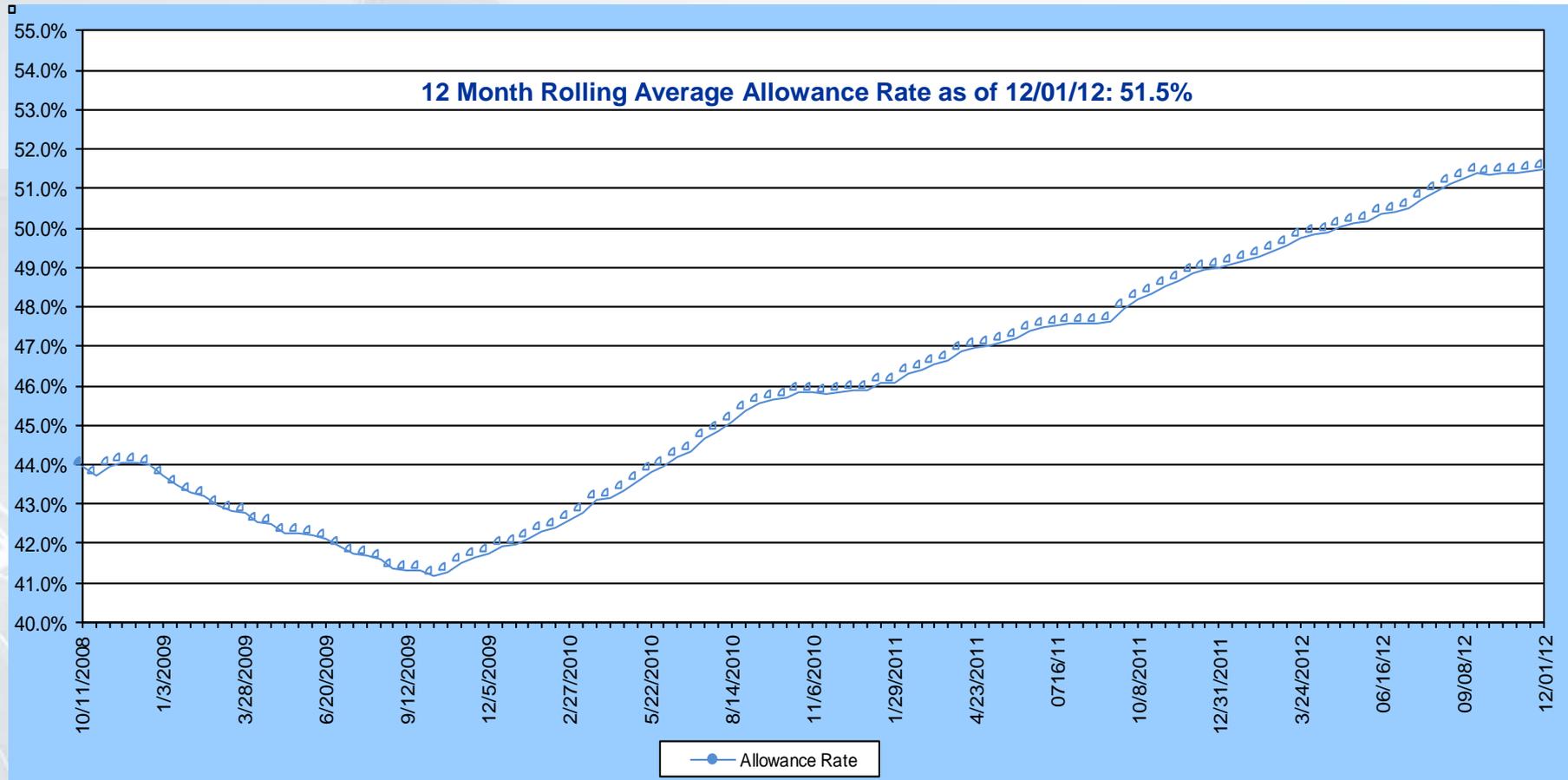
FY 2008 – FY 2013 (through November)





