



TTAB Report

Chief Judge Gerard Rogers

TPAC 10-18-13



FRONT END – INCOMING FILINGS

Type of Filing	1st Qtr FY 13	2nd Qtr FY 13	3rd Qtr FY 13	4th Qtr FY 13	Full Year 2013 (% +/- FY 12)
Appeals	690	740	610	645	2,685 (+1.9%)
Extensions of time to oppose	4,255	4,122	4,399	4,163	16,939 (negligible)
Oppositions	1,371	1,308	1,273	1,326	5,278 (+2.3%)
Cancellations	355	337	395	426	1,513 (+3.4%)



BACK END - DECISIONS

Final Decisions (all types)	1st Qtr FY 13	2nd Qtr FY 13	3rd Qtr FY 13	4th Qtr FY 13	Full Year 2013 (% +/- FY 12)
Maturing to RFD (Ready for Decision)	106	142	166	140	554 (-9.6%)
Cases Decided	114	176	204	182	676 (+26.6%)
Avg Time from RFD to issuance	24.9 weeks	24.2 weeks	13.9 weeks	11.3 weeks	17.7 weeks (-26.3%)
Awaiting Decision at end of Period	243	188	136	88	88 (-65.6%)



APPEAL PROCESSING

End to End Pendency	1st Qtr FY 13	2nd Qtr FY 13	3rd Qtr FY 13	4th Qtr FY 13	Full Year 2013 (% +/- FY 12)
Average Total Pendency, Appeals	56.1 weeks	59.4 weeks	41.2 weeks	46.4 weeks [#]	49.8 weeks (-35.2%)
Median Total Pendency, Appeals	53 weeks	53 weeks	39 weeks	35 weeks	44 weeks (-17%)

Q4 – This figure elevated because of disposition of three cases, each pending more than three years, involving numerous requests for extension, remand, suspension, or scheduling complications for oral arguments.



CONTESTED MOTION PRACTICE

Contested Motions	1st Qtr FY 13	2nd Qtr FY 13	3rd Qtr FY 13	4th Qtr FY 13	Full Year 2013 (% +/- FY 12)
# Decisions Issued; % by Phone	161 24.8%	177 20.2%	208 9.6%	283 6%	829 (+4.5%) 13.5%
# Motions Resolved	236	239	279	413	1,167 (+6%)
Avg Time from RFD	10.6 weeks	13.1 weeks	18.7 weeks	11.1 weeks	13.3 weeks (+52.9%)
Awaiting Decision	216	215	200	130	130 (-34.7%)



OVERALL TRIAL PROCESSING

End to End Pendency	1st Qtr FY 13	2nd Qtr FY 13	3rd Qtr FY 13	4th Qtr FY 13	Full Year 2013 (% +/- FY 12)
Average, Trials	162.8 weeks	175.1 weeks	216.8 weeks [#]	193.4 weeks	189.5 weeks (-6.8%)
Median, Trials	145 weeks	165 weeks	205 weeks [#]	169 weeks	165 weeks (-11.3%)

Q3 – These figures elevated because of the disposition of four large record trial cases commenced separately, years apart, and consolidated over time.



ACR TRIAL PROCESSING

End to End Pendency	1st Qtr FY 13	2nd Qtr FY 13	3rd Qtr FY 13	4th Qtr FY 13	Full Year 2013 (% +/- FY 12)
Avg, ACR Trial Cases	102 weeks	N.A.	92 weeks	129.7 weeks	114.2 weeks (-18.9%)
Number of ACR decisions	2 cases	N.A.	1 case	3 cases [#]	6 cases [#]

#Q4 - Three other ACR cases were submitted for decision in quarter four, but too late to decide before the close of the year. The nine ACR cases submitted for decision during the year equals FY12.



TRANSPARENCY & OUTREACH

- Roundtable on metrics and performance measures November 2011
- Quarterly posting of statistics; New dashboards: <http://www.uspto.gov/dashboards/TTAB/main.dashxml>
- Submit comments, suggestions via TTABdashboard@uspto.gov



TRANSPARENCY & OUTREACH

- Annual updating of TBMP; using IdeaScale for submission of comments (currently, ch. 1200) via <http://uspto-tbmp.ideascale.com>
- 49 precedents (22 ex parte; 27 trials) in FY13
- Roundtable on ACR November 2012
- Offer suggestions via ACRsuggestions@uspto.gov
- Next Roundtable set for December 3, 2013