2001 Customer Satisfaction Report

USPTO

"As the new Director of the USPTO, I am firmly committed to improving the quality and minimizing the processing time of patents and trademarks...."

James E. Rogan
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

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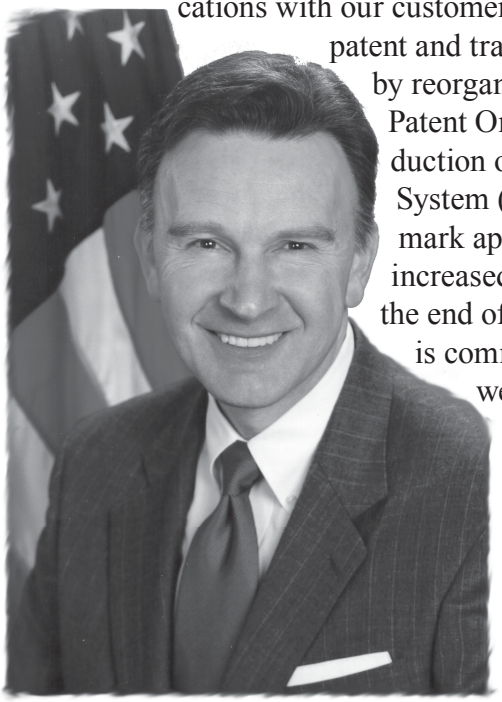
Letter From the Director

We at the USPTO understand the importance of our leadership role in intellectual property rights, and remain dedicated to providing our customers with the highest level of quality products and services. As the new Director of the USPTO, I am firmly committed to improving the quality and minimizing the processing time of patents and trademarks, as well as strengthening enforcement of intellectual property protection worldwide.



In an effort to continue to update you on our customer service activities, I am pleased to present our 2001 Customer Satisfaction Report. This report serves as one tool to communicate with you on improvement initiatives. Included in this report are customer satisfaction survey results, initiatives that have been implemented during fiscal year 2001 to improve customer service, and information about USPTO's transition to e-Government.

The Patent Organization was successful this year in achieving many of its performance goals and implementing numerous customer service initiatives. Overall customer satisfaction remained constant at 64% in 2000 and 2001. The most notable increase from 2000 relates to "prompt and helpful service," which increased from 59% to 67%.

Additionally, the Patent Organization published its first set of patent applications under the American Inventors Protection Act, and implemented a Root Cause Analysis Database to monitor the Customer Service Centers' performance and workload. The patent web database was expanded to include United States patents issued since 1790.

In the Trademarks Organization, there were numerous initiatives implemented resulting in improvements in customer satisfaction. Overall satisfaction increased from 65% in 2000 to 70% in 2001. Customer satisfaction with courtesy increased to 88%. Notable improvement initiatives included revisions to the Identification of Goods and Services Manual, and the restructuring of the Trademark Assistance Center (TAC). Staff was added to the TAC to provide more responsive service to our customers.

We continue efforts to increase electronic communications with our customers. This year, we improved patent and trademark electronic services by reorganizing our website. The Patent Organization initiated full production of its Patents Electronic Filing System (EFS). The level of trademark applications filed electronically increased from 14% to nearly 25% by the end of the fiscal year. The USPTO is committed to e-Government, and we believe the comprehensive array of patent and trademark information and services we offer online translates into savings in time and money for both the agency and our customers.

Although the past year has brought many changes and improvements, the USPTO faces many new challenges this fiscal year. We will continue building on the tremendous accomplishments made in FY 2001. We welcome your comments. You may contact us at:

United States Patent and Trademark Office
Center for Quality Services (PK1-812)
2011 Crystal Drive
Washington, DC 20231

Phone: 703-305-4217
Fax: 703-305-8002

James E. Rogan
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

Customer Service Standards

Since our first customer service standards were published in 1994, we have validated these standards using annual customer satisfaction surveys. We continue to review and update the standards to help ensure that your needs and expectations are accurately reflected.

Our current standards are:

USPTO-Wide Service Standards

We will ensure that our written communications clearly set forth the technical, procedural, and legal position of patent examiners and trademark examining attorneys.

We will treat you with courtesy each time you contact us and, where applicable, we will direct you promptly to the proper office or person.

We will widely disseminate information about changes in practice and procedures to ensure that both you and the USPTO employees know about changes prior to their effective date.

We will ensure calls to unavailable employees are returned by the next day or, if you request, an alternate point of contact will be provided.

Photo taken by Frankie Cox

A USPTO employee processes incoming mail in the mailroom.

We will respond to your status letters within 30 days from the date received in the USPTO.

Patent Service Standards

We will deliver fax transmissions of properly addressed papers marked “Informal” or “Draft” to examiners within one business day of receipt.

We will match properly addressed fax transmissions of Formal Amendments with the file and deliver to the examiner within three business days of receipt.

We will mail accurate filing notices for complete, standard applications.

We will mail filing notices for complete, standard applications within 30 days of receipt of application.

We will conduct a thorough search during the patent examination process of relevant U.S. patents, foreign patent literature and non-patent literature contained in

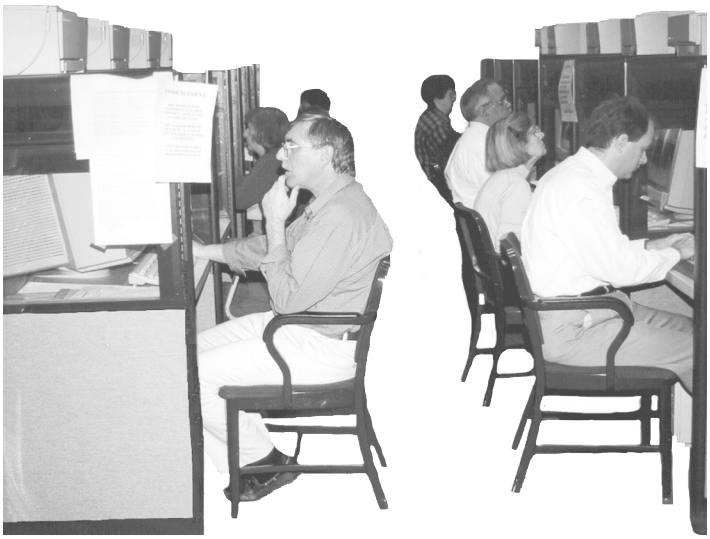


Photo taken by Frankie Cox

Pictured to the left are customers performing searches in the Public Search Room of the USPTO.

USPTO search files and, where appropriate, a reasonable search of other non-patent literature.

We will respond within 30 days to papers filed after the examiner allows the application and up to time of receipt of issue fee payment.

We will provide first action within 14 months of filing.

We will respond to amendments within four months of receipt.

We will mail patent grant within four months of issue fee payment.

We will provide patent grant within 36 months of filing.

Trademark Service Standards

We will provide a first action regarding registrability within 3 months of filing.

We will provide a final determination regarding registrability within 13 months of filing.

We will mail the applicant's return postcard within 3 days of filing.