# 12 Month Rolling Average Allowance Rate, by Bi-Week

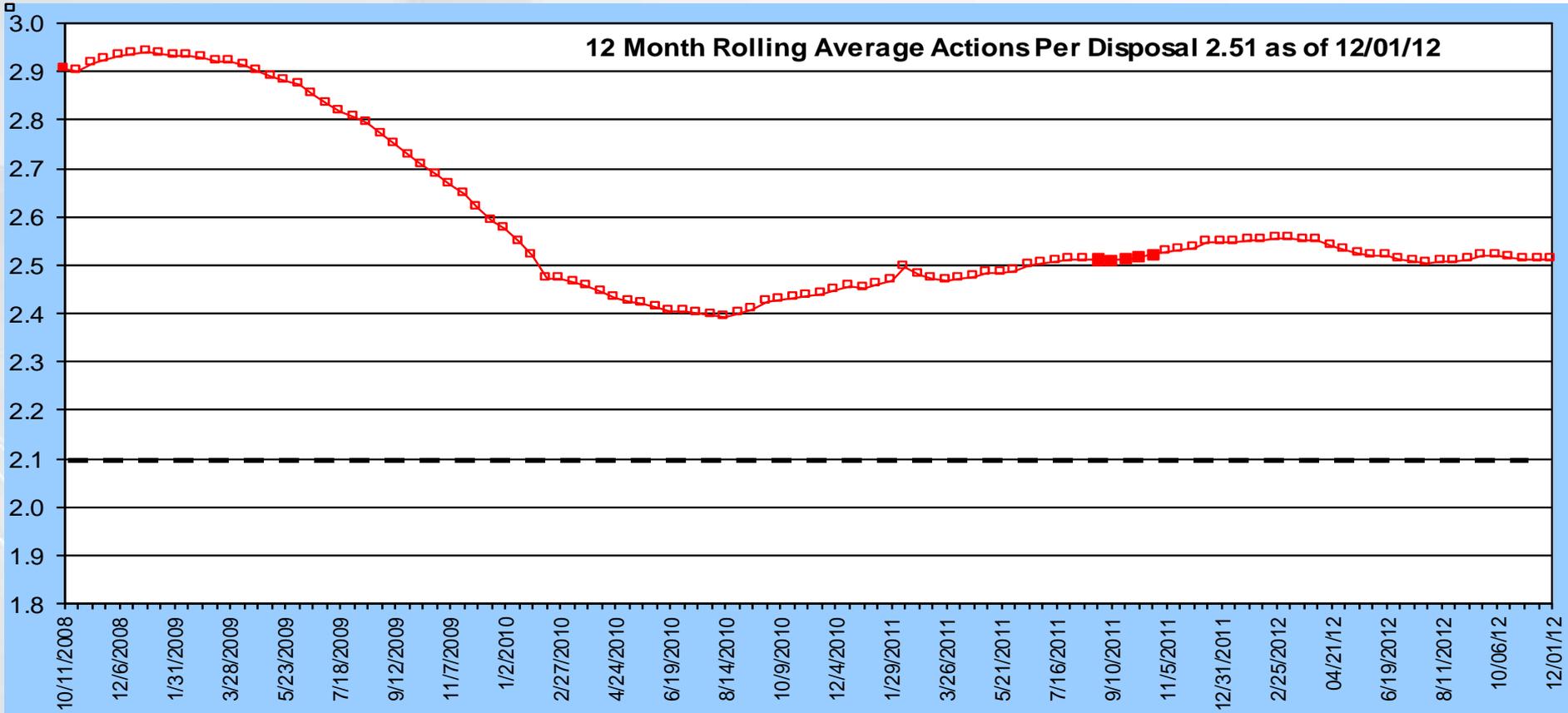
## FY 2009 – FY 2013 (through December 1)





