

Annual Performance Plan

This fiscal year 2002 corporate plan is an integrated annual performance plan under the Government Performance and Results Act and budget request. This plan section sets forth our mission, vision, strategic goals, and performance goals. The fiscal year performance targets and the identified resources needed to meet our performance goals and targets are identified in the previous sections.

In the latter part of 1999, the American Inventors' Protection Act (AIPA) was enacted. Under the AIPA, the USPTO is an agency of the United States within the Department of Commerce and receives intellectual property policy direction from the Secretary of Commerce. At the same time, the new USPTO is responsible for decisions regarding the management and administration of its operations and has independent control of major management functions.

The USPTO supports Department of Commerce Goal 2 to "Provide Infrastructure for Innovation to Enhance American Competitiveness" and the objective to "Protect Intellectual Property." All forms of intellectual property protection – patents, trademarks, and copyrights – uphold the philosophy of rewarding individual effort as the best way of utilizing the talents of creators to advance public welfare. Intellectual property is a potent force in the competitive free enterprise system. By continuing to protect intellectual endeavors and encouraging technological progress, the USPTO seeks to preserve the United States technological edge which is a key to current and future competitiveness.

USPTO Vision

The USPTO leads the world in providing customer-valued intellectual property rights that spark innovation, create consumer confidence, and promote creativity.

USPTO Mission

The USPTO promotes industrial and technological progress in the United States and strengthens the national economy by:

- Administering the laws relating to patents and trademarks while ensuring the creation of valid prompt, and proper intellectual property rights; and
- Advising the Secretary of Commerce, the President of the United States, and the Administration on all domestic and global aspects of intellectual property.

USPTO Strategic Goals

Two overarching strategic goals guide the USPTO in meeting its mission:

- Maintain and grow our domestic and international leadership roles in intellectual property rights policy.

In today's increasingly global business environment, the current model of national and regional intellectual property law systems fails to meet the needs of U. S. inventors, entrepreneurs, and businesses. Therefore, one of the strategic goals of the USPTO is to strengthen intellectual property protection in the United States and abroad, making it more accessible, affordable and enforceable.

- Provide our customers with the highest level of quality and service in all aspects of USPTO operations.

This goal reflects our commitment to ensuring that quality is fully evident in all products, services and processes, that growth in workload is effectively managed, and that the USPTO transition to an E-government environment.

Evaluations

The USPTO establishes its performance goals and performance targets based on customer, stakeholder and employee input; and the results of performance evaluations, as described below:

Customer, Stakeholder and Employee Input

The USPTO has been a customer-driven organization since 1994, when we began holding focus sessions with customers to determine their needs and expectations. We began by developing customer service standards relating to our timeliness, accuracy, and responsiveness in delivering our products and services. We then began surveying customers to establish baselines, and subsequently to measure progress towards customer satisfaction with our business lines in general and with specific goals and objectives. We recently completed our fifth survey of patent and trademark customers.

In 1998/1999, we collaborated with the National Academy of Public Administration (NAPA) to define and measure end-outcomes of the United States patent and trademark systems. Independent inventors, patent and trademark practitioners, industry representatives, academicians, economists, USPTO senior executives and experts in performance measurement participated in this exercise. The results were published and distributed to the participants in early 2000.

We also are committed to incorporating employee input into our strategic and corporate planning processes. Employee satisfaction levels are one of the key components of a balanced family of performance measures on our balanced scorecards.

Program Evaluations

In fiscal year 2000, we continued to review and evaluate our management and financial controls systems to improve and validate our processes and systems. We also conducted the following evaluations:

- The Patent Working Lab - This Lab, which concluded its one-year operation in March 1999, enabled the Patent Business to learn several important lessons. Most importantly, our Technical Support Staff (TSS), as demonstrated by those employees in the Lab, found that they could perform several tasks traditionally performed by examiners. Not only did this provide our TSS additional 'up-skilling' opportunities to transition them to an automated environment, but it also enabled patent examiners to focus more on the legal and technical aspects of the application.

As a result of the success of this Lab, the Commissioner for Patents has implemented two pilots introducing new operating environments and procedures. These two pilots began in November 2000 and incorporated the best practices learned in the experimental Lab environment into larger groups of employees. The logistics and details of the program were developed, including the selection and training of over twenty TSS employees to learn and assume those traditionally examiner-performed tasks. In addition to shifting assigned tasks among employees, the pilots also are exploring the effects of collocating examiners and TSS employees to foster 'ownership' of the patent applications. Further, a single manager supervises both examiners and TSS employees, in contrast to the current practice of separate lines of oversight. This pilot will be evaluated on the basis of performance measures including customer and employee satisfaction levels, quality of products and services, and efficiencies in cost and processing times.

- The Trademark Work at Home - This program began with 18 trademark attorneys working from home three out of five days a week in March 1997. The pilot was concluded in March 1999. Based on the positive results of the program, measurements showed that participants in the pilot increased their productivity by increasing the number of hours worked on examinations. As a result, Trademarks expanded the program to include 57 examining attorneys working from home three days a week by the end of fiscal year 2000.
- We conducted various tests and reviews of the primary accounting system. In addition, the financial statement auditors completed an audit of USPTO's financial statements as of September 30, 1999, and have started the audit for the year ended September 30, 2000, as required by the Chief Financial Officers' Act. The auditors in their fiscal year 1999 internal control report noted no material deficiencies. The auditors issued an unqualified opinion on USPTO's fiscal year 1999 financial statements. As a result, we are able to

provide reasonable assurance that the primary accounting system complies with the principles and standards developed by the Comptroller General and implemented through guidelines issued by the Office of Management and Budget.

Inter-Agency Collaboration

In carrying out our mission, goals and objectives, we collaborate with many other Federal agencies, as follows:

Our Patent Business works closely with the Departments of Defense and Energy, and the National Aeronautics and Space Administration in handling patent applications having national security implications. We work with the Department of Health and Human Services in handling both AIDS-related and recombinant DNA information. We also work with the Food and Drug Administration with regard to patent term extensions for drug-related patents that have received regulatory review.

Our Trademark Business works with the Department of Treasury's U. S. Customs Service regarding counterfeit goods or services.

Our Office of Legislative and International Affairs collaborates with the Department of State, the Office of the United States Trade Representative (USTR), and the International Trade Administration in the formulation and negotiation of proposals for the protection of intellectual property, both at home and abroad. We also advise the USTR on unfair foreign trade practices for intellectual property (Section 301).