

REMARKS OF Q. TODD DICKINSON

**UNDER SECRETARY OF COMMERCE FOR
INTELLECTUAL PROPERTY
&
DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE**

at

**The Celebration of the USPTO's New Status as
a Performance-Based Organization**

**Arlington, Virginia
April 3, 2000**

I. WELCOME AND INTRODUCTIONS

Good morning. Thank you, Stacy, for that wonderful rendition of our National Anthem.

So, are you ready to celebrate?

I hope so, because this is a historic day for our agency, and it's a time for celebration.

Two hundred and ten years ago, almost exactly to this day, our nation's intellectual property system was born when President Washington signed into law the first patent statute. Shortly thereafter, Thomas Jefferson became the first head of our office.

Now, more than six million patents and two million trademarks later, we make history again by moving to the forefront of reinventing government, becoming the largest -- and only the second -- performance-based organization in the federal government.

And who better to lead the way in government **re**-invention, than the agency devoted to **invention**?

The autonomy and flexibility we have as a PBO will enable us to improve the quality of work-life here at the USPTO -- while also enhancing customer service. It will free us from "one-size-fits-all" regulations and other outmoded processes that get in the way of doing our job -- and give government a bad name.

In other words, we're going to move from **red tape** to **results**.

The reason we're now a PBO is because our employees have demonstrated the ability to achieve results -- to provide sound intellectual property rights that are so vital to the U.S. economy.

That is why Congress and this Administration have chosen us -- out of the more than 100 federal agencies -- to be the next PBO. It's a high honor and a tribute to every member of our community.

And joining us today to help us mark this exciting new chapter are some very special guests:

- The Deputy Secretary of Commerce, the Honorable Robert Mallet.
- Congressman Howard Coble of North Carolina, Chairman of the House Judiciary Committee's Courts and Intellectual Property Subcommittee.
- Morley Winograd, Senior Advisor to the Vice President and Director of the National Partnership for Reinventing Government (NPR).
- John Kamensky, Deputy Director of the NPR.

The vision and determination of these individuals has been critical in our becoming a PBO.

II. INTRODUCTION OF DEPUTY SECRETARY MALLET

Throughout our agency's history, but particularly under the leadership of Secretary Daley and Deputy Secretary Mallet, we've been fortunate to have the strong backing of the Department of Commerce. In fact, Mr. Mallet is one of our greatest champions in the Administration, and he's been a tireless advocate of making us a PBO. We wouldn't be here today, and we wouldn't enjoy the strong footing we need within the Administration, without the extraordinary support of the Deputy Secretary. I also want to recognize some of his colleagues in the Department who have been of such help to us, including Chief Financial Officer and Assistant Secretary for Administration, Linda Bilmes; Raul Perea-Henze, Deputy Assistant Secretary for Administration; and Andy Pincus, General Counsel.

Without further delay, it's my pleasure to introduce to you the Deputy Secretary of Commerce, Robert Mallet.

[Deputy Secretary Mallet speaks]

III. INTRODUCTION OF CHAIRMAN HOWARD COBLE

President Truman used to say that if you needed a friend in Washington, get a dog. Well, when it comes to protecting our fees, Chairman Howard Coble is the fiercest pit bull in town -- and a great friend.

More than any other person on Capitol Hill, he was instrumental in seeing that the patent reform and PBO measure became law. He is the point person in Congress on IP matters.

Let's give a very warm welcome to the Chairman of the House Judiciary Committee's Courts and Intellectual Property Subcommittee, Congressman Howard Coble.

[Chairman Coble speaks]

IV. INTRODUCTION OF MORLEY WINOGRAD

The Chairman notwithstanding, making the USPTO a PBO wouldn't even have been an issue were it not for our next speaker -- the leader of Vice President Gore's Reinventing Government program. It was his and the Vice President's vision that got the ball rolling - along with the great team at NPR. He's also one of the smartest and most visionary men I've had the pleasure of working with in government.

So, please welcome Morley Winograd, Senior Advisor to the Vice President and Director of the National Partnership for Reinventing Government.

[Mr. Winograd speaks]

V. UNDER SECRETARY DICKINSON'S REMARKS

As I said at the outset, this is a day to celebrate. And today marks an important milestone in our agency's history.

