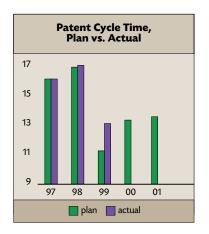
# Patents

### **Performance**

The PTO received 272,221 utility, plant, and reissue (UPR) applications in FY 1999. Increases in the number of applications in communications and information processing technologies led to the 13 percent growth from last year: 143,686 UPR patents were issued, a 3 percent increase over FY 1998. For FY 2000 UPR applications are expected to increase another 10 percent to approximately 299,400, with the high technology areas leading this growth once again. At the end of FY 1999, cycle time averaged 12.9 months. The target processing time for FY 1999 applications was 10.9 months. FY 1998 cycle time was 16.9 months.





### **Four Business Goals**

The Patent Business established the following four business goals to provide customers with high-quality service to facilitate the issuing of patents in a timely and consistent manner: Goal 1, reduce the PTO processing time; Goal 2, receive applications and publish patents electronically; Goal 3, exceed our customers' quality expectations through the competencies and empowerment of our employees; and Goal 4, assess fees commensurate with resource use and customer efficiency.

### Goal 1: Reduce the PTO processing time

By 2003, the PTO will reduce processing time, or cycle time, for original UPR inventions to twelve months from the time an application is received to the time when the patent is issued or when the inventor abandons the application. Unfortunately, in FY 1999 the PTO fell short of the target of 10.9 months cycle time. The final average cycle time for cases awaiting action was 12.9 months. Although both cycle time to first action and the cycle time from first action to allowance/abandonment was on track, we missed our target for cycle time from allowance to publication. However, we are continuing to reduce processing times by hiring more examiners. The PTO set an aggressive hiring goal for FY 1999 in a very tight job market for high technology recruits. We hired 800 new examiners (all with technical undergraduate degrees, 38 percent with advanced technical degrees, and six percent with law degrees). This is the second consecutive year more than 700 new patent examiners have been hired. It is a challenge for the PTO to recruit and then train such a large number of new employees. The creativity the PTO has shown in employing recruitment bonuses, higher step levels, support within the Patent Business by the Office of Human Resources, and an aggressive recruitment campaign ensured that we not only met our hiring target, but that we exceeded it.

## **Specific Processing Times**

The PTO established cycle time awards in FY 1999 as an employee incentive for each area of patent processing. As an example of the improvements achieved through this program, the total time to respond to an amendment was reduced from fiftyeight days at the beginning of FY 1999 to fifty-four days by the end of the year.



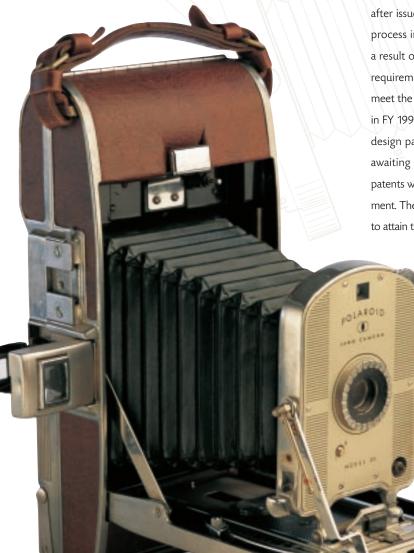
### **Office of Initial Patent Examination**

The Office of Initial Patent Examination (OIPE) worked to keep the number of days to less than thirty when mailing filing receipts, with an average of twenty-five days, and significantly reduced the number of days it took to process patent applications and forward those applications to the examination areas from seventy days in October 1998 to twenty-one days in September 1999. OIPE also implemented a successful quality improvement strategy for filing receipts without errors by installing

a database to track the number of requests for corrected filing receipts matched with type of error made. Plus, a strong focus on employee ownership and accountability was encouraged, and an improved quality sampling process was implemented. Errors were down 26 percent from February 1999 to August 1999.

### **Publications**

To meet the patent cycle time goal, PTO needed to print 183,000 patents in FY1999, which would have reduced the number of patents awaiting printing by 30,000, and allowed PTO to issue patents five weeks after issue fee payment. PTO began a new publishing process in April 1999 in order to meet this goal. As a result of both the new process and new contractor requirements, the database contractor was unable to meet the needed large increase in production capacity in FY 1999. The PTO issued 159,166 patents (including design patents) in FY 1999. The number of patents awaiting printing was not significantly reduced, and patents were issued within 16 weeks after issue fee payment. The PTO will achieve the necessary improvements to attain the five week processing goal in FY 2000.



The Polaroid® Land Camera was introduced by inventor Edwin Herbert Land in 1948 and was an instant commercial success. Users found many applications for the Land Camera and later improved models, including aerial, real estate, and commercial and press photography.



### Goal 2: Receive applications and publish patents electronically.

The PTO will complete systems testing and begin full electronic processing of patent applications in FY 2003. This goal represents another of the HIA commitments.