We will mail notices published by the USPTO within established times:

- Filing Receipts –
14 days after receipt of application in the USPTO

- Notices of Publication –
30 days after file is approved for publication

- Certificates of Registration –
7 days after date of registration

- Notices of Abandonment –
45 days after date of abandonment

We will respond to correspondence received from the applicant within established times:

Law Offices' Service Standards:

- Response to Amendments –
35 days from mailroom receipt date

Intent to use:
- Request to Divide, Statement of Use, and Extension Request –
30 days from mailroom receipt date

Post Registration:
- Section 7, 8, and 9 Requests –
30 days from mail room receipt date

We will issue USPTO products (Filing Receipts, Notices of Allowance, Official Gazette, Certificates of Registration, Notices of Abandonment) with correct information.

We will resolve problems experienced by customers in the processing of trademark applications or registrations within 7 days of notification.

We will provide clear and accurate answers to questions regarding the trademark application process through the Trademark Assistance Center.

Measuring Customer Satisfaction

Communicating With Our Customers

In FY 2001, the USPTO made considerable improvements in how we communicate with our customers. The Office continued to build upon prior accomplishments in e-Government and customer outreach by reorganizing its web site, hosting partnership meetings and coordinating technology fairs.

On April 25, 2001, a new design for the award winning USPTO web site was unveiled. The new design was developed with direct input from the public through focus groups, design sessions, and web surveys. The new web site layout addresses our customers' requirements and emphasizes USPTO's commitment to electronic commerce. The USPTO web site, www.uspto.gov, continues to receive almost 5 million requests each month. The web site's searchable databases of patents and trademarks received approximately 353 million requests in 2001. The web site continues to service a large volume of inquiries and requests from the public for patent and trademark general information. In addition to web site requests, over one million telephone calls were serviced during the last year and an additional 43,000 customers were assisted through e-mail, letters, or in person.

Since our first technology fair approximately two years ago, over 100 corporations, law firms, and independent inventors have voluntarily lectured and demonstrated their inventions and related products to patent examiners and technical support personnel. The technology fair presentations are designed to provide cutting edge technical training to our employees leading to better service for our customers and improvements in the quality of examination. In the past year, Technology Centers 1600 (Biotechnology and Chemical-Pharmaceutical), 1700 (Chemical and Materials Engineering), 2900 (Design), 2600 (Communications), 3600 (Transportation, Construction, Agriculture, National Security & Licensing and Review), and 3700 (Mechanical Engineering) all held Technology Fairs. Technology Center 2600 (Communications) held its first annual technology fair. On March 1, 2001, Technology Center 2100 (Business Methods) held its Inaugural Business Methods Partnership Meeting and hosted nearly 90 representatives from the business and legal community, as well as trade associations and academia. Technology Centers 1600, 2100, and 2800 held Partnership Meetings in FY 2001. The Partnership Meetings provide a forum for our customers to learn about recent policy changes and process improvements as well as an opportunity for customers to voice their concerns.

Participants of the Business Methods Partnership welcome guests to the meeting.

Photo taken by Frankie Cox

Additionally, the USPTO hosted the Sixth Annual Independent Inventors Conference. The conference was visited by over 180 independent inventors seeking guidance on subjects ranging from patent application preparation, claim construction, and trademark registration to marketing, licensing and obtaining funds for the development of their inventions.

Also in March 2001, the USPTO published the first Official Gazette (Trademarks) through the Trademark

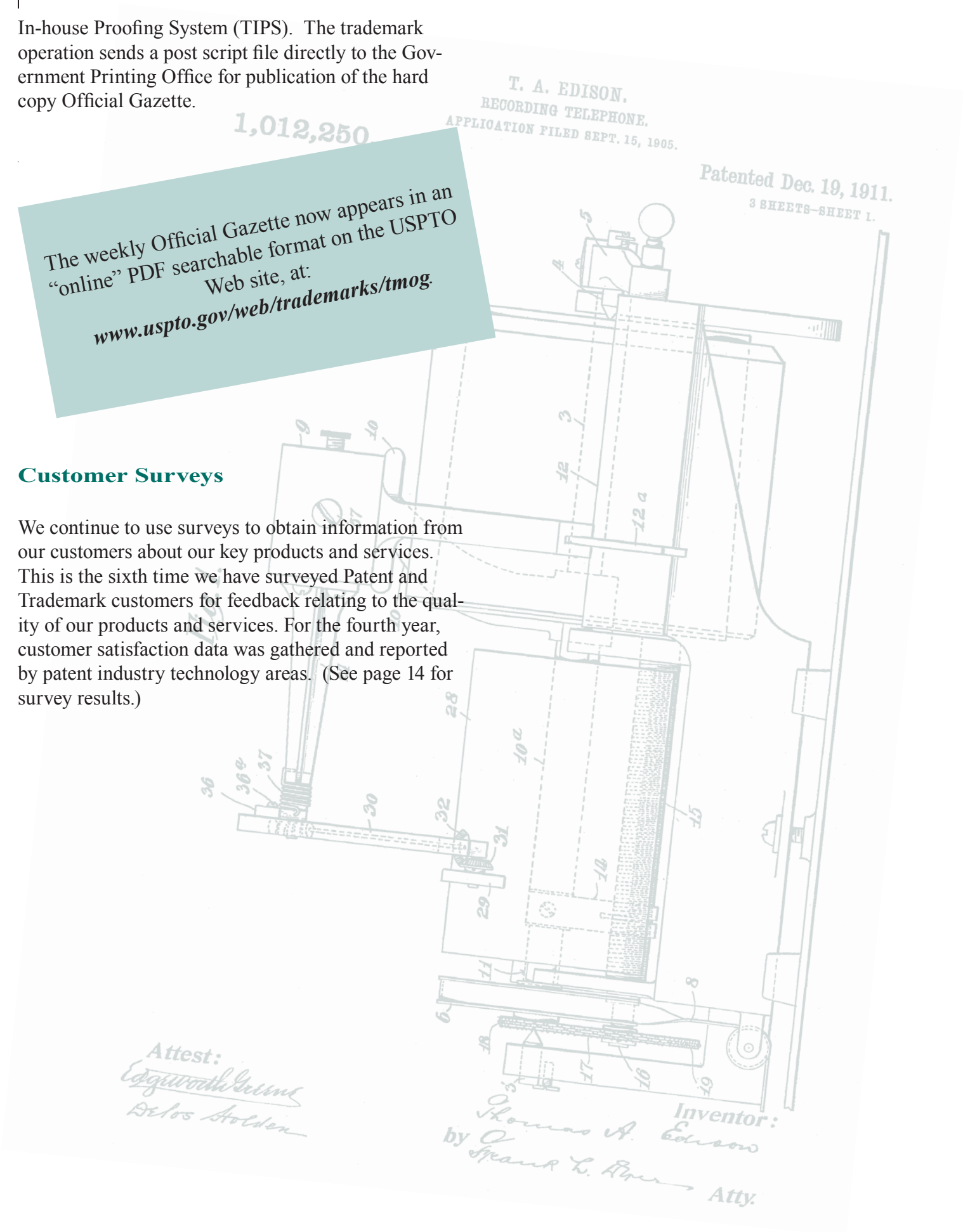
In-house Proofing System (TIPS). The trademark operation sends a post script file directly to the Government Printing Office for publication of the hard copy Official Gazette.

