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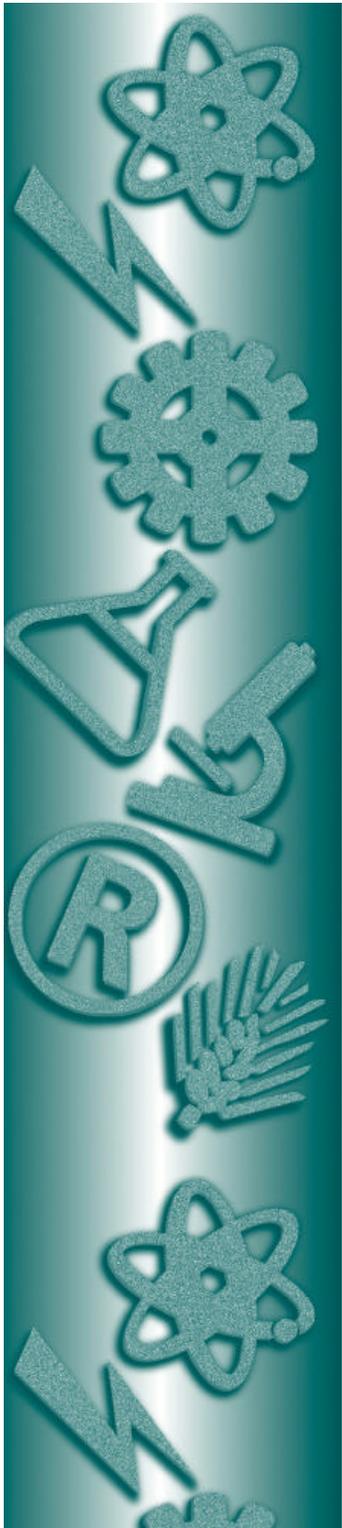
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Methodology

*Methodology**

Purpose: Assess satisfaction with trademark process and standards

Survey Items & Scales: Some redesign, but wanted to maintain comparability with previous administrations

Summary of Changes in 1999 Survey:

- More specific questions on problem resolution
- Added an open-ended item on types of problems encountered
- Some items that were not utilized in analysis or that were difficult for respondents to understand were deleted from the survey
- New items added
 - ◆ Many additional questions on trademark standards
 - ◆ New questions regarding trademark process
 - ◆ Section on electronic filing
 - ◆ Section on First Office Action timeliness

* Appendix A describes the methodology in more detail.

Methodology (Cont.)

Survey Items & Scales: (Cont.)

Adjustment to Scales:

- **Changed the response choices in the section on trademark standards (29 questions) to be comparable with the rest of the satisfaction questions**
 - ◆ **Moved from a 3-point satisfaction scale to a 2-point satisfaction scale with a neutral midpoint**
 - ◆ **Using statistical analyses, adjusted 1998 survey satisfaction numbers on the comparable questions to be able to show percent change in satisfaction for affected questions**

Methodology (Cont.)

Survey

Administration:

From May 14, 1999 to August 4, 1999

4 Mailings:

- **Advance letter – May 14, 1999**
- **Initial survey packet (cover letter, survey return envelope) – June 10**
- **Reminder Postcard – June 22**
- **Second mailing to nonrespondents (cover letter, survey, return envelope) – July 6**
- **Closed data collection – August 4, 1999**

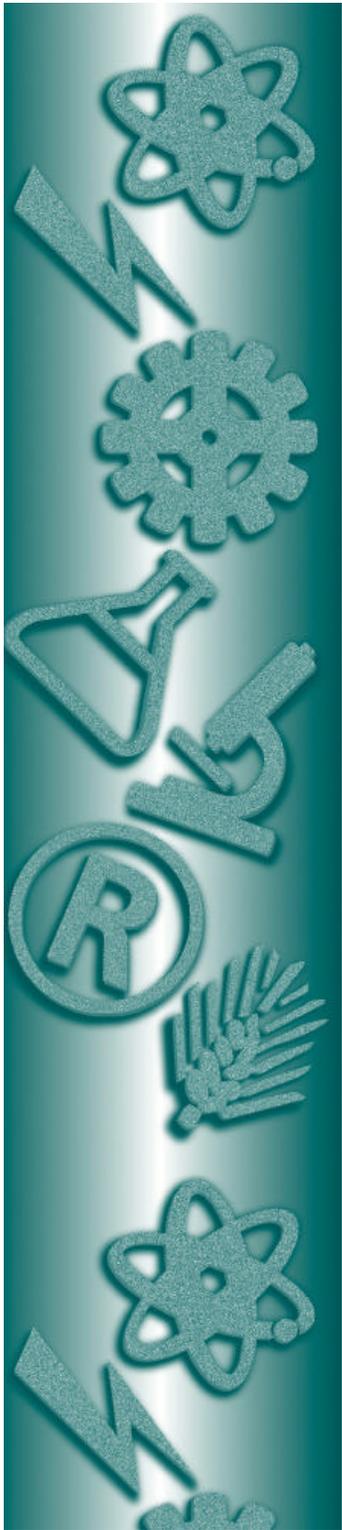
Response Rates:

1,206 Mailed

464* Returned complete

41% Overall trademark response rate

*** 26 of the 464 completed surveys were returned after the close of data collection. These are included in the above response rate calculations but are not included in the data analysis.**

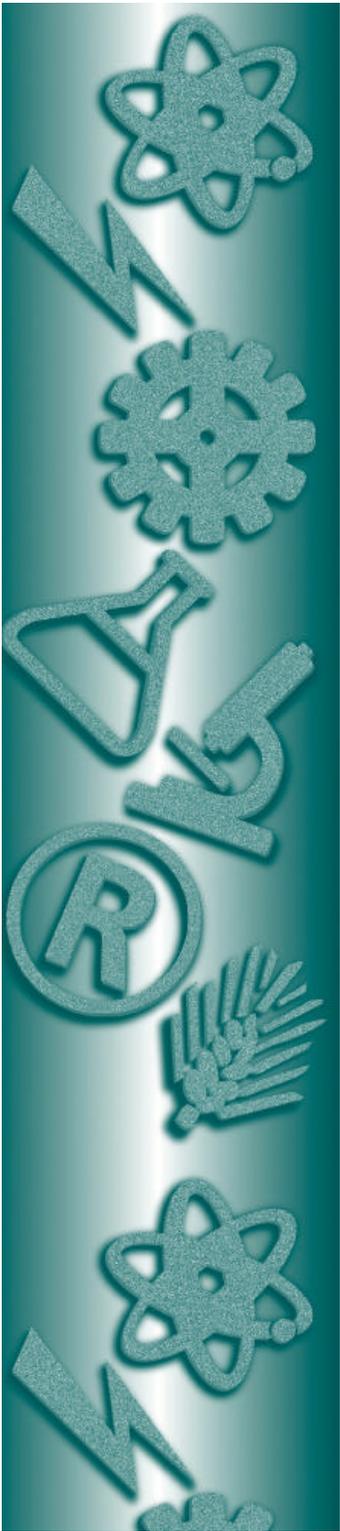


Sampling

Sampling

- File Cleaning:**
- Deleted duplicate records to get one respondent per address
 - Deleted records with incomplete address information
- Sample Selection:** Goal was to sample approximately 1,200 respondents (800 for regular survey and 400 for “old scale” survey)
- Sample Size:**
- | | |
|---------------------------------|--------|
| Initial Trademark sample size = | 1,692 |
| Sampling rate = | 3 of 4 |
| Duplicate/incomplete records = | 63 |
| Final mail-out size = | 1,206 |

* Appendix B presents more detail regarding the sampling procedures employed.



Who Were the Respondents?

*A Demographic Profile
of Participants*

A1. What is your affiliation? (Fill in all that apply)*

	1999 %	1998 %	1996 %	1995 %
** Federal government agency (n=1)***	0	0	1	1
University or college (n=0)	0	0	0	1
Large business (n=53)	12	11	19	35
Small business (n=53)	12	9	1	1
Law firm (n=323)	74	78	78	49
Individual applicant (n=12)	3	3	3	14
Other (Specify) (n=6)	1	1	2	5

* Percents may sum to more than 100% because more than one response could be chosen.

** Response categories changed from 1995/1996 to 1998/1999. The question is still comparable from year to year.

*** N's in parentheses are for 1999 survey results.

The 1999 affiliation profile is quite similar to the 1998 profile. Law firms make up about three-quarters of the survey respondents.

A2. How often did you contact the PTO for products or services over the past year?

	1999	1998	1996	1995
	%	%	%	%
Never (n=11)*	3	2	2	13
Only once (n=19)	4	4	2	9
Rarely (n=28)	6	5	3	5
Occasionally (n=95)	22	18	14	16
Often (n=285)	65	72	80	58

* N's in parentheses are for 1999 survey results.

There was a slight decrease in respondents “often” contacting the PTO. This was probably due to the slight increase in respondents “occasionally” contacting the PTO. Still, about two-thirds often contact the PTO during the year.

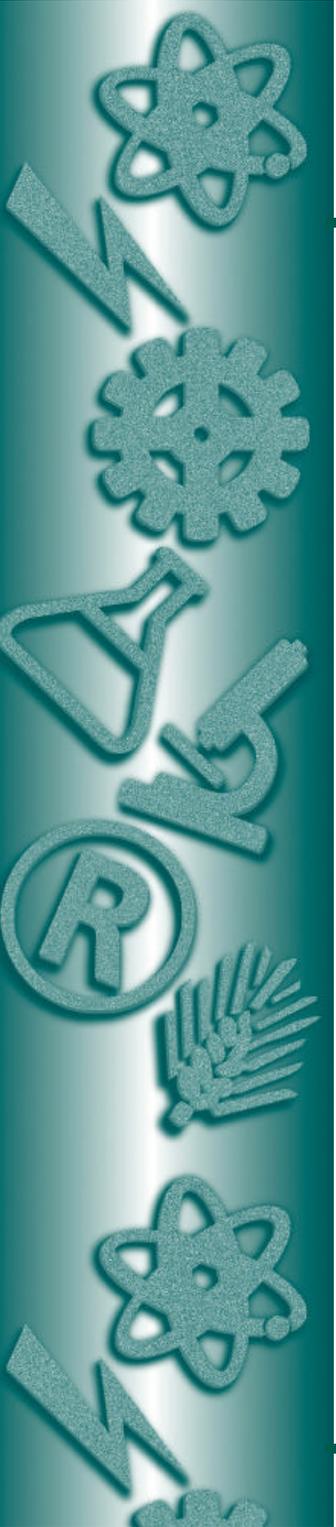
A3. *What is your relationship with the PTO?**

	1999 %	1998 %	1996 %	1995 %
Not a customer (n=2)**	1	0	0	1
A former customer (n=2)	1	0	0	2
A one-time customer (n=18)	4	3	3	9
An occasional customer (n=66)	15	14	9	19
A frequent, but not continuous customer (n=34)	8	6	5	8
A continuous customer (n=316)	72	77	84	61

* Question wording changed slightly from 1998 to 1999. The question is still comparable from year to year.

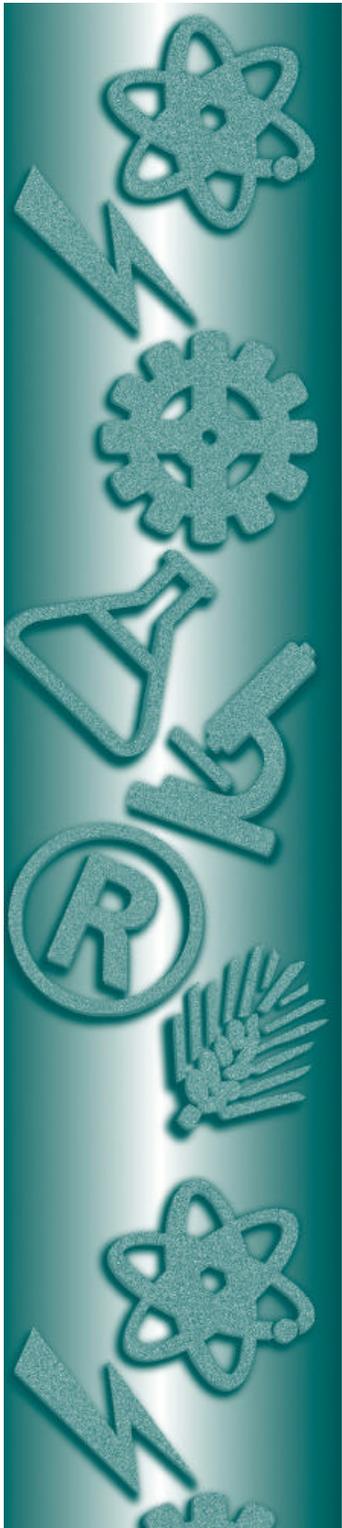
** N's in parentheses are for 1999 survey results.

About three-quarters of the respondents are continuous customers with the PTO.

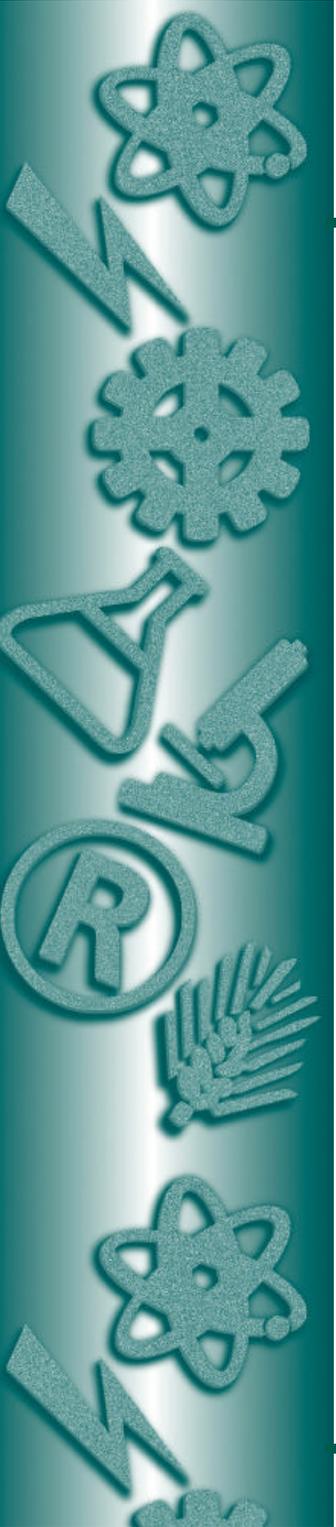


Demographic Profile – In Summary

- **About three-quarters of the respondents are from law firms. Individual applicants make up only 3% of the total respondent population.**
- **About two-thirds of the respondents often contact the PTO during the year. There was a slight shift from often to occasional contact between 1998 and 1999.**
- **About three-quarters of the respondents are continuous customers and another 8% are frequent customers. There was a slight decrease in the number of continuous customers from 1998 to 1999.**

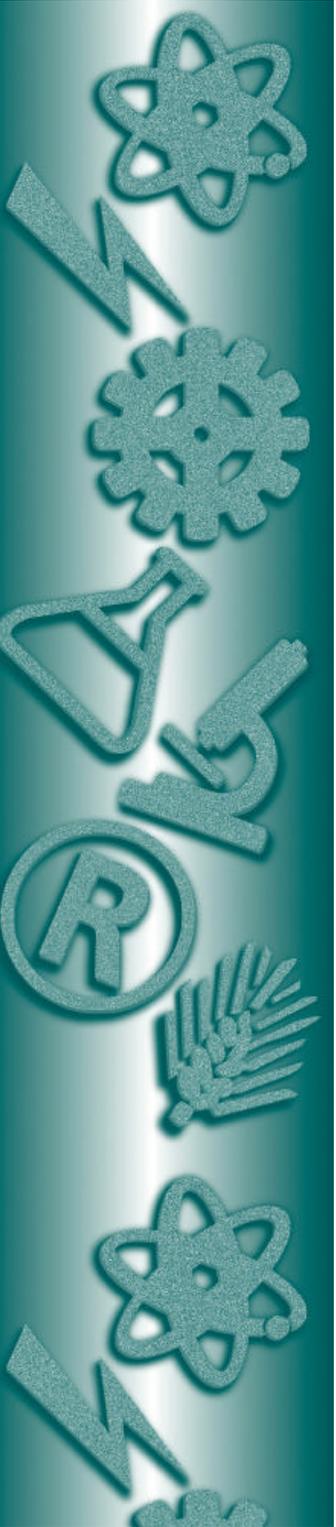


What the Data Shows

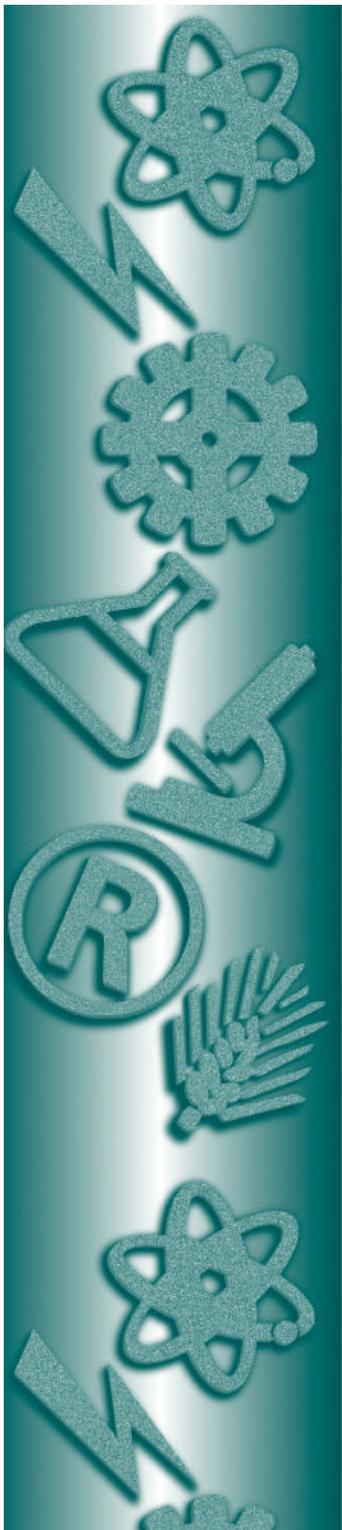


A Review of Results By:

- **Most and Least Satisfied Questions**
- **Most Dissatisfied Questions**
- **Major Changes from 1998 Data**
- **Questions Grouped into Six Factors**
- **Questions Pertaining to the Overall Trademark Process**
- **Questions Having the Greatest Impact on Overall Satisfaction (Key Drivers)**
- **Demographic Differences**
- **Content Analysis of Open-Ended Comments**

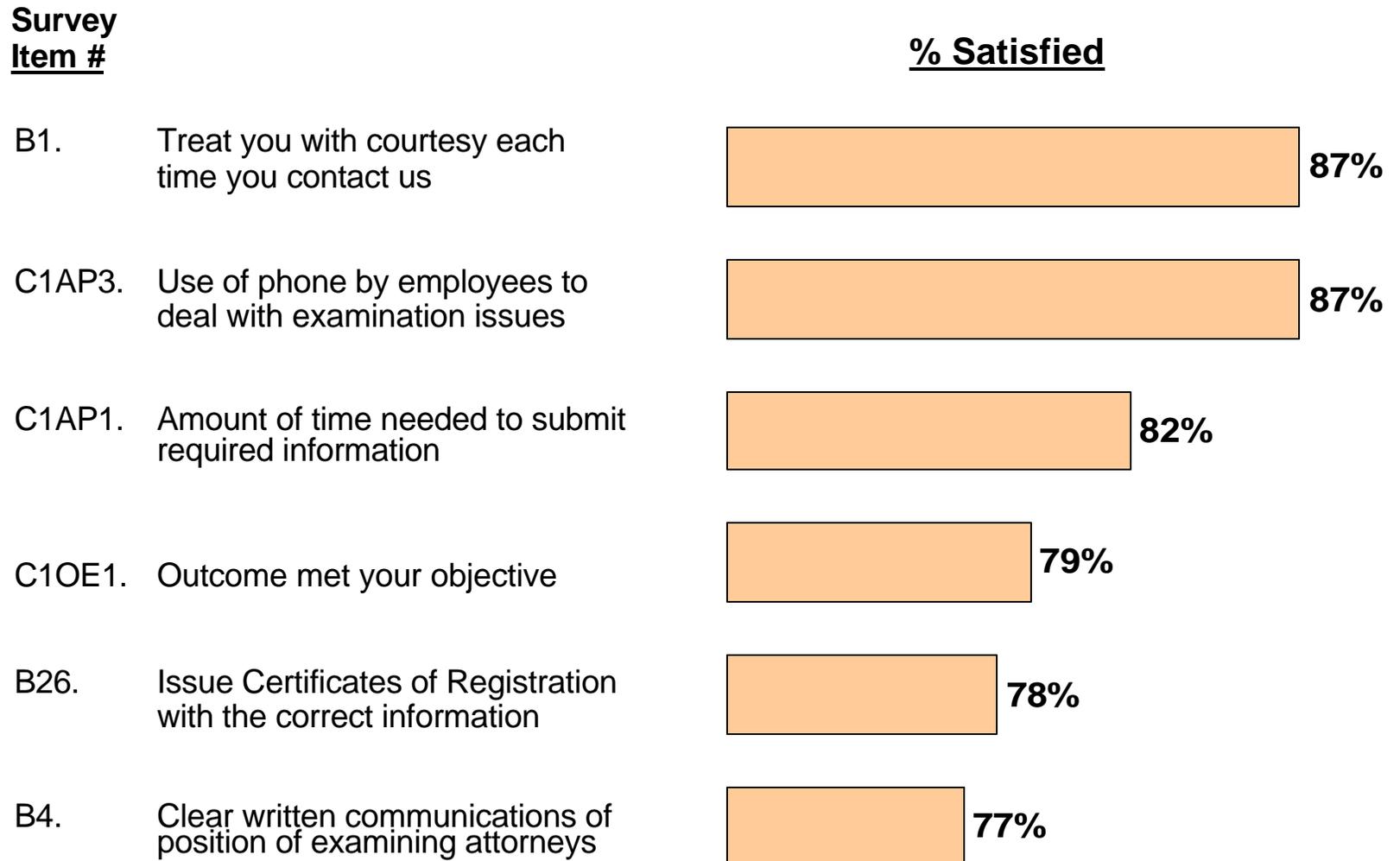


Absolute View of Results



Most and Least Satisfied Questions

What Respondents Were Most Satisfied With

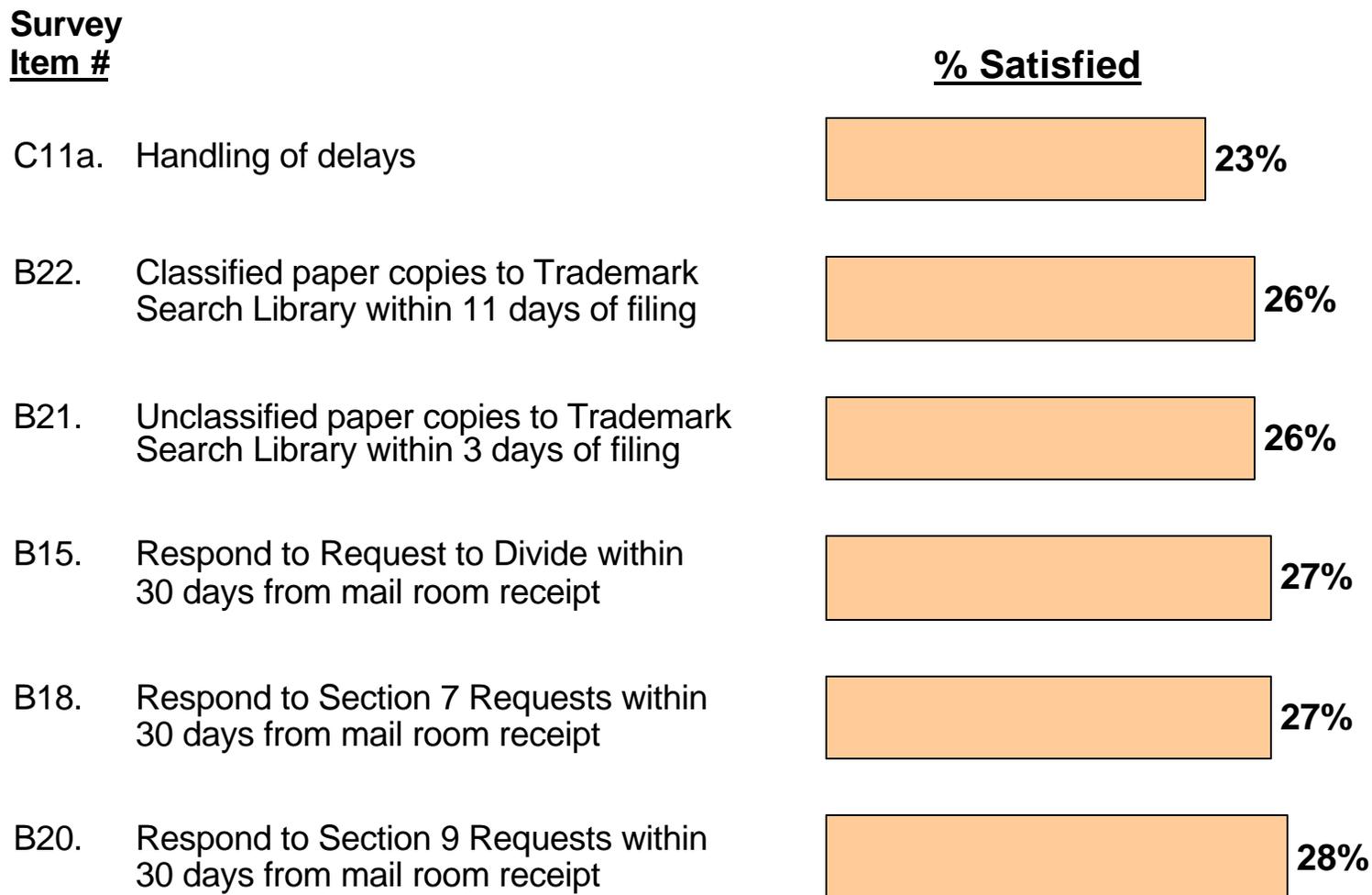


What Respondents Were Most Satisfied With (Cont.)

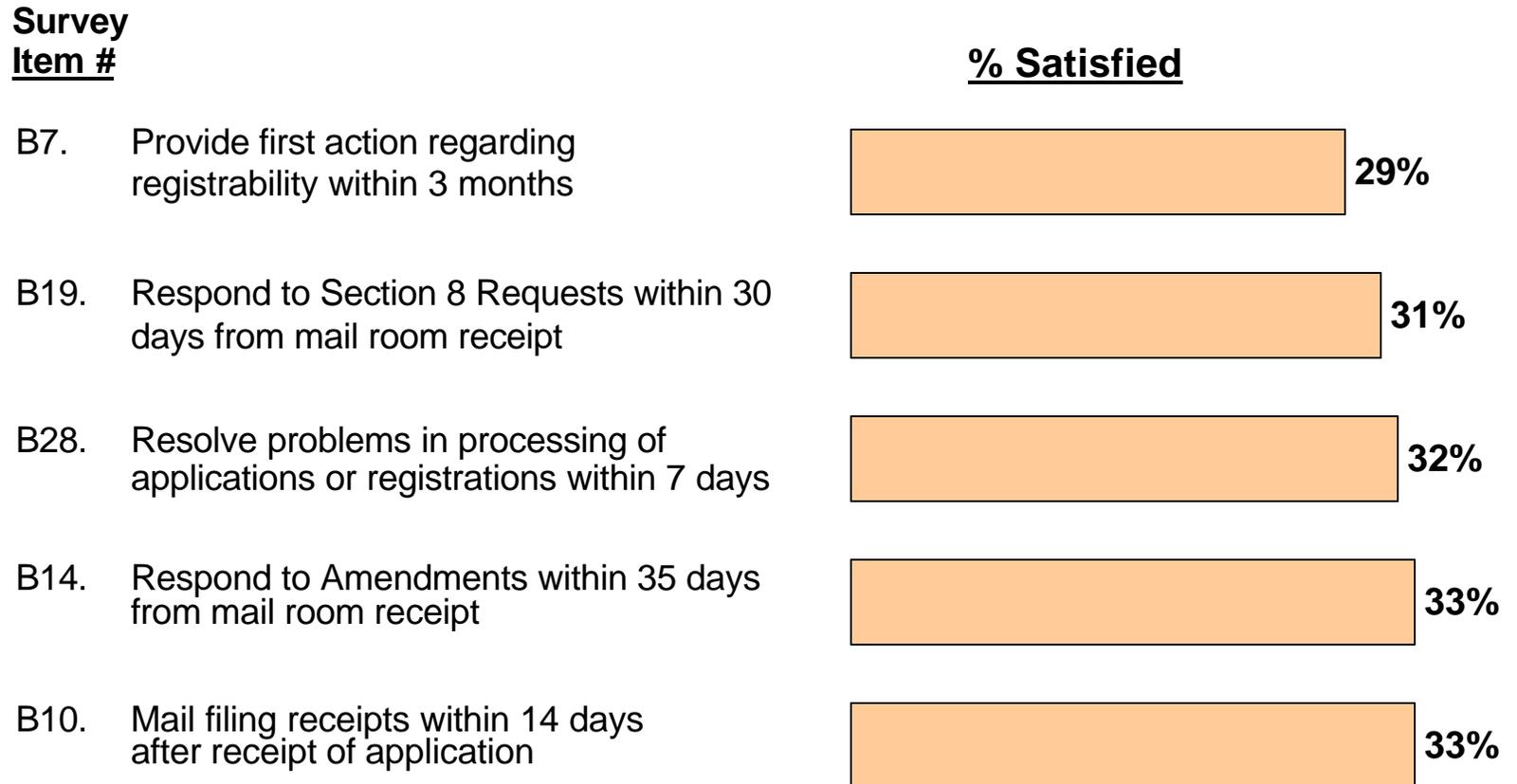
<u>Survey Item #</u>		<u>% Satisfied</u>
B25.	Issue Official Gazettes with the correct information	 75%
C1AP2.	Handling of issues related to goods/ services during examination process	 75%
B24.	Issue Notices of Allowance with correct information	 75%
C1OE2.	Fairness of examination	 74%

Courtesy, use of phone in dealing with examination issues, and clear written position of examining attorneys had the highest levels of satisfaction.

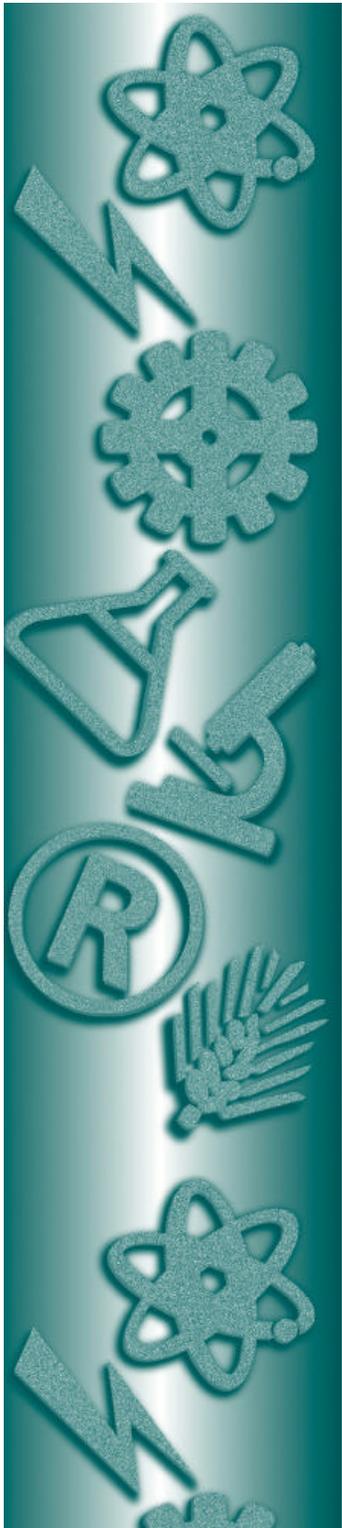
What Respondents Were Least Satisfied With



What Respondents Were Least Satisfied With (Cont.)

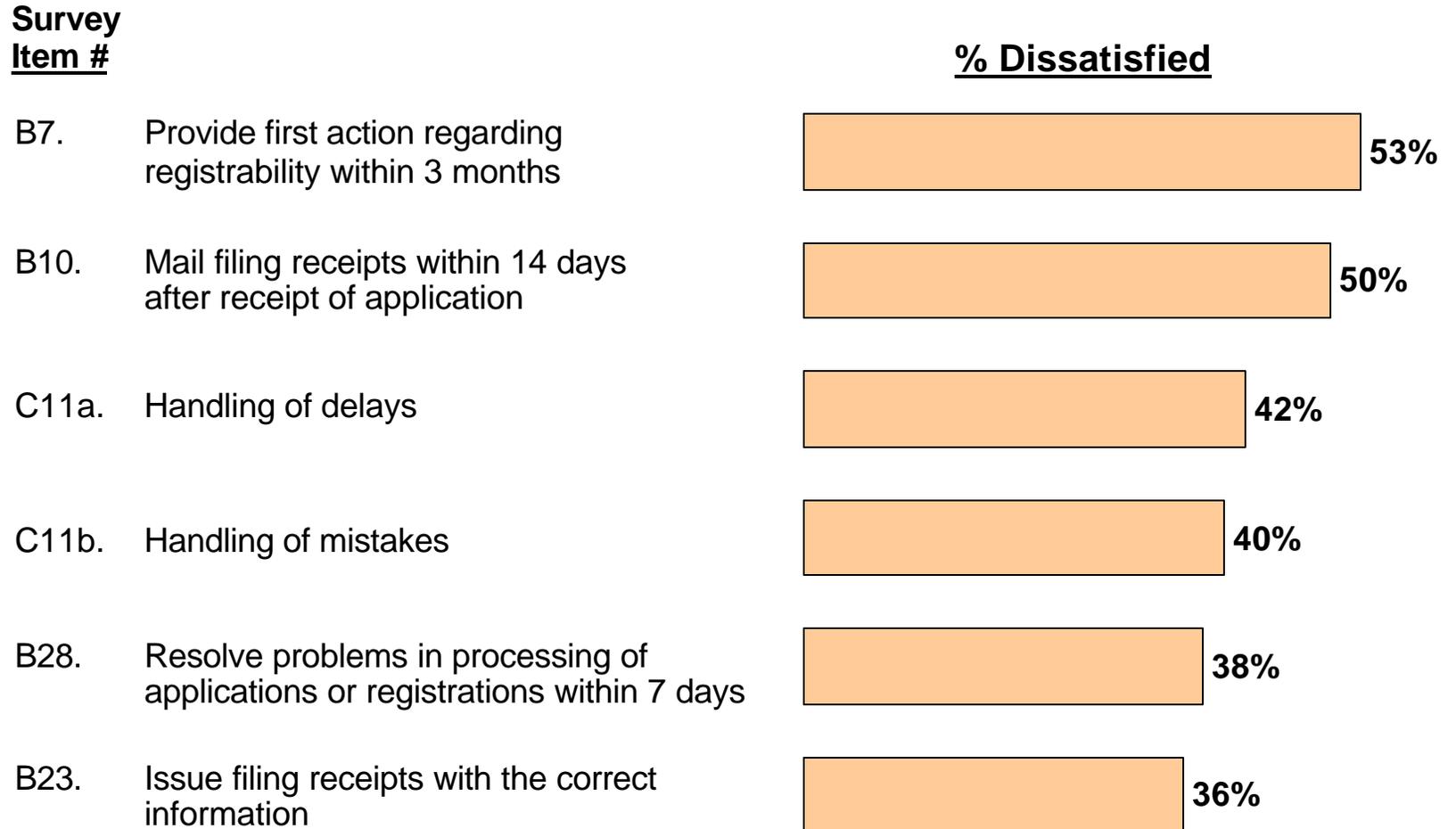


Respondents were least satisfied with PTO meeting several process time standards.



