

From: Sam Rimell

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To: External Examination Time Study <ExternalExaminationTimeStudy@USPTO.GOV>

Subject:

The USPTO should study and consider the three member panel format for official actions, as deployed in the Central Reexamination Unit (CRU) and Patent Trial and Appeal Board (PTAB).

Previous experiments with a three member panel format involved the use of a searcher, a primary examiner to draft the action and a review paralegal. However, this format was found to be inefficient and led to conflicts.

The format used by CRU and PTAB involve three employees having equal roles: Either three primary examiners (CRU) or three judges (PTAB), with one examiner(CRU) or judge(PTAB) designated to write the official action.

Each member of the panel is equal in rank and can freely exchange ideas and bounce off suggestions.

Both of these formats have proven to be extremely effective over long periods of time, bringing significant improvements in quality without sacrificing productivity. Employees working in these team formats also experience high levels of job satisfaction and low attrition, all of which are advantageous to both the USPTO and its external stakeholders.

Sam Rimell

Primary Examiner

USPTO