# 12 Month Rolling Average Actions Per Disposal, by Bi-Week FY 2009 – FY 2013 (through December 1)

12 Month Rolling Average Actions Per Disposal 2.51 as of 12/01/12



----- Actions Per Disposal Target

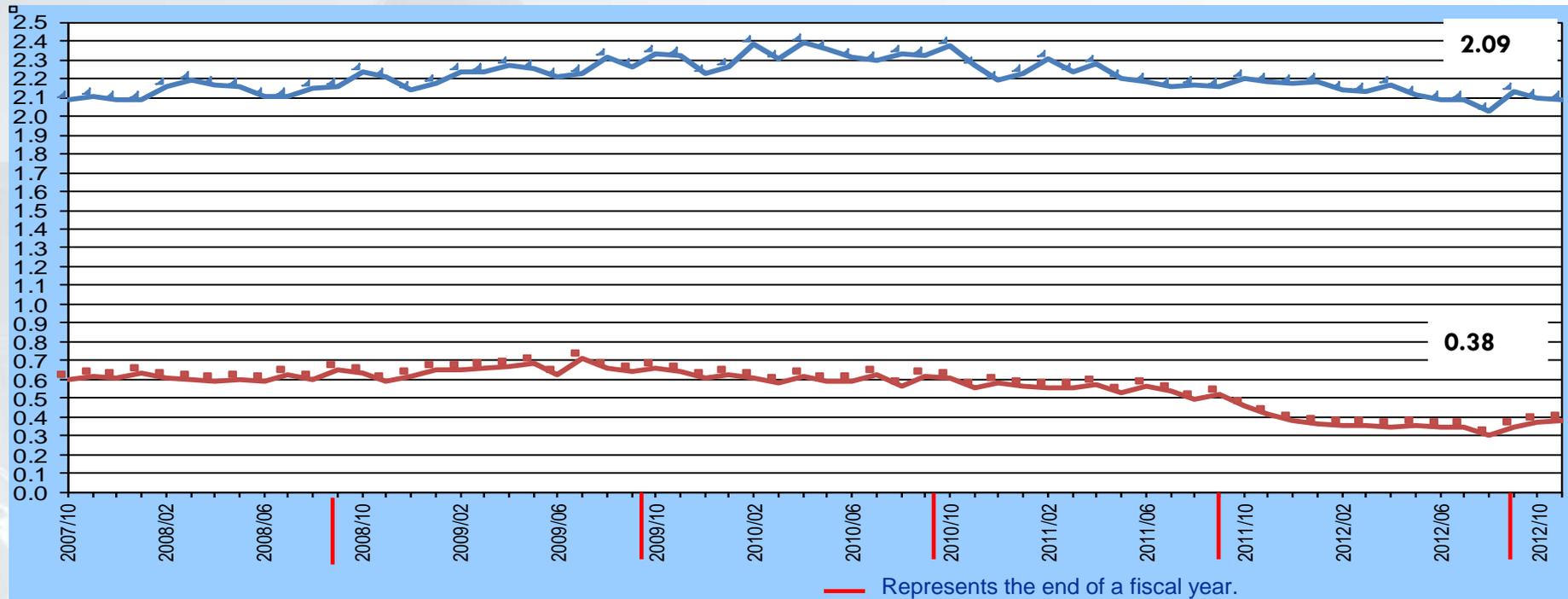
Sustained decrease in actions per disposal is a positive indicator – issues are being resolved efficiently.



