Patent Public Advisory Committee
Quarterly Meeting

FY18 Training Plan

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Training

• The USPTO continues to develop training for both Examiners and External Stakeholders, based on
  – Data from MRF reviews
  – Feedback from internal and external stakeholders
  – Customer perception surveys

Examiner Training

- Examiner training is provided for both newly hired and experienced examiners

- Training may be delivered Corps-wide or to specific disciplines

- Refresher legal training is developed and delivered via various styles
  - Lecture style
  - Interactive Computer Based Training (CBT)
  - Workshops
  - Combinations thereof
Examiner Training (cont.)

• Completed this fiscal year

• In-Progress
    • Follow-up to the completed §112(f) CBT training earlier in the year
    • Driven by technology specific examples including instructions on how to use the new form paragraphs to establish claim interpretation
Examiner Training (cont.)

- Under development for delivery later this fiscal year
  - 35 U.S.C. §102
  - 35 U.S.C. §103, Modification of References and Reasons/Motivation for Obviousness
  - 35 U.S.C. §112(a) Written Description - The emphasis will be on new matter
  - Legal Analysis and Writing, 103 - Responding to Arguments and Persuasive Writing
  - Unity of Invention
  - Examiner’s Answer
  - Double Patenting (Statutory and Non-statutory)
Examiner Patent Quality Chats

• Topics in this program provide information on procedural and legal topics relating to patent examination
• Webinar chats
• Brief presentation and Question & Answer
• Past Quality Chats have covered
  – Double Patenting: Tools for Identifying Conflicting Claims & Statutory Double Patenting
  – Evaluating Unexpected Results in 37 C.F.R. 1.132 Affidavits
  – AIA-FITF: 102(a)(2) and Exceptions
External Stakeholder Opportunities

- Stakeholder Training on Examination Practice and Procedure (STEPP)
- External Patent Quality Chat series
- Patent Examiner Technical Training Program (PETTP)
- Site Experience Education (SEE)
Stakeholder Training on Examination Practice and Procedure (STEPP)

• 3-Day training on examination practice and procedure for external stakeholders
  o Agent/Attorney course
  o Inventor course
• Provide external stakeholders with a better understanding of how and why an examiner makes decisions while examining a patent application
• Aid in compact prosecution by disclosing to external stakeholders how examiners are taught to use the MPEP to interpret an applicant’s disclosure
STEPP Course Descriptions

• The training is broken into three separate modules
  – Day 1
    • Role of an examiner and the steps an examiner would take when reading an application for the first time
    • Claim interpretation and 35 USC 101 and 112 are emphasized
  – Day 2
    • Use of information gathered during Day 1 to plan a search and conduct a search
    • Mapping of prior art to claims using 35 USC 102 and 103.
  – Day 3
    • Writing of an office action
    • Discussion of restriction practices,
    • Post-examination options such as the Patent Trial and Appeal Board (PTAB) and the Central Reexamination Unit (CRU)
More About STEPP

• New for FY18 is a virtual instructor-led training (VILT) Hops courses
  – One or more topics related to examination practice and procedure
  – Upcoming topics include
    • Claim Interpretation - Product by Process
    • Functional Language Workshop - Claim interpretation and Definiteness Under 35 U.S.C. §112(b)
    • Inherency, 35 U.S.C. §102/103 Rejections, and Official Notice

• Additional information on STEPP 3-Day training and Hop classes
  – Course schedules and sign up information can be found at the Patent Quality site*

Patent Quality Chat Series

• Provide information on patent quality topics and gather your input on a regular basis

• Monthly webinar which will focus on a particular quality topic

• Quality Chats held so far this year
  – Unlocking Open Data for our Patent Customers

• More information on the 2018 Chat Series and past events can be found at the Patent Quality Chat page

*https://www.uspto.gov/patent/initiatives/patent-quality-chat
Patent Examiner Technical Training Program (PETTP)

- Opportunity for technologists, scientists, engineers, and other experts from industry and academia to voluntarily provide technical training and expertise to patent examiners in-person or virtually from their location.

- In-person presentations can be made at our Alexandria, Virginia headquarters or at one of our satellite offices
  - Detroit, Michigan
  - Denver, Colorado
  - San Jose, California
  - Dallas, Texas

- To learn more, visit the PETTP page*

* https://www.uspto.gov/patent/initiatives/patent-examiner-technical-training-program-pettp-0
Site Experience Education (SEE)

• Opportunity for commercial, industrial, and academic institutions, within the continental U.S., to voluntarily host patent examiner technical site visits

• The USPTO funds all SEE travel costs for patent examiner visits to host organizations

• To learn more, visit the SEE page*

*https://www.uspto.gov/patent/initiatives/site-experience-education-see-program
Questions and Comments

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