

UNITED STATES  
PATENT AND TRADEMARK OFFICE





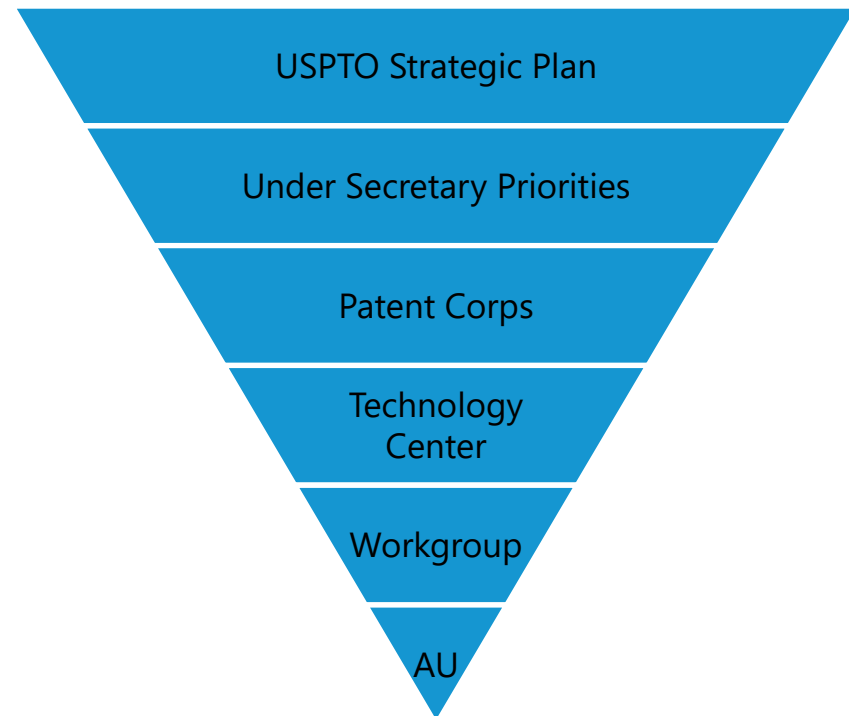
# TC 1600 Quality Action Plans

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May 8, 2019

# Quality action plans

What are they?

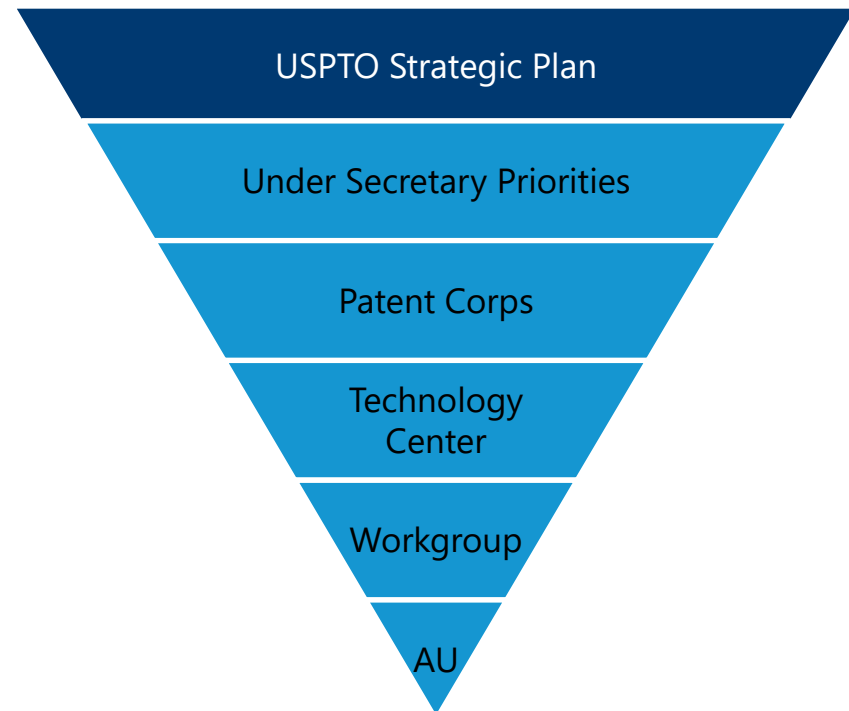
How do we come up with them?



