Enhanced Patent Quality Initiative

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Partnering in Patents / Software Partnership

Leading in Quality Excellence – Every Interaction Counts
Agenda

– Office of Patent Quality
– Enhanced Patent Quality Initiative (EPQI)
  • Background
  • Summary of Comments
– Emerging Themes of the EPQI
– Next Steps

Creating a World-Class Patent System

This is the Right Time for a Greater Focus on Quality

– America Invents Act (AIA) provides USPTO with a stable budget
– USPTO continues to reduce patent application inventory and pendency
– On-going investments in IT and training provide an opportunity to improve quality in our patent system
– USPTO has always made patent quality a priority

Email questions to PartneringinPatents@uspto.gov
Office of Patent Quality

Leading in Quality Excellence – Every Interaction Counts

Patents Organization

Commissioner for Patents

- Deputy Commissioner for Patent Examination Policy
- Deputy Commissioner for Patent Operations
- Deputy Commissioner for Patent Quality
- Deputy Commissioner for Patent Administration
- Deputy Commissioner for International Patent Cooperation

Office of Process Improvement
Office of Patent Training
Office of Ombudsman/Stakeholder Outreach
Office of Patent Quality Assurance

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Office of Patent Quality

Office of Process Improvement
- Processes Audits & Recommendations
- Provides Coordinated Analysis and Monitoring
- Advises on Process Improvements
- Analyzes Trends
- Defines Standards/Metrics

Office of Process Improvement (OPI)

Office of Patent Training
- Provides Training Assistance
- Provides Enhanced Practices/Procedures
- Recommends Corrective Action & Preventive Action, as needed
- Analyzes Trends
- Defines Standards/Metrics
- Advances Legal and Technical Training

Office of Patent Training (OPT)

Office of Ombudsman and Stakeholder Outreach
- Performs Incident Management
- Handles Complaints
- Provides Internal/External feedback
- Performs Trend Analysis
- Defines Standards/Metrics
- Handles External Partnering/Engagement

Office of Ombudsman and Stakeholder Outreach

Office of Patent Quality Assurance
- Performs Quality Reviews
- Ensures ISO Compliance
- Analyzes Trends
- Defines Standards/Metrics
- Provides Feedback

Office of Patent Quality Assurance (OPQA)

Email questions to PartneringinPatents@uspto.gov

Enhanced Patent Quality Initiative

Visit USPTO's Enhanced Patent Quality Initiative website at
http://www.uspto.gov/patent/initiatives/enhanced-patent-quality-initiative

Leading in Quality Excellence – Every Interaction Counts
Enhanced Patent Quality Initiative

– In February, the USPTO presented six proposals to stimulate the public’s thinking on patent quality (see 80 Fed. Reg. 6475 (Feb. 5, 2015))

– These six proposals were built around three patent quality pillars:
  I. Excellence in Work Product
  II. Excellence in Measuring Patent Quality
  III. Excellence in Customer Service

Proposals of the Enhanced Patent Quality Initiative

I. Excellence in work products
   1. Applicant requests prosecution review of selected applications
   2. Automated pre-examination search
   3. Clarity of the record

II. Excellence in measuring patent quality
   4. Review/improvements to quality metrics

III. Excellence in customer service
   5. Review of current compact prosecution model and effect on quality
   6. In-person interview capability with all examiners

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Comments on the Enhanced Patent Quality Initiative

Comments and suggestions on the Enhanced Patent Quality Initiative (EPQI) have been collected from a variety of sources:

• Two-Day Patent Quality Summit (held on March 25-26, 2015)
• Federal Register Notice Comment Period (closed May 20, 2015)
• Internal examiner forums and feedback forms
• Roadshows and roundtables across the country

We continue to collect feedback via our mailbox WorldClassPatentQuality@uspto.gov

Email questions to PartneringinPatents@uspto.gov
Official Federal Register Responses

107 Responses/Emails

- IP Organizations and Associations
- Government Agencies
- Academic and Research Institutions
- Law Firms
- Companies
- Individuals

All responses in their entirety have been published at:

Submissions – All Sources

1206 Submissions*

- Internal (includes Examiner Forum/Feedback and WCPQ internal)
- Patent Quality Summit
- WCPQ - External

* Response/emails were broken into submissions based on proposal categories. Each email/response, therefore, may map to more than one submission.

Email questions to PartneringinPatents@uspto.gov
**Topic Distribution – All Sources**

- OPQA: 209
- Prior Art/Search: 295
- Clarity: 149
- Quality Measures: 108
- Compact Prosecution: 198
- In Person Interviews: 154
- Other: 165

**Topic Distribution – By Source**

- Internal*:
  - OPQA: 0
  - Prior Art/Search: 0
  - Clarity: 0
  - Quality Measures: 0
  - Compact Prosecution: 0
  - In Person Interviews: 0
  - Other: 0

* Includes Examiner Forum/Feedback and WCPQ Internal

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“Other” Topic Distribution

– Additional Examiner/SPE Resources
– More Time for Examiners
– Improved/Additional Examiner Training
– Examiner Performance Appraisal Plans/Awards
– Miscellaneous

Emerging Themes from Comments

– Having examiners clearly articulate their position on the record is a critical component of quality
– The USPTO needs to differentiate between measures of patent process and patent product
– The quality of the interview is much more important than the type of the interview (e.g., telephonic, video conferencing, in-person)

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Question and Answer Session

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