

| <i>FY 2009 – Trademark Performance Measures –</i> | FY 2008 Results | FY 2009 Targets - Revised | FY 2009 Thru July | FY 2009 Variance |
|---|--|--|---|-------------------------|
| QUALITY Improve examination quality of Trademarks as indicated by the compliance rate determined through an in-process review evaluation of the statutory bases for which the Office raises issues and or refuses marks for registration based on the first office action and the examiner's approval or denial of the application ¹ : | First Office Action: 95.8% Final Action: 97.2 % | First Office Action: 95.5% Final: 97% | First Office Action: 96% Final: 97.3 % | +31% +10% |
| E-GOV Increase the use of electronic filing and processing as measured by the percent of applications for the registration of a trademark that are processed electronically ² . | | 62% | 62.2 % | +2% |
| APPLICATION FILINGS – Classes Increase/Decrease from the prior year | 401,392 1.8% | 363,000* -9.6% | 292,790 -12.9% | -2% |
| Examiner PRODUCTION Initial Exam First Actions Examiner Disposals – abandonments and approval for publication Examiner Balanced Disposals – first actions plus disposals | 415,896 437,315 853,211 | 369,000* 403,000* 772,000* | 311,602 348,187 659,789 | +4.9% +5% +5 % |
| Examiner FTE | 382.2 | 380 | 326 | +2.9 % |
| Productivity – Balanced Disposals per Examiner FTE | 2,232 | 2,032 | 2,024 | -.4% |
| Productivity – Balanced Disposals per Examiner FTE including comp/credit hours | 2,192 | 1,997 | 2,011 | +1.6% |
| Office Disposals – abandonments and registrations Registrations | 430,343 274,250 | 354,100 225,000 | 361,485 202,834 | +22.5% +8.2% |
| PENDENCY First action pendency from date of filing to first office action in months. | 3.0 | 2.0* | 2.4 | +20% |
| PENDENCY Disposal pendency from date of filing to issuance of a notice of allowance, registration, or abandonment – including suspended and inter partes proceedings. | 13.9 | 16.0 | 13.1 | -17.9% |
| PENDENCY Disposal pendency from date of filing to issuance of a notice of allowance, registration, or abandonment – excluding suspended and inter partes proceedings. | 11.8 | 11.0* | 10.8 | -1.8% |
| EFFICIENCY Improve the efficiency of the trademark process as measured by the average cost of a trademark disposal compared to trademark direct and indirect costs. Actual results are based on total trademark related expenditures compared to office disposals. | \$470 | \$632 | \$459 Third qtr. | -27.4% |

*Revised targets include filings; production, final compliance rate, first action and disposal pendency excluding suspended and inter partes proceedings.

¹ Final compliance measure has changed for FY 2009 to include approvals for publication as well as final office actions reported in FY 2008.

² New measure for FY 2009 replaces the percent of new applications filed electronically.