

United States Patent and Trademark Office



EFS-Web Implementation Best Practices Reference Guide

Get the **POINT** of EFS-Web



EFS-Web

USPTO Patents e-Commerce

United States Patent and Trademark Office
Commissioner for Patents
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Effectively Implementing EFS-Web

EFS-Web is the United States Patent and Trademark Office's (USPTO's) electronic patent-filing system that provides a safe, simple, and secure means of filing patent applications and follow-on documents. Since its introduction in 2006, EFS-Web has been adopted enthusiastically by the intellectual property (IP) community. More than 80% of all patent applications and the vast majority of follow-on documents are now filed electronically using EFS-Web.

The system is a key component of USPTO's overall Patent e-Commerce strategy, providing the IP community with many important benefits including direct integration with the Patent Application Information Retrieval system (PAIR), a critical system that allows IP practitioners direct visibility into the patent prosecution process.

On May 30, 2007, the USPTO convened a Best Practices Forum on EFS-Web in Arlington, Virginia. The group involved forty individuals from the top thirty corporate and IP law firm filers. Participants shared their ideas, experiences, and challenges regarding implementation of electronic filing. Individuals from organizations that successfully adopted the e-filing system provided recommended EFS-Web Best Practices.

As described by the participants, adopting these EFS-Web Best Practices can ease the paper to electronic filing transition, and dramatically improve overall efficiency, effectiveness, and quality in filing patent applications and follow-on documents. Organizations that have adopted EFS-Web on an enterprise level report tangible benefits including cost and staff time savings.

EFS-Web Best Practices – Get the **POINT** of EFS-Web

Process

Organizational Culture

INformation Technology

Training

- **P**rocess – *Transition existing paper-based filing process to maximize the benefits of e-filing.*
- **O**rganizational Culture – *Change from a paper-oriented culture to an electronic approach by gaining executive buy-in, as well as the involvement of volunteers and in-house EFS-Web champions.*
- **I**Nformation Technology – *Involve IT staff from the earliest planning stages to gain their unique perspective of the challenges and benefits of transitioning to an electronic environment and to ensure their support for those involved in e-filing.*
- **T**raining – *Utilize a combination of in-house training materials, USPTO materials, USPTO webinars, as well as one-on-one training to get people the information they need to file electronically using EFS-Web.*

Process

Successful adopters of EFS-Web have not simply appended it to their existing paper process; they have carefully altered their filing process to maximize the benefits of e-filing.

1. **Cross-functional team:** Create a small set of specialists who can answer internal questions about EFS-Web.
2. **Implementation:** Roll out EFS-Web in stages. Start by implementing with small groups at first, then spread on a larger scale throughout the organization.
3. **Quality control:** Establish a rigorous review process designed to build confidence in electronic filing. Concerns about the role of docketing and how filings are reviewed for errors can be allayed by the creation of a review/quality control process.
4. **Establish metrics collection process:** Develop a process to document quality improvement and time and cost-saving benefits.

Organizational Culture

Organizations that have adopted EFS-Web have done so with leadership provided by senior executives within the organization. Successful adopters indicated that in addition to leadership at the top, the involvement of volunteers and EFS-Web champions among the staff is critical to creating and sustaining a culture that is open to change.

1. **Internal executive champions:** Provide the necessary sponsorship for the adoption of EFS-Web. Many organizations attribute the success of EFS-Web to decisions made by senior partners, chief counsel or executive leadership. Leadership from the top is also crucial to making certain that all relevant parties are involved in pre-implementation planning.
2. **Promote benefits:** Develop a group of staff that can assist in emphasizing the benefits of EFS-Web to potential users. Those who have adopted EFS-Web across their enterprise have often done so as a result of careful cost-benefit calculations.

Information Technology

The involvement of IT support is critical to the success of large-scale integration of EFS-Web. Successful adopters of EFS-Web have involved IT staff from the earliest planning stages, to gain their perspective of the challenges and benefits of transitioning to an electronic environment and to ensure their support for the attorneys and administrative staff who will be involved in e-filing.

1. **Partner with IT:** Provide IT staff with enough lead time to overcome issues regarding technical implementation issues.
2. **First-level technology support:** Utilize IT staff as a resource that can provide e-Filers with the necessary training and preparation on how to use EFS-Web.

Get the **POINT** of EFS-Web

3. **Dual monitors:** Allow e-Filers simultaneous review of documents uploaded to USPTO servers and the original source documents.

Training

Training is essential to successfully integrating EFS-Web into an organization. Successful organizations have developed their own training processes, utilizing a combination of in-house materials, USPTO materials, USPTO webinars, and their own presentations. Most have combined group training with one-on-one training. While they describe EFS-Web as easy to use and intuitive, successful adopters acknowledge the importance of training in developing *confidence and trust* among future users.

1. **Customized training:** Create an internal training program that includes a manual and formalized training agenda. Many organizations employ webinars, videoconferencing and face-to-face meetings to provide users with an overview.
2. **“Go-to” domain experts:** Utilize people within the organization to answer questions about e-filing. By using internal experts to guide individuals through the first few electronic patent filings and answer specific questions during the process, patent filers can dramatically accelerate the adoption process.
3. **Learning methods:** Use a combination of group and one-on-one training programs to ensure success. Most successful adopters say that training should be provided on a number of levels, usually beginning with a form of group training supplemented by one-on-one training.
4. **Ongoing training:** Continue to provide tips on how to use EFS-Web.
5. **Incentives:** Provide incentives for those who file electronically in order to develop confidence among skeptics.

Be Successful – Make Sure You Get the **POINT** of EFS-Web

Those organizations that have adopted EFS-Web on an enterprise level unanimously recognize tangible benefits of using EFS-Web, including quality improvement and cost and staff time savings.

We estimate the combined year-in, year-out [savings] is about 20 minutes a submission that our paralegals spend doing other things rather than focusing on whatever the old process was.”

- EFS-Web Best Practices Forum Participant

Get the **POINT** of EFS-Web:

Process
Organizational Culture
Information Technology
Training

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Additional Information

If you are interested in learning more about EFS-Web Best Practices, please visit <http://www.uspto.gov/ebc/portal/efs/bestpractices.html>.

Free USPTO Training Resources

The EFS-Web “Sandbox” allows e-Filers to preview screens and practice submitting patent applications in a simulated EFS-Web environment. To learn more, visit <http://www.uspto.gov/ebc/portal/tutorials.htm>.

Access EFS-Web training materials available on the USPTO’s EFS-Web Help site: http://www.uspto.gov/ebc/efs_help.html.

If you have additional training requests, please send an e-mail to EFS.Training@uspto.gov.