Most Dissatisfied Questions

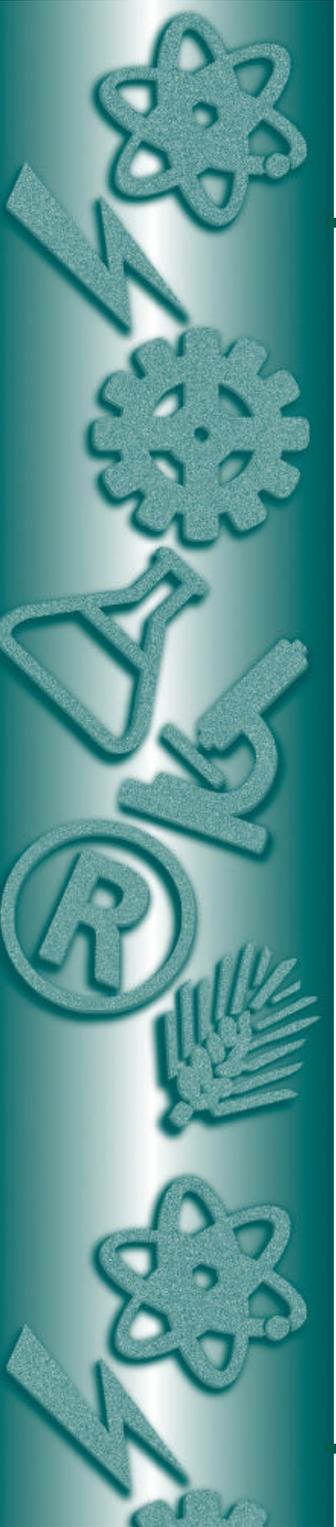
What Respondents Were Most Dissatisfied With



What Respondents Were Most Dissatisfied With (Cont.)

<u>Survey Item #</u>		<u>% Dissatisfied</u>
B16.	Respond to Statements of Use within 30 days from mail room receipt	34%
B19.	Respond to Section 8 Requests within 30 days from mail room receipt	34%
C1AP6.	Appropriateness of refusals made under 15 USC § 1052(e) – Merely Descriptive, Surname, Geographic	33%
B8.	Provide final determination regarding registrability within 13 months	31%
B17.	Respond to Extension Requests within 30 days from mail room receipt	31%

Interestingly, in addition to certain timeliness items, handling of problems and accuracy/timeliness of filing receipts also had high levels of dissatisfaction.



Absolute View of Results – In Summary

Most Satisfied

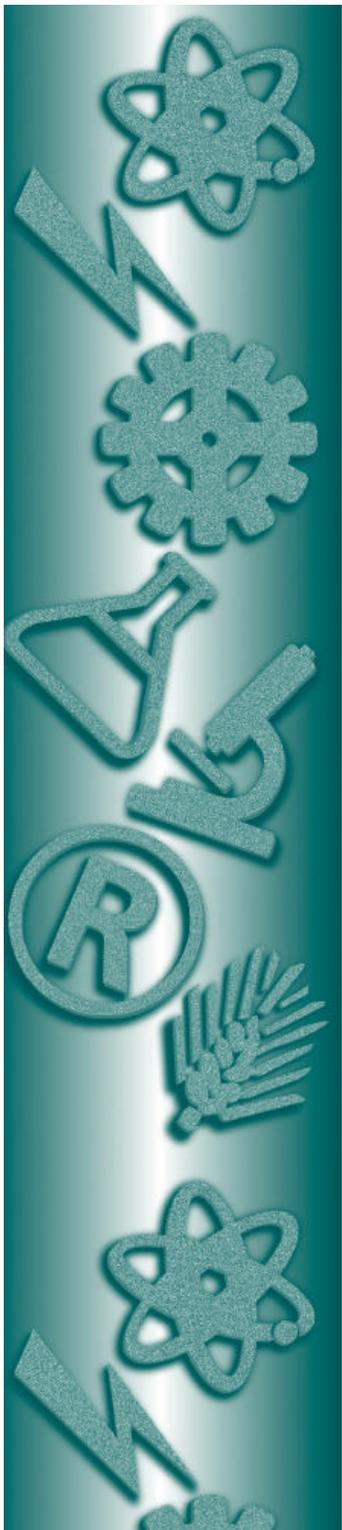
- **Courtesy**
- **Use of phone in dealing with examination issues**
- **Outcome meeting applicant's objectives**

Least Satisfied

- **All aspects of problem resolution**
- **Classified/unclassified copies delivered to Trademark Search Library**
- **Responding to certain applicant requests in a timely manner**

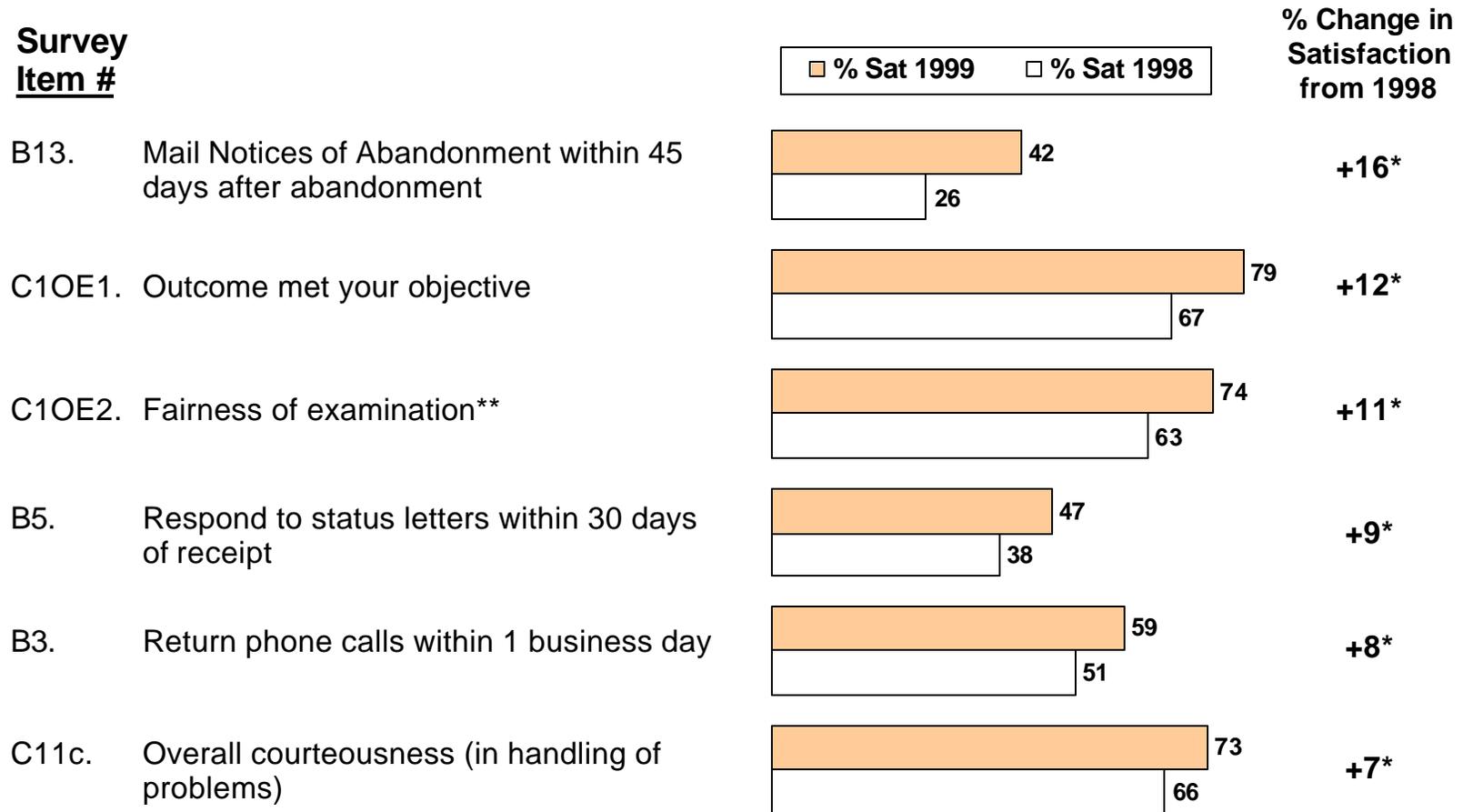
Most Dissatisfied

- **First actions**
- **Mailing filing receipts**
- **Problem resolution**



Comparison with 1998 Results

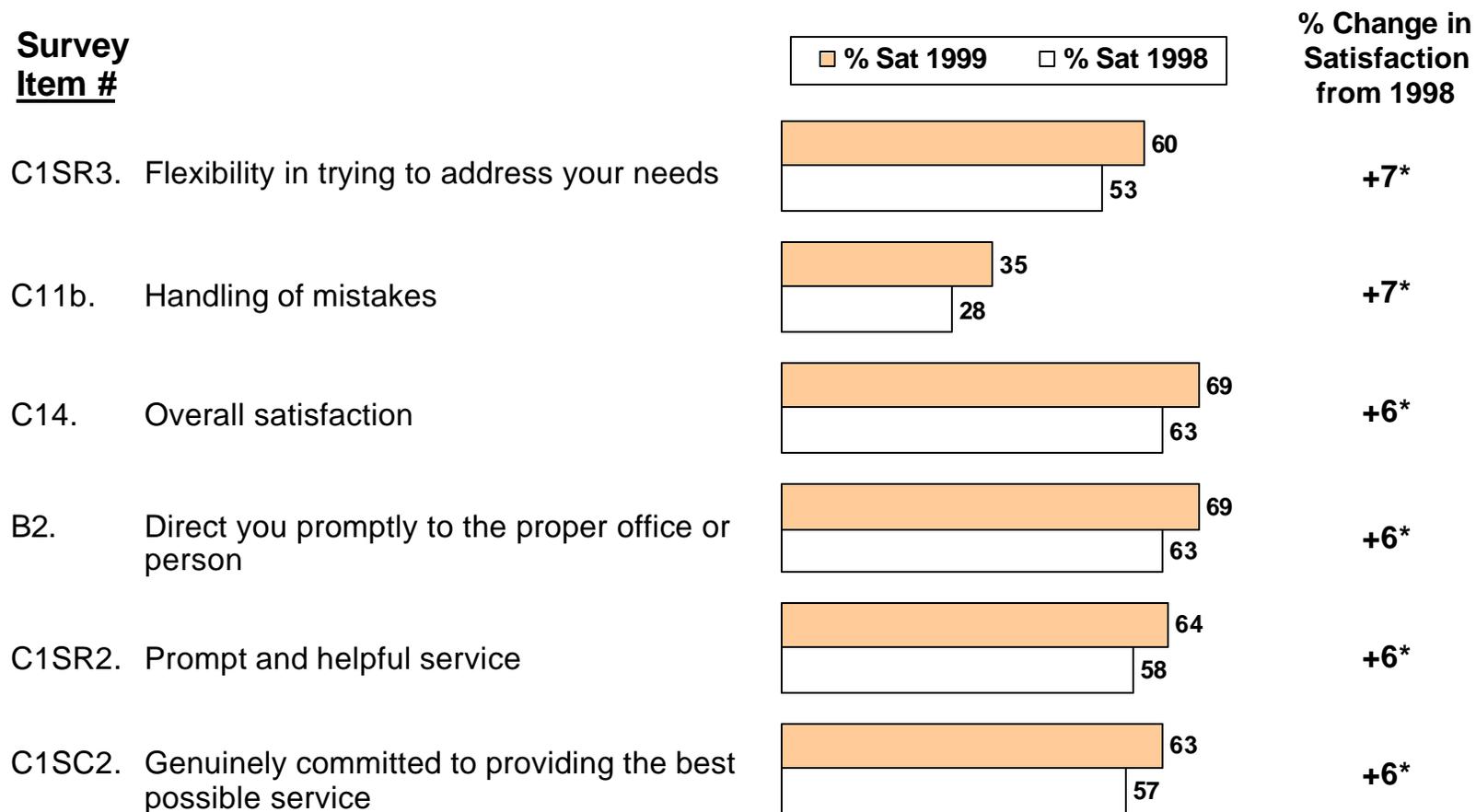
Major Improvements from 1998 (6% or more) Ranked by % Change



* Percent change from 1998 to 1999 is statistically significant.

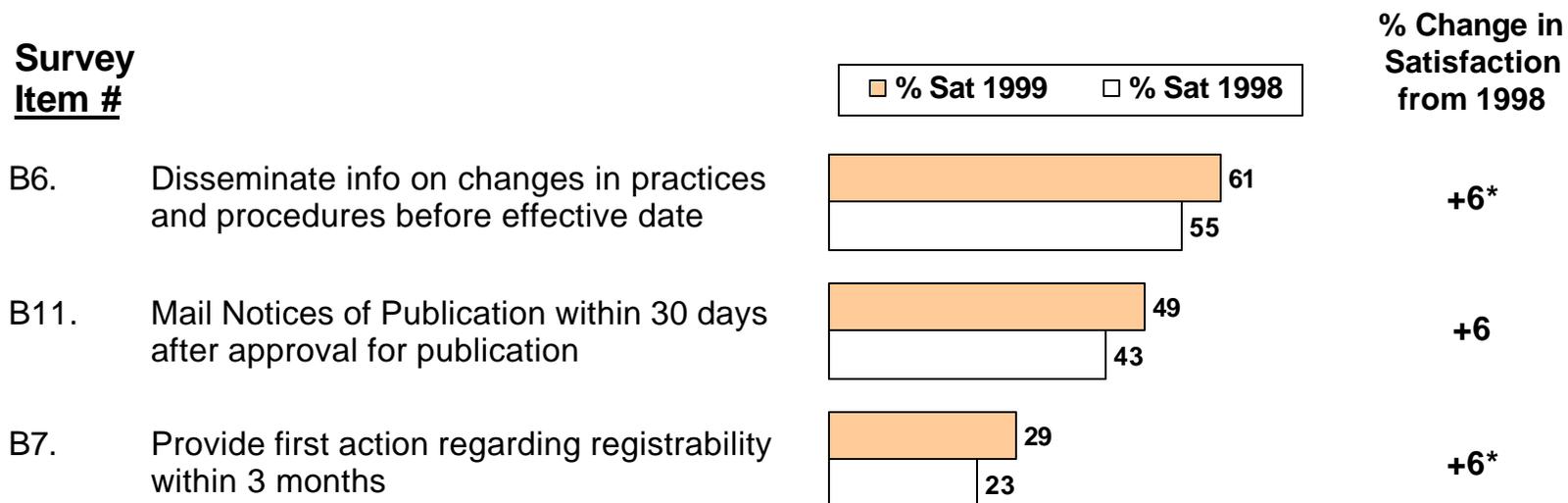
** 1998 question used the term “decision” instead of “examination.”

Major Improvements from 1998 (6% or more) Ranked by % Change (Cont.)



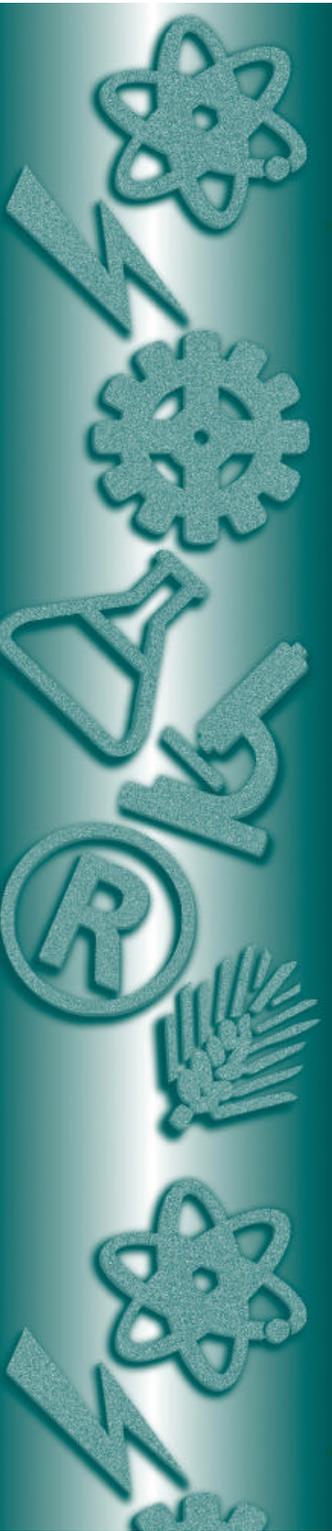
*** Percent change from 1998 to 1999 is statistically significant.**

Major Improvements from 1998 (6% or more) Ranked by % Change (Cont.)



* Percent change from 1998 to 1999 is statistically significant.

The timely mailing of abandonment notices, fairness of the examination process, and the timely response to status letters and phone calls had the largest increases in satisfaction from 1998.

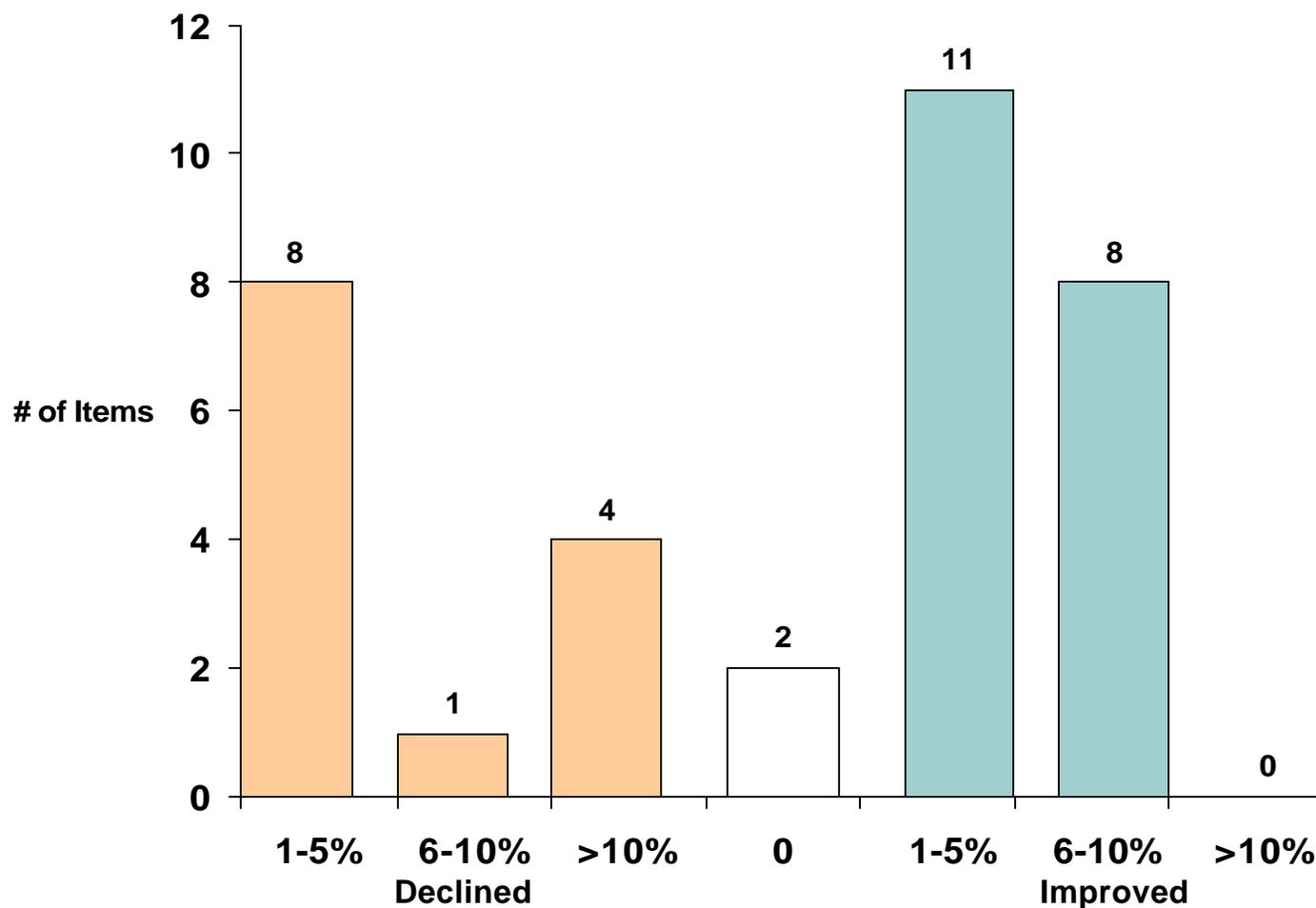


Major Improvements from 1998 – In Summary

- **The largest improvements from 1998 were in mailing notices of abandonment within 45 days after abandonment, outcome meeting customers' objective, and fairness of the examination**
- **Some key areas of customer service such as flexibility in trying to address needs, returning phone calls within one business day, and directing calls promptly to the proper office or person had statistically significant improvements**
- **Responding to status letters, handling of mistakes, and providing first actions within 3 months, while still having very low satisfaction levels, showed some improvement**
- **There were no declines from 1998 to 1999**

Trends 1995 to 1996

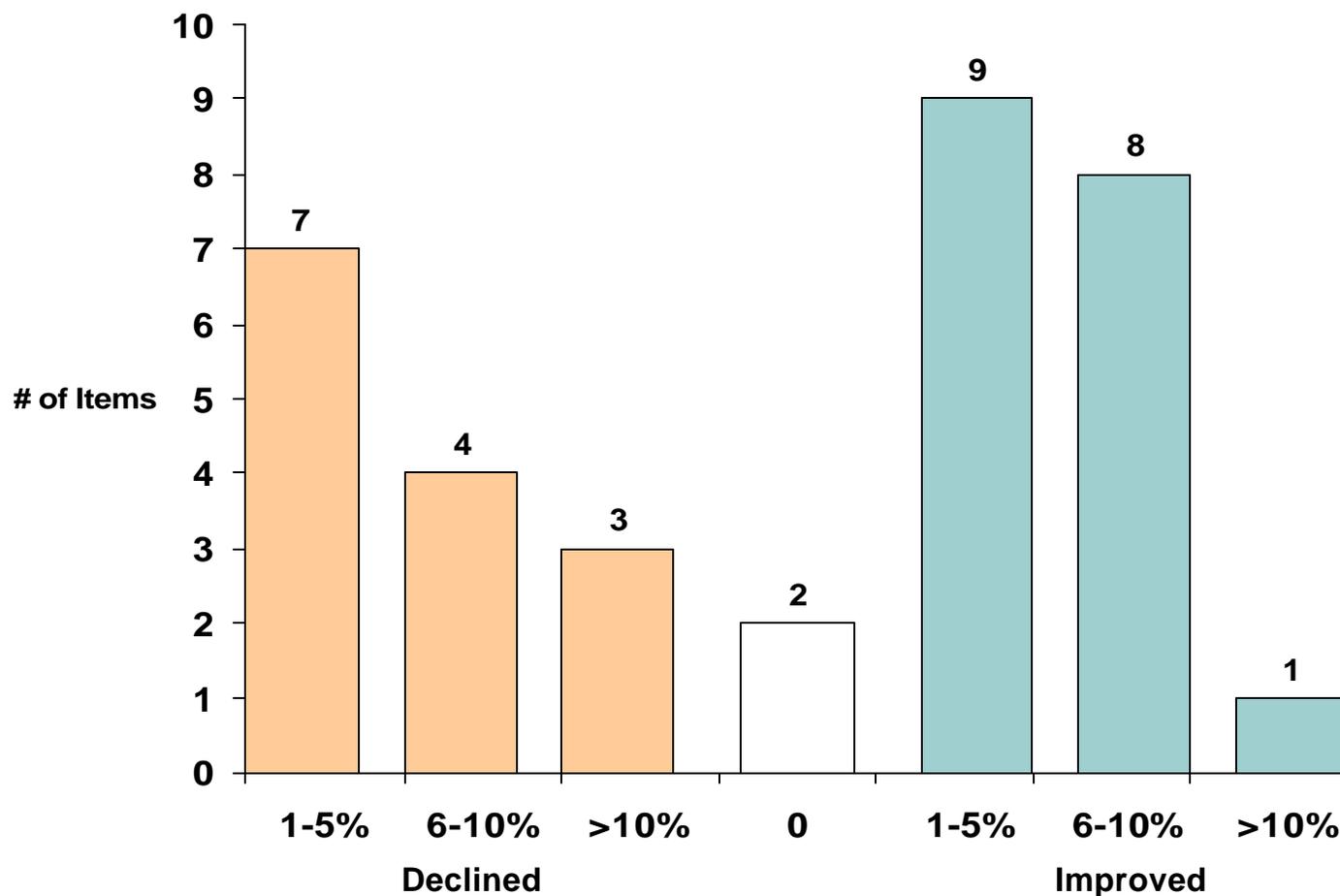
(34 comparable items - differences in % satisfied)



There were more improvements than declines from 1995 to 1996.

Trends 1996 to 1998

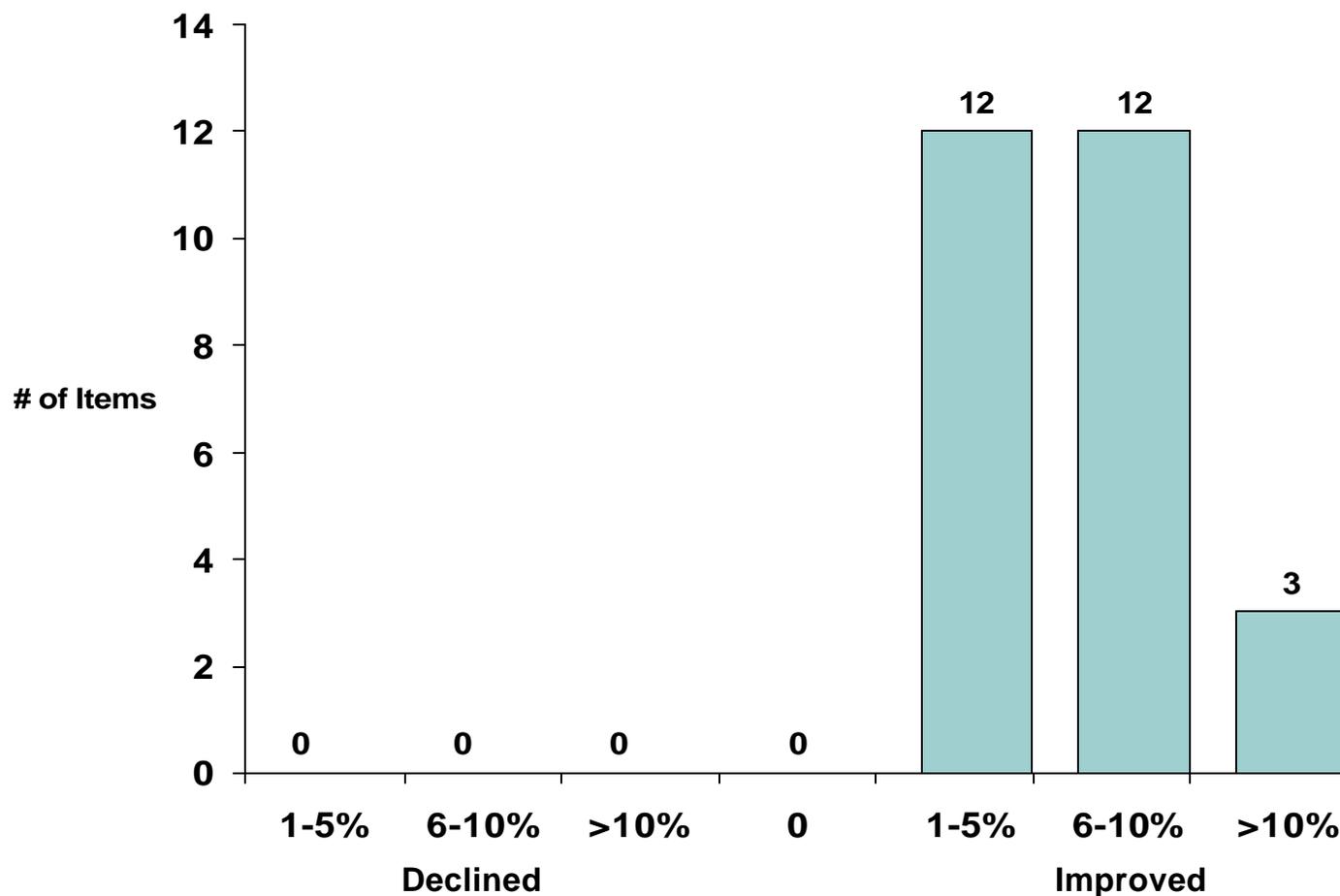
(34 comparable items - differences in % satisfied)



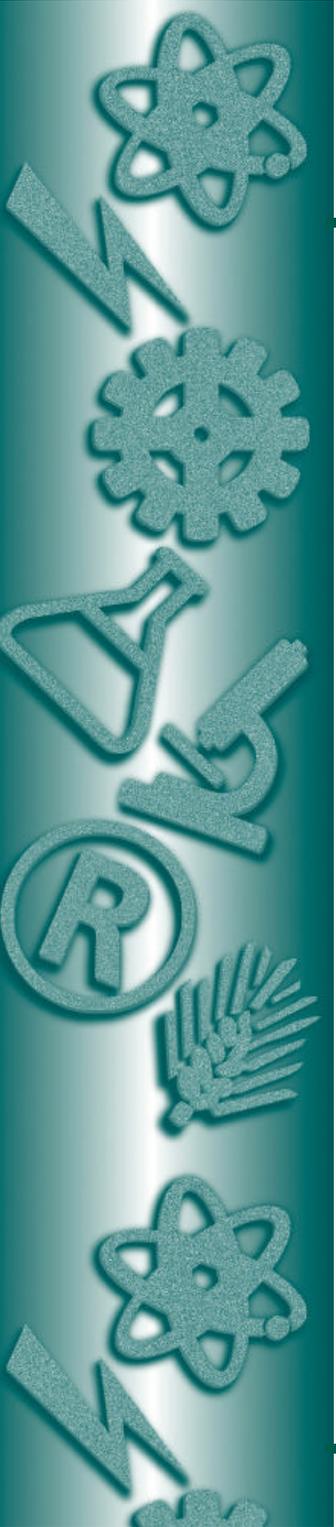
There were slightly more improvements than declines from 1996 to 1998. This is consistent with 1995 to 1996 trends.

Trends 1998 to 1999

(27 comparable items - differences in % satisfied)

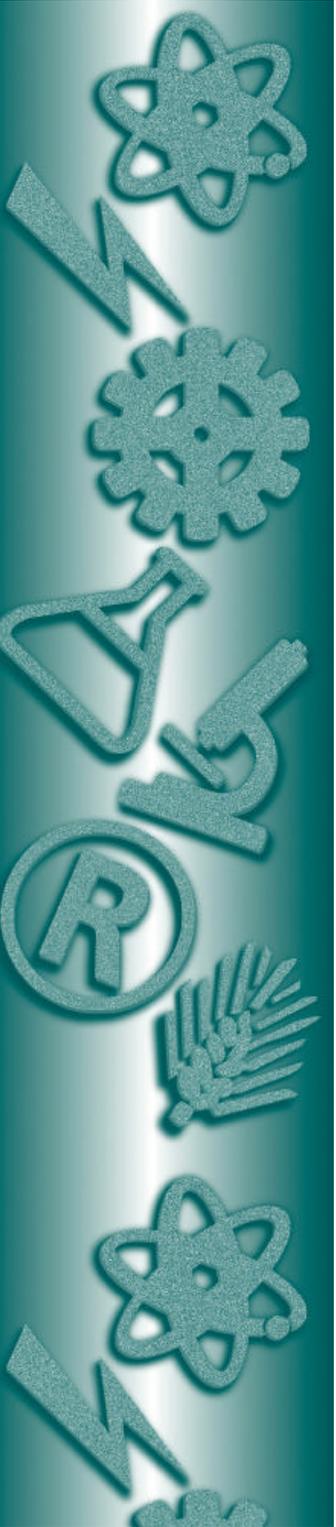


All comparable items improved from 1998. 15 of the 27 comparable items improved by 6% or more.



Major Changes from 1998 – In Summary

- **There were no declines in comparable items from 1998 to 1999**
- **Major improvements from 1998 include:**
 - ◆ **Mailing Notices of Abandonment**
 - ◆ **Outcome met customer's objective**
 - ◆ **Fairness of examination**
- **Of the 27 comparable items, 15 had improvements in satisfaction over 5%**



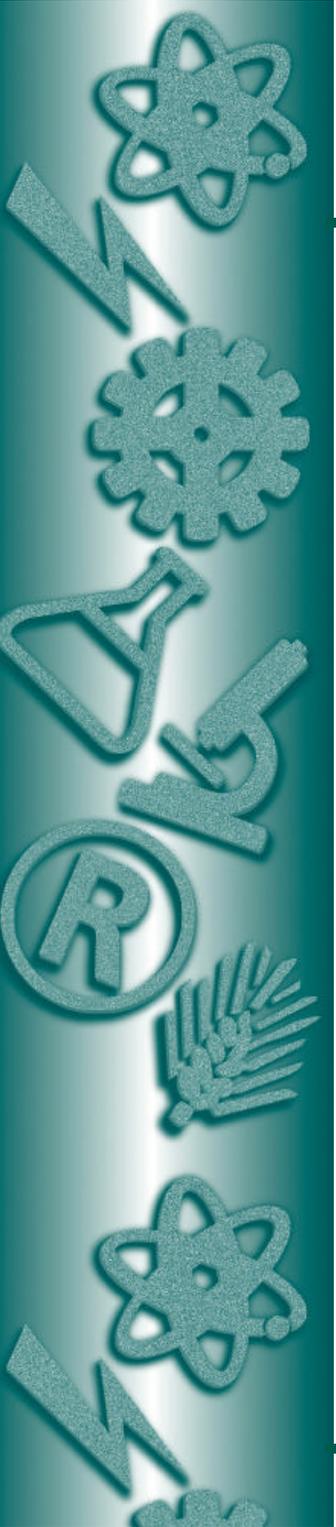
What Did the Survey Measure?

*A Summary of the Factor Analysis Results**

* Appendix C provides a description of the analytic procedures.

The Six Factors

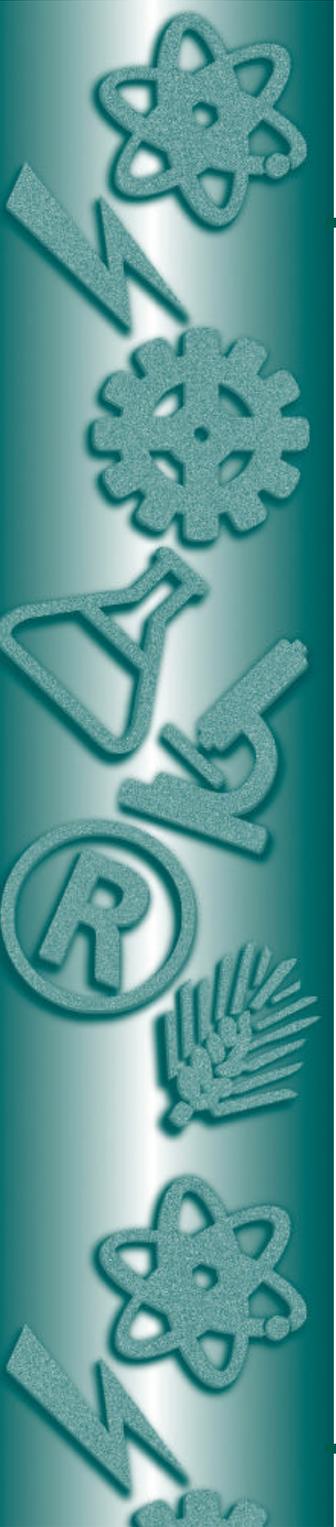
- **Application and Examination Process**
- **Customer Service**
- **Timeliness**
- **Problem Resolution**
- **Document Accuracy**
- **Change in Service**



Application and Examination Process

Survey Item

- C1AP2. Handling of issues related to goods/services during examination process**
- C1AP4. Searches performed under 15 USC § 1052(d) – Likelihood of Confusion**
- C1AP5. Appropriateness of refusals made under 15 USC § 1052(d) – Likelihood of Confusion**
- C1AP6. Appropriateness of refusals made under 15 USC § 1052(e) – Merely Descriptive, Surname, Geographic**
- C1AP7. Consistency of examination performed by examining attorney**
- C1AP8. Adequacy of explanation or reason for office action**
- C1AP9. Sufficiency of evidence supporting office action**



Application and Examination Process (Cont.)