The weekly Official Gazette now appears in an "online" PDF searchable format on the USPTO Web site, at:

www.uspto.gov/web/trademarks/tmog.

Customer Surveys

We continue to use surveys to obtain information from our customers about our key products and services. This is the sixth time we have surveyed Patent and Trademark customers for feedback relating to the quality of our products and services. For the fourth year, customer satisfaction data was gathered and reported by patent industry technology areas. (See page 14 for survey results.)



Building on Improved Customer Service Delivery

The USPTO made steady improvement in achieving many of its performance goals in 2001, while implementing several customer service initiatives in the patent and trademark areas.

Patents

Patent application filings increased 11% above the previous year. Over the past five years, filings have increased annually. This trend has resulted in a 50% increase in patent application filings since 1996.

On March 15, 2001, the Office published its first set of patent applications under the American Inventors Protection Act, a 1999 law making far-reaching changes to the U.S. patent system. Publication of patent applications before a patent is granted is one of the most fundamentally significant changes to the U.S. patent system in over 100 years. Forty-seven applications were published in a variety of technical fields including surgical devices, chemical processes, and business methods. The published patent applications may be viewed as images or text searched at http://www.uspto.gov/patft/index.html. New applications are published every Thursday.

Publication of patent applications is now required for the vast majority of applications filed on or after November 29, 2000. Publication occurs after expiration of an 18-month period following the earliest effective filing date. An important procedure under the new law allows an inventor to request early publication of an application. By requesting voluntary publication, the applicant will enjoy the potential benefit of provisional rights to reasonable royalties from others who make, use, sell, or import the invention during the period between the time the patent application is published and the patent is granted.

Also, the USPTO expanded its 2 million patent web database to include United States patents back to 1790, a total of more than 6.5 million documents. The database now offers the public an additional 1.7 terabytes of full-page images for the 4,204,863 U.S. patents issued from 1790 through 1975. Patents issued from 1790 through 1975 are searchable by patent number and current U.S. patent classification. Patents issued from 1976 to the most recent issue week are searchable by full-text fields that now include current U.S. classification data. To facilitate database searches, the USPTO's Manual of Classification has been enhanced to help users find all patents in a particular category of invention. The USPTO has also added two additional database web servers and has doubled the available Internet bandwidth to accommodate ever-increasing public use of the patent database. In addition, the USPTO added two terabytes of additional disk storage to the two terabytes previously allocated for Patent Images on the Web. This is another way that the USPTO has improved access for its customers. For more information, see the patent database web page at ***http://www.uspto.gov/patft/***.

A customer receives assistance from two USPTO employees.
Photo taken by Frankie Cox

During the past year, a Root Cause Analysis Database (RCA) was implemented. Information in the database can be used to monitor our Customer Service Centers' performance, identify repeat problems, and help determine Customer Service Centers' workloads. With the goal of eliminating the most common problems, using the RCA database allows customer service representatives to answer routine status inquiries, analyze the types of problems encountered, discover the frequency of their occurrence, and determine the best resolution.

Photo taken by Dennis Forbes

Speakers at the Independent Inventors Conference included, left to right: Dan Lauer, Inventor of WARTERBABIES; Joanne Hayes-Rines, editor and publisher of Inventor's Digest Magazine and founder of National Inventor's Month; and Richard Levy, Inventor of the FURBY.

The USPTO recently installed server software that enables us to automatically receive facsimile transmissions and route them to the appropriate groups. No special equipment is needed by our customers to use this system. In addition, the Customer Service Center in each Technology Center can answer your general application status questions. (See Appendix C for Customer Service Center phone numbers).

The ability to transact business electronically with the USPTO has been enhanced during the past year. The USPTO accepts assignment-related documents via the Internet and copies of office records may be ordered from the USPTO Web site. This year the payment options for Internet customers have been enhanced and the electronic submission capabilities were expanded to include patent assignment transactions that are not associated with patent applications. (See Appendix A for more details on this initiative).

Trademarks

The Trademark Organization made significant progress towards the achievement of fiscal year 2001 goals. The number of new applications filed for the registration of a trademark was less than originally projected, resulting in reduced backlogs of unexamined work. Application filings dropped for the first time in nine years, reversing a pattern of continuous growth. In the previous two years, there was a back-to-back annual growth of 27 percent. The slowdown in filings, new programs, greater use of electronic filing and systems have allowed the Trademark Organization to make considerable gains in improving pendency and exceeding its first action goals.

To improve on the identification of goods and services, and to reflect current developments and changes in the law, extensive revisions were made to the Trademark Acceptable Identification of Goods and Services Manual. Enhancements include a more thorough listing of acceptable terms within the identification of goods and services. The revised Manual is now available electronically in a searchable format for examiners within the Office and for our customers. It can be accessed on the USPTO Internet web page at ***http://www.uspto.gov/web/offices/tac/doc/gsmanual/***.

Additionally, changes were made to the Trademark Manual of Examining Procedure (TMEP). The Office issued a new expanded edition of the TMEP. The new edition incorporates all changes in substantive trademark law and Office practice procedure since the 1997 edition. There are new chapters on general information and resources available to the public, intent-to-use applications and related documents, application filing dates, and public inquiries. The new edition has expanded sections discussing application filing basis, amendments to change the filing basis, petition procedure, fee processing, letters of protest, and many other aspects of Office practice and procedure. The new TMEP is now available to customers on the Office's web site at: ***http://www.uspto.gov/web/offices/tac/tmep/***.

In FY 2001, the Trademark Assistance Center (TAC) successfully reduced customer inquiry response times, and improved resolution of customer complaints and inquiries over prior year results. The TAC service level, a measure indicating the percent of calls responded to within 20 seconds, improved from 23% at the beginning of the fiscal year to 64% by fiscal year end. By adding staff, the TAC is able to respond more quickly to simple requests and inquiries, while diverting more complex requests to a representative trained to handle issues pertaining to trademark processes and examination. New software was also purchased that enables customer service representatives to record and monitor resolution of complaints and inquiries. These combined initiatives have resulted in more efficient performance in the TAC, and increased satisfaction for Trademark customers.

Based on FY 2000 Customer Satisfaction Results, the Trademark Organization took a proactive approach to improving customer service. Approximately 630 trademark employees received training through the Customer Service Excellence Program. The program was designed to ensure that all Trademark employees gained an awareness of customer needs and expectations. The training sessions were developed as a refresher for incumbent employees and as an overview for new employees.

The Trademark Organization continued its efforts in minimizing processing time for FY 2001. Overall pendency was reduced to its lowest level since 1988. First action pendency fell from a high of 6.2 months to 2.7 months by the end of the year. This is the first time in eight years first action pendency has been within the goal of three months of filing. Other areas of Trademarks recorded significant improvements in processing times also. Post Registration pendency for processing affidavits of continued use fell from a high of 99 days at the start of the fiscal year to 9 days by the end of the year. Pendency for renewals of registrations fell from a high of 225 days to 81 days.

Success Stories

On June 25, 2001, the USPTO hosted a ceremony to recognize the receipt of the 100,000th electronically filed trademark application under the Trademark Electronic Application System (e-TEAS). The application was filed by the General Electric Company. The 100,000th filing is a significant milestone in creation of an e-Government operation and confirmation of customer acceptance for filing trademark applications.