### **Patents Electronic Filing**

The PTO is on an exciting path in achieving its goal of electronic filing of all patent applications. In July 1998 the PTO began developing the Electronic Filing System (EFS), a process where patent applicants or their representatives can submit applications and related papers to the PTO by using the Internet and the PTO website. EFS is designed around the PTO's free "submission engine" software (called ePAVE). ePAVE permits the applicant to identify the type of electronic patent application submission, the electronic filer, and to attach the specification with claims, drawings, or other files. ePAVE also automates the processes necessary to combine files into a single compressed and digitally signed encrypted file. Transmission security is ensured through the use of Public Key Infrastructure. Applicants must first obtain digital certificates and public/private digital keys from the PTO before transmitting any files. Once transmitted, files are received in the PTO's Electronic Mailroom.

The first component of EFS to be implemented was EFS BIO, which permits customers to submit electronic biological sequence listings for biotechnology patent applications. In November 1999 EFS was expanded by adding an initial pilot program for submission of new electrical, mechanical, or chemical utility applications of limited complexity. Participants use an enhanced version of ePAVE to again combine parts of the application before submission.

EFS enhancements will continue over the next few years. By July 2001, PTO expects to introduce a pilot program for the receipt of Patent Cooperation Treaty (PCT) applications over the Internet, followed by programs to test electronic submission of provisional applications and programs to test electronic



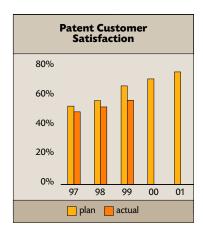
Swanson® TV-dinner tray; patent issued 1959.

6, 1957

submission of complete biotechnology utility patent applications. By late 2001, the PTO will begin merging those pilot programs and various releases of EFS into a complete EFS production system. When finished, EFS will permit customers to file any type of patent application submission electronically. To learn more about EFS and how to participate, visit the PTO Electronic Business Center website at http://pto-ebc.uspto.gov.

# T. A. EDISON.

# **Goal 3:** Exceed our customers' quality expectations through the competencies and empowerment of our employees.



### **Customer Service**

On the basis of the results of the 1999 Annual Customer Satisfaction Survey, PTO's customer satisfaction with the patent process improved. Each of the four "key driver" results increased in FY 1999 as follows:

- Direct you promptly to the proper office or person
   up 11 percent
- Return telephone calls within one business day
   -up 9 percent
- Set forth clearly in written communications the technical, procedural, and legal positions of the examiner

   up 8 percent
- Conduct a thorough search during patent examination process—up 7 percent

These impressive improvements result from the patent business area's conscientious focus on enhancing customer satisfaction. Customer service offices were placed in each Technology Center and process area. Employees attended customer service training. An in-process review system was established to check examiners office actions. The result of all this work is self-evident, and customer satisfaction has been greatly enhanced.

### **Patent Reengineering**

The Patent Working Lab opened on March 30, 1998, and closed one year later, its job done. The purpose of the Lab was to see where processing time could be improved. The Lab consisted of twenty-four participants representing various technologies throughout the patent business area. They were grouped into four teams, each team consisting of four adjudicators (examiners), one analyst, and one assistant. At the end of the year it was found that patent application processing time and quality could be significantly improved if technical support personnel used their newly taught skills to relieve examiners of non-processing workload so that those examiners could focus their time on legal and technical tasks. The result: teamwork, collaboration, and increased customer satisfaction.





Royal® Bar-Lock Typewriter.



Patented by King Camp Gillette in 1901, the idea for a safety razor with disposable blades languished for almost 40 years. By the late 1940s, however, roughly 16 million Gillette® safety razors were being sold annually!

and, as shown and described.

### DESCRIPTION

FIG. 1 is a front, top, right sade perspectively new of a carry tube display and stand, showing from new design; FIG. 2 is a rear, top feft side perspective view thereo

IG. 3 is a front new thereof.

FIG. 4 is a reassiview thereof

FIG. 5 is a right side view thereof;

FIG. 6 is a left side were different;

IG. 7 is a series thereof;

FIG. 8 is a ball in view thereof; and

FIG. 9 is a front, top, right si showing the stand attached. The Apple logo is shown in bro 6, and 9 for illustrative purpose the claimed design.

**Goal 4:** Assess fees commensurate with resource use and customer efficiency.

### **Patent Fees**

Over the past few years, the patent business area has collected more fees than necessary to cover its costs. Activity-based costing demonstrated that the excess patent fee collections were supporting other operations, both within and outside of the PTO. As part of the effort to collect fees corresponding with expenses, the PTO supported a bill, passed as Public Law 106-113, to reduce

patent fees and to increase trademark fees, bringing fee collections back into balance with business area expenses.

### **Patents Strategic Planning**

The patent business area began a second cycle of strategic planning (for FY 2002 to 2006) in August 1999 to answer a few key questions: What do the customers think the priorities of the office should be? What existing patent goals and measures should be improved or abandoned? What is the mission of the office, and should that mission be modified to reflect new strategic directions? How do the employees view the office's goals and vision? These questions will be answered, and the date for publication of the patent strategic plan is May 2000.