Survey Item

C10E1. Outcome met your objective

C10E2. Fairness of examination

C10E3. Efficiency of examination process

Customer Service

Survey Item

- B1. Treat you with courtesy each time you contact us**
- B2. Direct you promptly to the proper office or person**
- B3. Return phone calls within one business day**
- B4. Clear written communications of position of examining attorneys**
- B29. Provide clear/accurate answers to questions through Trademark Assistance Center**
- C1AP3. Use of phone by employees to deal with examination issues**
- C1SC1. Ability to provide accurate answers to questions**
- C1SC2. Genuinely committed to providing the best possible service**
- C1SR1. Assistance at a time convenient to you**
- C1SR2. Prompt and helpful service**
- C1SR3. Flexibility in trying to address your needs**

Timeliness

Survey Item

- B5. Respond to status letters within 30 days of receipt**
- B6. Disseminate info on changes in practices and procedures before effective date**
- B7. Provide first action regarding registrability within 3 months**
- B8. Provide final determination regarding registrability within 13 months**
- B9. Mail applicant's return postcard within 3 days**
- B10. Mail filing receipts within 14 days after receipt of application**
- B11. Mail Notices of Publication within 30 days after approval for publication**
- B12. Mail Certificates of Registration within 7 days after registration**
- B13. Mail Notices of Abandonment within 45 days after abandonment**
- B14. Respond to Amendments within 35 days from mail room receipt**
- B15. Respond to Request to Divide within 30 days from mail room receipt**
- B16. Respond to Statements of Use within 30 days from mail room receipt**

Timeliness (Cont.)

Survey Item

- B17. Respond to Extension Requests within 30 days from mail room receipt**
 - B18. Respond to Section 7 Requests within 30 days from mail room receipt**
 - B19. Respond to Section 8 Requests within 30 days from mail room receipt**
 - B20. Respond to Section 9 Requests within 30 days from mail room receipt**
 - B21. Unclassified paper copies to Trademark Search Library within 3 days of filing**
 - B22. Classified paper copies to Trademark Search Library within 11 days of filing**
 - B28. Resolve problems in processing of applications or registrations within 7 days**
-

Additional Relevant Questions About First Office Action Timeliness*

- C7. Are you satisfied with the three month goal for first actions?**
- C8. If no, what goal would you recommend?**

* These questions were not included in factor analysis because they do not specifically ask about satisfaction.

*Problem Resolution**

Survey Item

- C11a. Handling of delays
 - C11b. Handling of mistakes
 - C11c. Overall courteousness (in handling of problems)
 - C11d. The way your problem or difficulty was handled
-

Additional Relevant Questions**

- C9. Have you experienced any problems or difficulties with PTO services over the past year?
- C10. Was your problem resolved?

* Includes only customers who experienced a problem or difficulty over the past year.

** These questions were not included in factor analysis because they do not specifically ask about satisfaction.

Document Accuracy

Survey Item

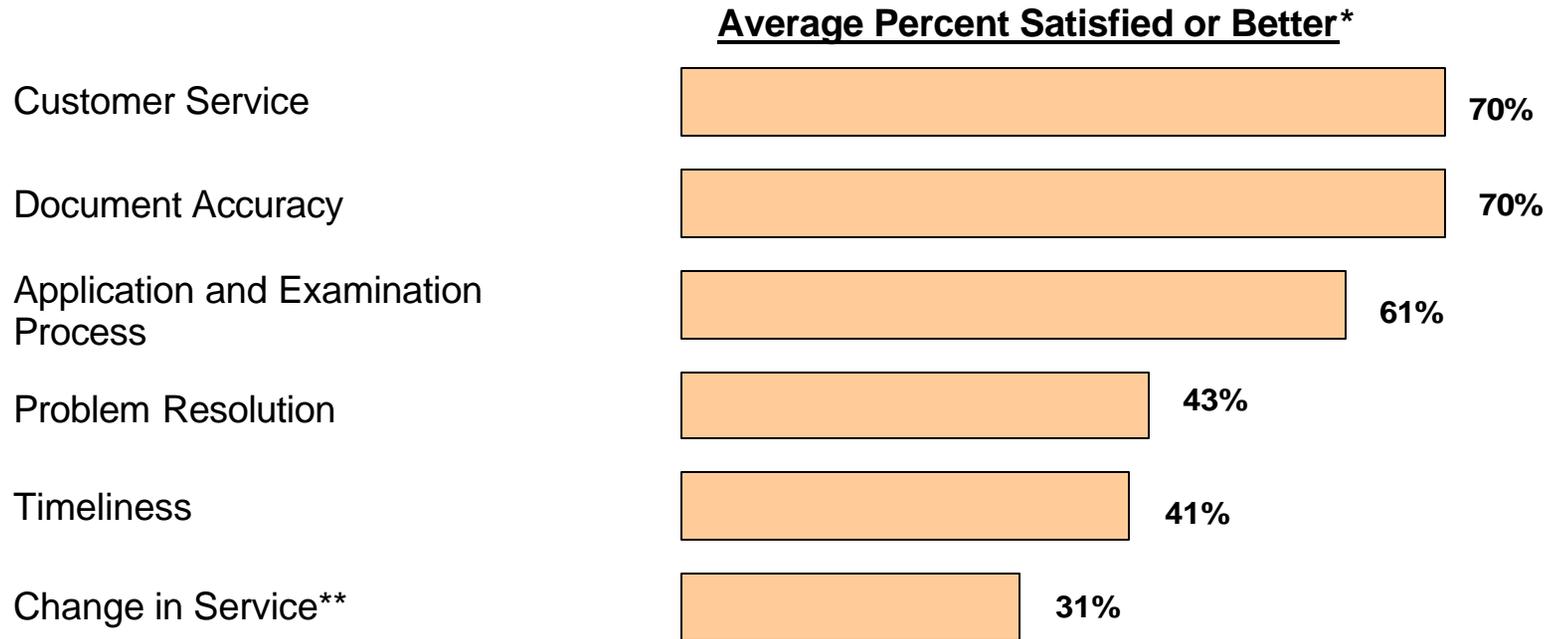
- B23. Issue Filing Receipts with the correct information**
- B24. Issue Notices of Allowance with the correct information**
- B25. Issue Official Gazettes with the correct information**
- B26. Issue Certificates of Registration with the correct information**
- B27. Issue Notices of Abandonment with the correct information**

Change in Service

Survey Item

- C13a. Overall service compared to previous filings**
- C13b. Timeliness compared to previous filings**
- C13c. Outcome of the process compared to previous filings**
- C13d. Staff competence compared to previous filings**
- C13e. Staff responsiveness compared to previous filings**
- C13f. First Office Action pendency compared to previous filings**
- C13g. Problem resolution compared to previous filings**

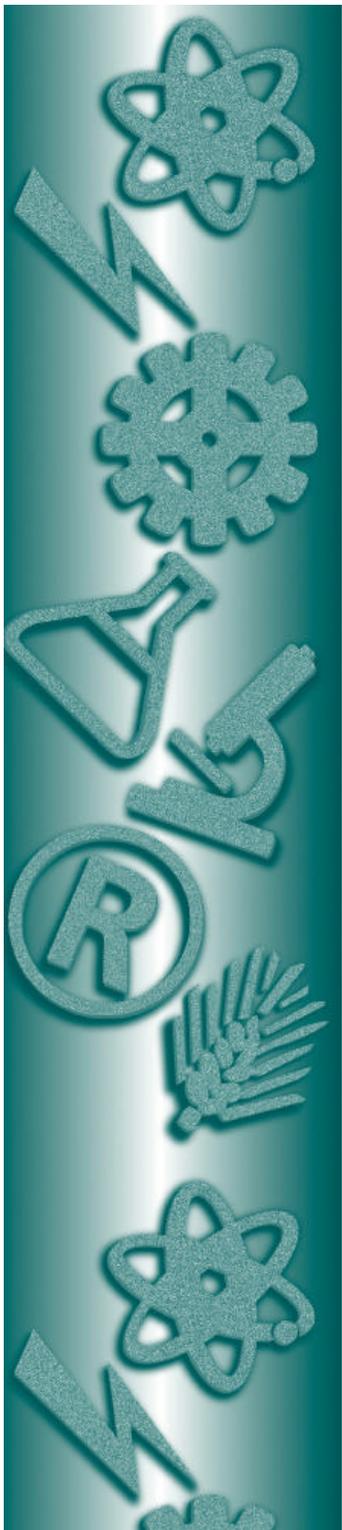
How Well Did Trademark Do On Each Factor?



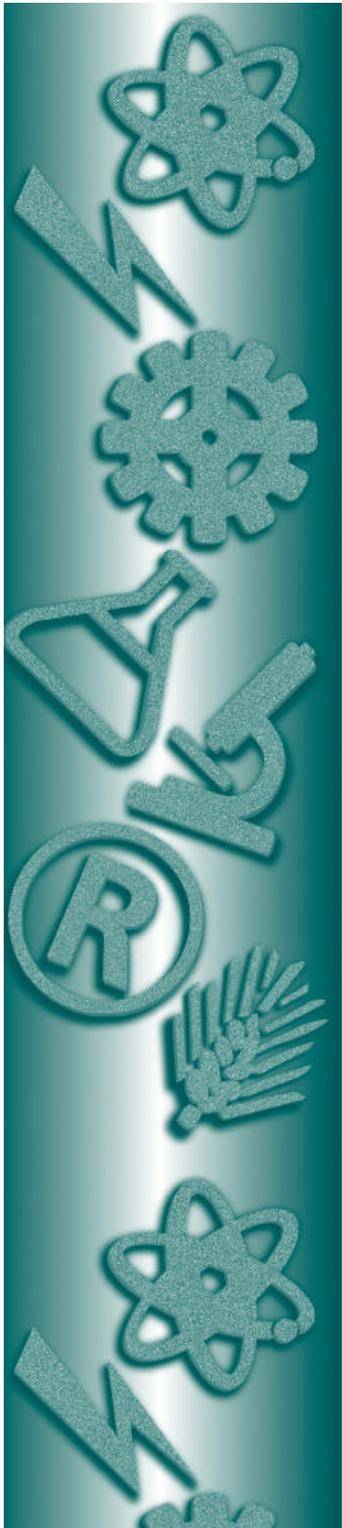
* For each respondent, average percent satisfied is calculated by summing the number of items for which a person responded 4 (satisfied) or 5 (very satisfied) then dividing by the total number of items answered and multiplying by 100. For the change in service factor, a 4 or 5 indicated a response of better or much better, respectively.

** Average percent better.

The Document Accuracy and Customer Service factors are the most positive and the Problem Resolution and Timeliness factors are the least positive in terms of satisfaction. The Change in Service factor averages 31% “better.”



Review of Results by the 6 Factors



Application and Examination Process

Application and Examination Process

Ranked by % Satisfied

Survey Item #	 % Dissatisfied % Neutral % Satisfied			% Change in Satisfaction from 1998
C1OE1. Outcome met your objective	5	16	79	+12*
C1AP2. Handling of issues related to goods/ services during examination process	10	15	75	**
C1OE2. Fairness of examination***	9	17	74	+11*
C1AP8. Adequacy of explanation or reason for office action	16	19	65	**
C1AP4. Searches performed under 15 USC § 1052(d) – Likelihood of Confusion	12	24	64	**
C1AP9. Sufficiency of evidence supporting office action	24	21	55	**
C1OE3. Efficiency of examination process	24	22	54	**

* Percent change from 1998 to 1999 is statistically significant.

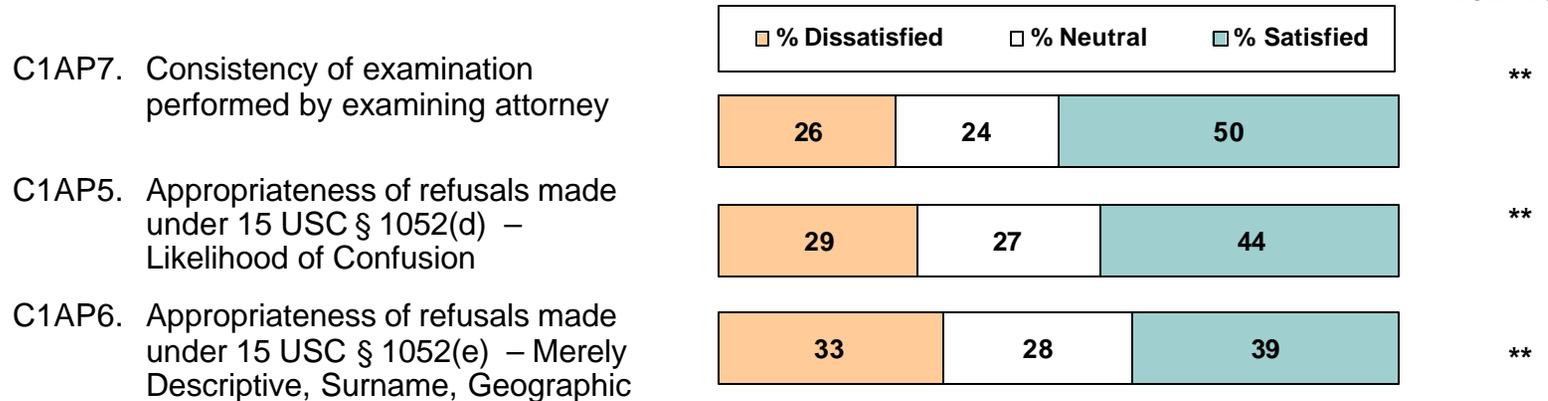
** New question for 1999.

*** 1998 question used the term “decision” instead of “examination.”

Application and Examination Process (Cont.) Ranked by % Satisfied

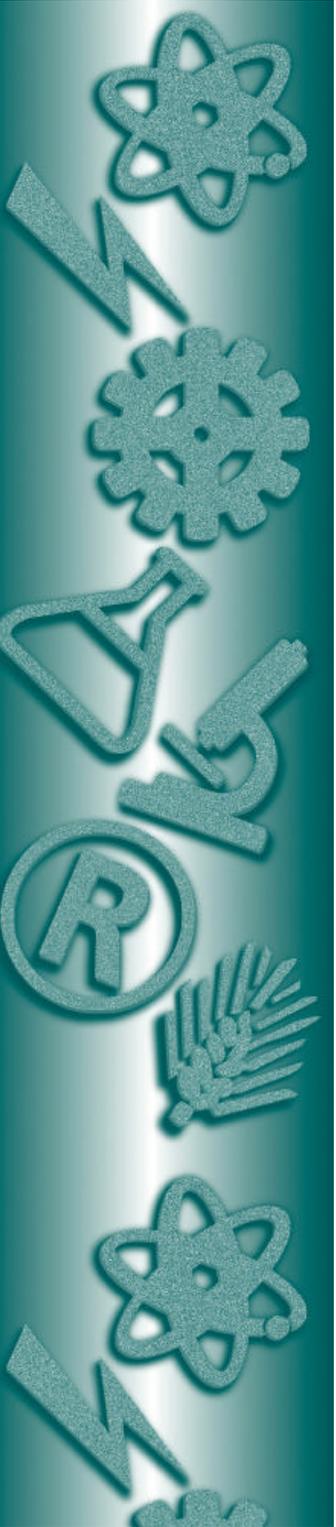
**Survey
Item #**

**% Change in
Satisfaction
from 1998**



** New question for 1999.

There are high levels of satisfaction with the fairness of the examination, outcome meeting the customers' objective, and handling of issues related to goods/services during the examination process.



*Analyzing Consistency in
the Examination Process*

Consistency of the Examination

Since only 50% are satisfied with examination consistency (C1AP7) and there were numerous write-in comments about the lack of consistency by examining attorneys in the examination process, data was analyzed to determine if satisfaction with refusals is impacting perceptions about consistency and to determine the impact of consistency on adequacy of the explanation/reason for the office action and overall satisfaction.

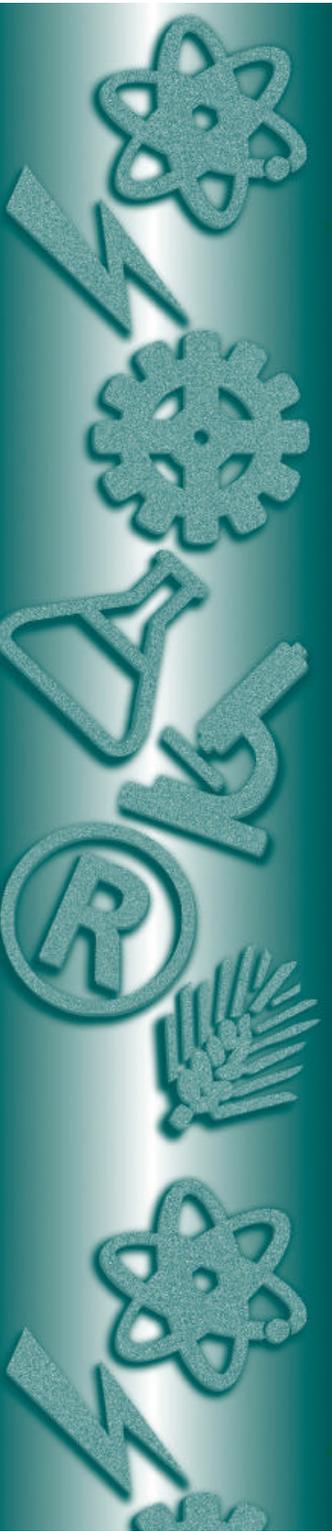
		<u>% Satisfied</u>
		C1AP7. Consistency of examination performed by examining attorney
C1AP5. Appropriateness of refusals made under 15 USC § 1052(d) – Likelihood of Confusion	Satisfied	75%
	Dissatisfied	23%
C1AP6. Appropriateness of refusals made under 15 USC § 1052(e) – Merely Descriptive, Surname Geographic	Satisfied	77%
	Dissatisfied	22%

Satisfaction/dissatisfaction with the appropriateness of refusals substantially impacts perceptions about consistency in the examination process. For example, of those satisfied with the appropriateness of refusals under 1052(d), 75% are satisfied with consistency. When dissatisfied, only 23% are satisfied with consistency.

Consistency of the Examination (Cont.)

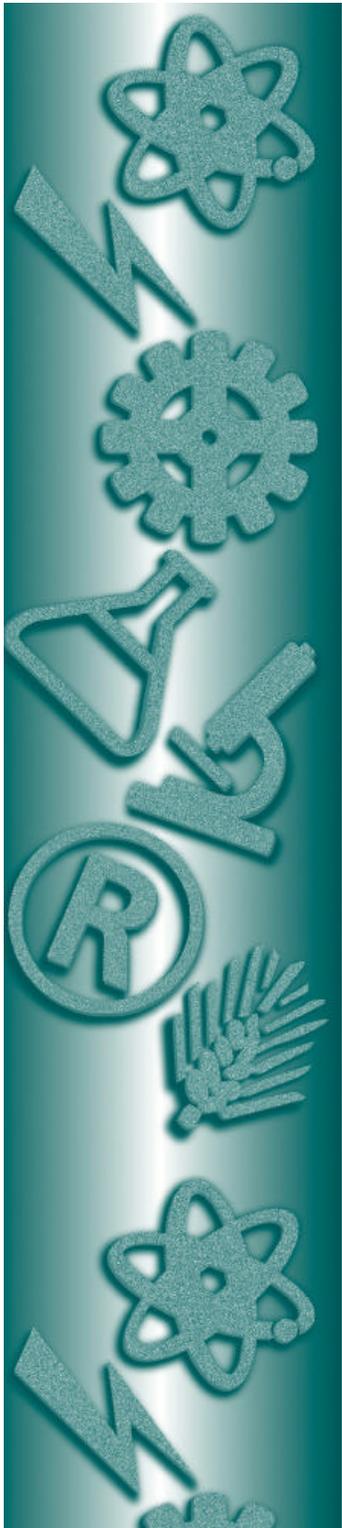
C1AP7 Consistency of examination performed by examining attorney	<u>% Satisfied</u>	
	C1AP8 Adequacy of explanation or reason for office action	C14 Overall satisfaction
Satisfied	94%	87%
Neutral	49%	71%
Dissatisfied	28%	35%

Perceptions about the consistency of the examination have a substantial impact on satisfaction with the adequacy of the explanation/reasons for the office action and on overall satisfaction. For example, of those that are satisfied with consistency, 94% are satisfied with the adequacy of explanation. When dissatisfied with consistency, only 28% are satisfied with the adequacy of explanation.



Application and Examination Process – In Summary

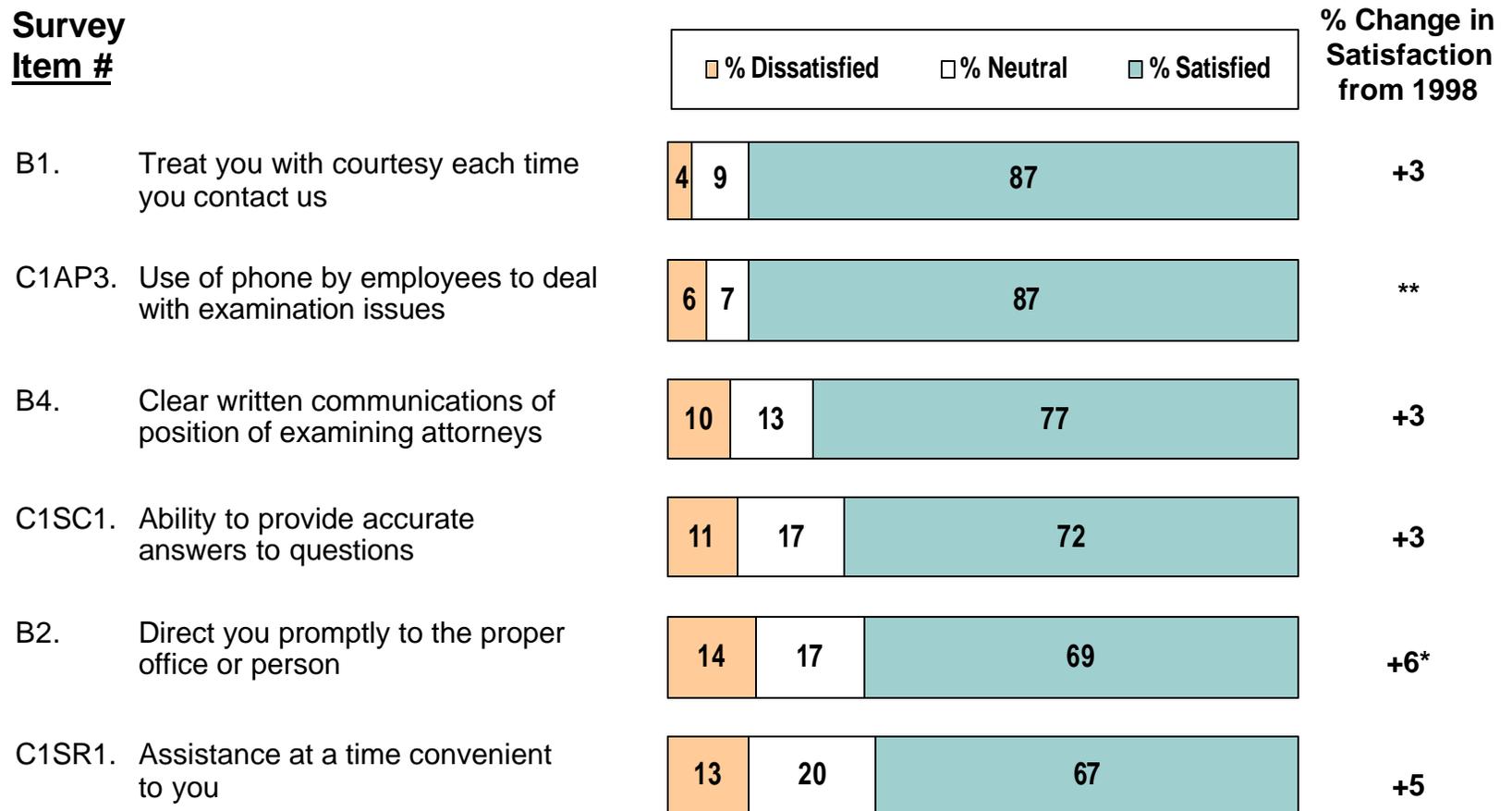
- **Customers are quite satisfied with the fairness of the examination and believe the outcome met their objective. The handling of issues related to goods and services during the examination process also showed high levels of satisfaction.**
- **About two-thirds of the respondents were also satisfied with searches performed under Likelihood of Confusion and the adequacy of explanation/reason for office action**
- **Only about one-half of the respondents are satisfied with the consistency of the examination performed, the efficiency of the examination process, and the sufficiency of evidence supporting office actions**
- **The areas with the highest levels of dissatisfaction were with the appropriateness of refusals under 1052(d) and 1052(e)**
- **Perceptions about consistency are being strongly impacted by perceptions about the appropriateness of refusals. In addition, perceptions about consistency are substantially impacting perceptions about adequacy of reason for office action and overall satisfaction.**



Customer Service

Customer Service Ranked by % Satisfied

Survey Item



* Percent change from 1998 to 1999 is statistically significant.

** New question for 1999.

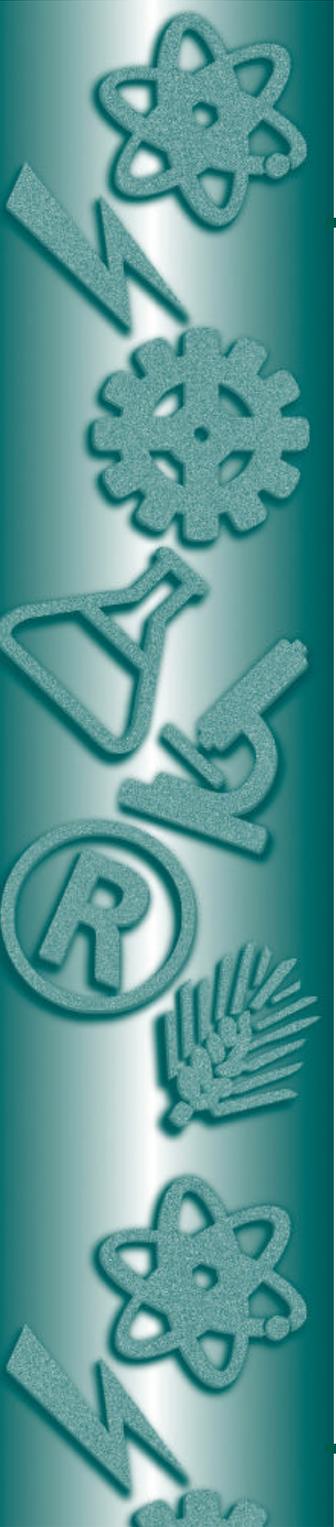
Customer Service (Cont.) Ranked by % Satisfied

<u>Survey Item #</u>	<input type="checkbox"/> % Dissatisfied <input type="checkbox"/> % Neutral <input type="checkbox"/> % Satisfied			% Change in Satisfaction from 1998
C1SR2. Prompt and helpful service	16	20	64	+6*
C1SC2. Genuinely committed to providing the best possible service	14	23	63	+6*
C1SR3. Flexibility in trying to address your needs	18	22	60	+7*
B3. Return phone calls within one business day	25	16	59	+8*
B29. Provide clear/accurate answers to questions through Trademark Assistance Center	18	27	55	**

* Percent change from 1998 to 1999 is statistically significant.

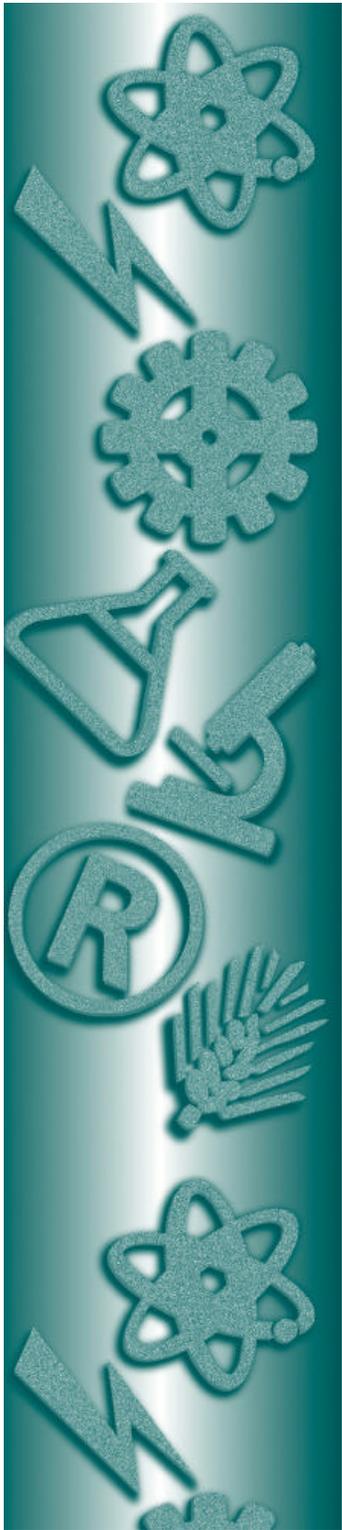
** New question for 1999.

Courtesy and use of the phone to deal with examination issues are the most positive, followed by clear written communications of the position of examining attorneys.



Customer Service – In Summary

- **Six of the nine items comparable to 1998 showed improvements of 5% or more**
- **Courtesy of PTO staff to customers continues to show high levels of satisfaction**
- **Respondents are also quite pleased with the examining attorneys providing clear written communications, use of telephone to deal with examination issues, and the ability to provide accurate answers to questions**
- **About two-thirds of the respondents were also satisfied with directing customers promptly to the proper office or person, providing assistance at a time convenient to the customer, providing prompt and helpful service, and being genuinely committed to providing the best possible service**
- **Returning phone calls within one business day was the only area with any notable level of dissatisfaction (25%), but this area improved by 8% over 1998. All other customer service items had dissatisfaction levels below 20%.**



Timeliness

Timeliness

Ranked by % Satisfied

Survey Item #	□ % Dissatisfied	□ % Neutral	□ % Satisfied	% Change in Satisfaction from 1998
B6. Disseminate info on changes in practices and procedures before effective date	19	20	61	+6*
B12. Mail Certificates of Registration within 7 days after registration	23	25	52	+2
B11. Mail Notices of Publication within 30 days after approval for publication	24	27	49	+6
B9. Mail applicant's return postcard within 3 days	30	21	49	**
B5. Respond to status letters within 30 days of receipt	24	29	47	+9*
B13. Mail Notices of Abandonment within 45 days after abandonment	19	39	42	+16*
B8. Provide final determination regarding registrability within 13 months	31	27	42	+5

* Percent change from 1998 to 1999 is statistically significant.

** New question for 1999.

Timeliness (Cont.)

Ranked by % Satisfied

Survey Item #	 % Dissatisfied	 % Neutral	 % Satisfied	% Change in Satisfaction from 1998
B17. Respond to Extension Requests within 30 days from mail room receipt	31	29	40	**
B16. Respond to Statements of Use within 30 days from mail room receipt	34	29	37	**
B14. Respond to Amendments within 35 days from mail room receipt	29	38	33	**
B10. Mail filing receipts within 14 days after receipt of application***	50	17	33	+2
B28. Resolve problems in processing of applications or registrations within 7 days	38	30	32	**
B19. Respond to Section 8 Requests within 30 days from mail room receipt	34	35	31	**
B7. Provide first action regarding registrability within 3 months	53	18	29	+6*

* Percent change from 1998 to 1999 is statistically significant.

** New question for 1999.

*** 1998 question indicated "correct" filing notices in the standard.

Timeliness (Cont.)

Ranked by % Satisfied

Survey Item #	<input type="checkbox"/> % Dissatisfied <input type="checkbox"/> % Neutral <input type="checkbox"/> % Satisfied	% Change in Satisfaction from 1998
B20. Respond to Section 9 Requests within 30 days from mail room receipt	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 27%; background-color: #f4a460;"></div> <div style="width: 45%; background-color: #e0e0e0;"></div> <div style="width: 28%; background-color: #a0c0c0;"></div> </div>	**
B18. Respond to Section 7 Requests within 30 days from mail room receipt	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 15%; background-color: #f4a460;"></div> <div style="width: 58%; background-color: #e0e0e0;"></div> <div style="width: 27%; background-color: #a0c0c0;"></div> </div>	**
B15. Respond to Request to Divide within 30 days from mail room receipt	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 20%; background-color: #f4a460;"></div> <div style="width: 53%; background-color: #e0e0e0;"></div> <div style="width: 27%; background-color: #a0c0c0;"></div> </div>	**
B22. Classified paper copies to Trademark Search Library within 11 days of filing	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 7%; background-color: #f4a460;"></div> <div style="width: 67%; background-color: #e0e0e0;"></div> <div style="width: 26%; background-color: #a0c0c0;"></div> </div>	**
B21. Unclassified paper copies to Trademark Search Library within 3 days of filing	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 8%; background-color: #f4a460;"></div> <div style="width: 66%; background-color: #e0e0e0;"></div> <div style="width: 26%; background-color: #a0c0c0;"></div> </div>	**

** New question for 1999.

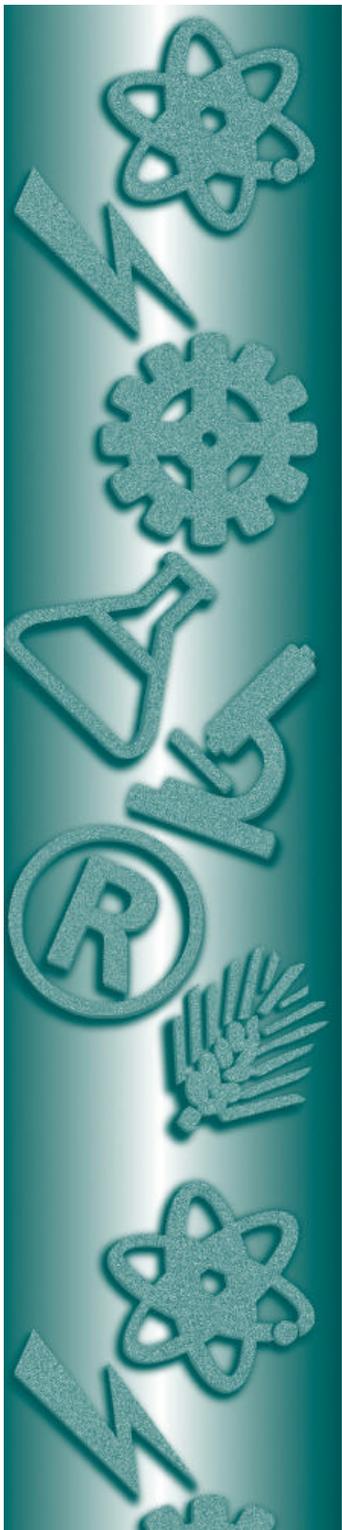
With the exception of disseminating information on changes in practices and mailing Certificates of Registration, all items show satisfaction levels below 50%. Providing first action within 3 months and mailing filing receipts within 14 days showed dissatisfaction levels of 50% or more.