Furthermore, the USPTO received recognition for many of its customer service initiatives. In August 2001, the USPTO received the Commuter Connections Employer Recognition Award for its Trademark Work@Home telecommuting program. The award, sponsored by the Metropolitan Washington Council of Governments recognized the Trademark Organization as one of four employers who have created a workplace where telecommuting produces a "smarter way to work."

In March 2001, the e-TEAS program was awarded the Finalist prize in the Government category for the 2001 RIT/USA TODAY Quality Cup Competition, recognizing teams who have made significant contributions to the improvement of quality in their organization. The competition was conducted as a cooperative academic-industry effort between Rochester Institute of Technology's College of Business and USA TODAY.

Also this year, the USPTO web site (www.uspto.gov) was named to Entrepreneur Magazine's Third Annual "Top 100 Best Sites." USPTO's web site was one of only seven government sites recognized. The sites were recognized for the money and time savings they offer to those who own their own businesses. The USPTO's award-winning site was featured in the April 2001 issue of Entreprenuer Magazine.

In October 2000, judges for the 2000 Government Technology Leadership Awards selected TEAS as one of its winners. For the last eight years, the Government Technology Leadership Awards program has celebrated successful U.S. government initiatives. By honoring meritorious projects and the teams responsible for them, the awards have sought to encourage innovation. The awards salute projects, large and small, that have directly aided the missions of their organizations by boosting efficiency and effectiveness, lowering costs, and/or improving service to the public through original uses of technology.

Photo taken by Dennis Forbes

Independent Inventors pose for a picture at the USPTO Museum.

In addition, feedback from our customer surveys and 2001 Independent Inventor's Conference includes the following:

Comments from Customer Survey:

"I'm satisfied by the work my invention examiner did, and I want to thank him for his patience and professional performance."

"I am a novice at the patent process, and was particularly pleased with the helpful advice I received from the patent examiner. I am sure I would not have received a patent without his help."

"My examiner had a very deep understanding of the specific area of database technology pertaining to my invention, and was able to understand and comment knowledgeably about the specifications and claims."

"Both "help lines" and examiners have been quite responsive and cooperative. Issues have been handled courteously and quickly by telephone."

"Your website is excellent, one of the best websites on the internet."

"I have been extremely pleased with both PRINTEAS and E-TEAS. I think they have made the process much simpler and reduced the likelihood of me or my paralegal making a mistake."

Comments made by attendees of the 6th Annual Independent Inventor's Conference.

"Outstanding conference presented by professional, dedicated PTO employees with first hand knowledge of the subject. I really appreciated the opportunity to attend and learn. I feel it has saved me money and increased my chances for success in my patent application."

"In academia and industry, I have attended many conferences. I can't recall having attended such an interesting, well-serviced conference. I'm really glad I came."

"This conference is a superb idea. It is extremely educational and helpful, especially for the new inventor. Also very inspiring."

"I have learned much about how to prepare and present a patent application. I have learned how the PTO operates and have had the good fortune to meet several PTO employees that have treated my fellow inventors and me extremely well."

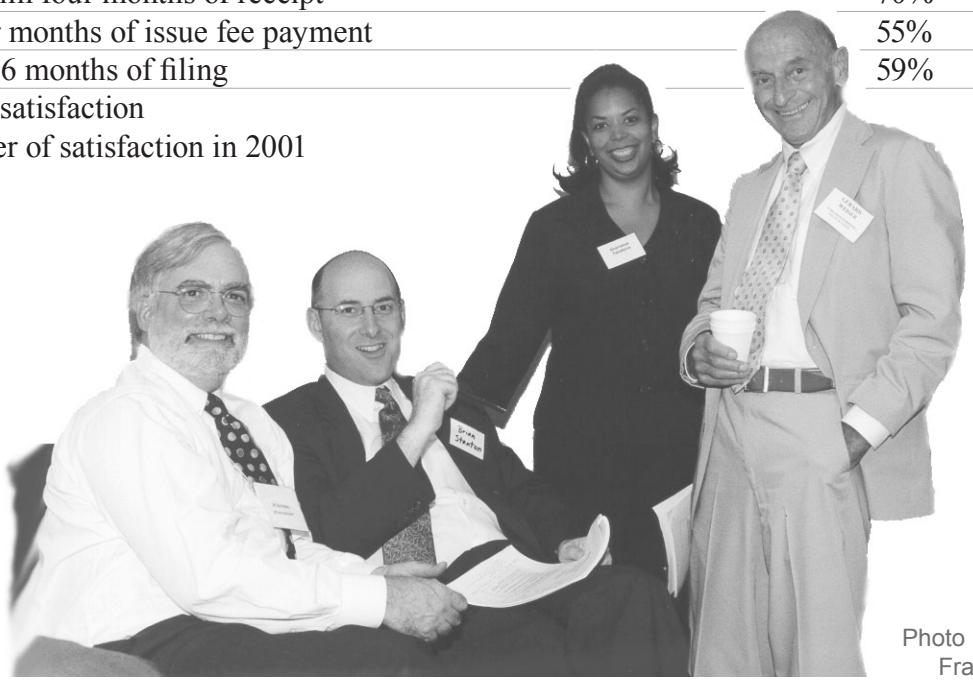
Customer Satisfaction Survey Results

PATENT Customer Satisfaction Levels and USPTO's Performance Against Customer Standards

	1996	1998	1999	2000	2001
Overall Satisfaction	51%	52%	57%	64%	64%
Treat you with courtesy each time you contact us	70%	78%	84%	87%	89%
Direct you promptly to the proper office or person*	42%	52%	63%	69%	70%
Return telephone calls within one business day	47%	49%	58%	61%	64%
Set forth clearly in written communications, the technical, procedural, and legal position of examiners*	40%	55%	63%	63%	62%
Respond to status letters within 30 days of receipt**	44%	35%	38%	39%	47%
Widely disseminate information on changes in practices and procedures before their effective date**	55%	56%	56%	66%	63%
Deliver fax transmissions of papers marked "Informal" or "Draft" to examiners in 1 business day	37%	35%	42%	48%	58%
Match properly addressed fax of Formal Amendments after final rejection with file; to examiner within 3 days	40%	32%	41%	44%	57%
Mail accurate filing notices for complete standard applications*				52%	55%
Mail filing notices for complete, standard applications within 30 days of receipt of application	37%	16%	41%	52%	47%
Conduct a thorough search during patent examination process*	46%	57%	64%	61%	63%
Respond within 30 days to papers filed after the examiner allows the application and up to the time of receipt of issue fee payment	41%	42%	54%	55%	58%
Provide first action within 14 months of filing				54%	50%
Respond to amendments within four months of receipt**				70%	68%
Mail patent grant within four months of issue fee payment				55%	60%
Provide patent grant within 36 months of filing				59%	59%