# Rejections in Serial Disposals by Month

## Miscellaneous Actions in Serial Disposals by Month

### FY 2008 – FY 2013 (through November)

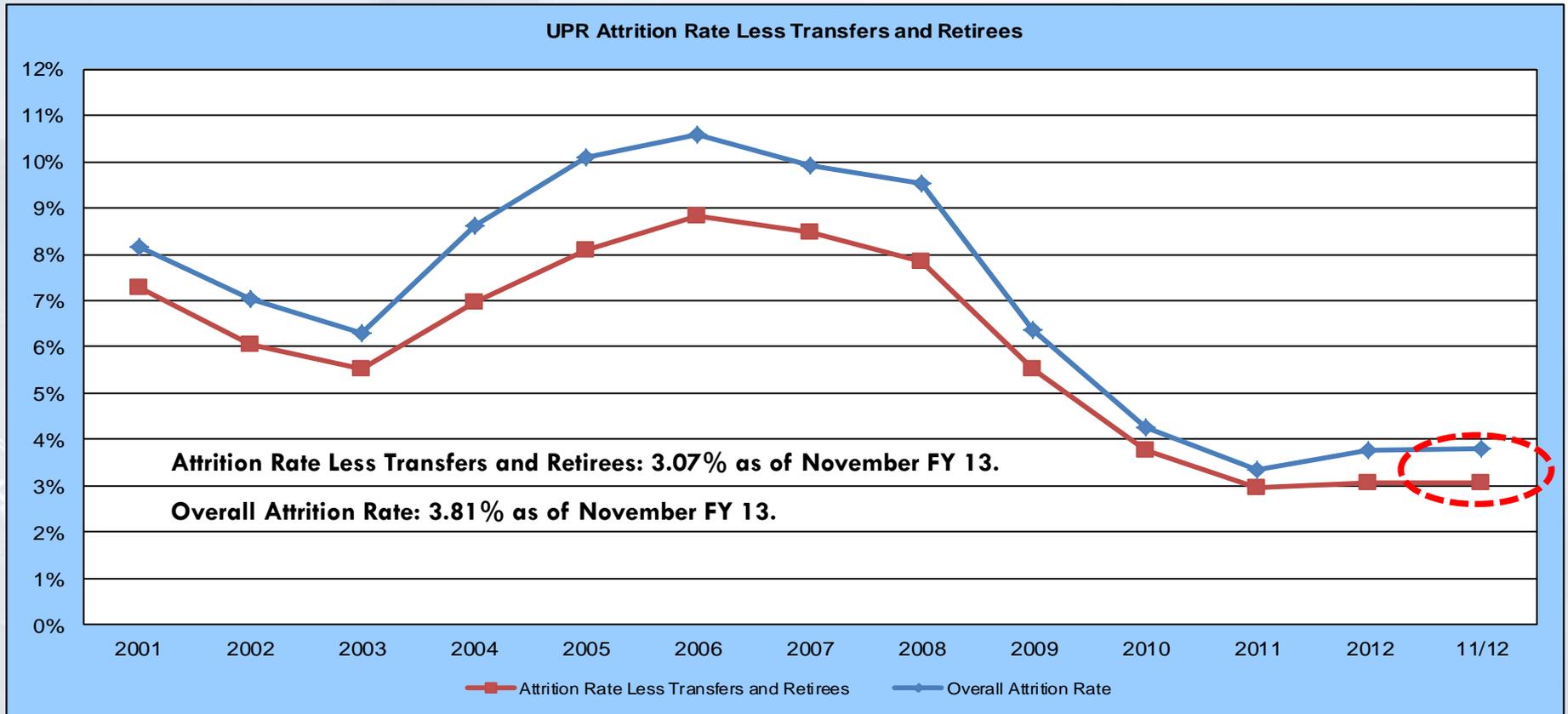


Actions included in the Rejections in Terminal Disposal calculation include non-final rejections, final rejections, and FAI pilot. A Terminal Disposal is an application either issued or abandoned. The filing of an RCE is not included in the denominator; however, a rejection after an RCE would be in the numerator.

Miscellaneous Actions in Terminal Disposals include the following actions: Mail Restriction Requirement, Mail Notice of Informal or Non-Responsive Amendment, Mail Ex Parte Quayle Action (PTOL - 326), Mail Appeals conf. Proceed to BPAI, Mail BPAI Decision on Appeal - Affirmed, Mail Notice of Restarted Response Period, Mail Miscellaneous Communication to Applicant, Notice -- Defective Appeal Brief, Mail Non-Compliant Preliminary Amendment, Mail Notice of Informal or Non-Responsive RCE Amendment, Mail BPAI Decision on Appeal - Affirmed in Part, Mail Notice of Required Fees Due, Mail Supplemental Non-Final Action, Mail Supplemental Final Rejection, Appeal Dismissed - Mailed, Mail Pre-Interview Communication, Mail First Action Interview Office Action, Mail Independent Rule 105 Communication, Mail Supplemental Restriction / Election Requirement, Mail Letter Requiring CRF (Unreadable, Non-Compliant, Not Submitted), Notice -- Defective Notice of Appeal, Mail Notice of non-compliant drawings filed separately, Mail Post-examiner ans. com, Mail Reconstruction Notice - Pending Application, Mail - Order By BPAI, Mail Formal Drawings Required, Mail Noncompliant First Action Interview, Mail Suspension Due to Interference in Another Application, Mail Pre-interview First Office Action, Mail Supplemental Ex parte Quayle Action, Mail Incomplete CPA Notification, Mail Incomplete Response to Sequence Rule Request, Mail Non-Bonafide Response to Sequence Request, Mail Oath of Declaration Required, Mail Notice of Formal Drawings Required, Mail Notice of lost Image document,