Don't Know or Not Applicable Responses in Timeliness Questions

- It should be noted that the following timeliness items had 25% or more of the respondents indicating “Don’t know or not applicable.”

<u>Item</u>	<u>% Don't Know or N/A</u>
B22. Classified paper copies to Trademark Search Library within 11 days of filing	39%
B21. Unclassified paper copies to Trademark Search Library within 3 days of filing	37%
B18. Respond to Section 7 Requests within 30 days from mail room receipt	34%
B15. Respond to Request to Divide within 30 days from mail room receipt	31%
B20. Respond to Section 9 Requests within 30 days from mail room receipt	28%

- Except for B20 (Section 9 Requests), the high level of Don’t know or N/A is probably due to either not checking the library or not using the particular request. The Section 9 Request (B20) deals with renewal at the end of the 10th year.



First Office Action Timeliness

First Office Action Timeliness

C7. Are you satisfied with the three month goal for first actions?

Yes	85%
No	15%

C8. If no, what goal would you recommend:

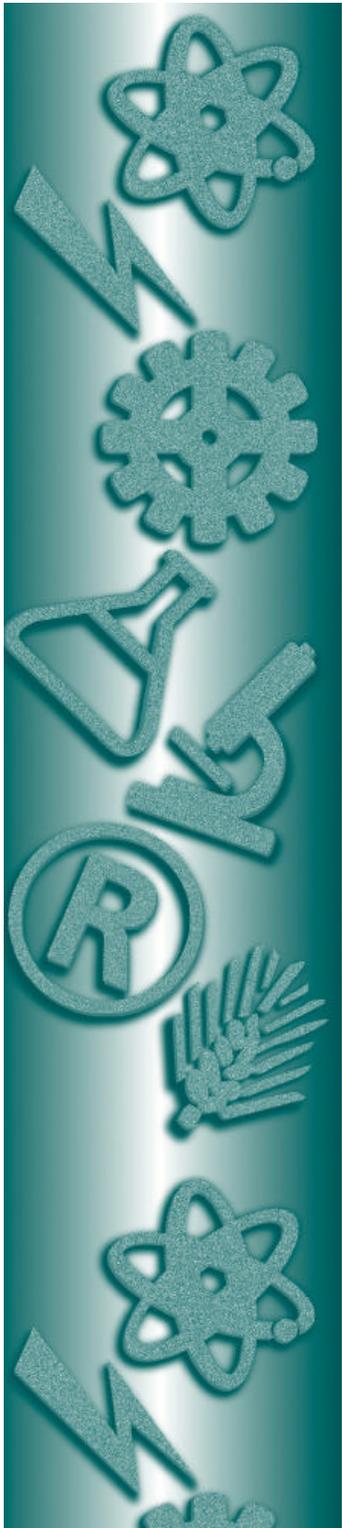
- ◆ **69% of the respondents who said “No” in C7 stated that they are satisfied with the 3 month goal, but that the Trademark office should just meet it**
- ◆ **31% of the respondents who said “No” in C7 recommended another goal. The other goals suggested were:**

<u>Goal</u>	<u>%</u>
1 month	29%
2 months	41%
5 months	18%
6 months	12%

The majority of respondents are satisfied with the three month goal, but they would like it to be met.

Timeliness – In Summary

- While all comparable timeliness items showed some improvement from 1998 levels, all items (except two) showed satisfaction levels below 50%. Only disseminating information on changes in practices and mailing Certificates of Registration had satisfaction levels above 50%.
- The items with the highest levels of dissatisfaction include providing first actions within 3 months, mailing filing receipts within 14 days, and resolving processing problems within 7 days
- Responding to status letters within 30 days and mailing Notices of Abandonment within 45 days had the largest improvements in satisfaction over 1998 levels
- Other items with levels of dissatisfaction over 30% include responding to Statements of Use, Extension Requests and Section 8 Requests within 30 days, and providing final determination regarding registrability within 13 months
- Respondents would like the three month goal for first office actions to be met. If met, it is satisfactory for their needs.

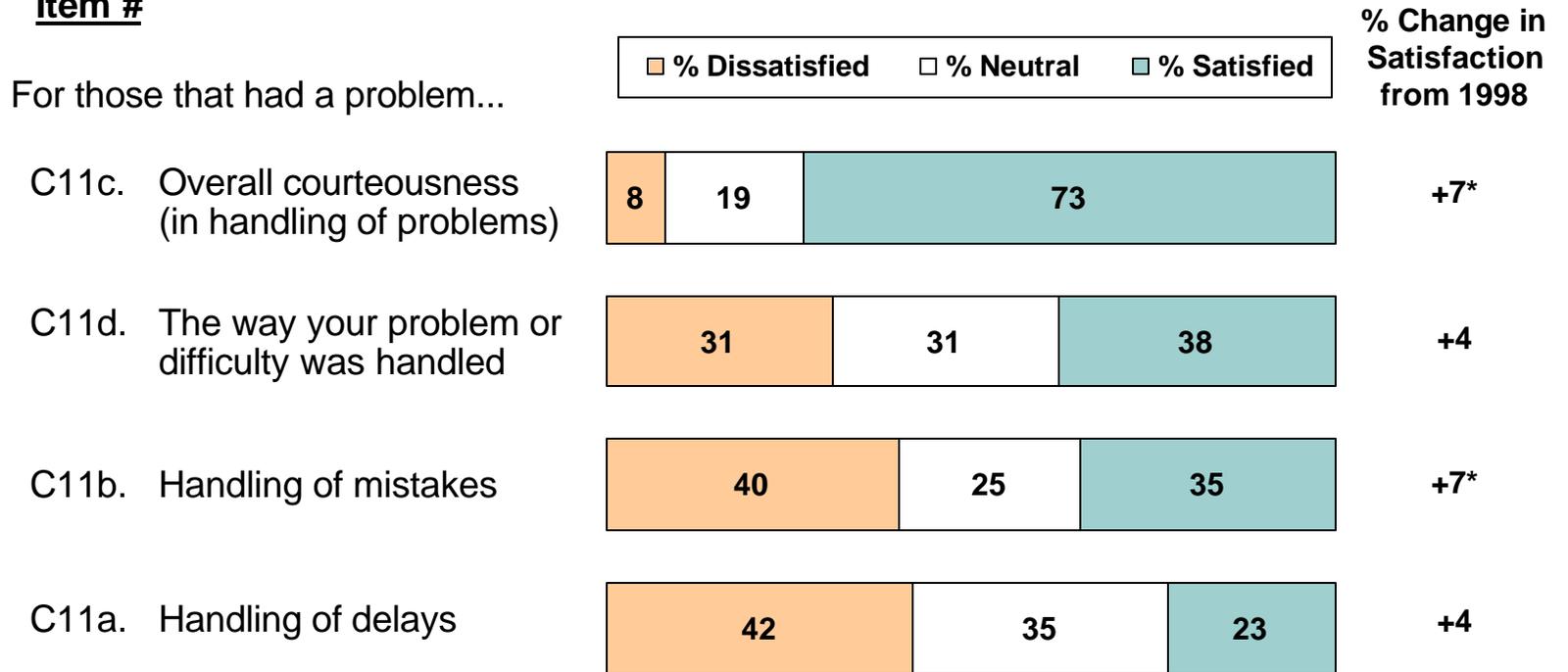


Problem Resolution

Problem Resolution

Ranked by % Satisfied

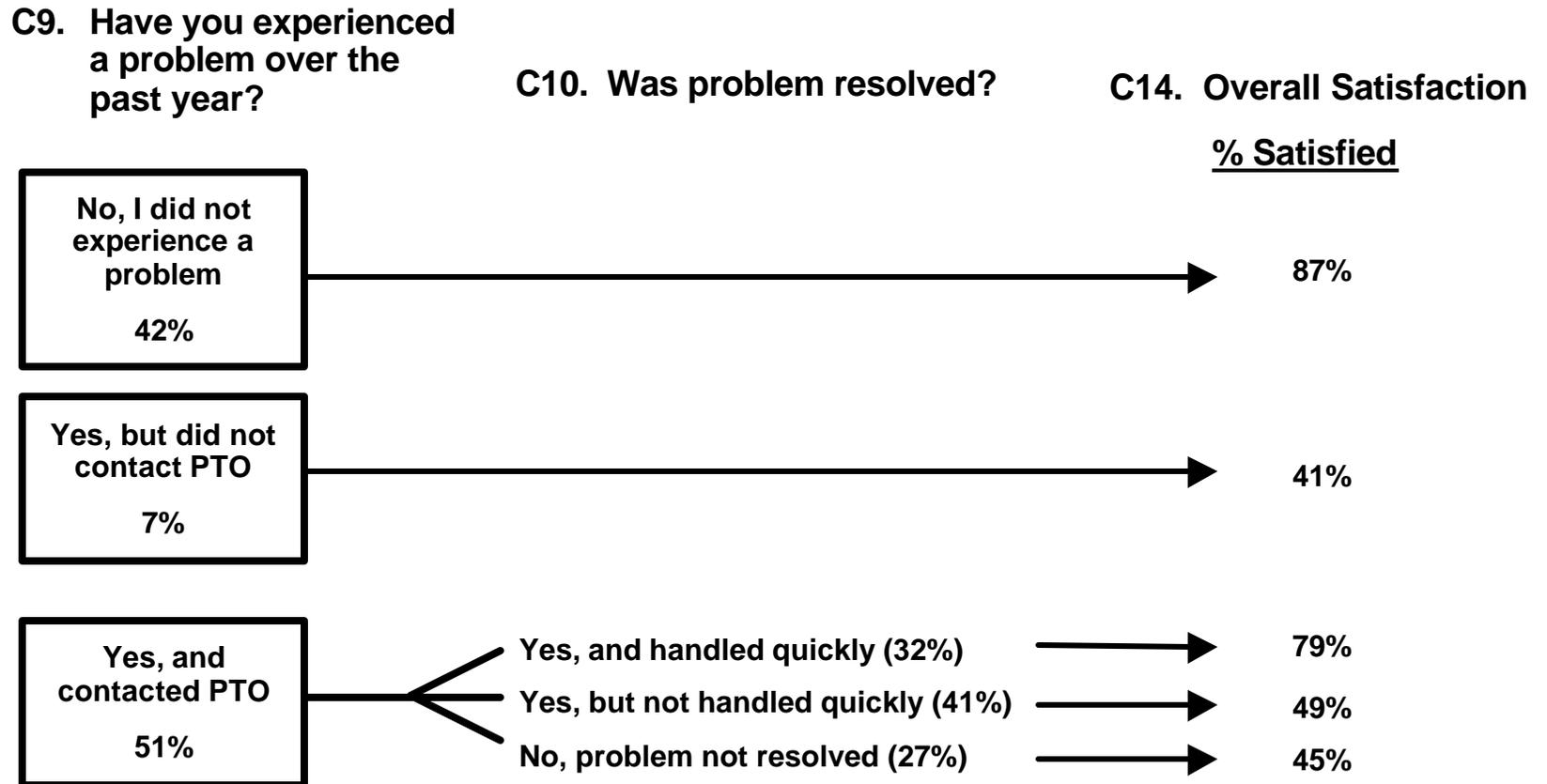
Survey Item



* Percent change from 1998 to 1999 is statistically significant.

Except for courtesy in handling problems, all aspects of problem resolution show low levels of satisfaction.

Impact of Problem Handling on Overall Satisfaction



It is important to handle customer problems quickly. Not handling a problem quickly has about the same impact as the problem not being resolved. Those that had a problem, contacted the PTO about it, and had it handled quickly, had an overall satisfaction rating of 79%. Compare that to those who had a problem, contacted the PTO about it, and did not have it handled quickly (49%) or those who did not get their problem resolved at all (45%).

From the Timeliness Section: Time Standard on Resolving Problems

B28. Resolve problems in processing of applications or registrations within 7 days

■ % Dissatisfied □ % Neutral ■ % Satisfied



This low level of satisfaction is not surprising given that only 32% of those that reported their problem(s) believed it was handled quickly.

Time to Resolve Problem Impacts Perceptions About Overall Problem Handling

Of those who had a problem...

C11. Handling of Problems

C10. Was Problem Resolved?	(a) Handling of Delays (% Sat)	(b) Handling of Mistakes (% Sat)	(d) The Way Problem Was Handled (% Sat)
Yes, and handled quickly	44%	63%	78%
Yes, but not handled quickly	12%	27%	31%
No, problem not resolved	18%	20%	8%

Handling problems quickly has a strong impact on perceptions about overall problem handling.

Impact of Handling of Problems on Customer Service

Of those who had a problem...		<u>% Satisfied</u>		
		C1SC2 Genuinely Committed to Providing Best Service	C1SR2 Prompt and Helpful Service	C1SR3 Flexibility in Trying to Address Needs
C11d.	Satisfaction with Handling of Problem			
	Satisfied	70%	71%	77%
	Neutral	41%	43%	31%
	Dissatisfied	32%	30%	21%

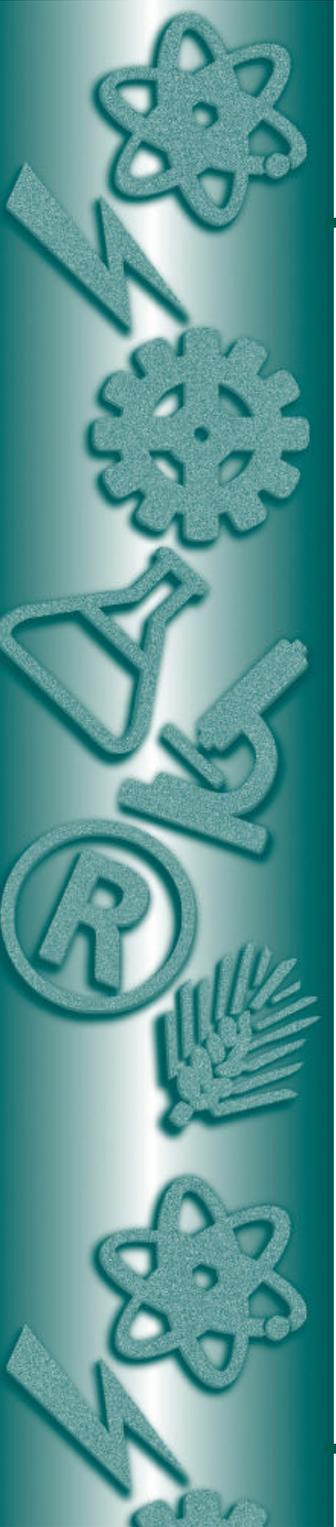
Handling of problems impacts perceptions about customer service. For example, of those who are satisfied with problem handling, 70% are satisfied with the PTO being genuinely committed to providing the best service.

Problems/Difficulties with PTO Services Over Past Year by Affiliation

Affiliation	C9(1) Yes, and contacted someone	C9(2) Yes, but did not contact someone	C9(3) No, did not experience problem
Large Business	47%	12%	41%
Small Business	22%	6%	72%
Law Firm	57%	6%	37%
Individual Applicant	25%	17%	58%
Other	33%	17%	50%

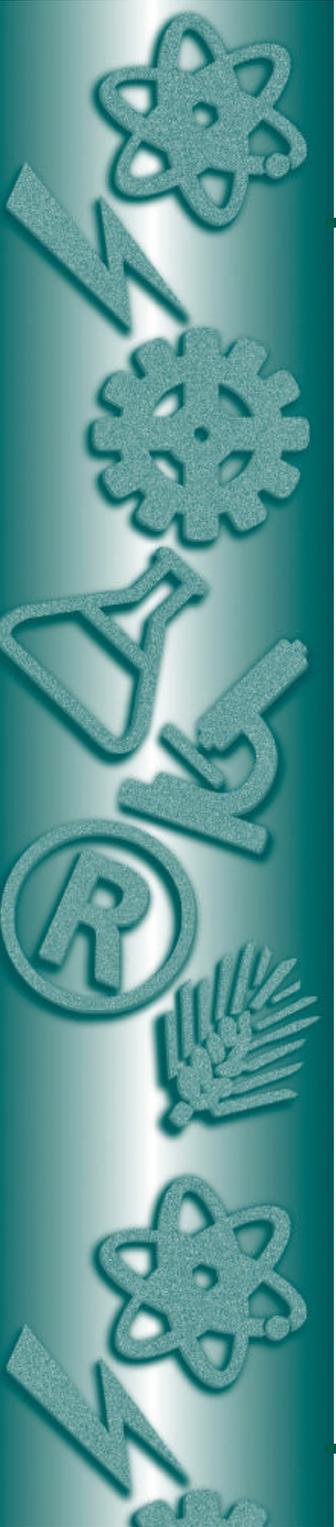
* Demographics accounting for less than 1% not shown.

Most of the problems encountered are by law firms, large businesses, and federal agencies. For example, just over 60% of law firms encountered problems compared to about 40% of individual applicants.



Problem Resolution – In Summary

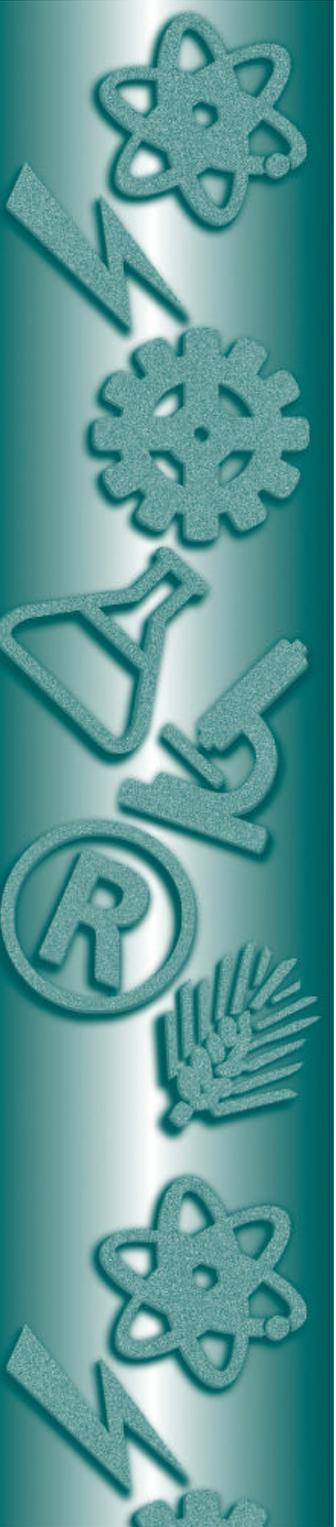
- **The area of problem resolution, while showing some improvement over 1998, continues to be a major opportunity for improvement, with dissatisfaction levels over 30% for 3 of the 4 items**
- **Close to 60% of the respondents experienced problems or difficulties with PTO services over the past year (the same level as 1998). Only 7% that had a problem did not contact PTO about it.**
- **Over one-quarter of those that report problems believe it was not resolved**
- **Handling a problem quickly has a major positive impact on perceptions about the way the problem was handled (C11a,b,d) and overall satisfaction (C14). There is a substantial drop-off in satisfaction levels when it is not handled quickly**
 - ◆ **It should be noted that only 32% were satisfied that their problems were being resolved within 7 days of notification (B28)**



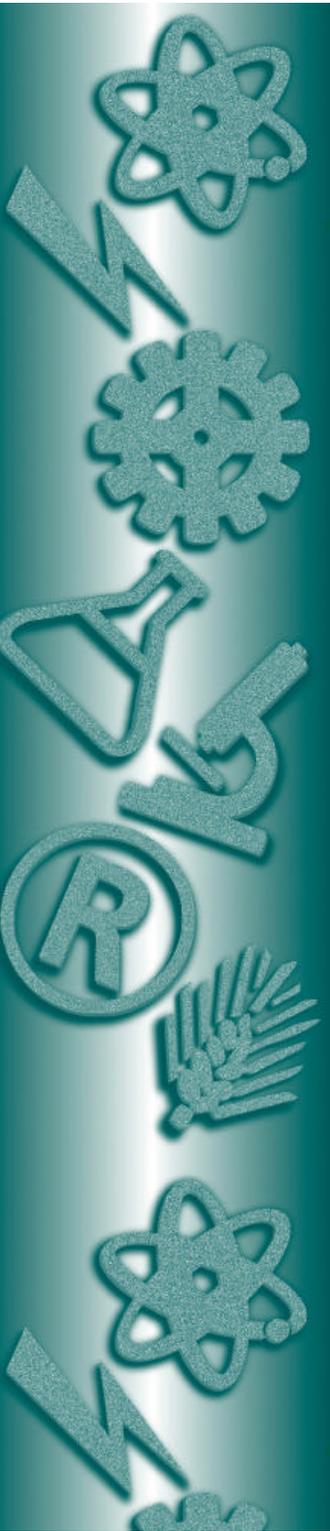
Problem Resolution – In Summary (Cont.)

- **The way the problem is handled also has a major impact on perceptions about customer service (genuinely committed to service, prompt and helpful service, and flexibility in trying to address needs)**

For example, when customers are satisfied with the handling of their problem, 77% are satisfied that PTO is flexible in trying to address needs. This is compared to only 21% when customers are dissatisfied with the handling of their problem.



***What are the Most Frequent
Problems that Customers
Encounter?
(Write-In Comments)***



QC12. What are your most frequently encountered problems?

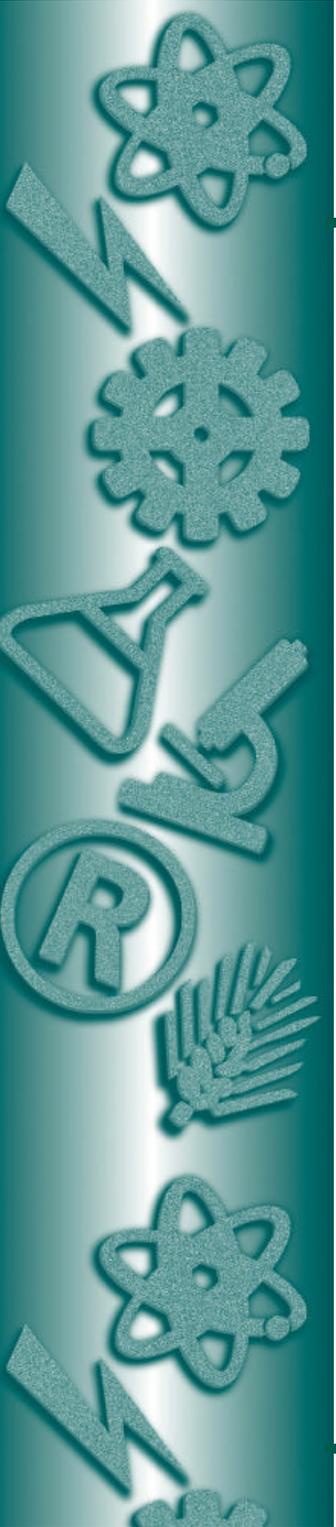
Respondents were asked to write in their most frequently encountered problems. These responses were coded into the following categories.

<u>Problem Area Category</u>	<u>Percent in Category*</u>
Lost or Misplaced Files, Papers, or Documents	27%
Filing Receipt Errors	26%
Outcome / Decision	26%
Process Delays (e.g., first office action)	21%
Misc. Administrative Problems (typos, mailroom, failing to make corrections)	17%
Customer Service Problems	13%
Certificate of Registration Problems	10%
Improper Abandonment	6%
Deposit Account Mistakes	3%
Not Applicable (i.e., irrelevant to question or wrote “no comment.”)	1%

* Percents will not add up to 100% since comments were often placed in more than one category.

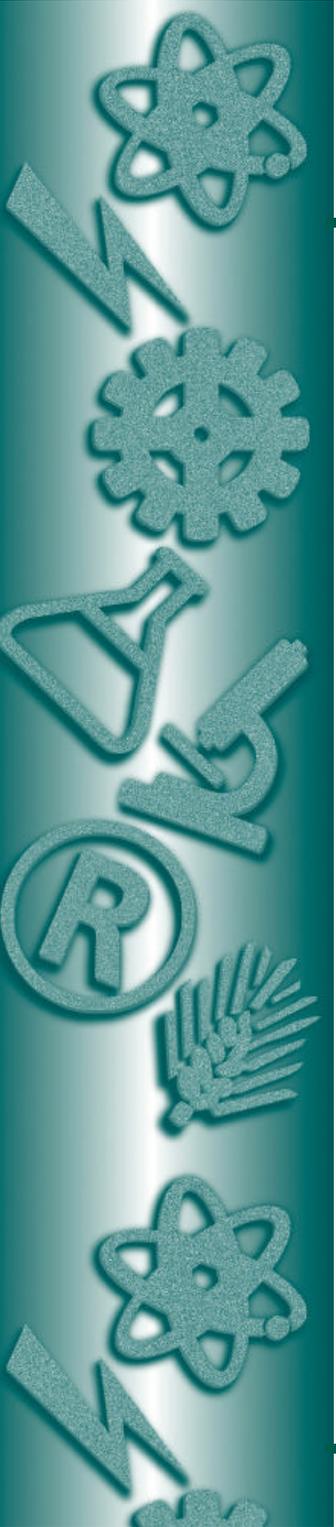
Question C12 – Selected Verbatim Comments

- **“Inability to reach PTO personnel by phone. 75% reach a recording. Of those, maybe one third are returned. In discussions with live persons, a good 15% can’t or won’t help.”**
- **“Long delay in issuance of first office action. Long delay in getting new applications on-line for searches.”**
- **“Filing receipt errors; errors in examiners amendments; lost files.”**
- **“Still waiting for official trademark after 2 years.”**
- **“Trademark registration certificate never received (2 different ones) PTO refused to resend new certificates at no cost.”**
- **“(1) Lost files. (2) Office actions mailed to incorrect addresses. (3) Abandoned apps. without cause.”**
- **“Lost paperwork, followed by finger-pointing among groups and attempts to find any possible excuse to shift the blame to the applicant, so as to gloss over the fact that the paperwork was lost. Inability of the PTO to ever admit it made a mistake in the first place.”**
- **“Rejections for descriptiveness when examiners have not given full consideration to possible non-descriptive aspects of mark.”**



Question C12 – Selected Verbatim Comments (Cont.)

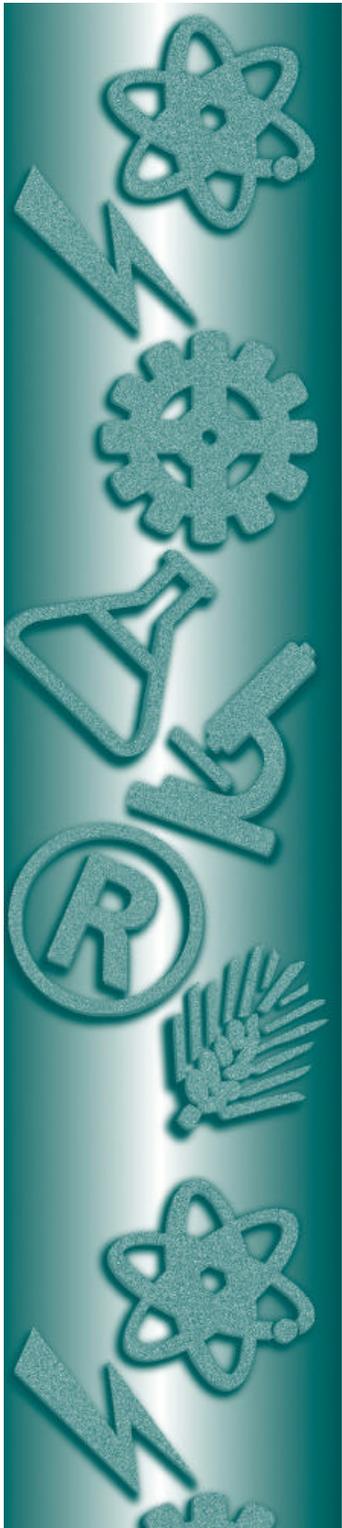
- **“There are numerous errors in filing receipts; many documents have been lost at the TTAB; the Examining Attorneys are so slow in reviewing specimens of use that there is no time to seek a further extension of time if needed.”**
- **“Abandonment of application due to PTO’s internal mistake, e.g., mail loss.”**
- **“Delays in assigning an application to an examining attorney. Should it take between 6 months and a year or more?”**
- **“Inconsistent directions/policy re: computer and internet description of goods/services and samples of use. New examiner’s lack basic understanding of trademark law and statutory bases for refusal of registration. Misuse of evidence by Examiners.”**
- **“The entire process takes too long because PTO does not meet timeline goals. Wait on hold for the Trademark Assistance Center for more than 35 min. each call. Filing receipts are rarely accurate. Staff (not examining attorneys) have never returned one of my phone calls. Encountered rudeness from one staff person and total inaction from several others.”**



The Most Frequent Problems that Customers Encounter – In Summary

The most frequent problems encountered by respondents were:

- **Errors in filing receipts**
- **Lost/misplaced files, papers, drawings**
- **Basis for rejection/consistency of office action refusals**
- **Delays in the process**



Document Accuracy

Document Accuracy

Ranked by % Satisfied

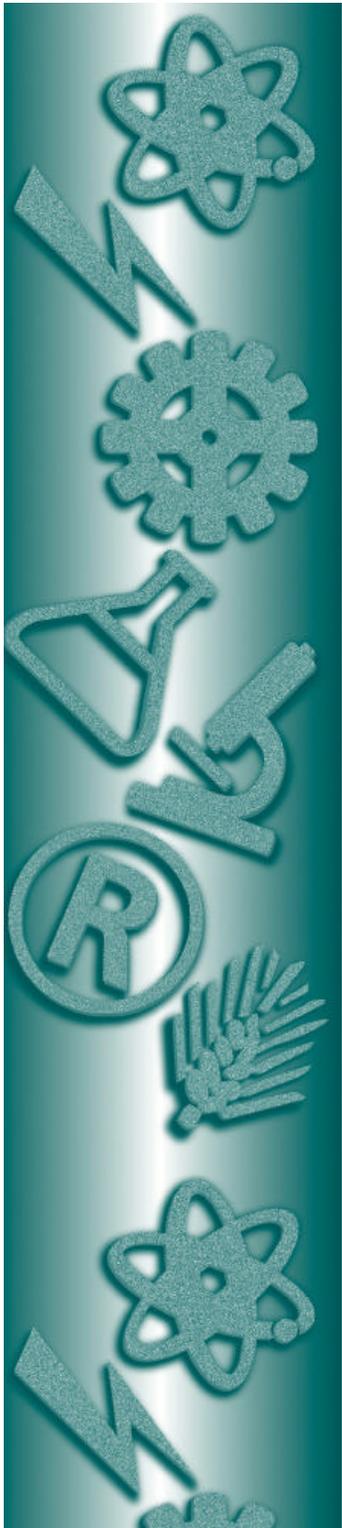
Survey Item #	% Dissatisfied	% Neutral	% Satisfied	% Change in Satisfaction from 1998
B26. Issue Certificates of Registration with the correct information	12	10	78	*
B25. Issue Official Gazettes with the correct information	6	19	75	*
B24. Issue Notices of Allowance with the correct information	10	15	75	*
B27. Issue Notices of Abandonment with the correct information	7	20	73	*
B23. Issue Filing Receipts with the correct information	36	14	50	*

* New question for 1999.

With the exception of filing receipts, there are high levels of satisfaction with document accuracy.

Document Accuracy – In Summary

- **About three-quarters of the respondents are satisfied with information being correct on Notices of Allowance, Official Gazettes, Certificates of Registration, and Notices of Abandonment**
- **There is a high level of dissatisfaction (36%) with the accuracy of information on filing receipts. Based on write-in comments and this level of dissatisfaction, the accuracy of filing receipts is a problem area.**



Change in Service

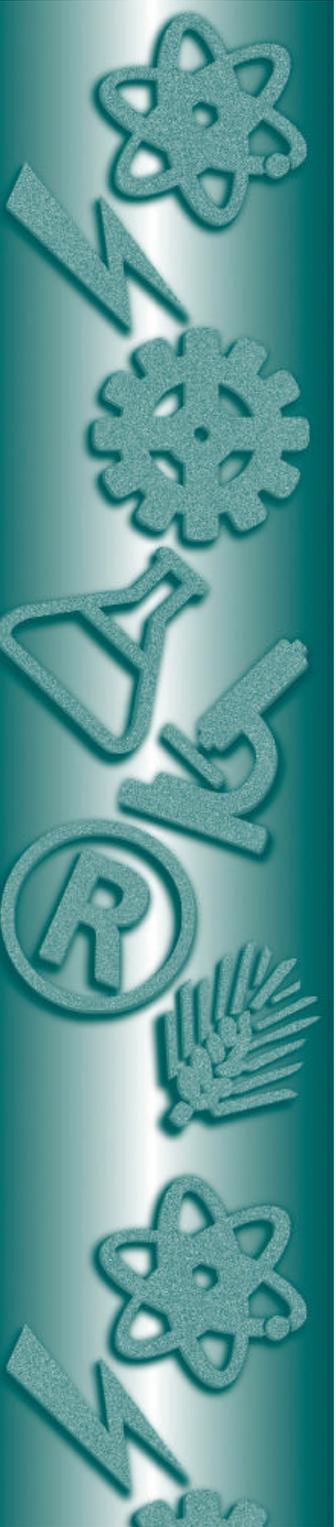
Change in Service Ranked by % Satisfied

Survey Item #	<input type="checkbox"/> % Worse <input type="checkbox"/> % Same <input type="checkbox"/> % Better	% Change Better from 1998
C13e. Staff responsiveness compared to previous filings	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 8%; background-color: #f4a460; text-align: center;">8</div> <div style="width: 45%; background-color: #e0e0e0; text-align: center;">53</div> <div style="width: 47%; background-color: #a0c0c0; text-align: center;">39</div> </div>	+10*
C13b. Timeliness compared to previous filings	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 16%; background-color: #f4a460; text-align: center;">16</div> <div style="width: 31%; background-color: #e0e0e0; text-align: center;">47</div> <div style="width: 53%; background-color: #a0c0c0; text-align: center;">37</div> </div>	+15*
C13a. Overall service compared to previous filings	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 8%; background-color: #f4a460; text-align: center;">8</div> <div style="width: 51%; background-color: #e0e0e0; text-align: center;">59</div> <div style="width: 41%; background-color: #a0c0c0; text-align: center;">33</div> </div>	+5
C13d. Staff competence compared to previous filings	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 13%; background-color: #f4a460; text-align: center;">13</div> <div style="width: 43%; background-color: #e0e0e0; text-align: center;">56</div> <div style="width: 44%; background-color: #a0c0c0; text-align: center;">31</div> </div>	+6*
C13f. First Office Action pendency compared to previous filings	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 21%; background-color: #f4a460; text-align: center;">21</div> <div style="width: 30%; background-color: #e0e0e0; text-align: center;">51</div> <div style="width: 49%; background-color: #a0c0c0; text-align: center;">28</div> </div>	**
C13g. Problem resolution compared to previous filings	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 8%; background-color: #f4a460; text-align: center;">8</div> <div style="width: 60%; background-color: #e0e0e0; text-align: center;">68</div> <div style="width: 32%; background-color: #a0c0c0; text-align: center;">24</div> </div>	**
C13c. Outcome of the process compared to previous filings	<div style="display: flex; justify-content: space-between; width: 100%;"> <div style="width: 7%; background-color: #f4a460; text-align: center;">7</div> <div style="width: 63%; background-color: #e0e0e0; text-align: center;">70</div> <div style="width: 30%; background-color: #a0c0c0; text-align: center;">23</div> </div>	+11*

* Percent change from 1998 to 1999 is statistically significant.