* indicates a key driver of satisfaction

** indicates a new key driver of satisfaction in 2001

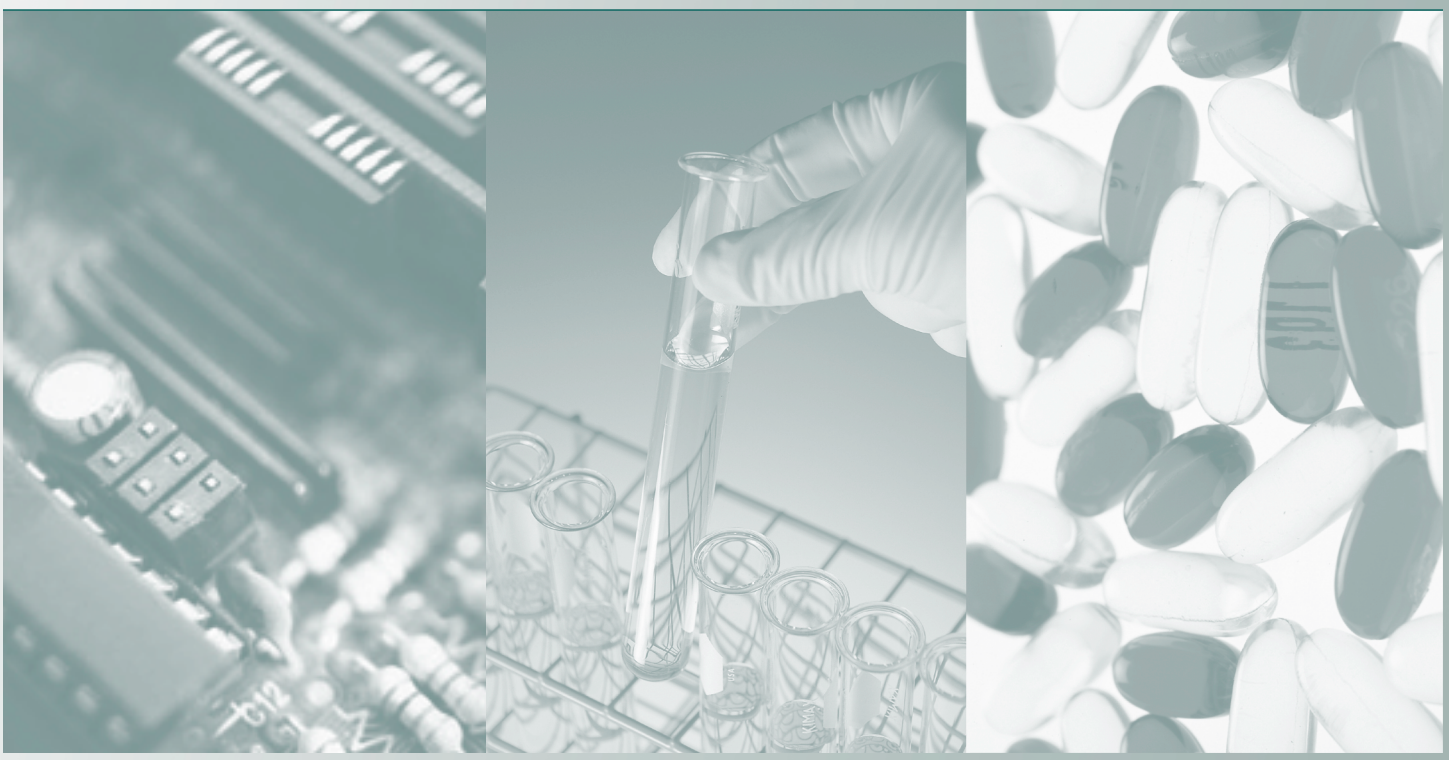


BioTechnology Customer Partnership Meeting participants from left to right are: Warren Woessner, patent attorney, Brian Stanton, Practice Specialist with the USPTO, Sharlamar Taliaferro, Program Analyst with the USPTO and Gerry Weiser, patent attorney.

Photo taken by Frankie Cox

PATENT Satisfaction Levels with Process Categories

	1996	1998	1999	2000	2001
Amount of time needed to submit required information	65%	66%	77%	76%	74%
Clarity of instructions	66%	71%	77%	79%	78%
Use of the telephone for examination issues				78%	76%
Consistency of examinations				44%	43%
USPTO fees paid for Patent applications	29%	31%	49%	51%	47%
Good value for fees paid for the Patent application			49%	52%	48%
Outcome met your objectives	61%	62%	67%	74%	73%
Fairness of decision	54%	61%	67%	68%	68%
Efficiency of examination process			51%	53%	53%
Ability to provide accurate answers to questions	45%	51%	57%	56%	62%
Genuinely committed to providing the best possible service				53%	54%
Assistance at a time convenient to you	53%	55%	63%	65%	71%
Prompt and helpful service	46%	49%	56%	59%	67%
Flexibility in trying to address your needs	39%	44%	51%	53%	59%



NEW Patent Questions for 2001 Survey - Satisfaction Results

	2001
Use of personal interviews for examination issues	71%
Clarity of written communications regarding the technical position of examiners	57%
Clarity of written communications regarding the procedural position of examiners	65%
Clarity of written communications regarding the legal position of examiners	54%
Comprehensiveness of content of MPEP	86%
Clarity of content of MPEP	76%
Notification of revisions/updates	55%
Accessibility of MPEP	76%
Clarity of final rules	59%
Training materials related to rule changes	52%
Public presentations on rule changes	56%
Accuracy of answers to questions regarding rule changes	55%
Competency of answers to questions regarding reexamination and reissue cases	54%
Ability to address unique examination situations	47%
Ability to clarify existing patent examination policy	54%
Understanding of problem	59%
Time required to correct problem	28%
Accurately correcting the problem	44%

These Patent services were measured based on "*% Better*":

	2000	2001
Quality of the patent search	23%	22%
Written communications that set forth clearly the examiners' position	31%	27%
Proactive individualized service	37%	33%
Timely filing receipts	32%	32%
Accurate filing receipts	20%	21%
Phone calls returned within one business day	30%	31%
Being directed promptly to the proper office or person	27%	25%
Examiners receive faxes within one business day	30%	29%
Handling of problems and complaints	36%	20%

Trademark Satisfaction Levels with USPTO's Performance Against Customer Standards

	1996	1998	1999	2000	2001
Overall Satisfaction	65%	63%	69%	65%	70%
Treat you with courtesy each time you contact us	80%	84%	87%	86%	88%
Direct you promptly to the proper office or person*	54%	63%	69%	68%	72%
Return telephone calls within one business day**	44%	50%	59%	53%	55%
Set forth clearly in written communications, the technical, procedural, and legal position of examining attorney*	68%	74%	77%	77%	79%
Widely disseminate information on changes in practices and procedures before their effective date	60%	55%	61%	64%	66%
Provide a first action regarding registrability within 6 months of filing					60%
Provide a final determination regarding registrability within 19 months of filing*					64%
Mail applicant's return postcard within 3 days of filing			49%	50%	62%
Mail filing receipts within 14 days after receipt of application	38%	38%	33%	28%	43%
Mail Notices of Publication within 30 days after file is approved for publication	35%	43%	49%	48%	52%
Mail Certificates of Registration within 7 days after date of registration	41%	49%	51%	51%	51%
Mail Notices of Abandonment within 45 days after date of abandonment	23%	25%	42%	46%	46%
Respond to Amendments within 35 days from filing date*			33%	38%	40%
Process Statements of Use within 30 days from filing date**			37%	38%	40%
Process Extension Requests within 30 days from filing date			40%	43%	46%
Process Section 8 Requests within 30 days from filing date			31%	32%	41%
Process Section 9 Requests within 30 days from filing date			29%	30%	38%
Issue Filing Receipts with the correct information			50%	43%	48%
Issue Notice of Allowances with the correct information			75%	72%	76%
Issue Official Gazettes with the correct information			74%	76%	71%
Issue Certificates of Registration with the correct information			78%	80%	82%
Issue Notices of Abandonment with the correct information**			73%	69%	68%
Resolve problems experienced by customers in the processing of trademark applications or registrations within 7 days of notification**			32%	32%	33%
Trademark Assistance Center provides clear and accurate answers to questions regarding the trademark application process			55%	58%	54%
Electronic filing - Ease of access				100%	84%
Electronic filing - Ease of use of the on-line form				90%	73%
Electronic filing - Clarify of instructions				94%	74%
Electronic filing - Ease of payment				100%	75%
Electronic filing - Ability to receive answers				82%	50%
Electronic filing - Receipts contain accurate information				94%	79%
Electronic filing - Receipts received within 24 hours				100%	81%