I have no doubt that, fifty or a hundred years from now, people will look back on this time as one of the most momentous periods in the history of the USPTO.

Not only are we moving to the forefront of Reinventing Government, we're also implementing the most sweeping changes in patent law in half a century and handling record levels of patent and trademark filings. We're implementing state-of-the-art technology to allow customers to secure our products and services over the Internet. And we've recently overcome a major hurdle in our move to modern, consolidated offices in Alexandria.

Looking globally, our country's IP system is the model for the world. Our trading partners in Europe and Japan, for example, are proposing changes in their patent systems to track more closely our system's strong protection for emerging technologies, such as biotechnology and Internet-related inventions.

So, this is a very exciting time for our agency. Of course, it's also been a very busy time, and I want to take this opportunity to thank all of you who have been working day and night to get our job done. Your dedication has not gone unnoticed.

There are too many names to mention, but let me highlight a few:

- Our unions -- Headed by NTEU 245 President Howard Friedman; POPA President, Ron Stern; and Melvin White, President of NTEU 243.
- Management – Including our newly appointed Commissioner for Patents, Nick Godici; our newly appointed Commissioner for Trademarks, Anne Chasser; Deputy Commissioner for Patent Examination Policy, Steve Kunin; Deputy Commissioner for Patent Resources and Planning Edward “Kaz” Kazenske; our new Deputy Commissioner for Patent Operations, Esther Kepplinger; Deputy Commissioner for Trademark Operations Bob Anderson; General Counsel, Al Drost; Chief Financial Officer/Chief Administrative Officer, Clarence Crawford; our new Deputy Chief Administrative Officer for Human Resources and Administrative Services, Kim Walton; Chief Information Officer, Dennis Shaw; Administrator for External Affairs Robert Stoll; Administrator for Quality Management, Mary Lee; Director of the Office of Independent Inventor Programs, Dick Apley; our HR staff, including Acting Director Sydney Rose; and my new Chief of Staff, Peter Fowler.

And to all those I didn't mention by name, thank you very much.

During a typical day here, we sometimes lose sight of just what our jobs are all about - and the rich history of this agency. The reality is that our work touches many lives and has a profound impact on the well-being of our nation.

Ask yourselves this:

- How many federal agencies can boast that their mission statement was drafted by the framers of the Constitution?
- How many federal agencies have been instrumental in America's transformation from a small, struggling nation into the greatest economic power on Earth?
- And how many federal agencies turn dreams into reality? On a daily basis, no less.

When Thomas Edison had an idea -- and he had **a lot** -- he came to us. And the world has been a brighter place ever since.

And when Walt Disney had a trademark to register on a cartoon mouse, he came to us -- and generations of children the world over have been entertained unlike ever before. And you can see that original 1928 trademark application for Mickey Mouse in our museum.

By helping patent and trademark applicants turn their ideas into marketable products, we've served as a catalyst for the economy. We've fueled the longest economic expansion in U.S. history by adapting to rapidly changing and emerging technologies.

We also have helped make the federal workforce more reflective of the rich diversity of America. It's a legacy that goes back over 150 years, not long after the birth of the women's rights movement, when this Office became the first federal agency to employ female clerks. And today, we're the most diverse agency in all of government.

So, our agency has always been a pioneer. And, today, we become a **PBO** pioneer.

I know some of you are still probably wondering just what the heck a PBO is. Well, simply put, a PBO is a results-oriented, performance-based, customer driven organization.

The PBO concept grew out of the effort Vice President Gore launched back in 1993 -- an effort to create a government that works better, costs less, and gets results. Some of you may remember his appearances on David Letterman back then, showcasing \$500 government ash trays and reams and reams of government rules and regulations.

To date, the Vice President's efforts have saved American taxpayers more than \$130 billion and eliminated 16,000 pages of Federal regulations and nearly 700 million pages of internal rules.

Make no mistake, though. Government reinvention isn't just about saving money and reducing red tape. It's about making the federal government a model employer and restoring the public's trust in government.

As I have said many times in the past, how we treat our customers is fundamentally tied to how we treat you -- our employees.

In my two years here, I've been able to get away from the 9th floor and meet many of you -- although not as many as I'd like. Those interactions have only confirmed what I already knew: you are our greatest asset.

And now that you work for a PBO, you will be treated in a way that better reflects how much we value you.