** New question in 1999.

Over one-third of respondents believe timeliness and staff responsiveness have improved compared to previous filings. Results show substantial improvement in timeliness, outcome, and staff responsiveness compared to 1998 levels.

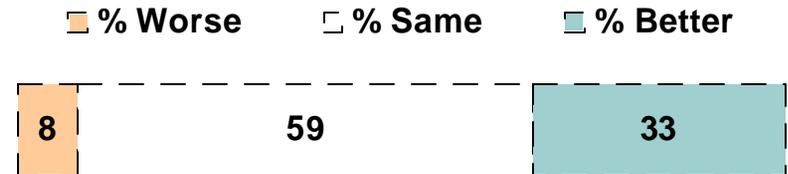


*How Do Changes in Most
Recent Experience Compare
with Results from 1998?*

Change in Overall Service Comparison with Overall Satisfaction

Overall Service

C13a. Compared to previous filings, rate your most recent experience in terms of Overall Service



Change in % satisfied
from 1998 to 1999

C14. Overall Satisfaction

+6*

* Percent change from 1998 to 1999 is statistically significant.

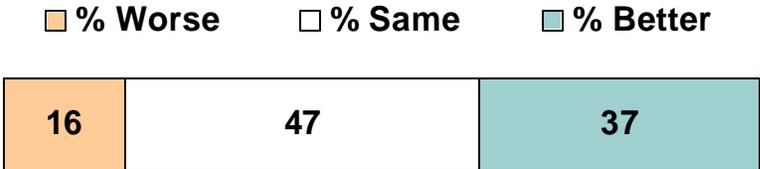
Both indicators show that overall service is improving. Survey results show that overall satisfaction significantly improved by 6% from 1998.

Change in Timeliness

Comparison with Timeliness Questions

Timeliness

C13b. Compared to previous filings, rate your most recent experience in terms of Timeliness



B8. Provide final determination regarding registrability within 13 months

Change in % satisfied
from 1998 to 1999

+5

* Percent change from 1998 to 1999 is statistically significant.

While timeliness remains a problem, indicators show improvement in terms of both the most recent experience and from 1998.

Change in Outcome of the Process

Comparison with Outcome Questions

Outcome of the Process

C13c. Compared to previous filings, rate your most recent experience in terms of Outcome of the Process

% Worse
 % Same
 % Better



Change in % satisfied
from 1998 to 1998

C10E1. Outcome met your objective

+12*

C10E2. Fairness of examination**

+11*

* Percent change from 1998 to 1999 is statistically significant.

** 1998 question used the term “decision” instead of “examination.”

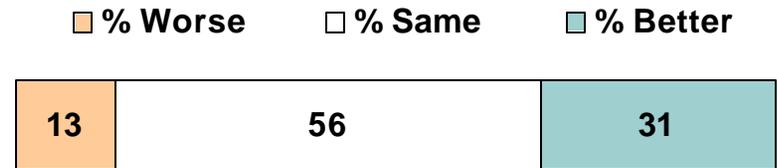
Results show significant improvement in outcome of the process compared to 1998. Interestingly, over two-thirds believe process outcome is about the same compared to previous filings.

Change in Staff Competence

Comparison with Staff Competence Questions

Staff Competence

C13d. Compared to previous filings, rate your most recent experience in terms of Staff Competence



Change in % satisfied
from 1998 to 1999

C1SC1. Ability to provide accurate answers to questions

+3

C1SC2. Genuinely committed to providing the best possible service

+6*

* Percent change from 1998 to 1999 is statistically significant.

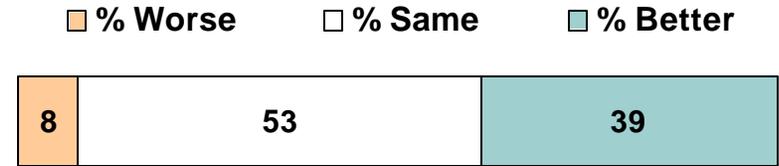
Results on ratings of staff competence show a positive trend.

Change in Staff Responsiveness

Comparison with Staff Responsiveness Questions

Staff Responsiveness

C13e. Compared to previous filings, rate your most recent experience in terms of Staff Responsiveness



Change in % satisfied
from 1998 to 1999

C1SR1. Assistance at a time convenient to you	+5
C1SR2. Prompt and helpful service	+6*
C1SR3. Flexibility in trying to address your needs	+7*

* Percent change from 1998 to 1999 is statistically significant.

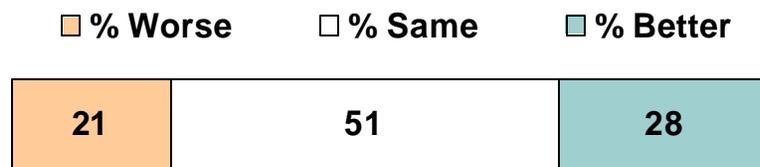
Overall staff responsiveness has improved based on most recent experience, and compared to 1998 levels. Flexibility and prompt service have improved significantly.

Change in First Office Action Pendency

Comparison with First Office Action Pendency Questions

First Office Action Pendency

C13f. Compared to previous filings, rate your most recent experience in terms of First Office Action Pendency



Change in % satisfied
from 1998 to 1999

B7. Provide first action regarding registrability within 3 months

+6*

* Percent change from 1998 to 1999 is statistically significant.

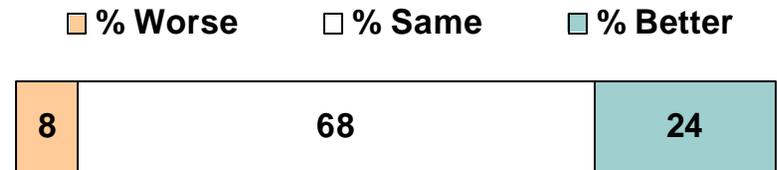
While the timeliness of first office actions show some improvement, levels of satisfaction are quite low. Note that over 20% believe first office action pendency is worse now compared to previous filings.

Change in Problem Resolution

Comparison with Problem Resolution Questions

Problem Resolution

C13g. Compared to previous filings, rate your most recent experience in terms of Problem Resolution

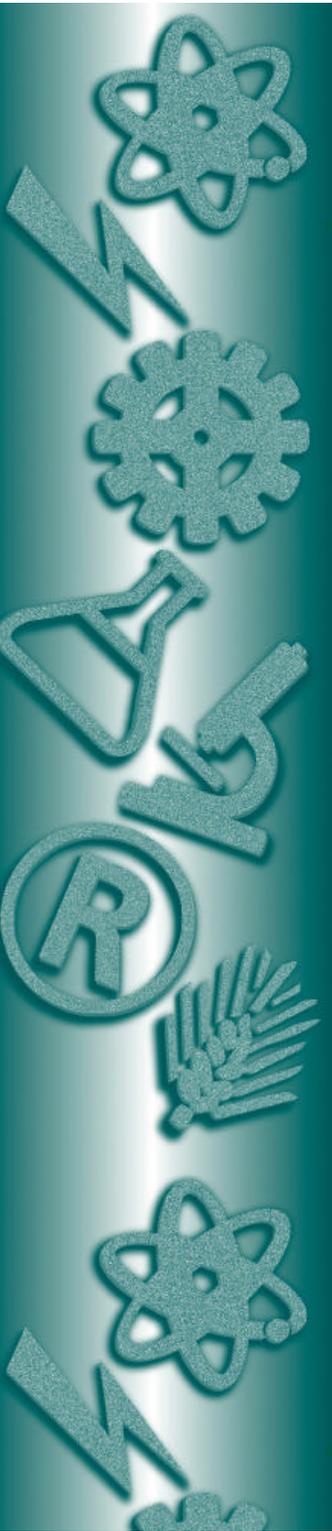


Change in % satisfied
from 1998 to 1999

C11a.	Handling of delays	+4
C11b.	Handling of mistakes	+7*
C11d.	The way your problem or difficulty was handled	+4

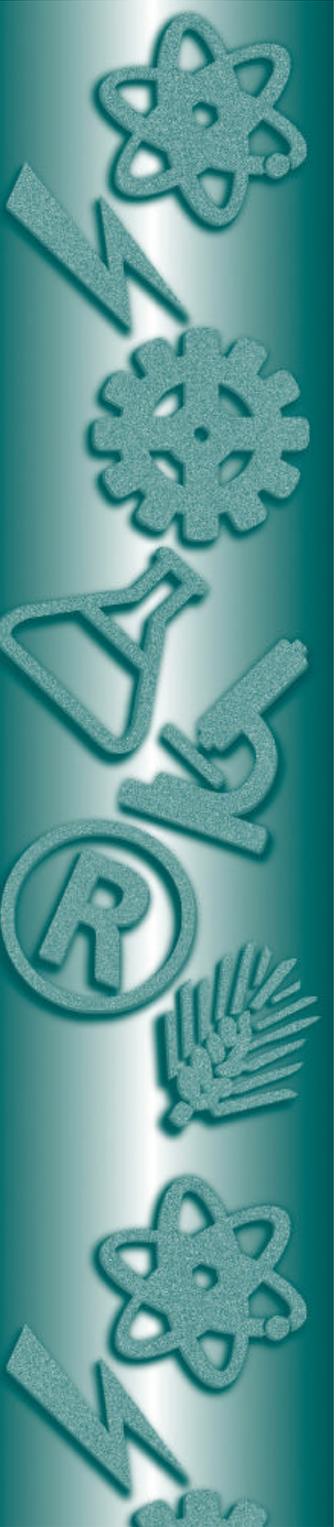
* Percent change from 1998 to 1999 is statistically significant.

While there is some improvement, levels of satisfaction for these problem resolution items are very low. About two-thirds believe problem resolution is about the same now compared to previous filings.



Change In Service – In Summary

- **About one-third or more of the respondents believe that overall service, timeliness, staff competence, and staff responsiveness are better now compared to previous filings. This is supported by the comparison of survey items covering these topics with 1998 results. However, it should be noted that satisfaction in meeting the 13 month pendency goal is quite low.**
- **Over two-thirds of the respondents believe that process outcome and problem resolution is about the same compared to previous filings. However, satisfaction with problem resolution is quite low.**
- **Over 20% believe first office action pendency is worse now compared to previous filings. This is the highest level for any of the “change” items. This is also supported by the low level of satisfaction on providing first actions within 3 months of filing.**
- **Over two-thirds of the respondents believe that satisfaction with the outcome of the process is about the same. However, satisfaction levels with fairness and outcome meeting your objectives improved by more than 10% over 1998 levels.**



*Questions Pertaining to the
Overall Trademark Process
(Overall Questions)*

Overall Questions

Survey Item #

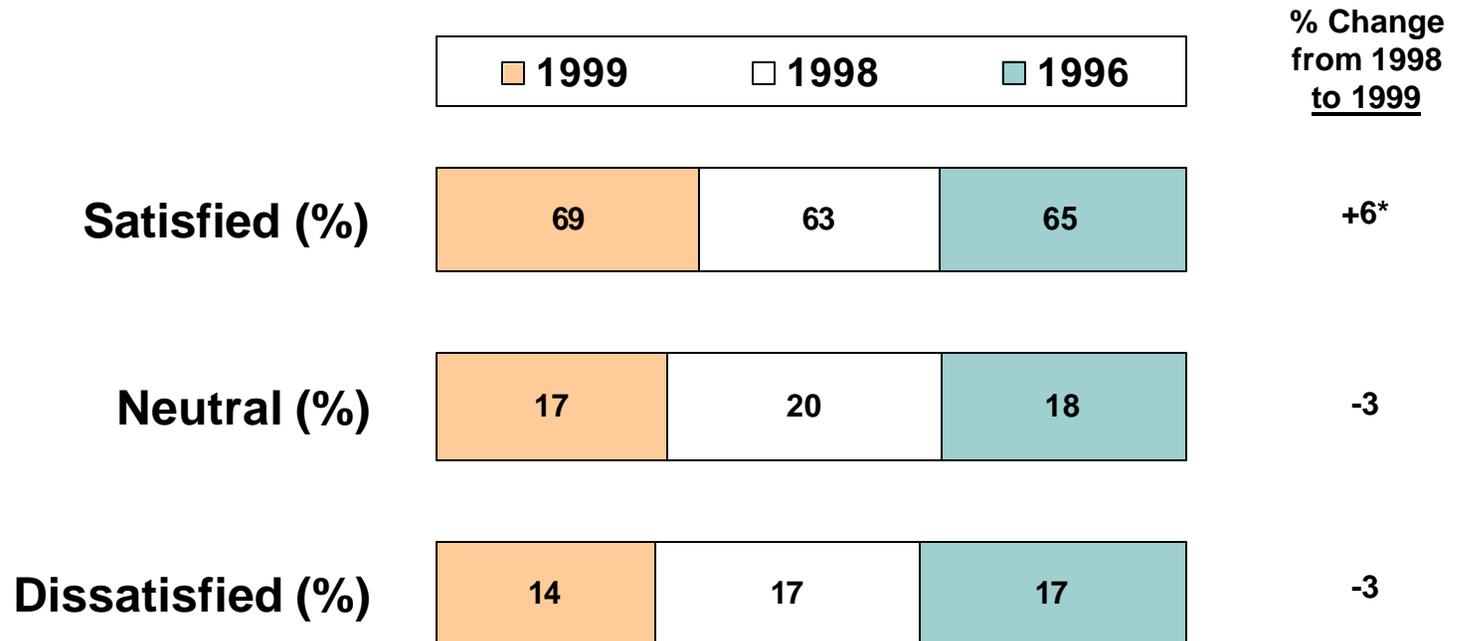
C14 Overall satisfaction

C1P1 PTO fees for trademark applications

C1P2 Good value for PTO fees paid for application

Overall Question - Overall Satisfaction

C14. Considering all of your experiences with the PTO trademark process, how satisfied are you OVERALL?

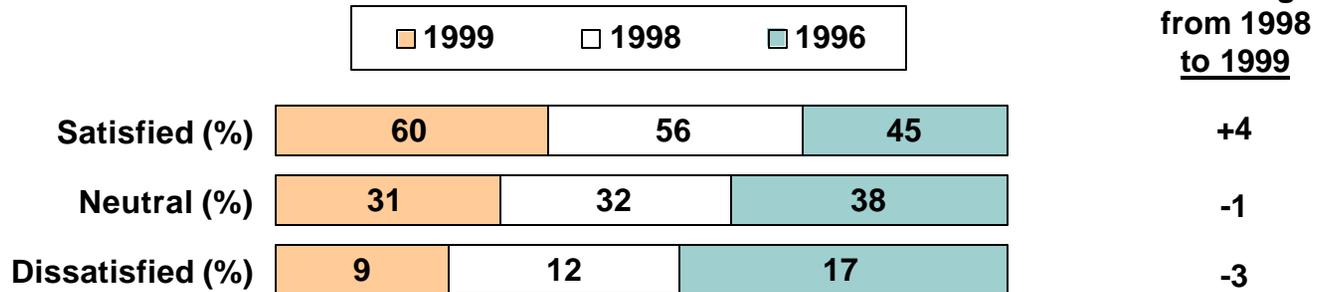


* Percent change from 1998 to 1999 is statistically significant.

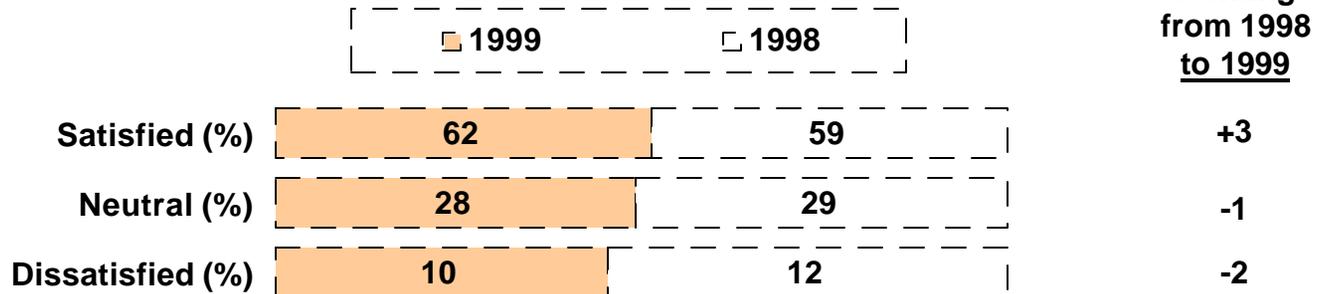
Overall satisfaction increased significantly (6%) and dissatisfaction declined by 3% compared to 1998.

Overall Questions - Price and Value

C1P1. PTO fees for trademark applications*



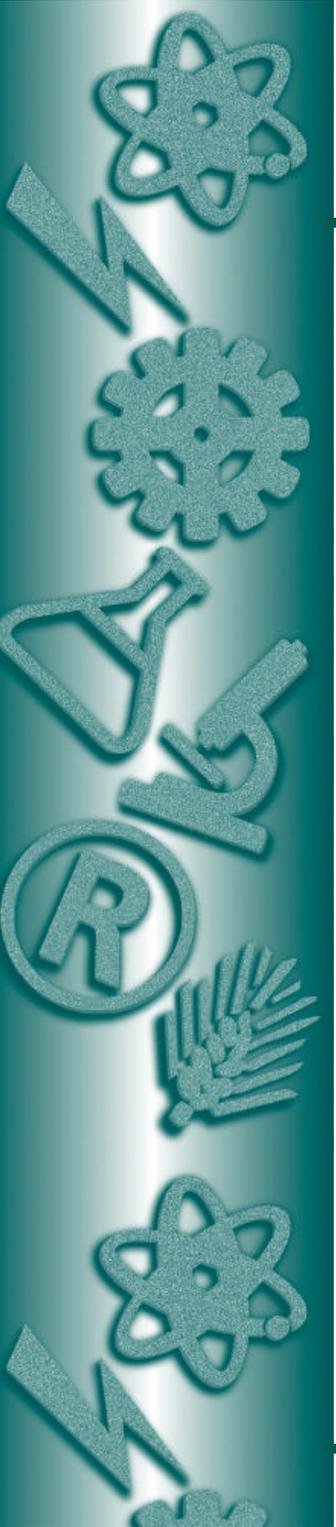
C1P2. Good value for PTO fees paid for application*



**This question was not asked in 1996.

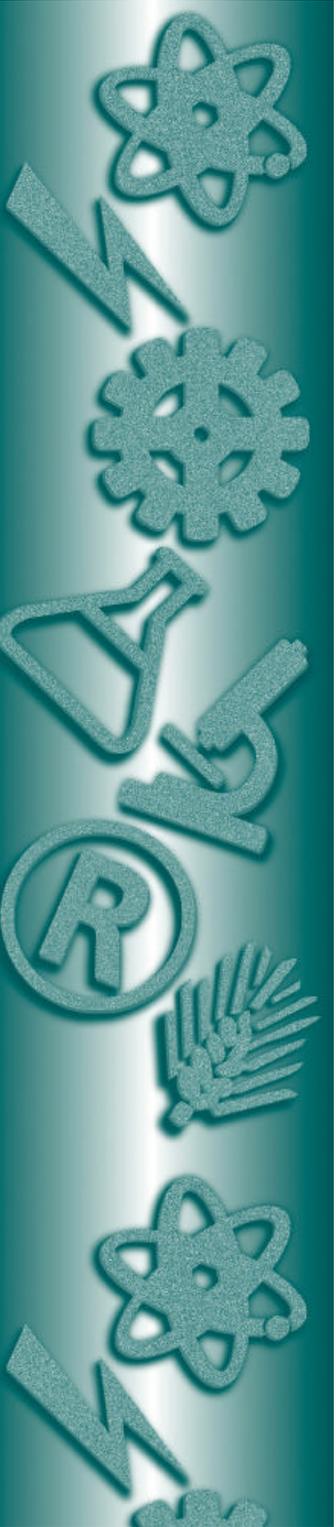
* In 1999, the term "fees" was used instead of "costs."

There was a slight increase in satisfaction with fees and value for the fees paid compared to 1998 levels.



Overall Questions – In Summary

- **Overall satisfaction improved by 6% compared to 1998 and it is now close to 70%. Given the level of satisfaction and the low level of dissatisfaction, the results are quite favorable.**
- **Satisfaction with fees paid and value for the amount of fees paid is about 60%. There was a slight improvement over 1998 levels.**
- **There are positive trends in overall questions. Focus should continue on those respondents in the neutral category.**



***Do Outcomes of the Process
Impact Perceptions About Value
and Overall Satisfaction?***

***(Comparing Total Respondents
with Individual Applicants)***

Relationships Between Process Outcomes, Value, and Overall Satisfaction

Since individual applicants pay for fees out-of-pocket, are their perceptions about outcomes and value different than the total sample overall (consisting mostly of law firms)?

		<u>% Satisfied</u>		
		<u>C1P2</u> Good value for PTO fees paid for application	<u>C14</u> Overall Satisfaction	
<u>For Respondents Satisfied with:</u>				
C1OE1 Outcome met your objectives				
	Total	79%	69%	81%
	Individual Applicant	83%	80%	90%
C1OE2 Fairness of examination				
	Total	74%	70%	83%
	Individual Applicant	75%	89%	89%
C1OE3 Efficiency of examination process				
	Total	54%	73%	90%
	Individual Applicant	67%	75%	100%

Relationships Between Process Outcomes, Value, and Overall Satisfaction (Cont.)

Since individual applicants pay for fees out-of-pocket, are their perceptions about outcomes and value different than the total sample overall (consisting mostly of law firms)?

		<u>% Satisfied</u>	
		C1P2 Good value for PTO fees paid for application	C14 Overall Satisfaction
<u>For Respondents Dissatisfied with:</u>			
C1OE1	Outcome met your objectives		
	Total	5%	30%
	Individual Applicant	17%	10%
			50%
			0%
C1OE2	Fairness of the final decision		
	Total	9%	37%
	Individual Applicant	17%	11%
			50%
			0%
C1OE3	Efficiency of examination process		
	Total	24%	43%
	Individual Applicant	0%	33%
		---	---

When they are either satisfied or dissatisfied with the outcome and fairness of the final decision, individual applicants are substantially more favorable about value for the fees paid than the total population.



*How Do the
Six Factors Relate
to the Overall Questions?*

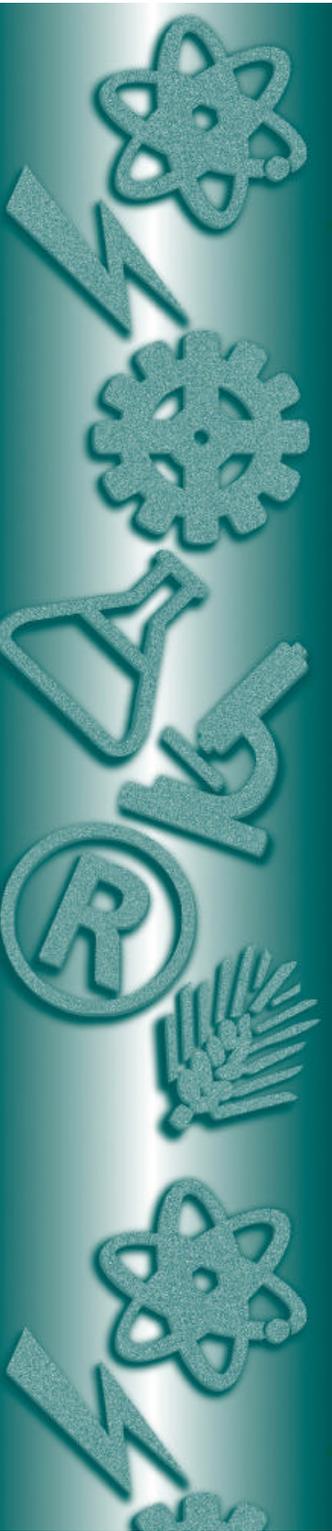
Ranking of How Factors Relate to Overall Questions

Factor	Overall Questions*		
	C14 Overall Satisfaction	C3P2 Good value for PTO fees paid for application	C3P1 PTO fees paid for trademark applications
Document Accuracy	6	6	3
Customer Service	1**	5	6
Timeliness	5	3	5
Change in Service	3**	4	4
Application and Examination Process	2**	1**	1**
Problem Resolution	4	2	2
R ² ***	.480	.105	.058

* Numbers in table indicate rankings, with 1 being the most important predictor and 5 being the least important predictor of the outcome measure.

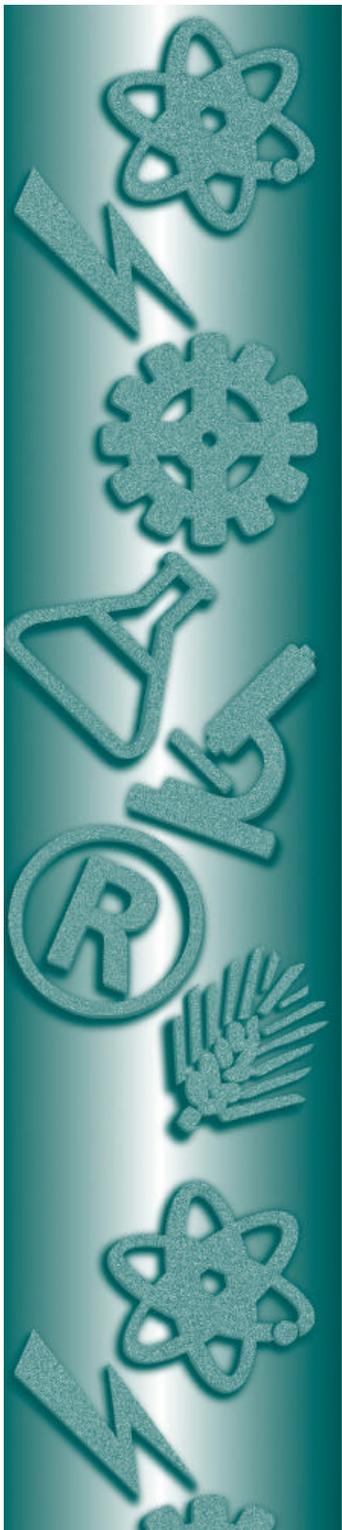
** Statistically significant.

*** R² is an estimate of the proportion of the variance in each overall question accounted for by the factors. As an example: .480 or 48.0% of the variance in overall satisfaction is accounted for by the factors. (An R² value less than .30 indicates the factors, as a group, have low explanatory power. They do not do a very good job of predicting that question).



Impact of the Six Factors on Overall Questions – In Summary

- **The six factors, as a group, are good predictors of overall satisfaction. They have an impact on overall satisfaction and help to explain differences in overall satisfaction levels.**
- **The Customer Service, Application and Examination Process, and Change in Service factors are all significant predictors of overall satisfaction**
- **The six factors, as a group, have minimal impact on perceptions about value and fees paid. However, the Application and Examination Process factor has a significant impact on perceptions about fees paid and value. That is, this factor helps to explain differences in perceptions about fees paid and value. For example, the more satisfied customers are with the fairness of the outcome, the more satisfied they are with fees paid and value.**



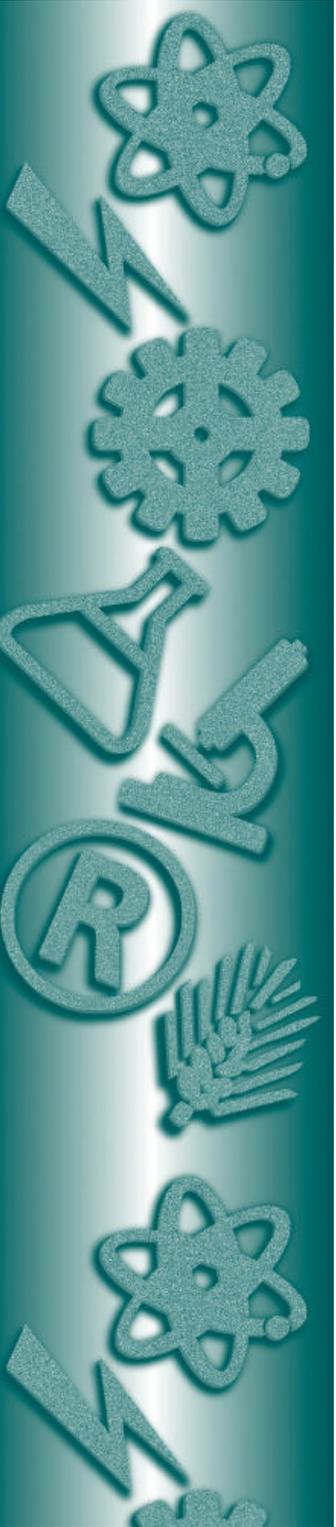
Key Drivers:

*Questions That Have the
Greatest Impact on Overall
Satisfaction*

Key Driver Analysis

In order to assure that the key drivers are properly identified and prioritized, two key driver analyses were performed:

- **Identification of key drivers separately for Service Standards (section B questions) and Trademark Process items (section C questions). This analysis is comparable to the 1998 key driver analysis.**
- **Identification of key drivers based on those respondents who stated they had a problem this past year. The purpose of this separate analysis is to see if any of the problem resolution items are key drivers to overall satisfaction. The first analysis did not include items on problem resolution.**



*Identification of Key Drivers
Separately for Service Standards
and Trademark Process Items*

***Key Drivers of Overall Satisfaction –
Separately by Service Standards and Trademark Process
(Ranked by Level of Impact)***

<u>Service Standards</u>	<u>% Satisfied</u>	<u>Trademark Process</u>	<u>% Satisfied</u>
B3. Return phone calls within 1 business day	59%	C1OE2. Fairness of examination	74%
B8. Provide final determination regarding registrability within 13 months	42%	C1OE3. Efficiency of examination process	54%
B4. Clear written communications of position of examining attorneys	77%	C1SR3. Flexibility in trying to address your needs	60%
B10. Mail filing receipts within 14 days after receipt of application	33%	C1AP2. Handling of issues related to goods/ services during examination process	75%
B1. Treat you with courtesy each time you contact us	87%	C1SR2. Prompt and helpful service	64%
B25. Issue Official Gazettes with the correct information	75%	C1AP6. Appropriateness of refusals made under 15 USC § 1052(e) – Merely Descriptive, Surname, Geographic	39%
B28. Resolve any problems in processing of applications or registrations w/in 7 days	32%		
B17. Respond to Extension Requests within 30 days from mail room receipt	40%		

Timeliness of the process, specific aspects of customer service, and examination quality represent the priority areas.

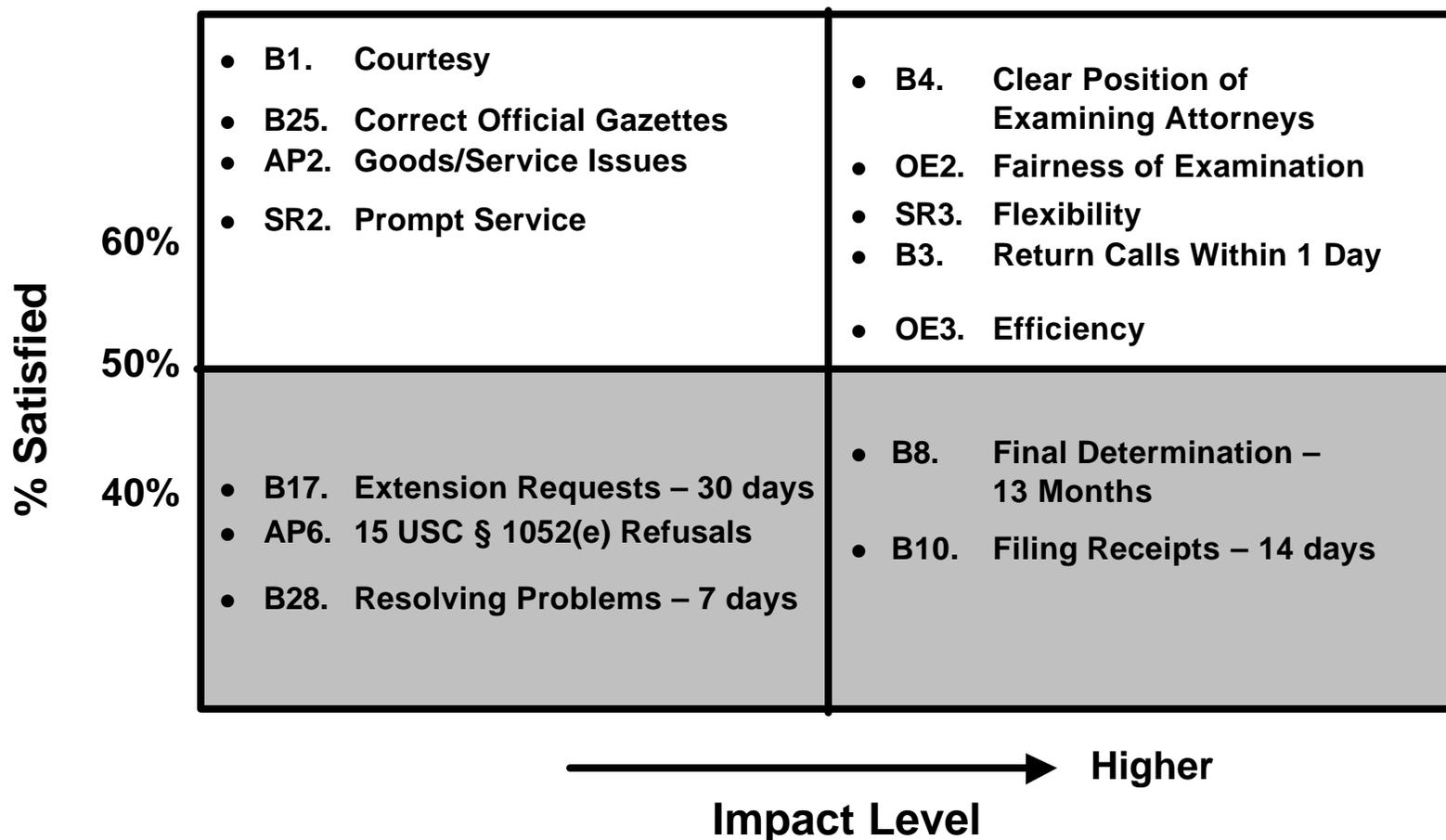
Comparison of 1999 Key Drivers to 1998 Key Drivers Service Standards

1998	1999	
<u>1998 Key Drivers</u>	<u>1999 Comparison</u>	<u>New This Year</u>
B1. Treat you with courtesy	B1. Key Driver	B25. Issue Official Gazettes with the correct information
B4. Clear written communications of position of examining attys.	B4. Key Driver	B28. Resolve problems in processing of applications or registrations within 7 days
B2. Direct you promptly to proper office or person	B2. Not a Key Driver	B17. Respond to Extension Requests within 30 days of mail room receipt
B3. Return calls within one business day	B3. Key Driver	
B13. Determine registrability of trademarks within 13 months	B8. Key Driver	
B8. Mail correct filing notices within 14 days	B10. Key Driver	

Comparison of 1999 Key Drivers to 1998 Key Drivers (Cont.) Trademark Process

1998	1999	
<u>1998 Key Drivers</u>	<u>1999 Comparison</u>	<u>New This Year</u>
C3AP2. Effort needed to prepare required information	-- Not asked on 1999 survey	C1OE2. Fairness of examination
C3SC1. Ability to provide accurate answers	C1SC1. Not a Key Driver	C1OE3. Efficiency of examination process
C3DP2. Quality of status information provided	-- Not asked on 1999 survey	C1AP2. Handling of issues related to goods/ services during examination process
C3DP3. Quality of feedback provided	-- Not asked on 1999 survey	C1SR2. Prompt and helpful service
C3SC4. Genuinely committed to providing best possible service	C1SC2. Not a Key Driver	C1AP6. Appropriateness of refusals made under 15 USC § 1052(e) – Merely Descriptive, Surname, Geographic
C3SR3. Flexibility in trying to address your needs	C1SR3. Key Driver	
C3AP4. Length of application process	-- Not asked on 1999 survey	
C3T2. Issuance of product in timely manner	-- Not asked on 1999 survey	

**Key Drivers – Separately for Service Standards and Patent Process Items
Impact Level vs. % Satisfied**



Priorities are providing a final determination within 13 months, mailing filing receipts within 14 days, responding to Extension Requests within 30 days, appropriateness of refusals under USC § 1052(e), and resolving problems within 7 days.