# 12 Month Rolling Average UPR Examiner Attrition Rate Less Transfers and Retirees and Overall Attrition Rate FY 2001 – FY2013 (through November)

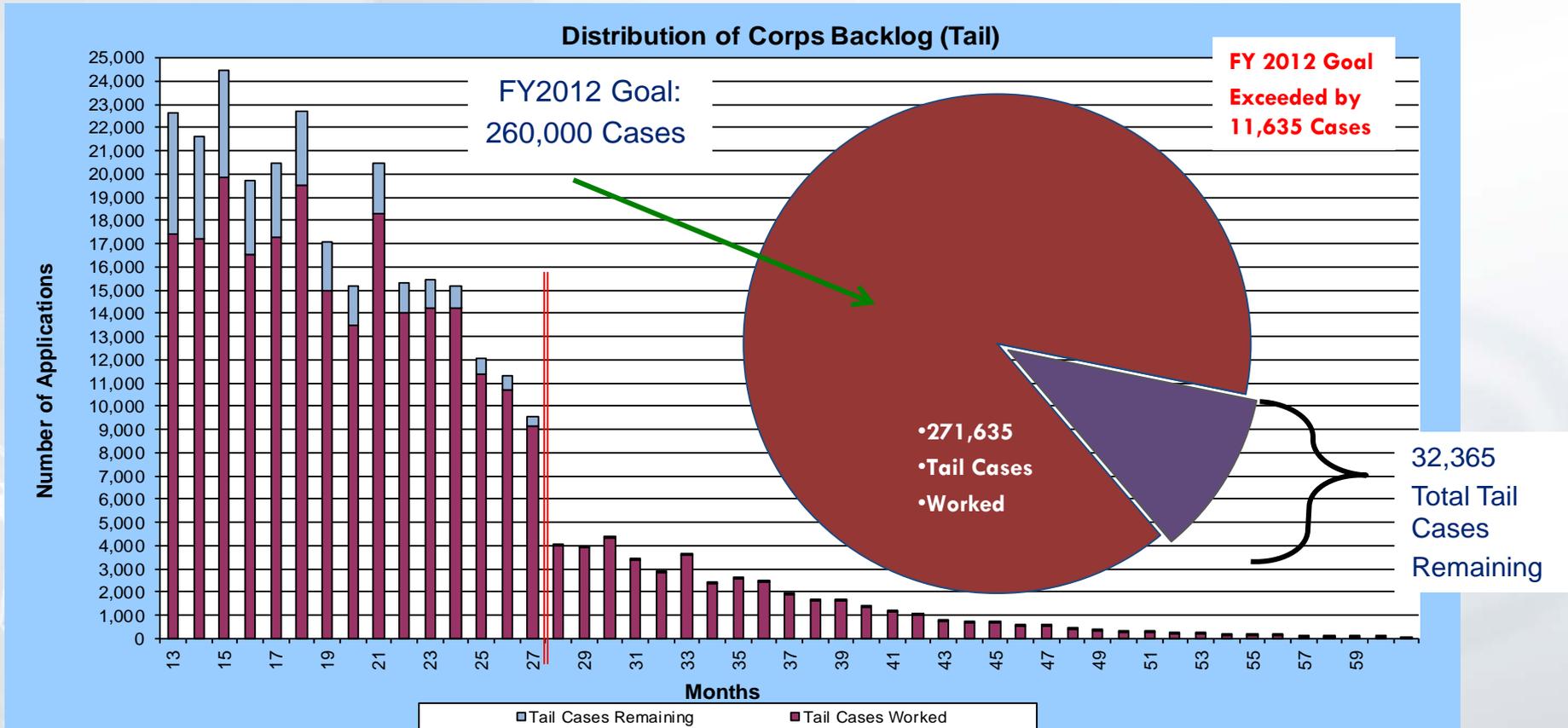


**Attrition Rate Used in current Working Level model: 4%**

 The oval represents when monthly data begins.