* *indicates a key driver of satisfaction*
** *indicates a new key driver of satisfaction in 2001*

TRADEMARK Satisfaction Levels with Process Categories

	1996	1998	1999	2000	2001
Amount of time needed to submit required information	83%	80%	82%	91%	85%
Manner in which examining attorneys handled issues related to goods and services during the examinations process			76%	76%	70%
Use of the telephone by trademark employees to deal with examination issues			87%	83%	81%
Searches performed by examining attorneys under 15 USC 1052 (d) - Likelihood of Confusion			64%	65%	63%
Appropriateness of refusals made by examining attorneys under 15 USC 1052(d) - Likelihood of Confusion			44%	44%	38%
Appropriateness of refusals made by examining attorneys under 15 USC 1052(e) - Merely Descriptive, Surname, Geographic			40%	41%	40%
Adequacy of the explanation or reason for the office action			65%	68%	62%
Sufficiency of evidence supporting the office action			55%	52%	50%
USPTO fees paid for trademark application	45%	56%	60%	51%	57%
Good value for fees paid for the Trademark application		60%	62%	52%	56%
Outcome met your objective	75%	67%	79%	76%	73%
Fairness of examination	72%	63%	74%	73%	68%
Efficiency of examination process			54%	52%	51%
Ability to provide accurate answers to questions	68%	69%	72%	69%	69%
Genuinely committed to providing best possible service			65%	63%	57%
Handling of mistakes	39%	28%	36%	32%	31%
First Office Action pendency				29%	28%

NEW Standards for Trademarks 2001

	2001
Office applies the standard for 15 USC 1052(d) Likelihood of Confusion - with sufficient consistency	39%
Office applies the standard for 15 USC 1052 (e) Merely descriptive, Surname, Geographic - with sufficient consistency	39%
Clarity of written communication regarding the technical position of examining attorneys	71%
Clarity of written communication regarding the procedural position of examining attorneys	75%
Clarity of written communication regarding the legal position of examining attorneys	67%
Understanding of problem	63%
Time required to correct problem	26%

These Trademark services were measured based on *"% Better"*:

	2000	2001
Quality of overall service	31%	35%
Timeliness	34%	37%
Staff competence	26%	25%
Staff responsiveness	34%	32%
Problem resolution	21%	23%

Transitioning from Paper-Based Processing to e-Government

The concept of electronic filing in the USPTO originated approximately 20 years ago. This idea was believed to have the greatest potential for reducing or eliminating numerous processing activities in the production process, thereby improving customer service, quality, and timeliness. In the early 1980s, former commissioner of the USPTO, Gerald J. Mossinghoff, recognized the need for change and proposed a goal for the USPTO to become a paperless office. Since then, the USPTO has been committed to this proposal, and is on a steady course to transition from paper-based processing to electronic-based processing and examination.

During the fiscal year, several forums to promote electronic filing and communication were jointly sponsored by law firms, associations, and universities in the metropolitan area and major cities in cooperation with USPTO. The forums provided a unique collaboration between the USPTO, senior law firms, and practitioners to share information and ideas with the goal of ensuring that business needs are met as the USPTO continues its transition to a new e-commerce environment.

The emergence of the Internet and the acceptance of the World Wide Web as a method of business communication gave the USPTO the proper tools to integrate its business practices into e-Government. Anyone with Internet access can file a patent or trademark application online through USPTO's EFS or E-TEAS at ***www.uspto.gov***.

E-TEAS provides:

1. A dramatic increase in the speed with which applications can be filed.
2. The ability to file virtually 24 hours a day, seven days a week; permitting filing on days the USPTO is officially closed.
3. Online help screens and an automated validation function to ensure submission of applications that meet USPTO requirements.
4. Filing receipt and serial number for an initial application via e-mail in a very short turnaround time.
5. More accurate filing receipt information because data is transferred directly to USPTO databases.

The EFS:

1. Supports filing 24 hours a day, and seven days a week.
2. Provides immediate electronic Acknowledgement Receipt. There is no delay while waiting for a Postcard. Also, you can use application number for same day paper filings.
3. Provides expanded client service.

Also accessible from the USPTO web-site, are the: Patent Electronic Business Center, Patent Application Information Retrieval Systems, Trademark Electronic Business Center, Trademark Electronic Search System, Trademark Application Registration Retrieval, Trademark Electronic Application System, and Trademark Information Capture and Retrieval System. Significant improvements to the EFS, E-TEAS, and other USPTO e-Government systems are discussed below.

Patent Electronic Business Center (EBC)

The Electronic Business Center is the patents e-Commerce home for the USPTO. This site provides links to the systems that will enable you to do business with the USPTO electronically, including:

- Submitting a patent application.
- Checking the status of a patent application.
- Registering to conduct business with the USPTO securely.

You can visit the EBC site at:

www.uspto.gov/ebc/index.html

Patent Electronic Filing System (EFS)

The Electronic Filing System (EFS) was introduced to the public in FY 2001. Now, customers can file an application for a new invention with the USPTO using the Internet. Several types of submissions can be filed with EFS.

Also, the USPTO's Electronic Business Center web site supports EFS because it provides customers with EFS software information, and directions on how to write and file applications using the Internet. The EFS software ePAVE, assembles all application components, calculates fees, validates application content, compresses, encrypts, and transmits the filing to USPTO.

The USPTO is increasing its use of electronic commerce in order to provide faster and more reliable service to its customers. Filing your application electronically provides immediate time savings and convenience.

Patent Application Information Retrieval System (PAIR)

The Patent Application Information Retrieval system provides secure access for our customers (applicants or designated agents and attorneys) who want to view current patent application status and paper entry information electronically. This system provides world-class service to USPTO customers 24 hours a day, 7 days a week, via the World Wide Web.

Trademark Electronic Business Center (TEBC)

The Trademark Electronic Business Center is a site that allows customers to locate all the different electronic search systems and methods of doing Trademark business. It is your one-stop source for all on-line Trademark searching, filing and follow-up. The TEBC showcases several Trademark Electronic Business Systems, each of which is supported by their own set of HELP screens and contact points.