Example: Impact of Timeliness Items on Overall Satisfaction and Customer Service

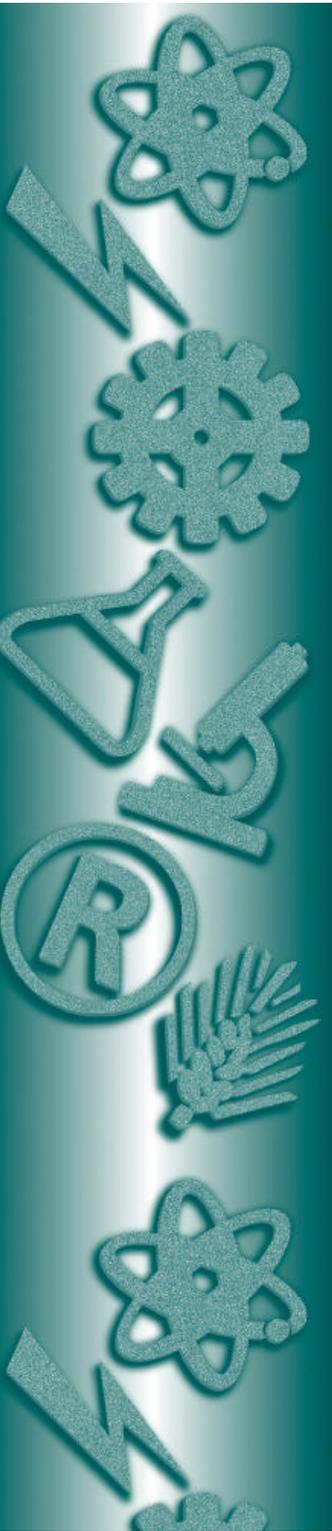
		<u>% Satisfied</u>		
			<u>C14.</u> <u>Overall</u> <u>satisfaction</u>	<u>C1SC2.</u> <u>Genuinely</u> <u>committed to best</u> <u>possible service</u>
B3.	Return phone calls within one business day	Satisfied	80%	80%
		Dissatisfied	30%	34%
B8:	Provide final determination regarding registrability within 13 months	Satisfied	85%	80%
		Dissatisfied	36%	41%
B28.	Resolve problems in processing of applications or registrations within 7 days	Satisfied	89%	87%
		Dissatisfied	38%	33%

Satisfaction with timeliness key drivers substantially impacts customer perceptions on overall satisfaction and satisfaction with service commitment.

Example: Impact of Examination Process on Overall Satisfaction and Customer Service

		<u>% Satisfied</u>	
		<u>C14.</u> Overall satisfaction	<u>C1SC2.</u> Genuinely committed to best possible service
C1AP6. Appropriateness of refusals made under 15 USC § 1052(e) – Merely Descriptive, Surname, Geographic	Satisfied	82%	76%
	Dissatisfied	44%	44%
C1SR2: Prompt and helpful service	Satisfied	85%	84%
	Dissatisfied	27%	16%
C1SR3. Flexibility in trying to address your needs	Satisfied	88%	85%
	Dissatisfied	31%	16%
B4. Clear written communications of position of examining attys.	Satisfied	78%	74%
	Dissatisfied	16%	21%
C1OE3. Efficiency of examination process	Satisfied	90%	82%
	Dissatisfied	33%	27%

Satisfaction with process efficiency and responsive customer service greatly impacts overall satisfaction and satisfaction with customer service commitment.



Key Drivers by Service Standards and Trademark Process – In Summary

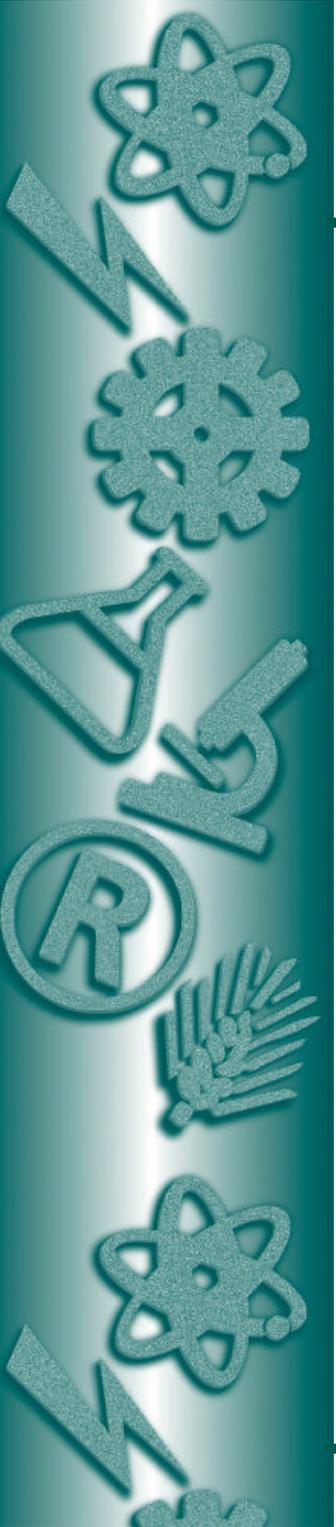
- **Key Drivers for the Service Standards:**

Returning help line calls, providing a final determination within 13 months, set forth clear position of examining attorneys, mailing filing receipts within 14 days, treating customers with courtesy, issuing Official Gazettes with the correct information, resolving problems within 7 days, and responding to Extension Requests within 30 days

- **Key Drivers for the Trademark Process:**

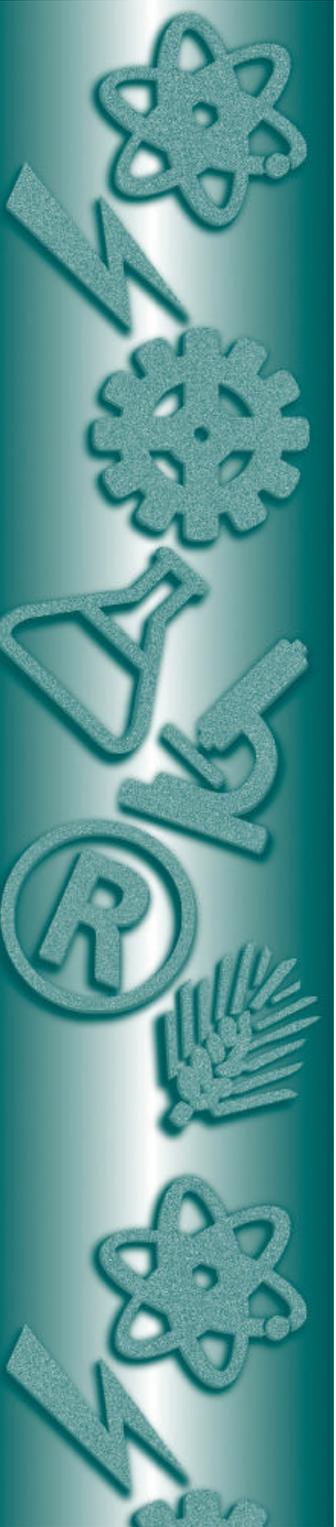
Fairness of examination, efficiency of the examination process, flexibility in addressing customer needs, prompt and helpful service, manner in which issues related to goods and services are handled, and appropriateness of refusals under USC § 1052(e)

- **Satisfaction with key drivers substantially impacts perceptions about overall satisfaction and service quality**

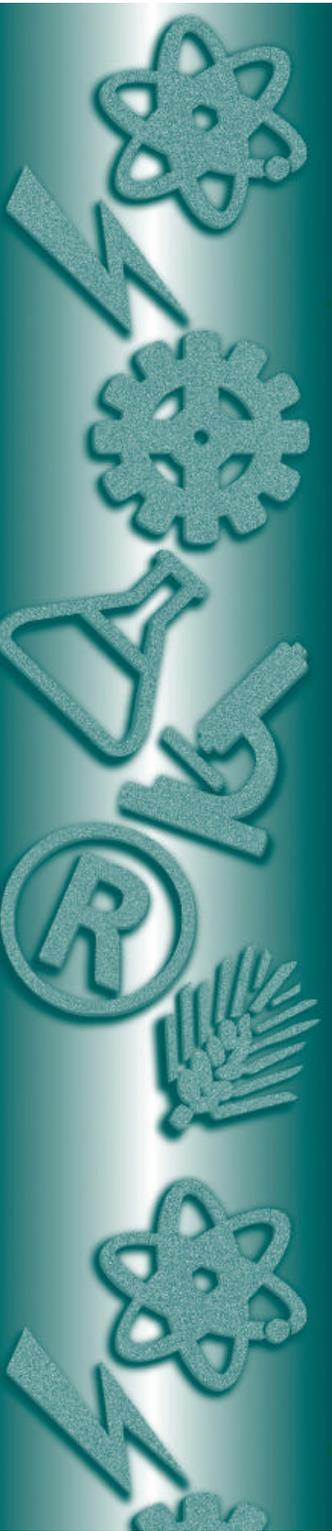


Key Drivers by Service Standards and Trademark Process – In Summary (Cont.)

- **Those key drivers that are below the 50% satisfied level include providing final determination within 13 months, mailing filing receipts within 14 days, resolving problems within 7 days, responding to Extension Requests within 30 days, and appropriateness of refusals under USC § 1052(e)**
- **Efficiency of the examination process is just above the 50% satisfied level and should also be given attention. To better understand what items relate to this key driver, see the section on Creating a Composite Rating presented in this report.**

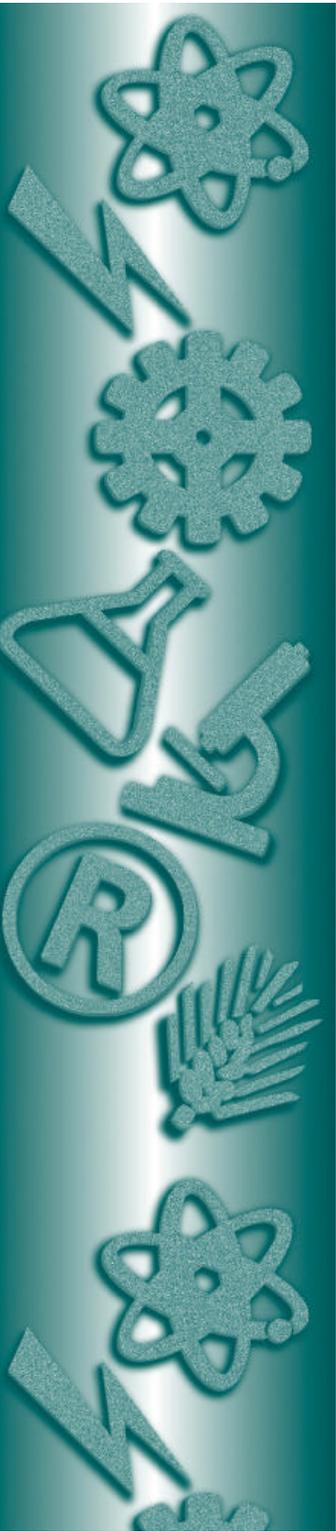


Key Drivers (Including Problem Resolution Items) Separately for Standards and Process

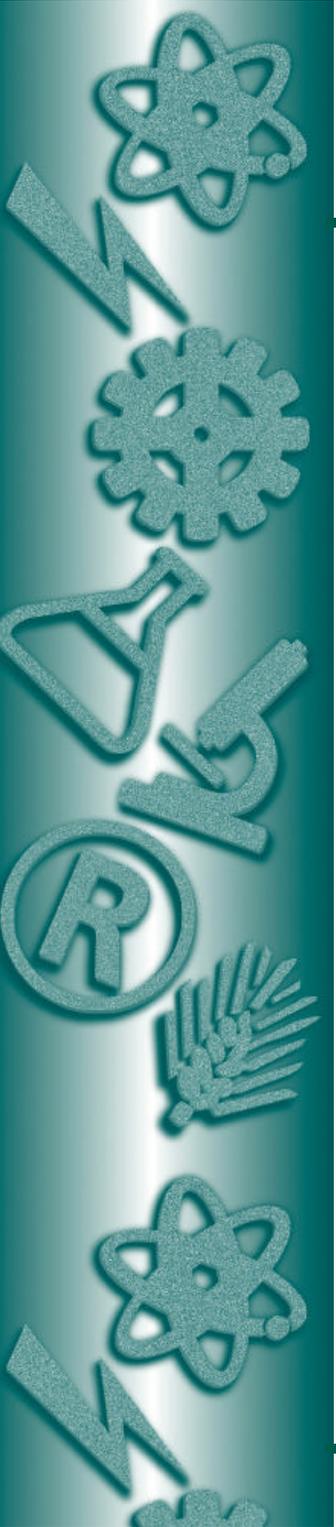


*Key Drivers of Overall Satisfaction –
Including Problem Resolution Items
Separately by Service Standards and Trademark Process*

- In order to determine whether problem resolution items (excluding the time standard item on resolving problems) were key drivers to overall satisfaction, a separate key driver analysis was done on those respondents that had a problem(s) during the past year
- The results show that both C11a – handling of delays and C11b – handling of mistakes are key drivers. Therefore, problem resolution significantly impacts perceptions about overall satisfaction. Given that satisfaction levels for C11a and C11b are 23% and 35%, respectively, this is an important opportunity for improvement. Also note that satisfaction with resolving problems within 7 days (B28) was only 32%.



*Creating a Composite Rating
to Better Understand a Key Driver*

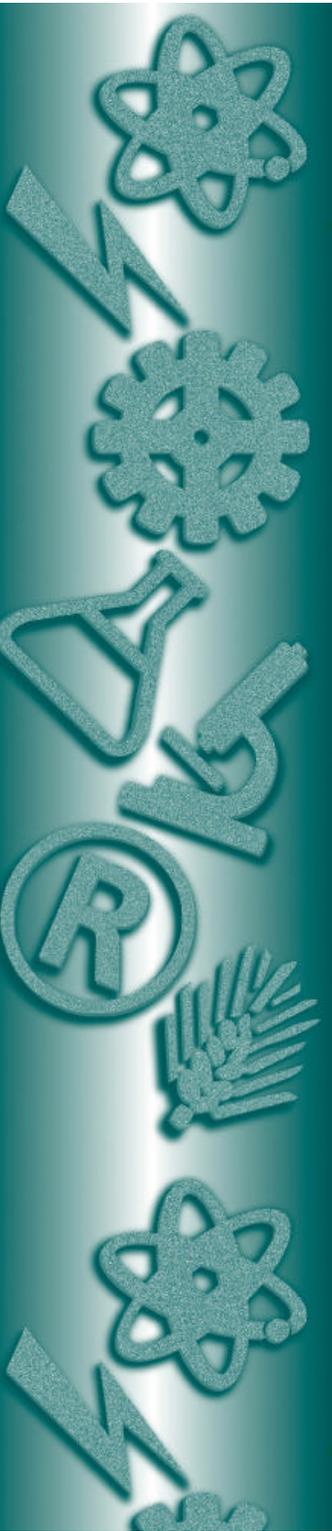


Creating a Composite Rating

There is one key driver which is broad in scope:

C1OE3. Efficiency of the examination process

To better understand what survey participants mean when they respond to this broad key driver question, we identified those items that are strongly related to the question.



C10E3. Efficiency of the Examination Process

Those items that have the greatest relationship with perceptions about efficiency of the trademark examination process are (in order of relationship):

- C1AP9. Sufficiency of evidence supporting office action**
- C10E2. Fairness of examination**
- C10E1. Outcome met your objective**
- C1AP7. Consistency of examination performed by examining attorney**
- C1SC2. Genuinely committed to providing the best possible service**
- B8. Provide final determination regarding registrability within 13 months**
- B28. Resolve problems in processing of applications or registrations within 7 days**
- B7. Provide first action regarding registrability within 3 months**
- C1AP8. Adequacy of explanation or reason for office action**

Examination quality, timeliness, and overall service quality help define efficiency of the examination process.

Creating a Composite Rating

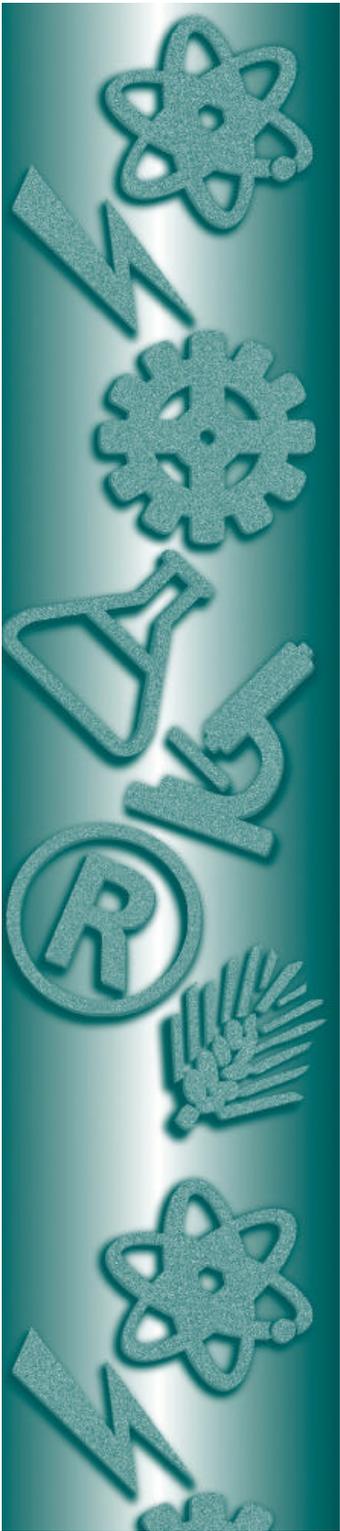
**Composite Rating for Process Efficiency
(B7, B8, B28, C1AP7, C1AP8, C1AP9, C1OE1, C1OE2, C1SC2)**

% Dissatisfied % Neutral % Satisfied



Creating a Composite Rating – In Summary

- **It appears that efficiency of the examination process is strongly related to items on examination quality, fairness of the decision, timeliness of the process, and overall service quality**
- **The Trademark Office should consider using this composite rating to track customer-focused performance of the trademark examination process**



Demographic Differences

Overall Satisfaction – Differences by Demographics* (Ranked by % Satisfied)

Overall Satisfaction

% Dissatisfied
 % Neutral
 % Satisfied

A1. Affiliation

Small business (n=52)



Individual applicant (n=12)



Law firm (n=310)



Large business (n=49)



A2. Frequency of Contact

Occasionally (n=91)



Never (n=11)



Only once (n=17)



Often (n=274)



Rarely (n=27)



* Demographics accounting for less than 2% are not shown.

** N's are for 1999 survey results.

Overall Satisfaction – Differences by Demographics* (Cont.) (Ranked by % Satisfied)

A3. Relationship with PTO

A one-time customer (n=18)**

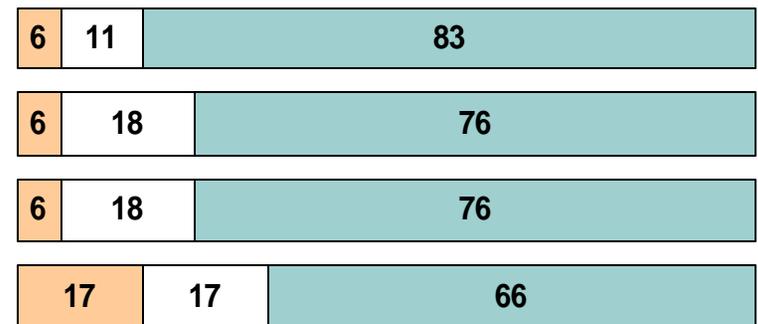
An occasional customer (n=62)

A frequent, but not continuous customer (n=33)

A continuous customer (n=305)

Overall Satisfaction

■ % Dissatisfied □ % Neutral ■ % Satisfied



* Demographics accounting for less than 2% are not shown.

** N's are for 1999 survey results.

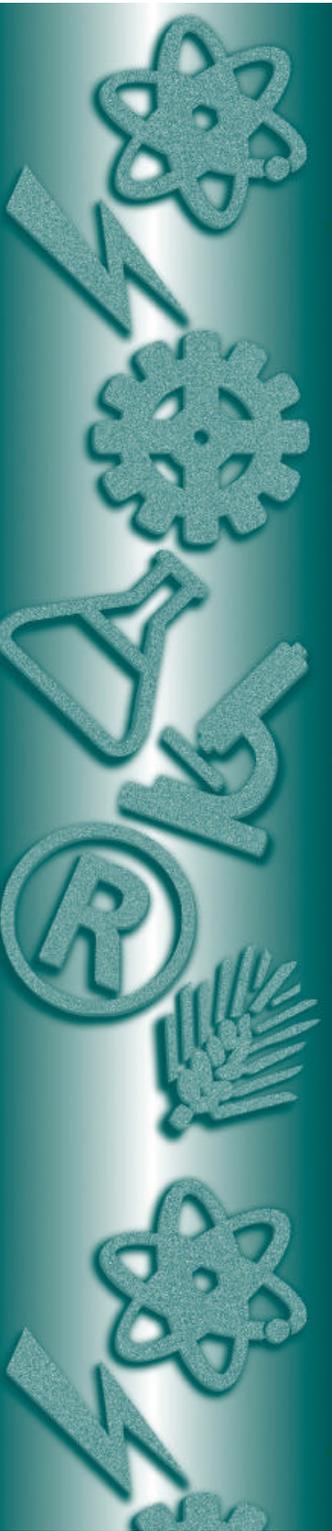
Frequency of Contact During the Year, by Affiliation

Ranked by Most Frequent Contact (A2)

Affiliation (A1)	% Often	% Occasionally	% Rarely	% Only Once	% Never
Law Firm	76	18	3	2	1
Large Business	62	24	8	4	2
Individual Applicant	17	33	25	8	17
Small Business	11	40	17	17	15

* Demographics accounting for less than 2% of respondents are not shown.

Law firms and large businesses have, by far, the most frequent contact.



Demographic Differences in Overall Satisfaction – In Summary

- **Overall satisfaction ratings are about the same for small businesses and individual applicants (about three-quarters satisfied). Overall satisfaction ratings are slightly lower for law firms and large businesses (about two-thirds satisfied).**
- **The continuous customers (mostly law firms) have lower levels of satisfaction than frequent, occasional, and one-time customers.**
- **Those customers that contact the office often (law firms and large businesses) have lower levels of satisfaction than those with infrequent contact**
- **Levels of dissatisfaction are extremely low across all demographic groups**
- **This profile is about the same as in 1998**

Demographic Differences by the 6 Factors

Overall Trademark Data*	<u>Average % Satisfied</u>					<u>Average % Better</u>
	Application and Examination Process	Customer Service	Timeliness	Document Accuracy	Problem Resolution	Change in Service
A1. Affiliation						
Large business	56	68	34	77	43	32
Small business	68	79	61	85	33	32
Law firm	60	69	39	68	44	31
Individual applicant	71	79	76	100	53	35
A2. Frequency of Contact						
Never	74	79	83	100	--	81
Only once	66	80	41	70	38	31
Rarely	65	73	54	76	42	29
Occasionally	70	75	54	83	46	38
Often	57	66	35	66	42	28

* Demographics accounting for less than 2% are not shown.

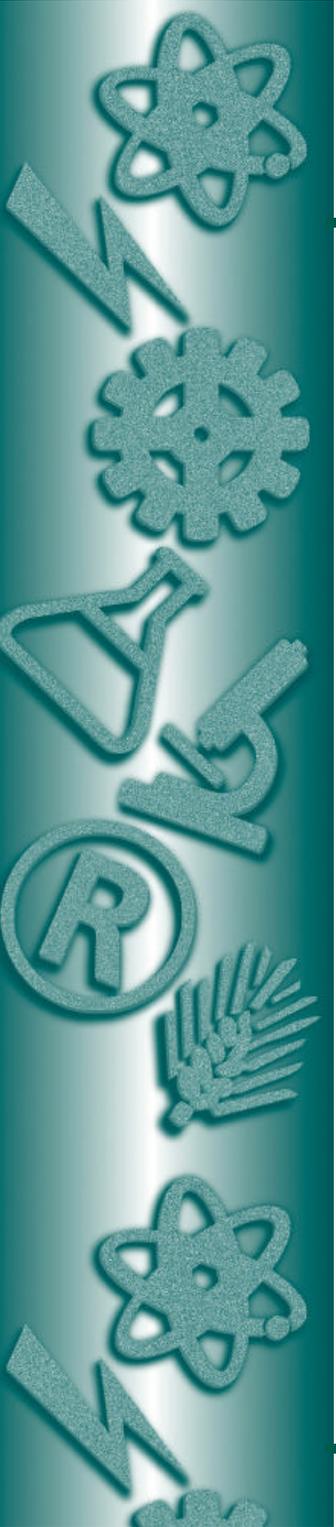
** Numbers in bold represent the highest % satisfaction or highest % better for the factor.

Demographic Differences by the 6 Factors (Cont.)

Overall Trademark Data*	<u>Average % Satisfied</u>					<u>Average % Better</u>
	Application and Examination Process	Customer Service	Timeliness	Document Accuracy	Problem Resolution	Change in Service
A3. Relationship with PTO						
A continuous customer	58	66	36	65	43	29
A frequent, but not continuous customer	65	79	50	88	49	45
An occasional customer	68	79	54	87	37	32
A one-time customer	76	77	78	71	47	--

* Demographics accounting for less than 2% are not shown.

** Numbers in bold represent the highest % satisfaction or highest % better for the factor.



*Demographic Differences by Factors – In Summary**

- **Except for the individual applicant, timeliness and problem resolution received low ratings across all demographics**
- **Individual applicants are more positive across all factors**
- **Law firms and large businesses are extremely dissatisfied with timeliness**
- **All affiliations, with the exception of individual applicants who don't report as many problems, have low levels of satisfaction with problem resolution issues**
- **Those respondents that made frequent contact during the year are the least positive across all factors**

* For several demographic segments, the sample size is small and the results may be unreliable.

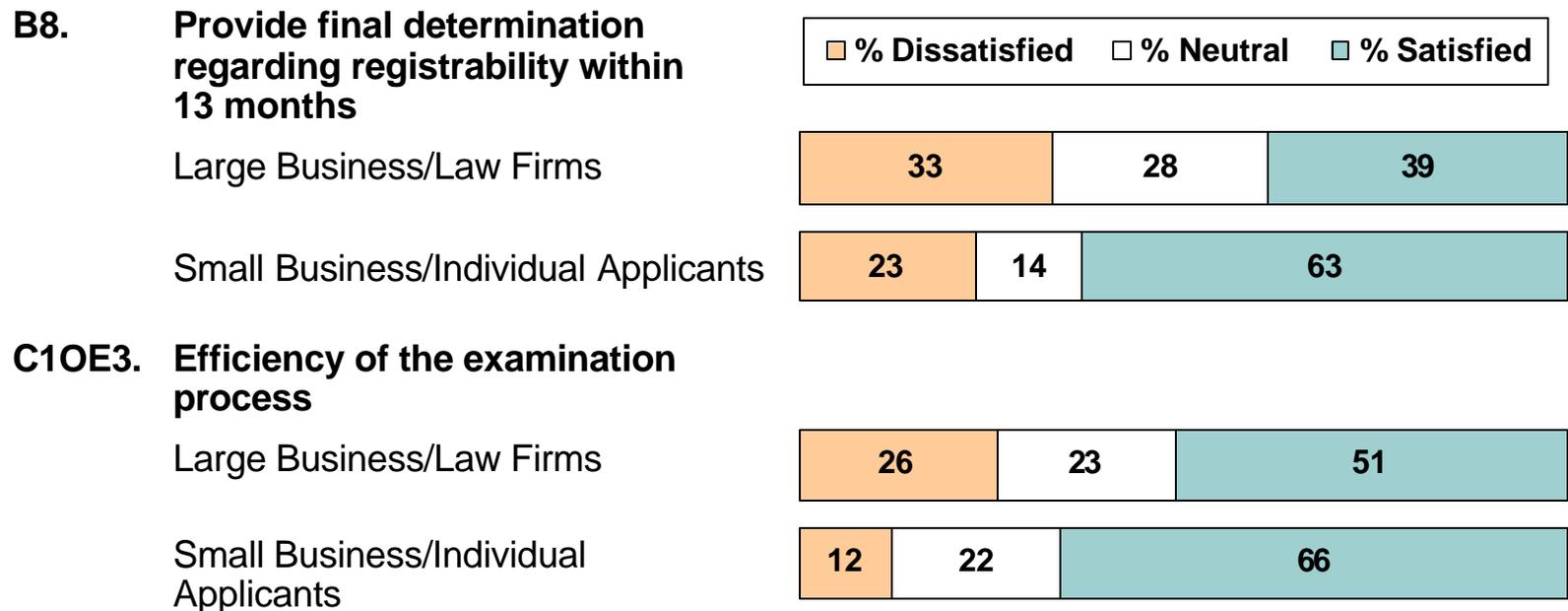
Demographic Differences by Factors – In Summary (Cont.)*

- **The continuous customers are the least positive across all factors, while the frequent (but not continuous) customers are the most positive on document accuracy, customer service, problem resolution, and change in service**
- **The demographic results across factors, for the most part, follow the same pattern as in 1998**
- **The demographic differences again show that there are two distinct customer segments:**
 - ◆ **Law firms/large businesses**
 - ◆ **Individual applicants/small businesses**

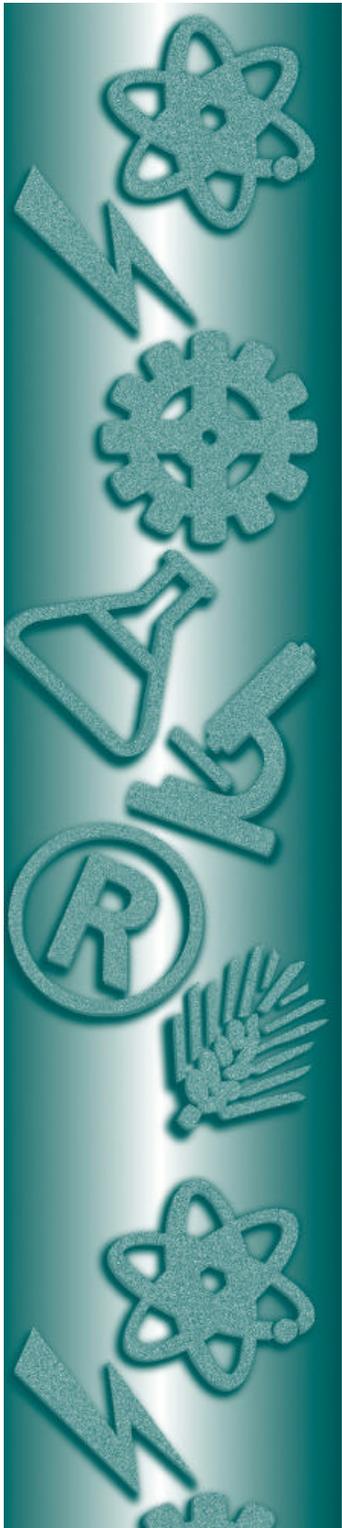
*** For several demographic segments, the sample size is small and the results may be unreliable.**

Selected Key Driver Questions by Customer Segment

Two Distinct Customer Segments – Selected Key Driver Questions



Differences of this type between the two customer segments are typical throughout the survey items. Recall, for example, that there is a 12% difference in overall satisfaction between small businesses and large businesses.



Electronic Filing

Electronic Filing

Given that the option of filing electronically has been in existence for over a year, specific questions about it were included on this year's survey

C2. Have you filed electronically?

Yes	6%
No	94%

For those that filed electronically:

C3. What method did you use to file electronically?

e-TEAS	67%
PrinTEASE	24%
Both	9%

**C4. How did you learn about electronic filing capabilities?
(open-ended item)**

- **Most respondents appear to have heard about electronic filing either through INTA or on the PTO website**

Electronic Filing (Cont.)

C5. How satisfied are you with the following?

	<u>Dissatisfied</u>	<u>Neutral</u>	<u>Satisfied</u>
a. Ease of access to the electronic filing system	10%	10%	80%
b. Ease of use of the on-line form	20%	0%	80%
c. Clarity of instructions for filing electronically	11%	5%	84%
d. Ease of payment for electronically filed applications	10%	0%	90%
e. Ability to receive answers to questions about electronic filing	19%	12%	69%

C6. Did the availability of electronic filing influence your decision to file an application?

Yes	20%
No	80%

The Impact of Electronic Filing

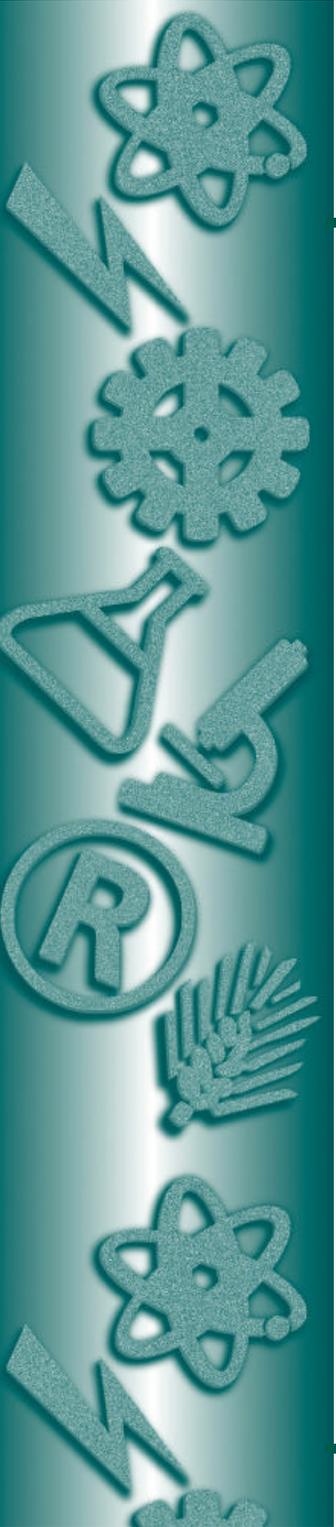
Given that only 6% of the respondents filed electronically, no concrete conclusions can be drawn from such a small sample. With that caution, the following comparisons were made between those that filed electronically and those that did not.