# Clearing the Oldest Patent Applications 2.0 (COPA) FY 2012



**FY 2012 COPA Backlog (Tail):** Applications with filing dates on or before September 1<sup>st</sup>, 2010 (304,000 on Oct. 1, 2011)

**FY 2012 Goal:** Reduce COPA Backlog (Tail) by 260,000 applications (92,328 applications have been disposed)

*99% of the original COPA 1.0 cases have received a first action.*

Applications to the right of the red line include unexamined applications from the COPA 1.0 initiative.



# Track One Statistics (through 12/12/12)

Petitions Received	October	November	December	January	February	March	April	May	June	July	August	September	Total
FY 11												855	855
FY 12	390	302	285	292	371	442	457	516	436	470	517	559	5,037
FY 13	505	512	121										1,138

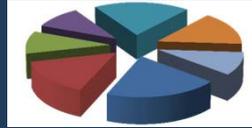
Percent of Petitions From Small Entities	Average Days to Petition Decision	% of Decided Petitions Granted
41.8%	37	95%

First Actions Completed	Average Days from Petition Grant to First Office action	Final Rejections	Issues	Number of Abandonments	Number of Allowances	Average Days From Petition Grant to Allowance	Average Days From Petition Grant to Final Disposition
4,730	52.3	1,335	1,043	43	1,476	129	160

**First Patent Issued on January 10, 2012 from a September 30, 2011 Prioritized Examination filing**



# Quality Composite



Reporting Period	Patent Quality Composite Metrics							Quality Composite Score
	Final Disposition Compliance Rate	In-Process Compliance Rate	FAOM Search Review	Complete FAOM Review	Quality Index Reporting	External Quality Survey	Internal Quality Survey	
FY13-Nov	96.6%	95.9%	97.2%	91.2%	89.8%	5.2	9.4	72.4
FY13-Oct	96.6%	95.9%	97.2%	91.2%	89.8%	5.2	9.4	72.4
FY12Q4	96.6%	95.9%	97.2%	91.2%	89.8%	5.2	9.4	72.4
FY12-Aug	96.5%	96.0%	97.0%	91.1%	89.7%	5.0	5.1	66.3
FY12-Jul	96.6%	96.2%	96.5%	90.9%	90.1%	5.0	5.1	66.4
FY12-Q3	96.6%	96.1%	96.6%	90.8%	90.1%	5.0	5.1	66.1
FY12-May	96.6%	96.1%	96.4%	90.7%	89.6%	5.0	5.1	63.8
FY12-Apr	96.7%	96.2%	96.9%	91.4%	89.6%	5.0	5.1	68.8
FY12Q2	96.3%	96.0%	97.0%	91.5%	89.6%	5.0	5.1	65.5
FY12-Feb	96.2%	96.0%	95.6%	90.9%	89.5%	3.0	5.1	49.3
FY12-Jan	95.9%	96.3%	95.6%	91.0%	89.5%	3.0	4.3	43.9
FY12Q1	95.4%	95.2%	95.6%	91.0%	89.5%	3.0	4.3	35.2
FY11Q4	95.4%	95.2%	94.6%	90.9%	89.5%	3.0	4.3	30.7
FY11Q3	95.4%	94.7%	93.4%	90.0%	89.1%	2.7	4.2	26.4
FY11Q2	95.3%	94.8%	90.8%	89.7%	88.9%	2.7	4.2	25.5
FY11Q1	96.2%	94.9%	N/A	N/A	88.9%	3.6	N/A	N/A
FY10Q4	96.3%	94.9%	N/A	N/A	89.3%	3.6	N/A	N/A
FY10Q3	96.0%	94.6%	N/A	N/A	89.5%	1.8	N/A	N/A
FY10Q2	95.7%	94.4%	N/A	N/A	89.1%	1.8	N/A	N/A
FY10Q1	94.5%	94.1%	N/A	N/A	87.9%	1.2	N/A	N/A
FY09Q4	94.4%	93.6%	N/A	N/A	85.9%	1.2	N/A	N/A
FY09Q3	94.1%	94.1%	N/A	N/A	84.2%	1.1	N/A	N/A
FY09Q2	93.8%	93.9%	N/A	N/A	83.4%	1.1	N/A	N/A
FY09Q1	94.0%	93.4%	N/A	N/A	83.5%	1.3	N/A	N/A

FY 2011 was baseline year.