You can visit the TEBC site at:

http://www.uspto.gov/web/menu/tmebc/index.html

Trademark Electronic Search System (TESS)

The Trademark Electronic Search System (TESS) supports the USPTO's approach to e-Government by providing greater access and information resources to those who need it. TESS allows anyone the ability to search and retrieve over 3 million pending, registered, abandoned, cancelled or expired trademark records for free via the Internet. TESS, the database and search systems used by USPTO's trademark examining attorneys for making decisions regarding the registrability of a mark, is now available to the public.

Access to this database is leading to increased electronic communications with trademark customers, and is a critical component for achieving the goal of e-Government.

TESS is available at:

http://www.uspto.gov/web/menu/tmebc/index.html

Trademark Application Registration Retrieval (TARR)

Trademark Application Registration Retrieval (TARR) is a web-based system providing information on pending and registered trademarks for free to the public. TARR represents the USPTO's continuing commitment to maximize implementation of e-Government initiatives. USPTO customers can access the Internet, as well as phone status and help lines to monitor current status of their filings.

Also, the TTAB Board Information System Index (BISX) was added as a web site resource to search proceedings of the Trademark Trial and Appeal Board. This system supplements status information available from TARR.

Both TARR and BISX are available from:

http://www.uspto.gov/web/menu/tmebc/index.html

Trademark Electronic Application System (E-TEAS)

The Trademark Organization continued to build on improving the content and offerings available through its web-based site that has driven much of its e-Government success in increasing use of electronic filing. Since its debut three years ago, the Trademark Electronic Application System, e-TEAS, has generated an unprecedented level of filings. In its first year of operation, e-TEAS received more than 20,600 application filings. In FY00, the second year of operation, application filings through e-TEAS more than doubled to over 44,100 filings. In FY01, USPTO received nearly 58,000 applications, including more than 61,000 classes for the registration of a trademark electronically. To foster continuous improvement of this important e-Government initiative, additional trademark forms were added in FY01. The impact of making more forms as well as trademark related information available via the Internet improves our ability to provide useful information for all our customers.

The number of electronically filed applications submitted through e-TEAS accounted for 24 percent of all new applications filed; short of our goal to achieve 30 percent of our filings electronically. While pro se applicants and corporations were initially the primary users of e-TEAS, by the end of the fiscal year, applications submitted by attorneys had risen to nearly 50 percent.

The ability to accept applications electronically is a critical success factor to meet the Trademark goal for conducting nearly all business electronically by FY03, as well as providing access to those who otherwise would not have filed for trademark registration. Over the past year, the Trademark Organization continued to take steps to make e-TEAS the cornerstone of the overall transformation of the Trademark Organization into an effective e-Government operation. We focused on two specific strategies: first, to increase the number of applications filed electronically; and second, to increase the number of applicants adopting

electronic filing as their preferred business choice. Of our largest customers, 521 used e-TEAS as the exclusive method for filing applications in FY01, filing 11 percent of the total number that were received electronically. The USPTO has continued to support our customer needs and promote the benefits of using E-TEAS to increase use of electronic filing. Additional enhancements were made throughout the fiscal year. The most significant being the introduction of new simplified methods for obtaining signatures from clients--one allowing for direct e-mail of a completed form for signature. The other, a method whereby a completed form could be mailed or faxed for a conventional pen-and-ink signature; followed by creation of an image file of the signed declaration for attachment to the electronic form. The Trademark Organization is committed to enhancing e-TEAS as well as encouraging greater acceptance and use for the benefit of all those who use trademark information.

Trademark Information Capture and Retrieval System(TICRS)

The Trademark Information Capture and Retrieval System is the first step towards creating a fully electronic file and eventually an electronic file management system. All incoming applications filed since FY99, whether filed electronically or on paper, are captured and stored electronically through TICRS. Electronic images of applications have replaced the need for generating paper copies or for microfilming new applications. In the past year, TICRS was made available to all Trademark employees at their desktop computers, as well as to search terminals in our public search library. Examiners are now able to conduct their initial examination of the application from the TICRS image. In FY02 we will implement the process of having all incoming and outgoing correspondence on TICRS. At some point in the future, TICRS will also be available from our web site, accessible by everyone from any location.

E-Commerce Law Office

The Trademark Organization dedicated a third law office to the growing number of Trademark law offices whose work is dedicated solely to the processing of applications received electronically. Through the Internet, Trademark customers are opting in increasing numbers to file applications for registration of a trademark electronically. Electronic filing provides Trademark customers with the capability to submit their applications electronically while enabling the Organization to process increasing numbers of applications with greater efficiency. In keeping with the increased level of applications filed electronically—a level that increased from 14% in FY00 to more than 24% in FY01—we expanded the number of law offices dedicated to the receipt, processing and examination of electronically filed applications.

Overview of Search Quality Improvements at the USPTO

Each Spring, the U.S. Patent and Trademark Office mails out customer satisfaction surveys to numerous applicants who received a patent grant during the prior year. The results of this annual survey drives quality improvement initiatives for the forthcoming year. The findings provide a benchmark for how the USPTO is serving its customers on a number of specific issues.

As the results of the survey indicated, there is a need to improve the quality of search. In late FY99, the USPTO began implementing focus sessions by Technology Center (TC).

The Goals of the Search Focus Sessions were two-fold:

1. To determine what customers perceived to be a high quality search.
2. To identify what areas of improvement USPTO should consider in performing the SEARCH function.

The sessions were designed specifically to learn the customers' definition, perception and ideas with regard to the "quality" of search. The information gathered over the past two years is being employed by each Technology Center to design strategies to improve the quality of USPTO search efforts. The questions that were asked during each of the focus sessions included:

- *What are the characteristics or attributes of a good quality search?*
- *Where do you see opportunities to improve search at the USPTO?*

Attributes

Attributes or characteristics of a good quality search as identified by USPTO customers included searching other than U.S. references. This attribute collectively received the most responses from customers. It is clear that the presence of NPL and/or foreign art citing is inherently linked to quality.

Next, search competence appeared as the second most important attribute or characteristic of good quality searches. Concepts such as "non-linear searching" and "comprehensive understanding of the art and invention", were expressed in all of the focus sessions.

Finally, indicating the search or rather search strategy such as "identification of what was searched" and "listing scope of search" was considered very important to quality for the customer.

Opportunities

Time constraints and collaborative searching were equally very important to customers in identifying areas where USPTO needed to improve its search efforts. Ideas such as "providing more time and incentives to do more comprehensive searching" and "encouraging discussion of search results with other experienced persons to determine more relevant references" as well as many other good suggestions were provided.

Training strategies such as *training for expert searcher*, *emphasizing technical training in art areas*, and *increase training time for automated tools and refreshers* were indicated as areas for improvement.

Next Steps

The Search Focus Sessions helped the USPTO get a big picture of where they need to go to provide the best quality SEARCH to customers.

Since the data indicated that the citing (or lack thereof) of NPL appeared to significantly influence the perception of the quality of search performed; an on-going dialog about NPL with examiners and customers has been initiated by the USPTO. This is being done in part through creation of NPL Resource Selection Guides. The guides identify appropriate resources and include the most relevant NPL databases by art area listed in the order of frequency of use. The guides are available via the USPTO website. The Technology Centers will consider suggestions from customers regarding additional relevant search resources.

