

FAQ's for 699,000 Goal

1) How many extra new cases (total) will each examiner need to do to reach the goal of 699,000?

Due to the variations in art expectancies and productivity gained from RCEs and disposals for each workgroup/art unit, the number of extra new cases will vary slightly by workgroup/art unit. The Corp-wide average is 4 new cases, meaning an examiner would need to examine a total of 4 extra new cases between now and the end of FY'10.

2) What cases are included in the goal? Status 20? 25? 30?

All new cases (non-RCEs) at status 30 and below are included in the new case backlog. Note that Design applications (TC2900) are not part of the 699 backlog reduction initiative.

3) Do first office actions on RCE's count towards reducing the new case backlog?

No, RCE's do not count towards reducing the new case backlog.

4) I have some cases on my special new docket which are not RCE's. Do those count toward this goal?

Yes, continuations, divisionals, and CIPs are included in the new case backlog.

5) Can I just ignore my amended docket in order to help with this goal?

No, current workflow timeliness, as outlined in your current PAP, should still be followed.

6) What happens if my AU or TC meets our goal for moving new cases, but the entire corps does not?

In order to achieve the new case backlog reduction goal, the number of new cases remaining in the backlog the day after counting ends for FY'10 must not exceed 699,000 for the entire Corps. 699,000 is a Corps goal, however, we have set TC targets needed to make the overall Corps goal.

7) Is this in my PAP?

No, this is an agency goal that supports our overall strategic goal of dramatically reducing Pendency in the coming years.

8) I know there is an incentive for SPE's (bonus) – is there any incentive for examiners?

In the future we hope to be able to present a more refined set of awards for employees which reward performance that aligns with our key objectives, including the reduction of both pendency and the backlog of new cases.

9) How does this accord with the date case goal?

The new case date goal (NCDG) works hand in hand with this goal. The NCDG ensures that the oldest new cases are done first. Cases falling within the 6 month filing date window set for your particular art unit should be worked on first.

10) If I send out a lot of new cases, there will be a “bubble” of amended cases on my docket in 3-6 months. What kind of help can I expect when that happens?

Based upon Q4 projected filings and Q4 projected productivity of new cases for the Patent Corps, an average of 4 new cases extra, per examiner, will need to be acted upon between now and the end of FY'10. This additional number of new cases will not create a bubble.

11) I have heard rumors that new filings are down. If we push out a lot of new cases NOW, what will happen to my new case docket in 6-12 months?

Filings are slightly higher this year than last years level. If we achieve the goal of 699,000, it would be a less than 5% reduction in the overall backlog.

12) Can I just send restrictions on all my new cases; or am I required to send FAOMs?

We are not encouraging any change in our current practices, i.e. all restrictions must comply with MPEP chapter 800. Written restrictions set forth in new cases do remove those new cases from the new case backlog.

13) I know I have some “easy” new cases, but they are outside the 6 month window. Can I send actions on cases outside the 6 month window?

You are expected to comply with the docket management policies outlined in the November 3, 2009 memorandum from Peggy Focarino, Deputy Commissioner for Patents, entitled "Changes in Docket Management Policies." This policy sets forth that the earliest filed applications on your Regular New Case docket be worked on first. If you have an application which does not fall within the six-month filing date window of your earliest filed application and believe it should be examined out of turn, you are expected to gain supervisory approval before starting to examine that application.