# USPTO Strategic Plan 2018-2022

**Quality goal:  
Optimize patent  
quality and timeliness**

**Quality objective:  
Issue highly reliable  
patents**



Source: USPTO strategic plan:  
[www.uspto.gov/sites/default/files/documents/USPTO\\_2018-2022\\_Strategic\\_Plan.pdf](http://www.uspto.gov/sites/default/files/documents/USPTO_2018-2022_Strategic_Plan.pdf)



# **Quality objective: Issue highly reliable patents**

## **Initiatives:**

- A. Increase examiner's ability to obtain the best prior art during examination**
- B. Improve content, delivery, and timeliness of technical and legal training to achieve more predictable outcomes**

Source: USPTO strategic plan:

[https://www.uspto.gov/sites/default/files/documents/USPTO\\_2018-2022\\_Strategic\\_Plan.pdf](https://www.uspto.gov/sites/default/files/documents/USPTO_2018-2022_Strategic_Plan.pdf)



# **Quality objective: Issue highly reliable patents**

## **Initiatives:**

- C. Use patent quality data to identify areas for improvement to achieve more consistent outcomes**
- D. Refine production standards to achieve patent quality**
- E. Enhance transparency and communication of quality metrics**

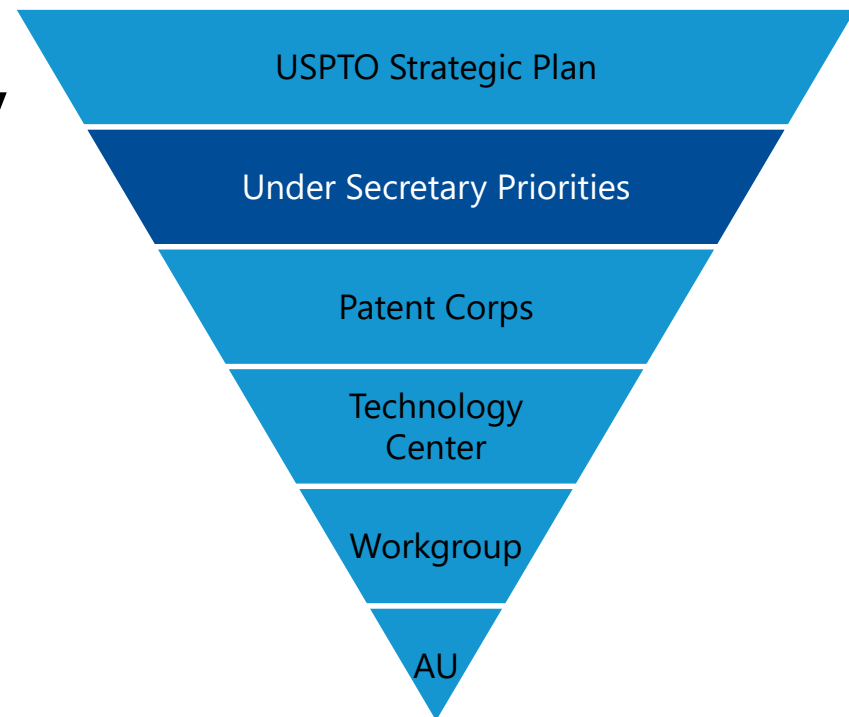
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# Under Secretary priorities

- Subject matter eligibility (35 U.S.C. 101)
- Search – finding the most relevant prior art early in prosecution