The USPTO and applicants must develop a shared vision of what is a "thorough search of the prior art" within the examination process. This understanding will enable the USPTO to realize its goals of customer satisfaction with the search. The USPTO understands that it is imperative to continue to share what it is doing with regard to search through lectures, demonstrations, and informational flyers. In response, the USPTO hopes to elicit customer feedback as to how these efforts do or do not meet their needs/perspective. Finally, if the customer wants more, they need to be willing to support that work through fees or their help in conducting the search.

GENERAL INFORMATION

Patent Assistance Center General Information:.....1-800-PTO-9199
Trademark Assistance Center.....703-308-9000

Use (703) area code for all phone numbers listed below.

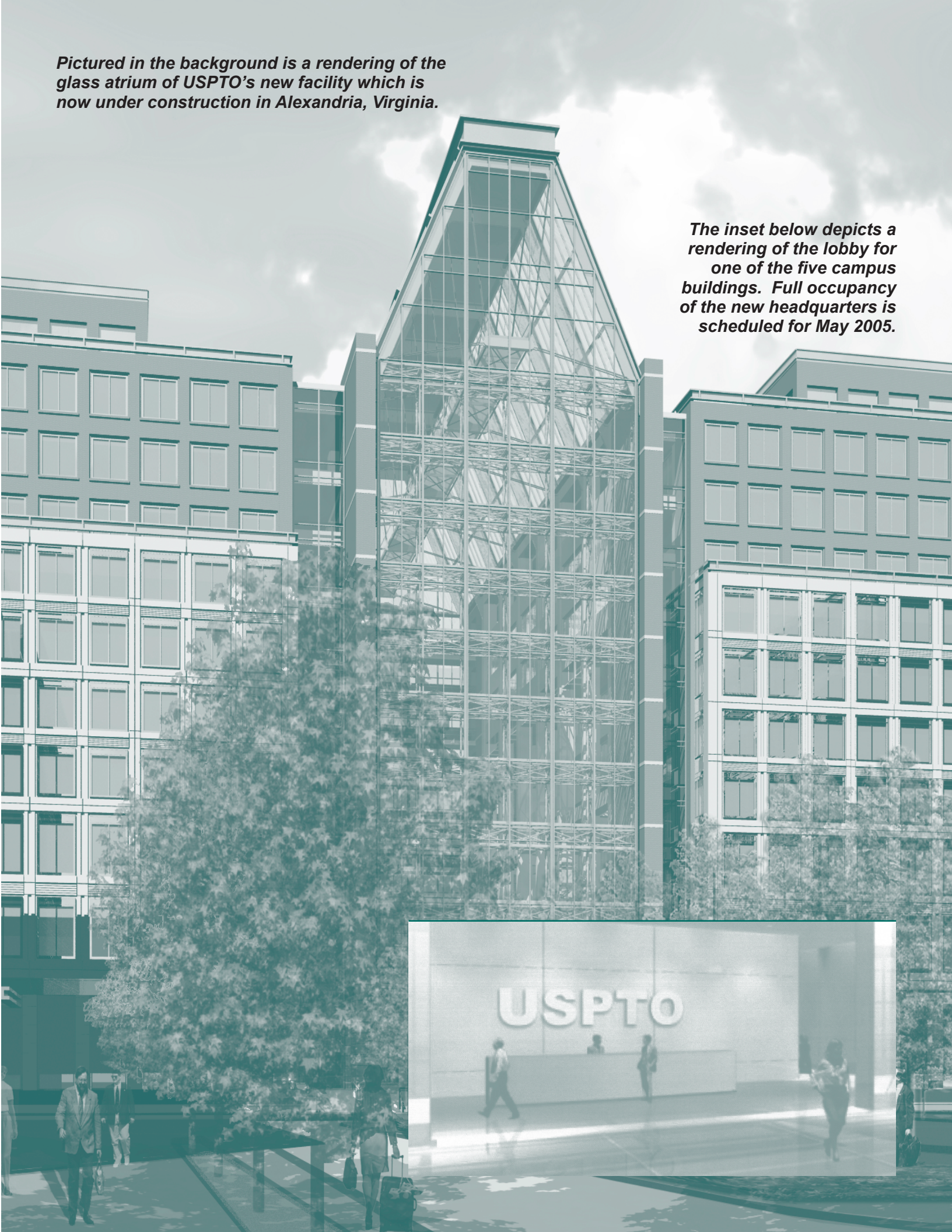
TC Customer Service Numbers:

1600 Receptionist 308-1234
1600 Customer Service 308-0198
1700 Receptionist 308-0661
1700 Customer Service 306-5665
2100 Receptionist 305-3900
2100 Customer Service 306-5631
2600 Receptionist 305-3900
2600 Customer Service 306-0382
2800 Receptionist 308-0956
2800 Customer Service 306-3329
3600 Receptionist 308-1113
3600 Customer Service 306-5771
3700 Receptionist 308-1148
3700/2900 Customer Svc..... 306-5648

General Customer Service Numbers:

Electronic Business Center	305-3028	EFS and PAIR programs
Petitions	305-9282	Petitions listed in MPEP section 1000
Publications	305-8497	Applications in the publication cycle
SIRA	306-3104	Pat. Business Information Resource Issue
PCT Help Desk	305-3257	Application filed under Paris Convention

This Organization	At This Number	Provides Information On:
Assignment Branch	308-9723	USPTO recordation of assignments
Board of Patent Appeals & Interfer.	308-9797	Appeals status, oral hearing requests
CD-Rom Sales	306-2600	Sales of Patent and Trademark information
Certificates of Correction	305-8309	How to correct a patent
Certification	308-9726	Obtaining certified copies of patents
Deposit Accounts	305-4631	How to set up an account, account status
Drawing Corrections	305-8404	How to correct drawings
Enrollment & Discipline	306-4097	The Patent Agent's exam, registration
Files Information Unit	308-2733	Inspect and copy publicly available files
Filing Receipts	308-1202	Status, corrections, copies of filing receipts
Finance, Office of	305-8051	Fee payment information
Foreign Filing License	306-4187	Filing in a foreign country
Foreign Patent Copies	308-1076	How to order copies of foreign patents
Freedom of Information Act	305-9035	Solicitor's office- Questions about FOIA
Independent Inventor Programs	306-5568	Events, pubs for the independent inventor
Legislative & International Affairs	305-9300	Pending legislation/treaties
Licensing & Review	306-4187	Applications relating to national security
Maintenance Fee Information	308-5068	Payment of maintenance fees
Public Search Room	305-4463	Search resources available to the public
Refunds (Off. Of Finance)	305-4229	How to get a refund
Patent & Trademark Copy Sales	800-972-6382	How to order patent or trademark copies
Press-related Questions	308-8341	Public Affairs- handles all media questions
TTY Questions	305-7785	Teletype services for the hearing impaired



Pictured in the background is a rendering of the glass atrium of USPTO's new facility which is now under construction in Alexandria, Virginia.

The inset below depicts a rendering of the lobby for one of the five campus buildings. Full occupancy of the new headquarters is scheduled for May 2005.

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