	<u>% Satisfied</u>	<u>% Satisfied</u>	<u>% Satisfied</u>
	B7. Provide first action within <u>3 months</u>	B23. Issue filing receipts with the correct <u>information</u>	C14. Overall <u>satisfaction</u>
C2. File electronically?			
Yes = 6% (n=23)	24%	69%	78%

No = 94% (n=397)	29%	49%	68%

The Impact of Electronic Filing

- **From the small sample of electronic filers, it appears that the electronic filers are:**
 - ◆ **Just as dissatisfied about the Trademark Office meeting the 3 month goal for First Actions as non-electronic filers**
 - ◆ **Substantially more satisfied with the accuracy of filing receipts than non-electronic filers**
 - ◆ **Slightly more satisfied overall than non-electronic filers**



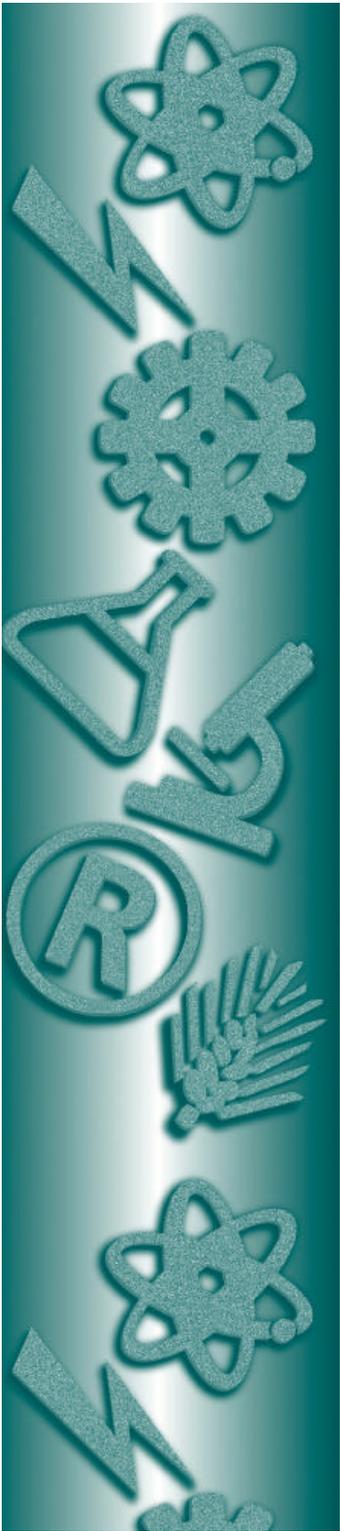
Electronic Filing – In Summary

Due to the small number of respondents using electronic filing, caution must be used in drawing conclusions from the survey results

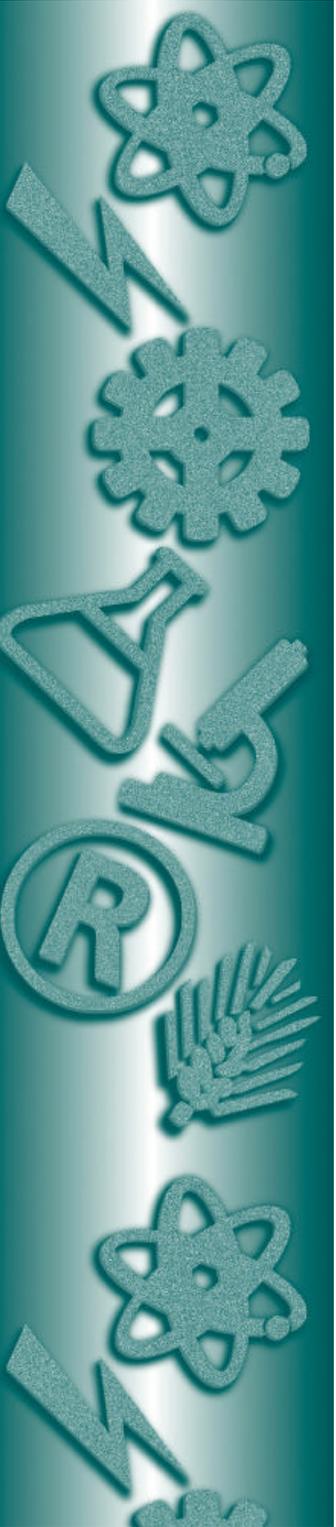
- **Six percent of the respondents have used electronic filing**
- **e-TEAS was the most frequently used method to file electronically**
- **At least 80% or more are satisfied with:**
 - ◆ **Ease of access to the electronic filing system**
 - ◆ **Ease of use of the on-line form**
 - ◆ **Clarity of instructions**
 - ◆ **Ease of payment**
- **About 20% are dissatisfied with:**
 - ◆ **Ability to receive answers to questions about electronic filing (also the lowest level of satisfaction)**
 - ◆ **Ease of use of the on-line form**
- **It appears that the availability of electronic filing did not influence users' decisions to file applications**

Electronic Filing – In Summary (Cont.)

- **Most respondents appear to have heard about electronic filing either through INTA or the PTO website**
- **Electronic filers are just as dissatisfied with the timeliness of first actions as non-electronic filers. However, they are substantially more satisfied with filing receipt accuracy and have a slightly higher level of overall satisfaction than non-electronic filers. The substantial difference in filing receipt accuracy could be due to the elimination of PTO data entry.**
- **Write-in comments concerning electronic filing focus on the following issues:**
 - ◆ **Improve e-TEAS to make it more user-friendly for law firms filing on behalf of clients**
 - ◆ **Signature and drawing requirements are not clear**
 - ◆ **Have legislation that would allow attorneys to sign for clients on an application**
 - ◆ **Allow electronic filing by standard e-mail**

A vertical decorative bar on the left side of the slide, featuring a teal-to-white gradient. It contains several stylized, embossed icons: a lightning bolt, an atom, a gear, a flask, a registered trademark symbol (R), a bundle of reeds, and another atom.

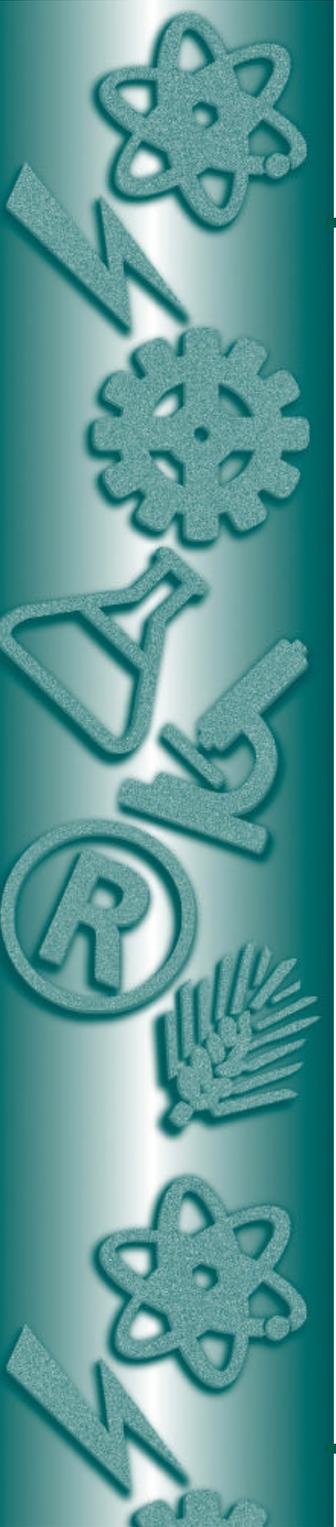
Summary of Qualitative Findings



Summary of Open-Ended Comments

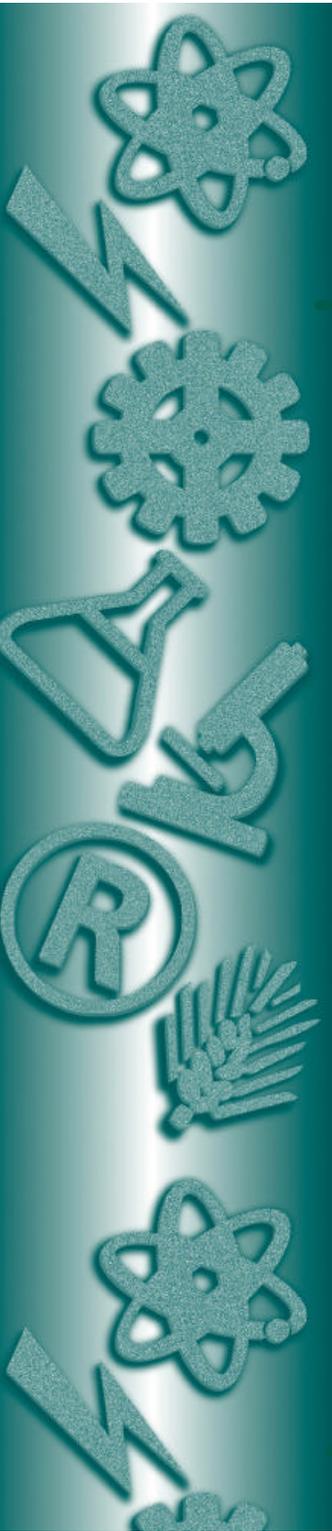
Methods and Procedures

- Respondents were asked for their positive and negative feedback about PTO services, experiences, etc.
- Respondents were asked if they had any recommendations for improvements at the PTO
- This year respondents were also asked to describe their most frequently encountered problems
- All responses were transcribed and are presented verbatim in Appendix H
- Project staff reviewed all responses and for each question developed categories which summarized the content of the responses
- Responses could be placed under more than one category depending on content
- 69% of respondents gave a response to at least one open-ended item (Section B, C12, or Section D)



Overview of Open-Ended Comments

- **This year 3% more respondents wrote comments compared to last year (69% vs. 66%).**
- **Unusually high number of comments and phone calls received from respondents**
- **Those who responded were very interested in being heard and expressing their opinions**
- **Findings support quantitative results**



QUESTION D1

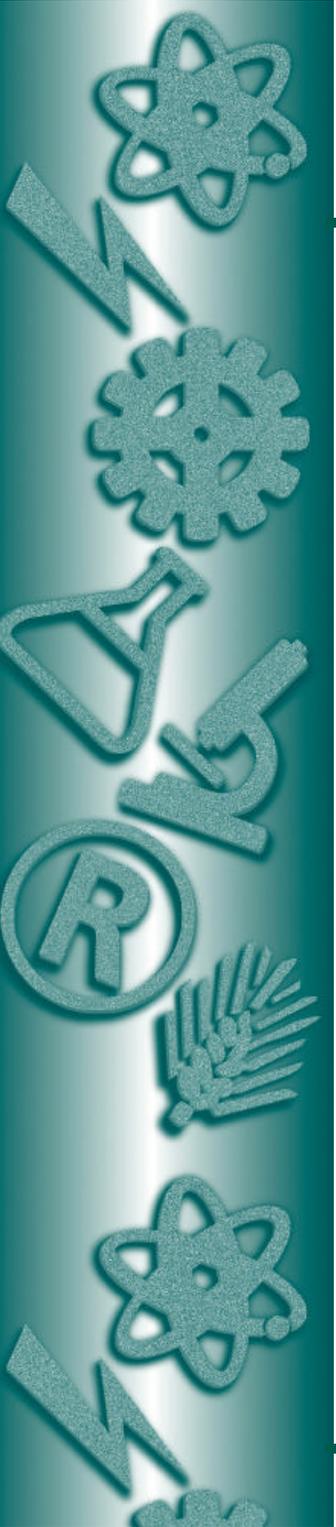
What would you say particularly pleased you about the way your trademark application was handled?

Percent in Category*

Responses were coded into ten categories:

31%	Customer Service / Staff Courtesy
26%	Examining Attorney Competence / Examination Quality and Outcome
17%	Accessibility of Staff / Communications and Interviews
16%	Problem Resolution
14%	Timeliness / Responsiveness
9%	Office Actions / Amendments
4%	Documentation Handling and Accuracy / Organization of Process
3%	Systems and Technology (website)
1%	Costs and Fees
5%	Not Applicable (i.e., irrelevant to question or wrote “no comment”)

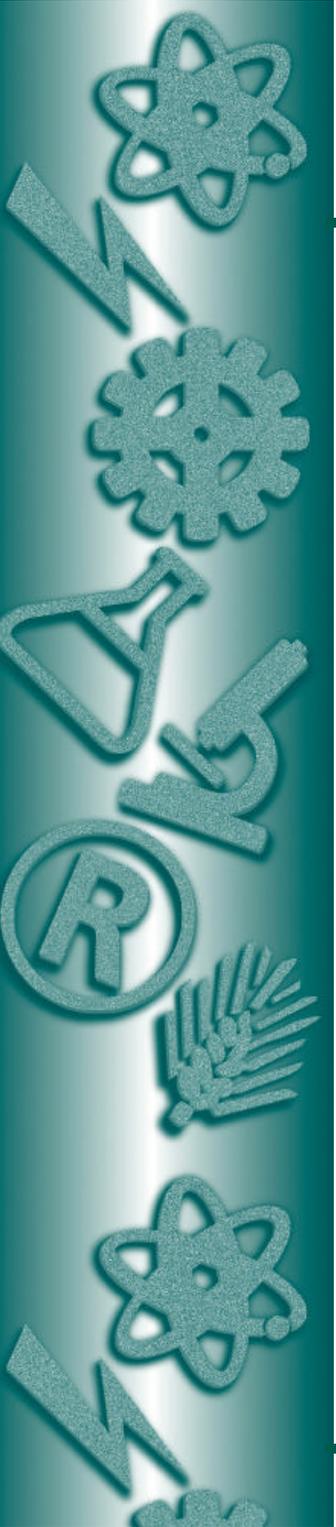
***Percents will not add up to 100% since comments were often placed in more than one category.**



QD1: What would you say particularly pleased you about the way your trademark application was handled?

Some Verbatim Comments:

- **“An effort made by the Examining Attorney to change the application or a portion thereof for the mark applied for registration within the rules and regulations application thereto.”**
- **“The process seems to take less time than before. We are now getting the initial examiner’s report in 6-8 months as opposed to before when it could take well over a year before there was any type of response.”**
- **“When I have a question, I can usually reach the Examining Attorney and address my concerns promptly. They work with me to offer “language” alternatives, etc.”**
- **“The Examiners are often eager to work with you, and to explain their positions.”**
- **“Helpful and informative staff. They proposed solutions rather than just telling of a problem.”**
- **“Examining Attorneys seem to make an effort to handle informalities over the telephone which often accelerates the registration process 6 or more months.”**
- **“The way an examining attorney will make a small amendment to my application without requiring a response unless I disagree. This saves me a lot of time.”**



QD1: What would you say particularly pleased you about the way your trademark application was handled? (Cont.)

Some Verbatim Comments:

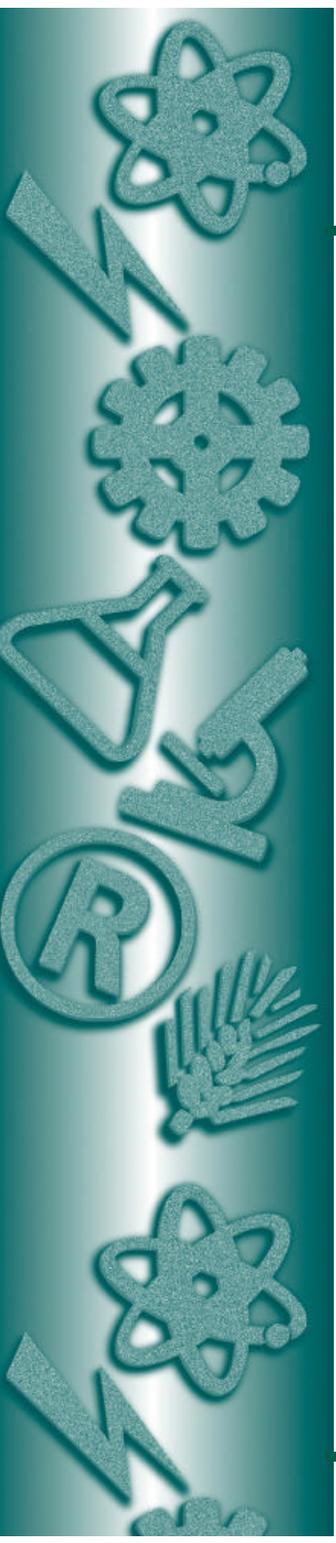
- **“They helped me achieve a registered trademark. Contrast to patent side that just seems to raise objections without positive guidance.”**
- **Handling applications for various companies, with similar goods and services, it was a pleasure that the different examiners were willing to work with maintaining consistency in the goods identified and services recited.”**
- **“I have had some very polite and professional examiners on several recent applications.”**
- **“The trademark examining attorneys are knowledgeable, helpful, friendly. They are proactive. They all care about the process, and about the ultimate client, the applicant! Far more helpful and responsive than the typical U.S. Government employee.”**
- **“The staff is courteous and competent.”**
- **“Trademark Examiners almost always are knowledgeable and have a helpful attitude even if they disagree with applicant and reject application.”**

QUESTION D2

What, if anything, would you say particularly displeased you or what flaws do you see in the application process?

<u>Percent in Category*</u>	<u>Responses were coded into ten categories:</u>
32%	Process Timeliness
27%	Outcome / Basis for Rejections
22%	Inconsistency Among Examining Attorneys (lack of experience, training, and knowledge)
12%	Administrative Handling and Support (mail room, clerical errors)
10%	Procedures / Requirements / Standards / Costs
9%	Lost Materials
8%	Customer Service (status updates, returning calls)
5%	Filing Receipt Errors
4%	Problem Resolution
6%	Not Applicable (i.e., irrelevant to question or wrote “no comment”)

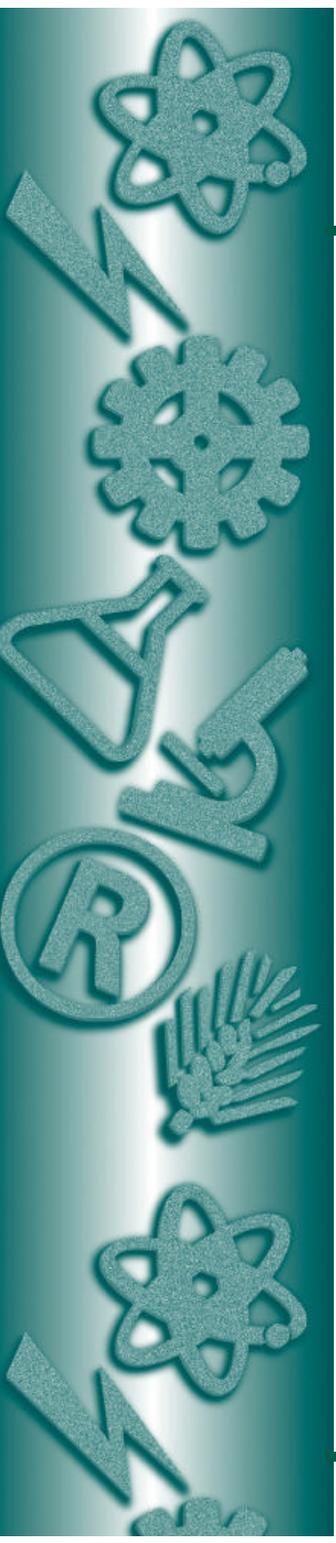
***Percents will not add up to 100% since comments were often placed in more than one category.**



QD2: What, if anything, would you say particularly displeased you or what flaws do you see in the application process?

Some Verbatim Comments:

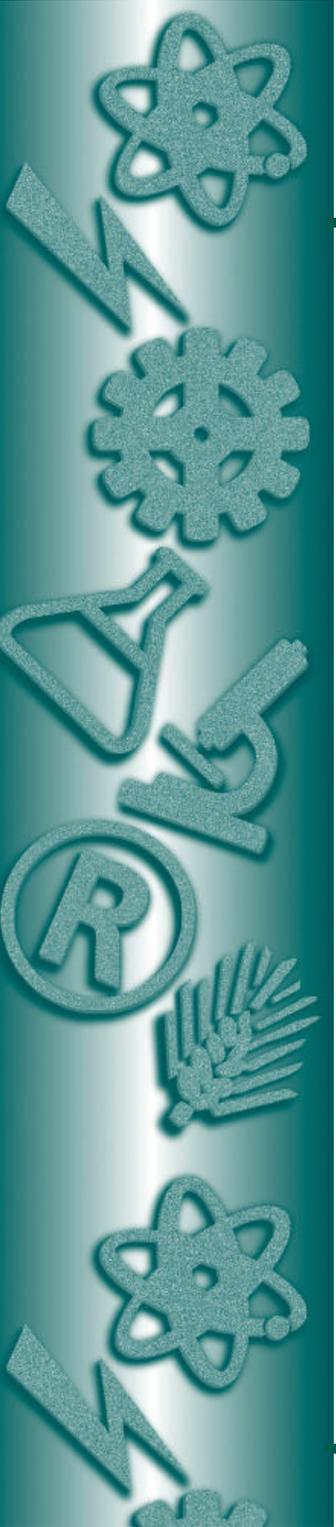
- **“I think there is a need for a problem-shooting department. Some problems appear to fall under no particular jurisdiction and one individual needs to be responsible for the issue. Otherwise, we keep getting bounced from one person to another.”**
- **“There is an uneven quality to examining attorneys. Many of the new attorneys are not competent and make errors which delay the process significantly.”**
- **“It takes forever! Things get lost easily. The turnover in examiners makes it difficult for them to really know the rules. This leads to unequal results in registration and determinations of “descriptiveness” of marks.”**
- **“Overzealous interpretation of 15 USC § 1052(c) contrary to Board and CAFC opinions. Specimens for service marks too narrow.”**
- **“Inconsistency in examination procedures. Blanket refusals with insufficient consideration and too much boilerplate in office actions. I sometimes get the feeling that the SOP is refuse registration if possible, see if applicant is really serious and will respond.”**



QD2: What, if anything, would you say particularly displeased you or what flaws do you see in the application process? (Cont.)

Some Verbatim Comments:

- **“Incorrect information on filing receipts and the PTO policy of not accepting certain required information if it is contained in the drawing page of the application rather than the body of the application.”**
- **“Better communication or information on how to resolve problems – where to call; who to write to on online directory.”**
- **“The amount of time it takes for an application to proceed to registration is a bit excessive. An appropriate amount of time is approximately nine months, as opposed to the current standard of 13 months.”**
- **“Extreme delays in process, lost or misplaced specimens and filings, notices never mailed and Notices of Abandonment consequently issued, and extreme inconsistency in positions taken by different Examiners on same or similar issues.”**
- **“Different examining attorneys handle comparable applications differently – each of consistent examination – no predictability.”**



QD2: What, if anything, would you say particularly displeased you or what flaws do you see in the application process? (Cont.)

Some Verbatim Comments:

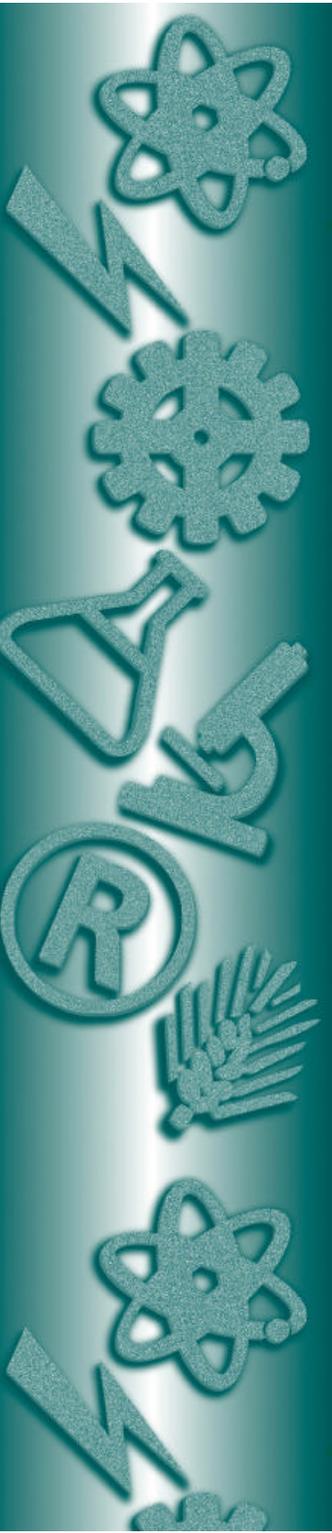
- **“The physical handling, as opposed to the substantive processing, of the application at every stage seems fraught with chances of losing the file or misposting data. These minor annoyances create billing problems for law firms, whose clients do not want to pay for the necessary corrections of clear PTO errors.”**
- **“Clerical inconsistency. Some files get changes and corrections reflected, others don’t. The inability to get staff on the phone about clerical errors. The examiners make themselves available to discuss and talk about the office actions, it would be nice if the staff had the same requirements of contacting and communicating with the client.”**
- **“The biggest problem is the front end of the PTO process. I have experienced errors in categorization of TM, data entry errors in first office action, and made three attempts to change address.”**

QUESTION D3

***How can products and services be improved at the PTO?
(Including any new products or services)***

<u>Percent in Category*</u>	<u>Responses were coded into twelve categories:</u>
16%	Timeliness / Responsiveness
15%	Systems and Technology (electronic filing, website, searches)
15%	Staff Competence / More Staff
12%	Training / Supervision of Staff
11%	Document Handling and Accuracy (paperwork, filing receipts, forms)
10%	Customer Service
9%	Access and Dissemination of Info on Procedures, Policies, Rules, and Status Info
9%	Accessibility of Staff / Phone and E-mail Communications
7%	Requirements / Standards / Process
6%	Costs / Fees
6%	Consistency of Outcome / Classifications / Problem Resolution
13%	Not Applicable (i.e., irrelevant to question or wrote “no comment”)

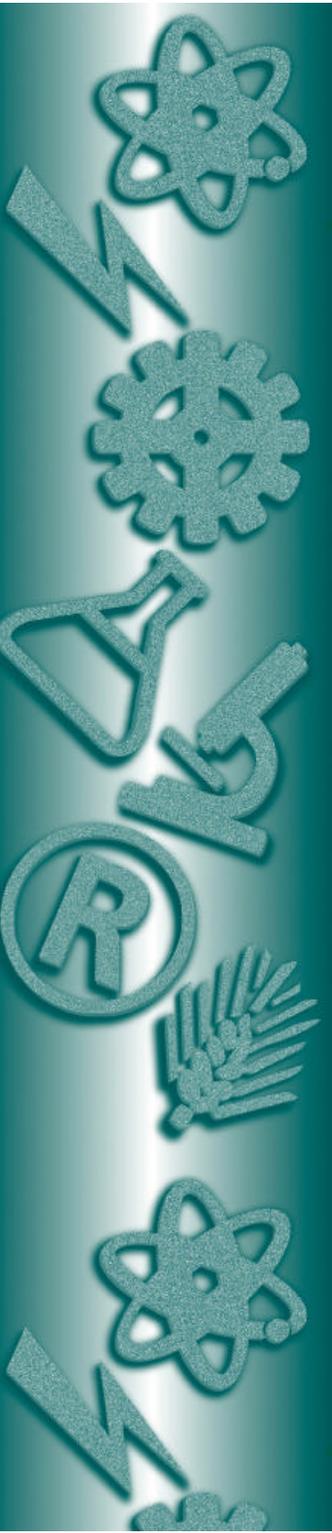
***Percents will not add up to 100% since comments were often placed in more than one category.**



***QD3: How can products and services be improved at the PTO?
(Including any new products or services)***

Some Verbatim Comments:

- **“Improve E-TEAS – not geared in many ways to law firm filings – is repetitive – does not include application option such as use by related companies – asks for unnecessary information such as client phone number.”**
- **“Training on substantive grounds for denial of an application – but still generally good.”**
- **“If you call the Trademark Help Line very often there is a 10-15 wait to speak to a person. You have to remain on hold even to leave a message, but if you need the information immediately, you can’t rely on leaving a message.”**
- **“Improve the quality of the non-professional support staff. (My experience with the professional Examination Corps has been highly satisfactory for the most part.)”**
- **“(1) Better coordination between Assignment Division and the trademark prosecution offices in forwarding assignment recordation information. (2) More dependable handling of revocation/appointment of attorneys. (3) An efficient method of having assignment information and changes of power of attorney and address put immediately into the PTO computer database would be enormously helpful. (4) Use of e-mail?”**
- **“Expand search capabilities of on-line trademark database to include wildcards, add title history data, shorten time required to get new applications on the database.”**



***QD3: How can products and services be improved at the PTO? (Cont.)
(Including any new products or services)***

Some Verbatim Comments:

- **“Examiners are much improved. Staff and Assistance Center need more improvements and responsiveness.”**
- **“More needs to be done to hasten the application process. The office is averaging 7 months for a first action, which is simply too long. Important business interests are often at stake and my clients are extremely disadvantaged by the uncertainty.”**
- **“Speed up the application process. I gather from this survey that the goal of time to issue the first office action is 3 months, but my experience shows it is more likely to be 6 months or more. Also, quality control of routine papers is a must – you can’t imagine the flood of filing receipts we received this year with typographical errors.”**
- **“Better quality control at front end of your process. Your examining attorneys are wonderful, but they seem to be carrying the burden of correcting mistakes by data entry workers and other receivers of mailings.”**
- **“Update status line more frequently; have more accessible assistance center.”**
- **“Must get more efficient in document handling. Accuracy in recording assignments and security interests is poor, particularly compared to such recordings for patents.”**
- **“I would like to be able to file electronically but the signature and drawing requirements are not clear.”**

QUESTION D4

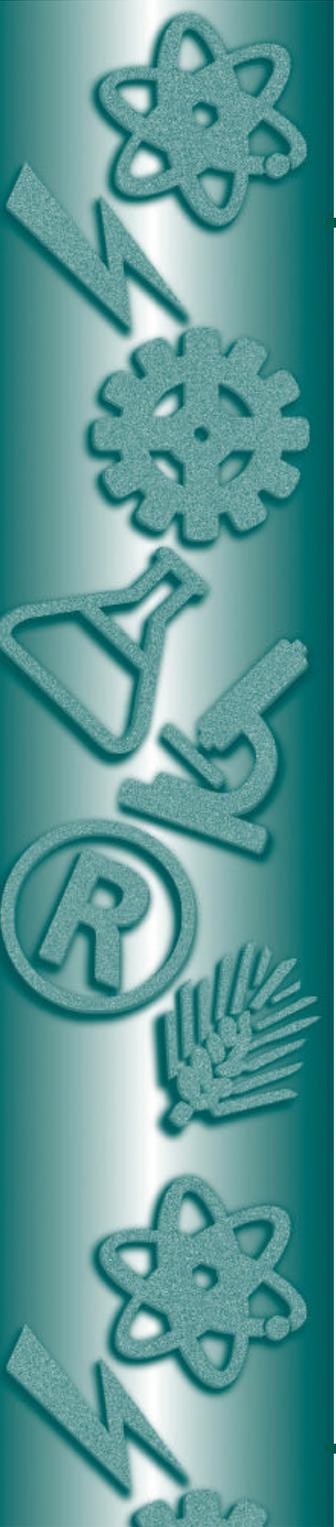
Any additional comments?

**Percent in
Category***

Responses were coded into eleven categories:

21%	Positive – Overall Trademark Service / Good Improvements
5%	Positive – Staff Competence / Customer Service
4%	Positive – On-Line Services Offered
19%	Negative – Staff Competence / Customer Service / Accessibility to Staff and Status Info
11%	Negative – Changes To and Info on Regulations, Procedures, and Process
10%	Negative – Consistency of Decisions / Outcome
9%	Negative – Timeliness Issues
7%	Negative – Problem Resolution / Quality Control / Errors (Administrative)
5%	Negative – Systems and Technology / On-Line Improvements
7%	Comments About the Survey and Miscellaneous
11%	Not Applicable (i.e., irrelevant to question or wrote “no comment”)

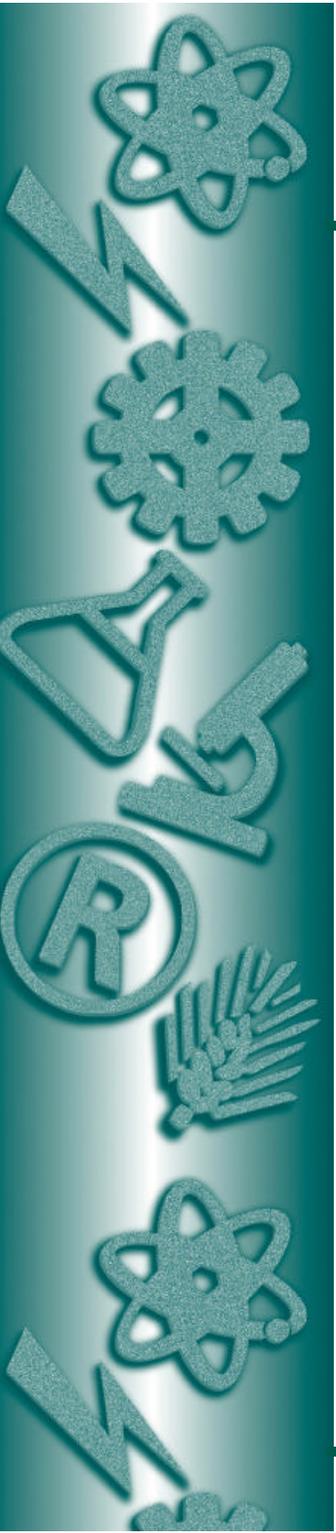
***Percents will not add up to 100% since comments were often placed in more than one category.**



QD4: Any additional comments

Some Verbatim Comments:

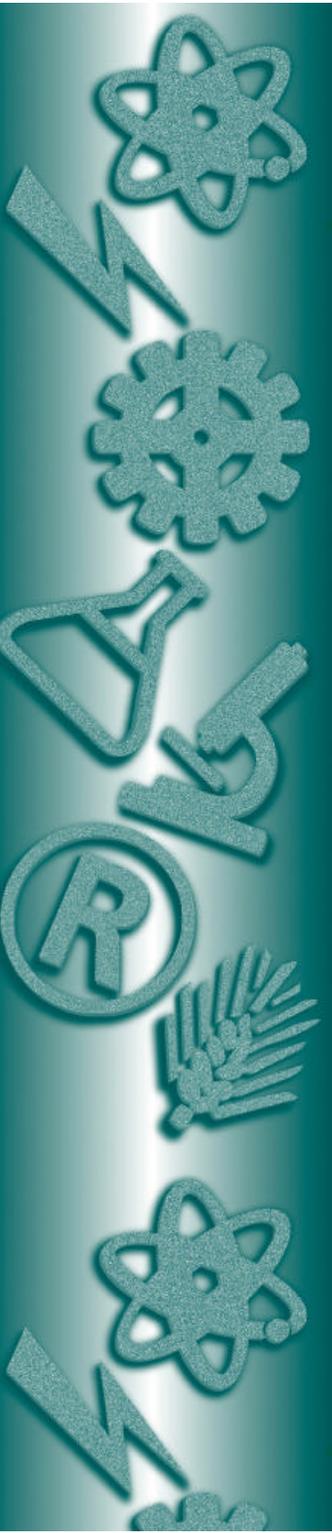
- **“Such things as corrections of applicant’s name not done. Several abandonments resulted by lack of PTO communication or sending correspondence to applicant not Atty. Filing receipt errors running rampant.”**
- **“Uniformity for making rejections based on likelihood of confusion does not exist between all the examiners. Some examiners seem to base rejections on their feelings and not on legal grounds.”**
- **“I would welcome an e-mail subscription service wherein customers could get news of upcoming changes in the PTO, before they are implemented.”**
- **“We need better follow up on problems that have been brought to the Office’s attention. The time required to resolve them is inordinately long.”**
- **“Your website is awesome.”**
- **“Thanks for listening to the service user. This is a process that should be most helpful to the PTO office in designing an even more user friendly system. I appreciate your efforts to do so.”**
- **“I went through this process 15 years ago and it was arduous...it is now painless...can you transfer your customer service knowledge to all other government agencies???? Please!”**



QD4: Any additional comments (Cont.)