I know that some of you are probably a little skeptical of all of this. Perhaps you think you've heard pronouncements like this before.

First, let me say that I understand that skepticism. Traditionally, government hasn't been the model for efficiency and employee and customer satisfaction.

But let me assure you -- today isn't just any other day at the USPTO. It's a new beginning for our agency -- and things are going to change.

And so, to mark this new beginning -- and to reaffirm our respect and confidence in you as professionals -- we've already made a few changes. I would like to take this opportunity to thank the Executive Staff and, in particular, our Unions for their support of these initiatives. We worked on them in our new Partnership Council, a great vehicle for closer cooperation and engagement. And I believe these changes are being implemented faster than we have ever implemented any others. That bodes well for the future.

Now, for the initiatives: First, effective immediately, we're throwing out sign-in sign-out sheets -- and this applies to overtime and comp time, too. We're also expanding the flexible work band to 5:30 AM to 8:00 PM and adding the option of mid-day flex.

That's not all. As of next Monday, you'll also be able to account for leave, comp. and overtime in 15 minute, rather than 1 hour, intervals. Starting this week, Fridays will be casual dress days -- something that the private sector has been doing for years. And lastly, to ensure the opinions of all our employees are heard at the top, we're launching a new "Employee Communication Mailbox," to open lines of communication throughout the Office.

Many of you have asked for these changes, and we're pleased to deliver. I expect that more will be forthcoming, too. As I've said, this is just the beginning.

With these new freedoms, however, also come responsibilities.

Every one of our employees is responsible for making a host of decisions every day. Whether it's a decision on patentability, registrability, or providing access to a file, each of you has demonstrated professionalism in the manner in which you represent the USPTO to the public.

And nobody knows the needs of our customers better than you do. You also know better than anyone what aspects of our operations don't work as well as they should.

We all talk about how this agency has a distinctive culture. But sometimes I think we see ourselves as more unique than we really are. And this only perpetuates the status quo.

As a PBO, our culture will change. "Status quo" may rhyme with "PBO," but that's where the similarities end.

How many times have you gone home and complained about time consuming and burdensome red tape in our office? I know I have. Now we will have the freedom to eliminate a lot of it. But we're going to need your help in doing so.

As a PBO, we're going to strive to give you the freedom to challenge the status quo of our culture. We're going to encourage you to be creative, to take initiative -- to take risks and suggest things that should be changed.

I don't subscribe to the belief that federal employees aren't risk takers -- that if they were, they might be more likely to work in the private sector. But I also know that for too long, there's been more to lose from speaking up and challenging the way things are done than from staying silent. Just go with the flow. To get along, go along.

Those days are over.

Attitudes like that won't be rewarded in the new USPTO. So, don't be afraid to make a mistake or try something new.

That's how great things come to life.

Think of this as a grand experiment -- a mix of current practices that work and new approaches we have yet to try.

As a PBO, we will be working with Advisory Committees for both Patents and Trademarks. These Advisory Committees will challenge us to achieve new levels of quality and productivity.

Our Unions will have representation on the Advisory committees. Through this avenue and through our standing Partnership committees, we will continue to work effectively with our unions to continuously improve operations. And, again, I want to thank the Unions for the support they have provided.

I know that working together we can do great things -- because we're already doing so.

Consider a few recent examples:

One user of the Trademark Electronic Application System (TEAS) emailed us to say that it was the "nicest interaction" she ever had with the federal government.

Another customer said we had "renewed [his] confidence in the government bureaucracy."

That's what rewarding government service is all about. And the talents among you that resulted in these commendations are precisely the qualities that will enable us to excel as a PBO.

Make no mistake, you are now forging the path of excellence and performance for the entire federal government. I think that's something to brag about.

So, I want to thank you for you making this one of the finest agencies in the federal government. I also want to thank all of our guests today for standing beside us and encouraging us to be the best that we can be.

This is a very exciting time for all of us -- and the journey has only just begun. I look forward to working with all of you as our agency embarks on this exciting new passage.

Again, thank you all very much.

Please come with me now across the street to the Lobby of Crystal Park Two for a reception and some PBO cake. For all you chocolate lovers, I'm afraid that means Pineapple-Banana-Orange.

Before entering the lobby, I will stop and unveil our new USPTO seal. Follow me.