TC 2900 Operations Overview

• TC 2900 statistics
• The Hague Agreement Implementation
Design Patent

• Protects the way an article looks, including
  – its shape and configuration, as well as
  – surface ornamentation applied to the article
Examples of Industrial Designs

• Mini Cooper vehicle

• Dyson Cyclone vacuum
Design Staff as of December 31, 2017

- 1 – Director
- 12 – Supervisory Patent Examiners
- 1 – Design Practice Specialist
- 183 – Patent Examiners
- 1 - Secretary
- 1 – Office Manager

Technical support provided by

[Logo: USPTO]
Design Filings
FY 2009 – FY 2018 Q1

11,909 applications received in FY18 Q1
Examiner’s Experience Level

• GS 14 – 77 Examiners
• GS 13 – 21 Examiners
• GS 12 – 32 Examiners
• GS 11 – 26 Examiners
• GS 9 – 24 Examiners
• GS 7 – 3 Examiners
Design Unexamined Application Inventory
FY 2011 – FY 2018 Q1

FY 2018 Q1 is 44,636
Design First Action Pendency and Total Pendency
FY 2011 – FY 2018 Q1

Design Total Pendency: 18.8 months.

First Action Pendency: 13.4 months.
Hague Agreement

- Hague System for International Registration of Industrial Designs
  - Single international design application capable of being registered in 66 contracting parties
  - Register up to 100 industrial designs with a single application
  - U.S. became a member May 13, 2015
  - Offices of designated Contracting Parties examine the published international registration if required under their respective laws
  - If a Contracting Party does not timely issue a refusal, the resulting international registration has the effect of a grant of protection in that designated Contracting Party
Hague Agreement cont.

• Since the Hague System is primarily a procedural arrangement, it does not determine:
  – The conditions for protection;
  – The refusal procedure to be applied when deciding whether a design may be protected; or
  – The rights which result from protection

• Such issues are governed by the law of each Contracting Party designated in an international registration.
Monthly Hague Applications Received by USPTO

* Source: Patents Dashboard
Year-to-Year Trend
By Volume

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>Number of Applications Received By USPTO</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>159</td>
</tr>
<tr>
<td>2016</td>
<td>1,546</td>
</tr>
<tr>
<td>2017</td>
<td>2,127</td>
</tr>
</tbody>
</table>
## Year-to-Year Trend
### Average Time to First Action*

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>Average time to First Action</th>
<th>On Time performance: Mail 1st Action in 12 Mo. of Received date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>-</td>
<td>99%</td>
</tr>
<tr>
<td>2016</td>
<td>10.5 months</td>
<td>100%</td>
</tr>
<tr>
<td>2017</td>
<td>11 months</td>
<td>98.8%</td>
</tr>
</tbody>
</table>

*The failure to send a notification of refusal within twelve months does not confer patent rights in the United States. A grant of protection only arises upon the issuance of a U.S. patent. See 37 CFR 1.1071 and MPEP 2950. In addition, provisions exist under the treaty for excusing unintentional delay in sending the refusal within the twelve month period.
## Type of 1\textsuperscript{st} Actions – FY2017

<table>
<thead>
<tr>
<th>Type of Action</th>
<th>Percent in FY2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>1\textsuperscript{st} Action Allowance</td>
<td>27%</td>
</tr>
<tr>
<td>1\textsuperscript{st} Action Refusal</td>
<td>44%</td>
</tr>
<tr>
<td>1\textsuperscript{st} Action Restriction</td>
<td>26%</td>
</tr>
<tr>
<td>1\textsuperscript{st} Action Quayle</td>
<td>3%</td>
</tr>
</tbody>
</table>
TC 2900 Challenges

- Workforce Resources
  - Work product assistance and review
  - Training
  - Backlog
  - Hague
  - Reexams, reissues, petitions

- IT Resources
  - UL replacements
  - Examination tool updates
Questions and Comments

Karen M. Young
Director, Technology Center 2900, Designs
571-272-7900
karen.young@uspto.gov