

Name: Hwa C. Lee

Affiliation: Director of Legal, Intellectual Property at AppDynamics Inc.

The following comments represent my personal views and not of my employer.

Regarding the Patent Quality Measurement project, I believe all the metrics that may be measured will not work unless some changes are made first. By the way, I am a former patent examiner (2003-2005).

- 1) More time must be given to the examiners to perform the search and examination, especially at the first office action. A well thought of response from the examiner is crucial to forcing the applicant to narrow the scope of the claims to a reasonable level. I understand that the number of hours allowed per balance disposal has not really changed since the 70's. This is insane since the technology has advanced tremendously since then and the complexity of the inventions and the nuanced improvements are difficult to grasp quickly. In fact, the whole production hours based on balanced disposal needs to be reworked. I believe a set number of hours should be given for each office action rather than per balance disposal. Not enough time to perform adequate examination will lead to bad patents. Also, the Office should consider providing a set number of hours for examination based on the number of claims. The Office can increase extra claims fees to compensate.
- 2) USPTO charges extra fees for the extra claims beyond 3 and 20 but provides no additional hours to the examiner to examine those additional claims. Applicants are not getting their money's worth. This needs to change.
- 3) My understanding is that only the notice of allowance is reviewed by the "second eye" review. In my opinion, the first office action needs to be reviewed with the same scrutiny since the first office action is the most important.

I appreciate the opportunity to make these comments.

Thanks and best regards,

-Hwa

**Hwa C. Lee** | Director of Legal, Intellectual Property  
Office [+1 415.580.4118](tel:+14155804118) | Mobile +1 571-212-7931

**AppDynamics**

The Application Intelligence Company

[Watch our video](#) | [Try our FREE Trial](#) | [Twitter](#) | [LinkedIn](#) | [appdynamics.com](#)