Some Verbatim Comments:

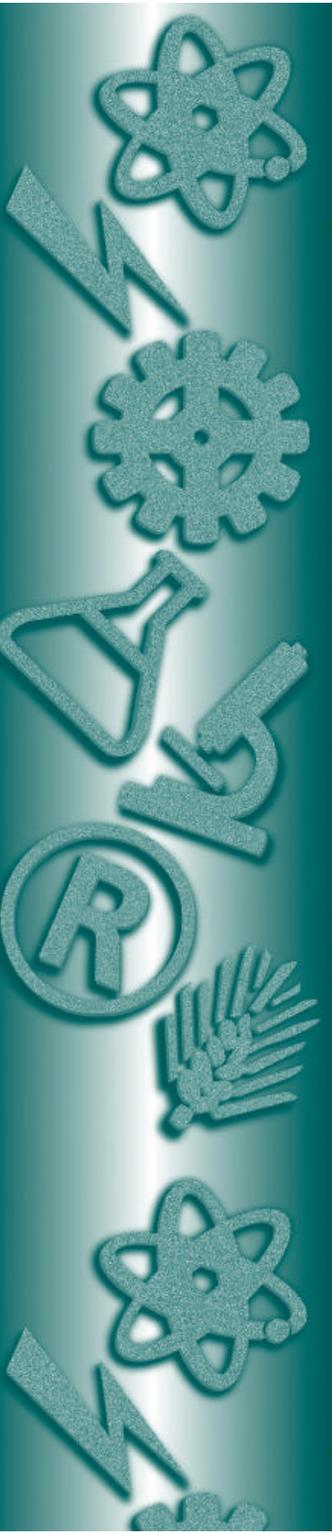
- **“I am a frequent user of the Internet trademark database. It took me a while to figure out how to do manual searches. It would help to show more examples in the instructions.”**
- **“List of contact persons and phone numbers to contact regarding specific tasks, i.e., to get a filing receipt corrected. Where do I send an attorney change of address, etc.”**
- **“Disseminate information to customers re: upcoming rule changes and fee changes on a more timely basis. Update TM status line on a more frequent basis as information is often not up to date.”**
- **“PTO staff in general is helpful and courteous. TARR is a wonderful development – keeping it as current as possible is important. Increasing use of fax and phone makes examination process more efficient.”**
- **“I believe the reason for our overall dissatisfaction with the PTO is related to the timeliness in which matters are handled (i.e., receipt of filing receipts, receipt of office actions, the handling of problems, etc.). We have had applications sit for up to 8 months before we receive communication from the trademark examiner.”**



Observations from Open-Ended Comments

On the Positive Side

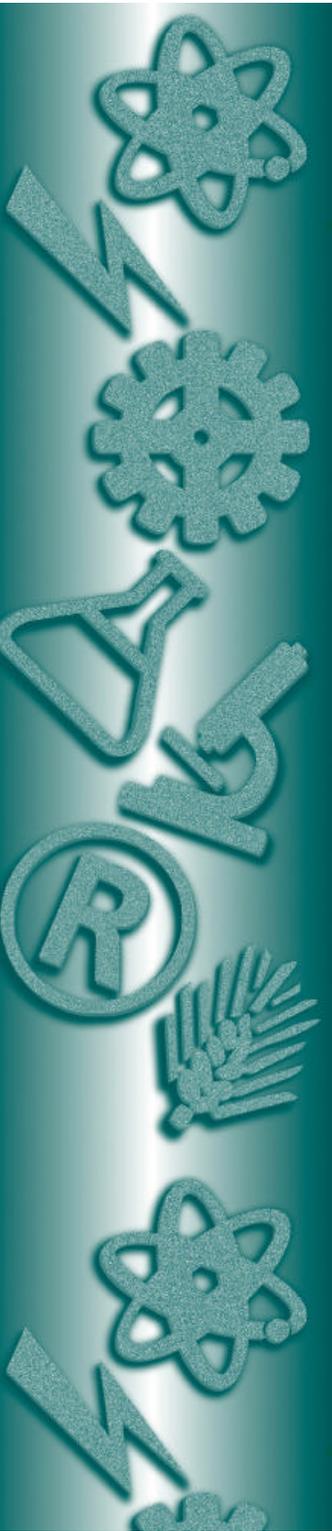
- There were several comments about the staff being professional, helpful, friendly, and courteous. Many respondents believe that the service quality of the Trademark Office is the best they have experienced compared to other government agencies they have done business with.
- Many comments pertained to the examining attorneys and supervisors being responsive, helpful, and knowledgeable. Examples were given on how the examining attorneys are eager to work with the applicants and explain their position.
- There was wide-spread appreciation for the proactive role of the examining attorneys. Several examples were provided of the examining attorneys proposing solutions rather than just pointing out problems. Respondents like the resolution of actions and issues by telephone as well as “telephone conference amendments.”
- It is obvious from the comments that customers would like to see even more use of the telephone in dealing with issues. They believe this would have a substantial impact on process timeliness.
- There were positive comments about the Trademark Assistance Center. However, there were complaints about difficulties in getting through to the Center.



Observations from Open-Ended Comments (Cont.)

On the Negative Side

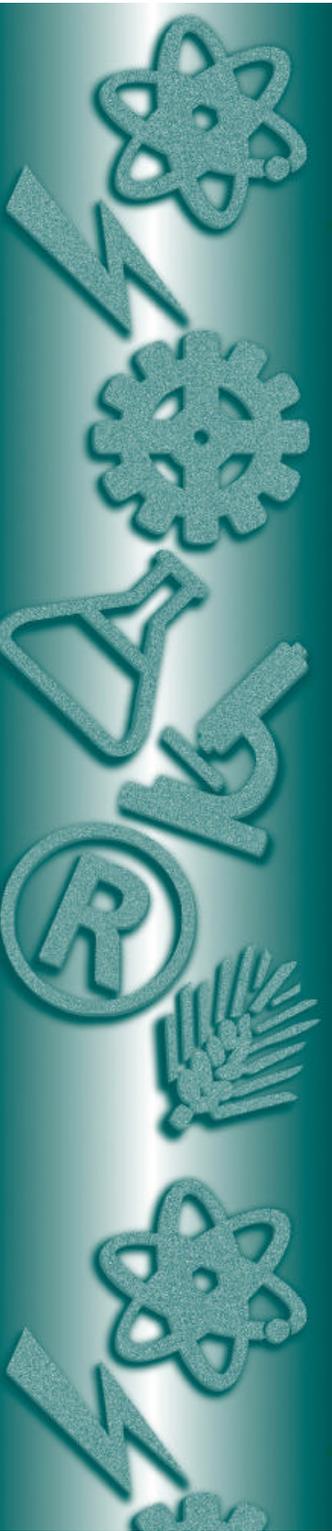
- **There were complaints about the timeliness of the process, especially first office actions. Other timeliness areas noted in the comments that appear to be problems include:**
 - ◆ **Filing receipts**
 - ◆ **Responding to status letters**
 - ◆ **Request for Extension**
 - ◆ **Responding to Statements of Use**
 - ◆ **Responding to Section 8 requests**
 - ◆ **Providing a final determination**
- **There were also comments that the Trademark Office should either come closer to meeting the goals established or change the goal to be more realistic.**
- **Several comments pertained to the perceived inconsistencies in the examination process and among examining attorneys. Examples given of different examining attorneys handling comparable applications differently giving customers a lack of predictability about the search results.**
 - * **Inconsistencies in applying the 1052(d) and 1052(e) standards.**



Observations from Open-Ended Comments (Cont.)

On the Negative Side (Cont.)

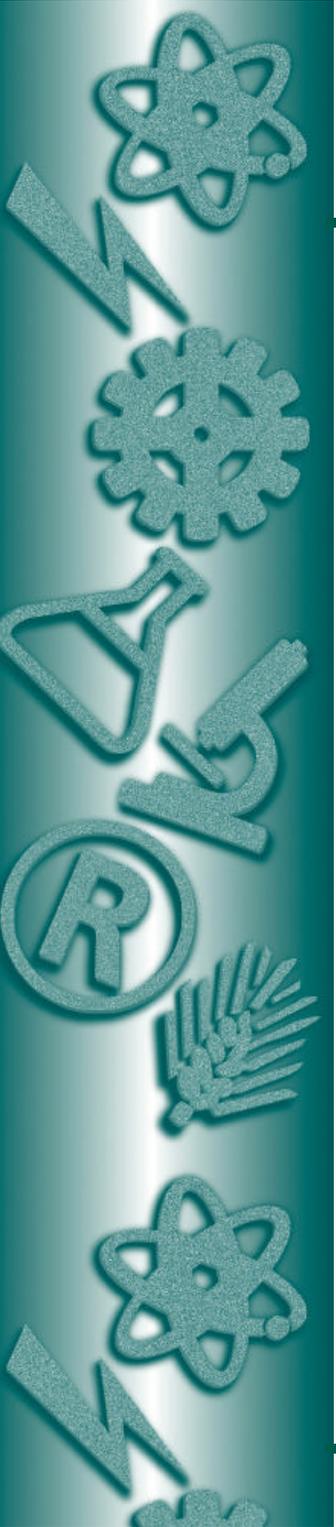
- **There were several comments about inappropriate rejections, especially in citing 1052(d) – Likelihood of Confusion and 1052(e) – Surname and Merely Descriptive:**
 - ◆ **There were comments about unnecessary rejections, especially on 1052(d) and 1052(e) issues, that are later withdrawn causing undue time and expense**
- **The newer examining attorneys making frequent mistakes due to inexperience, lack of training, and lack of proper supervision.**
- **Many examples of lost/misplaced items – specimens, checks, files, and requests:**
 - ◆ **Lost/misplaced items sometimes lead to improper abandonments**



Observations from Open-Ended Comments (Cont.)

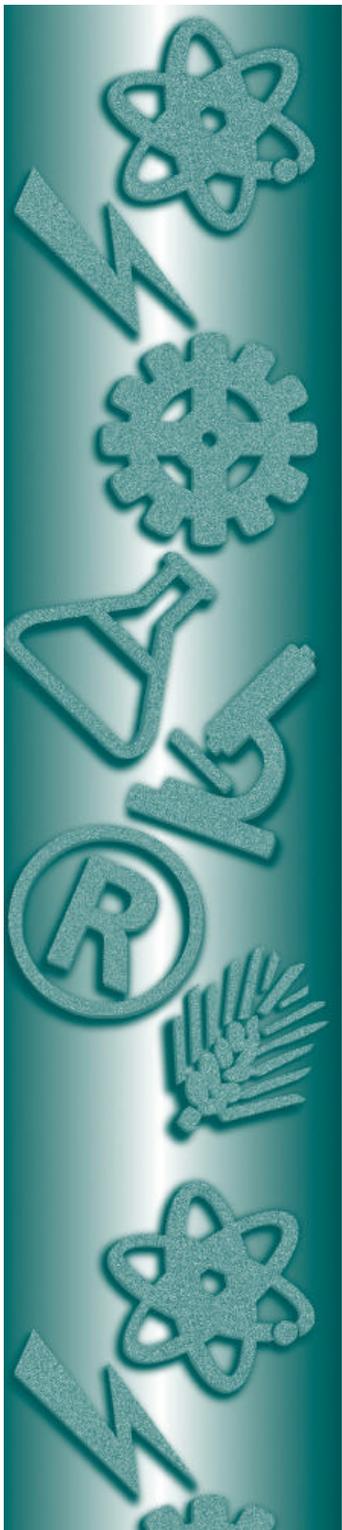
On the Negative Side (Cont.)

- **Respondents gave many examples of errors which cause delays in the process:**
 - ◆ **Filing receipts (the most frequently identified)**
 - ◆ **Notices of Allowance**
 - ◆ **Notices of Publication**
 - ◆ **Certificates of Registration**
- **Difficulties in finding the appropriate person who will take responsibility and solve problems. Perception exists that there is no easy and timely way to make corrections.**



Comments About Performance Standards – Section B

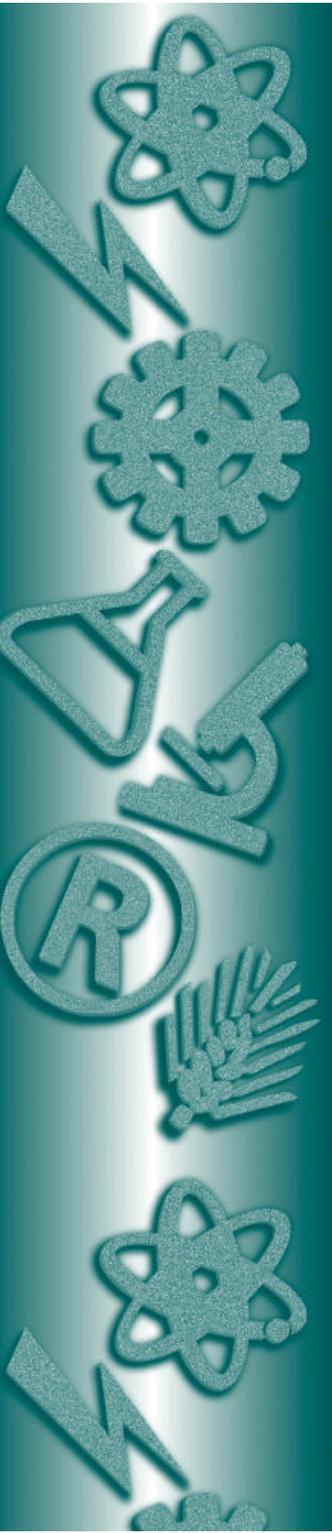
- **The following standards attracted the most comments:**
 - ◆ **Unevenness in returning telephone calls within one business day**
 - ◆ **Timeliness of first office actions**
 - ◆ **Filing receipts – both in terms of timeliness and accuracy**
 - ◆ **Timeliness of the entire process (filing to final determination)**
- **There was no pattern in recommending changes to the existing standards. The focus of the comments appear to be on simply meeting the present standards**
- **In addition, there was no consistency in suggesting additional standards for consideration**



***Telephone Inquiries:
What Respondents Said
When They Called***

Respondent Telephone Inquiries

- **800 number provided by Westat during entire data collection period. This number was provided on all correspondence to respondents**
- **Inquiry answered by a project staff member**
- **Total of about 90 inquiries received over the telephone (for both the patent and trademark satisfaction surveys combined)**
- **Customer inquiries/comments by telephone are presented in Appendix I (Volume II of this report)**



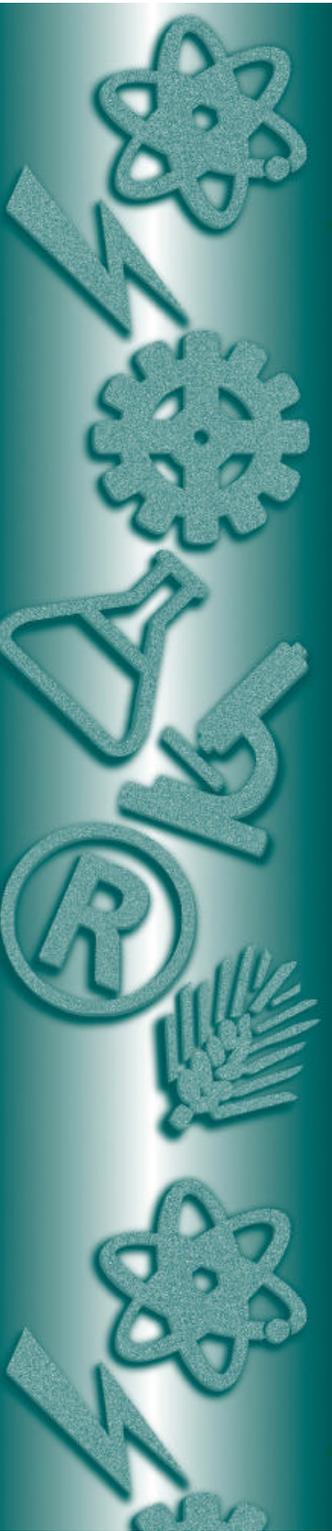
Content of Calls: Examples by Category

- **Data Collection Issues**

- ◆ Many respondents called toward the end of the field period to find out if it was too late to respond
- ◆ Some respondents called with questions regarding completing the survey over the internet
- ◆ A few calls to verify receipt of completed surveys

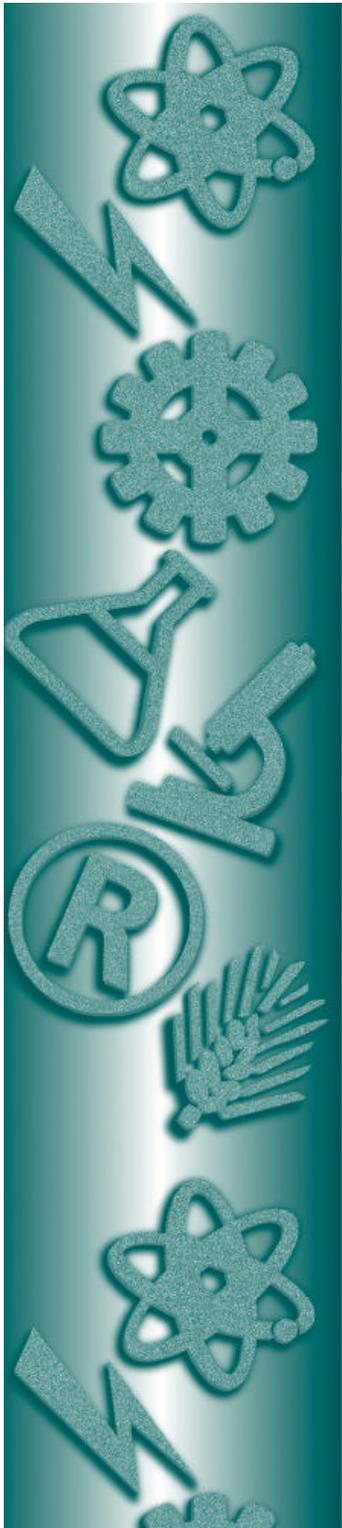
- **Respondent Issues**

- ◆ Some calls were made to indicate that the chosen respondent was deceased, no longer with the company, or on extended leave or disability
- ◆ In cases where the respondent specified was not available, another person called to find out who to give the survey to



Content of Calls: Examples by Category (Cont.)

- **Need for Materials**
 - ◆ Respondents often called requesting replacement surveys, envelopes, cover letters, etc., because they were lost or misplaced
- **Refusals / Complaints**
 - ◆ Some respondents called to say they did not want to complete the survey, but they did want to express complaints with PTO services over the telephone
 - ◆ A few respondents called the 800 number to get someone to help them with specific examining attorneys



Overall Summary and Conclusions

Results Were Reviewed By:

- **Most and Least Satisfied and Most Dissatisfied Questions**
- **Major Changes from 1998 Data**
- **Questions Grouped Into Six Factors**
- **Questions Pertaining to the Overall Trademark Process**
- **Questions Having the Greatest Impact on Overall Satisfaction**
- **Demographic Differences**
- **Content Analysis of Open-Ended Comments**

Overall Summary

- **Customers are satisfied with the fairness of the examination and the outcome appears to meet their objectives (both improved by over 10% from 1998). In addition, customers gave positive ratings to the handling of issues related to goods/services, adequacy of explanation/reason for office actions, and searches performed under 1052(d) – Likelihood of Confusion. There were low levels of satisfaction with the appropriateness of refusals made under both 1052(d) and 1052(e) and only about one-half of the respondents were satisfied with the consistency of examinations, and the efficiency of the examination process.**
- **Almost all areas of customer service received satisfaction ratings of over 60%. Especially high was courteousness, clear written communications by examining attorneys, use of the phone in dealing with examination issues, and the ability to provide accurate answers to questions. Areas with satisfaction ratings of less than 60% include returning phone calls within one business day and providing clear/accurate answers to questions through the Trademark Assistance Center.**

Overall Summary (Cont.)

- **All of the timeliness items, except one, had satisfaction ratings below 60%. In fact, of the 19 timeliness items, 7 of them had satisfaction ratings of 40% or less. The only positive item was disseminating information on changes before the effective date. Areas with high levels of dissatisfaction include providing first office actions within 3 months, mailing filing receipts within 14 days, resolving problems within 7 days, responding to Section 8 requests within 30 days, and responding to Statements of Use within 30 days. Of note, mailing Notices of Abandonment within 45 days improved by 16% compared to 1998.**
- **Problem resolution, while showing some improvement over 1998 levels, has extremely low levels of satisfaction. Given that close to 60% of the respondents experienced some type of problem or difficulty over the past year, this takes on added importance. Problems are not being handled quickly and only 38% are satisfied with the way their problem was handled.**
 - ◆ **The most common types of problems reported include filing receipt errors, lost or misplaced materials, concerns about the basis for examination outcome/decision, and process delays.**

Overall Summary (Cont.)

- **Except for filing receipts, respondents are very satisfied with document accuracy. Over one-third are dissatisfied with filing receipt accuracy.**
- **Respondents were asked to compare several aspects of customer service to previous times they filed applications. Over 30% of the respondents believe service is better now – overall service, timeliness, staff competence, and staff responsiveness. On the negative side, over 20% believe first office action pendency is worse now and over two-thirds believe problem resolution has not improved.**
- **Overall satisfaction increased by 6% over the 1998 level to 69% satisfied. This is encouraging and understandable given the levels of satisfaction of other key service areas. Only 14% of the respondents are dissatisfied with the overall trademark process. In addition, satisfaction with fees paid and value received are now over 60%.**

Overall Summary (Cont.)

- **The “key drivers” (those items having the greatest impact on overall satisfaction) include timeliness issues (returning telephone calls, final determination, filing receipts, problem resolution, responding to Extension Requests), fairness of the examination process, appropriateness of refusals, and prompt, helpful, and flexible service. The key drivers with low levels of satisfaction include final determination, filing receipts, resolving problems, responding to Extension Requests, and appropriateness of refusals under 1052(e).**
- **The analysis of results by demographic segments follows the same pattern as 1998 with two distinct customer segments being served: law firms/large businesses and individual applicants/small businesses. Individual applicants are more positive across all factors. Law firms/large businesses are extremely dissatisfied with the Timeliness factor and all segments are dissatisfied with Problem Resolution. All segments are high on the Customer Service factor. Those having frequent contact and being continuous customers are less satisfied than those with minimal contact and not continuous customers.**

Overall Summary (Cont.)

The following pages summarize the strengths (60% or more satisfied) and the opportunities for improvement (25% or more dissatisfied).

Strengths

- **Courteous service (B1* and C11c)**
- **Use of telephone to deal with issues (C1AP3)**
- **Amount of time to submit required information (C1AP1)**
- **Fairness of examination and outcome meeting objectives (C1OE1 and C1OE2*)**
- **Certificates of Registration, Notices of Allowance, Official Gazettes, and Notices of Abandonment with correct information (B24, B25*, B26, B27)**
- **Clear written communication by examining attorneys (B4*)**
- **Handling of issues related to goods and services (C1AP2*)**

* Key Driver

Overall Summary (Cont.)

Strengths (Cont.)

- **Ability to provide accurate answers and prompt, helpful, and flexible service at a time convenient to the customer (C1SC2, C1SR1, C1SR2*, C1SR3*)**
- **Genuinely committed to providing the best possible service (C1SC2)**
- **Directing customer promptly to proper office/person (B2)**
- **PTO fees and good value for fees paid (C1P1 and C1P2)**
- **Searches performed under 1052(d) – Likelihood of Confusion (C1AP4)**
- **Adequacy of explanation/reason for office action (C1AP8)**
- **Widely disseminate information on changes prior to effective date (B6)**

*** Key Driver**

Overall Summary (Cont.)

Opportunities for Improvement

Timeliness Standards:

- **Providing first actions within 3 months (B7)**
- **Mailing filing receipts within 14 days (B10*)**
- **Resolving problems within 7 days (B28*)**
- **Responding to Statements of Use within 30 days (B16)**
- **Responding to Section 8 Requests within 30 days (B19)**
- **Responding to Extension Requests within 30 days (B17*)**
- **Mailing applicant's return postcard within 3 days (B9)**
- **Responding to Amendments within 35 days (B14)**
- **Responding to Section 9 Requests within 30 days (B20)**
- **Returning telephone calls within one business day (B3*)**
- **Providing a Final Determination within 13 months (B8*)**

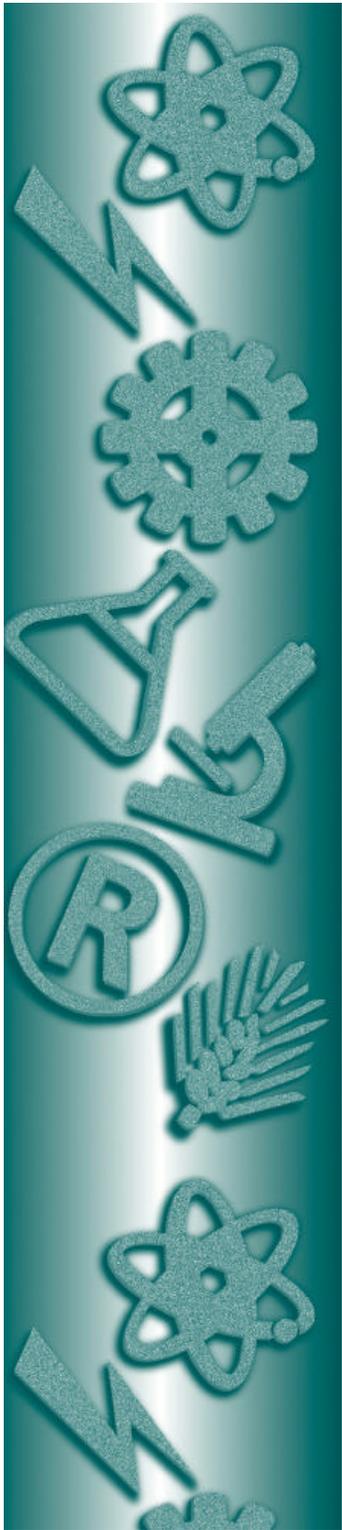
*** Key Driver**

Overall Summary (Cont.)

Opportunities for Improvement (Cont.)

- **Issuing Filing Receipts with correct information (B23)**
- **Handling of delays (C11a)**
- **Handling of mistakes (C11b)**
- **The way your problem or difficulty was handled (C11d)**
- **Appropriateness of refusals made under 1052(d) – Likelihood of Confusion and 1052(e) – Merely Descriptive, Surname, Geographic (C1AP5, C1AP6*)**
- **Consistency of the examination (C1AP7)**

*** Key Driver**



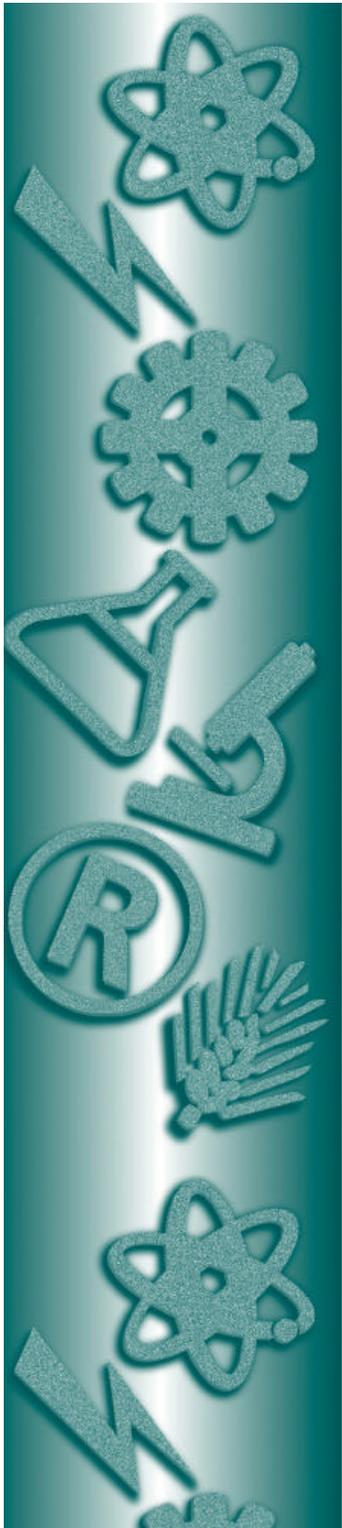
Conclusions

Conclusions

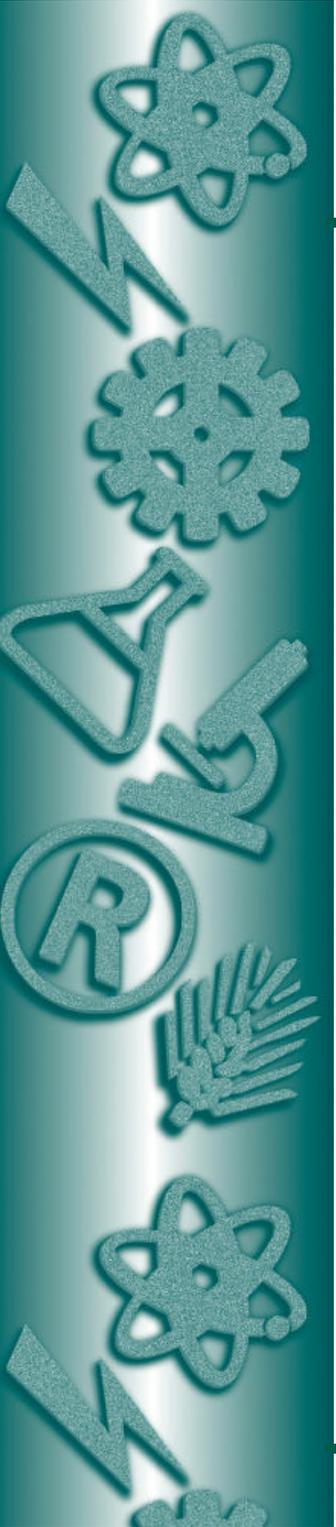
- **Overall, the results show that the Trademark Office is providing service to its customers in a helpful, professional, and friendly manner. Customer Service is the most positive factor, followed by Document Accuracy**
- **Overall satisfaction is just below 70% and it improved by 6% over the 1998 level**
- **All comparable items improved in satisfaction over 1998 levels. In fact, 15 of the 27 comparable items improved by more than 5%. Noteworthy improvements include:**
 - ◆ **Key aspects of customer service (genuinely committed to providing the best possible service, returning telephone calls, directing customers promptly to proper office or person, and providing prompt and helpful service)**
 - ◆ **Fairness of examination**
 - ◆ **Timeliness in responding to status letters, Notices of Abandonment, and Notices of Publication.**

Conclusions (Cont.)

- **In comparing the most recent filing to previous filings, over 35% of the respondents believe that overall service and staff responsiveness are better now**
- **However, there are three areas that still require focused attention if overall satisfaction is to continue to improve to over the 70% level:**
 - ◆ **Overall timeliness and meeting certain key time standards established by the Trademark Office**
 - ◆ **Prompt response to reported problems, especially on lost or misplaced materials and PTO-generated mistakes**
 - ◆ **Dealing with perceptions of inconsistent rejection decisions**

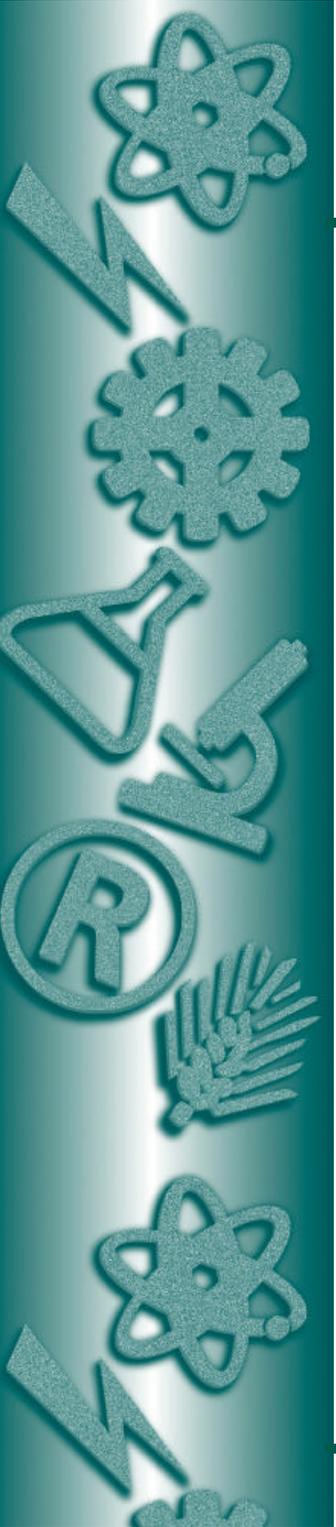


Recommendations



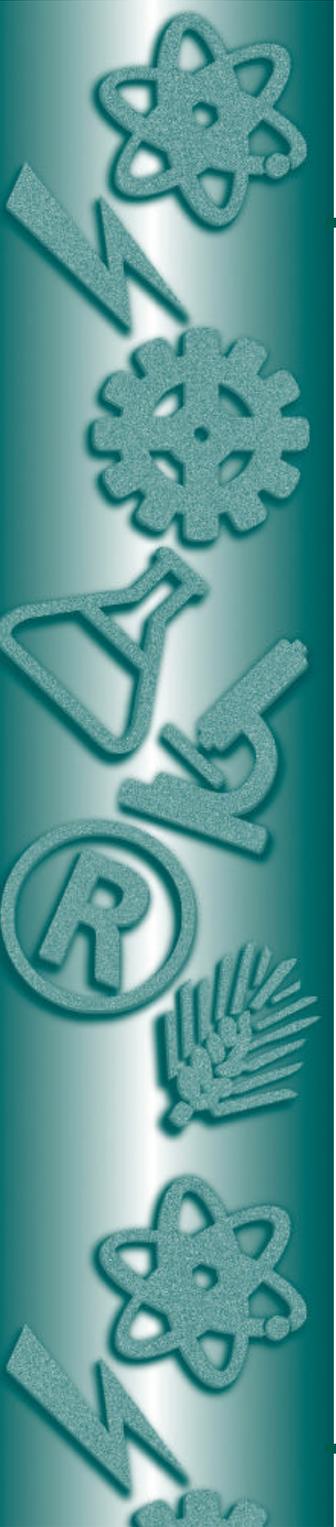
Recommendations – The Vital Few

- **Review the time standards where 30% or more of the respondents are dissatisfied with the performance of the Trademark Office in meeting the standards. Develop an operational improvement plan for either meeting the standards or establishing more realistic expectation goals:**
 - ◆ **First office actions**
 - ◆ **Filing receipts**
 - ◆ **Statements of Use**
 - ◆ **Extension Requests**
 - ◆ **Section 8 Requests**
- **Review quality control procedures for 1052(d) and 1052(e) refusals and identify improvement opportunities for assuring consistency in the application of the standards. Given that less than 50% are satisfied with consistency and the appropriateness of refusals, there appears to be opportunities for improvement. For example, have the Office of Trademark Quality Review identify recurring problems and issues and recommend appropriate corrective actions.**



Recommendations – The Vital Few (Cont.)

- **Continue to work on establishing a problem management system that categorizes problems, assigns responsibility for all reported problems, documents them, establishes resolution goals, and organizes a close-out process. Emphasis should be placed on the timeliness of resolution, given that only 32% believe their problems are resolved quickly and only 32% believe the 7 day resolution standard is being met.**
- **Implement a quality control process for the accuracy of all filing receipts. Establish quality goals, communicate the goals to the public, and track along with the 14 day timeliness goal.**
- **Establish appropriate timeframe estimates for First Office Actions and send this estimate along with the filing receipts**
- **Improve the document control system for storing, transferring and tracking materials. Explore the use of the Trademark Assistance Center as a focal point for tracking down lost or misplaced materials.**



Recommendations – The Vital Few (Cont.)

- **Continue to stress returning phone calls within one business day. This recommendation is based on the write-in comments, the fact that one-quarter of respondents are dissatisfied with return calls, and it being a key driver. In addition, check on the magnitude of difficulty in reaching the Trademark Assistance Center and make changes as necessary to assure ease of access.**
- **Given that only 6% of the respondents are using electronic filing, provide appropriate incentives to expand its use. One example is to provide electronic filers with faster service. In addition, given the complaints about document accuracy, publicize the advantages of electronic filing in terms of data entry accuracy.**