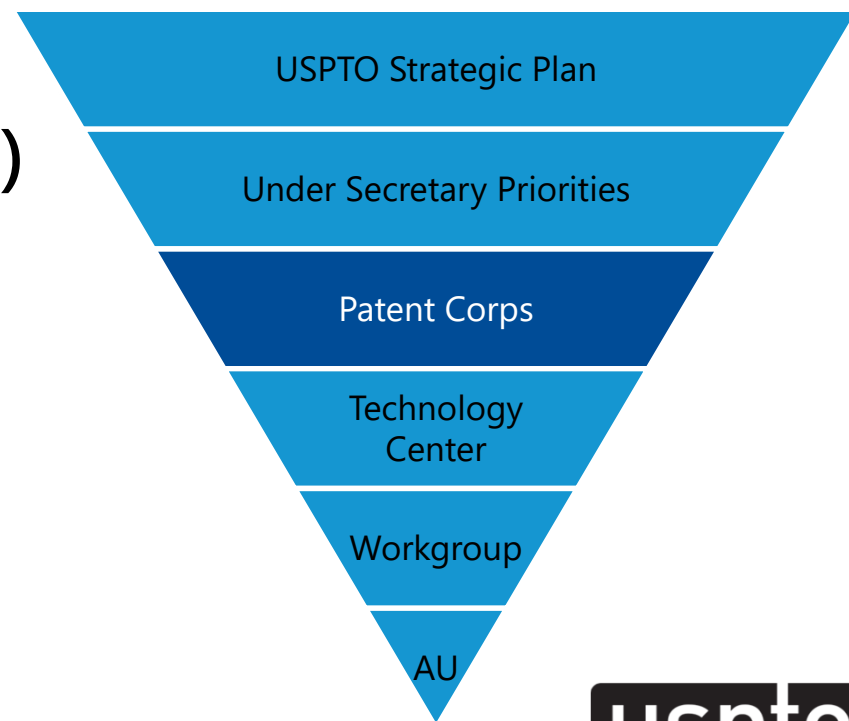
Sources:

<https://www.uspto.gov/about-us/news-updates/us-patent-and-trademark-office-announces-revised-guidance-determining-subject-matter-eligibility>  
<https://www.uspto.gov/about-us/news-updates/remarks-director-iancu-artificial-intelligence-intellectual-property>



# Patent Corps initiatives

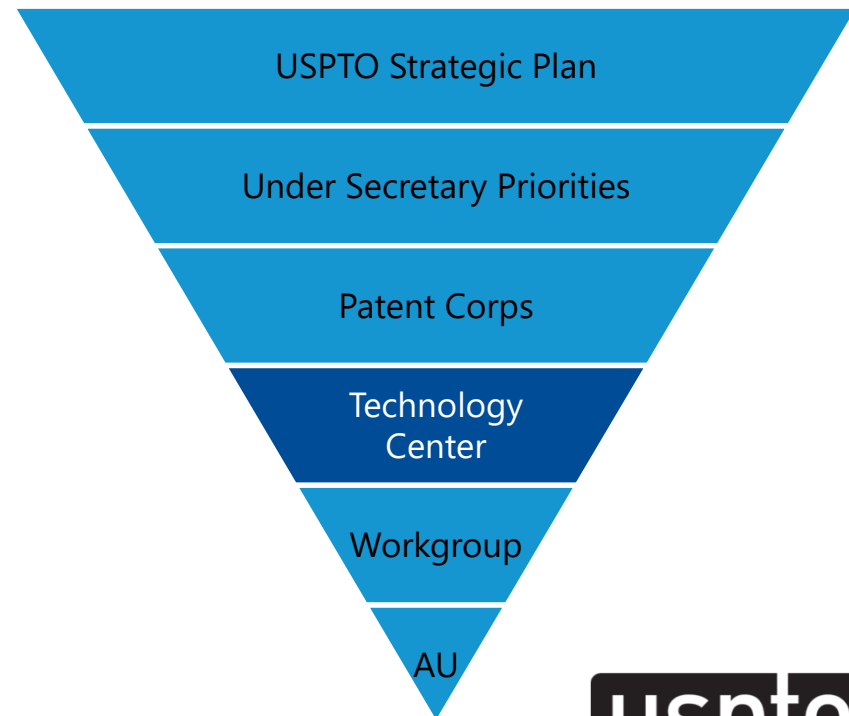
- Subject matter eligibility (35 U.S.C. 101)
- Claim Interpretation
- Search training
- Election/restriction





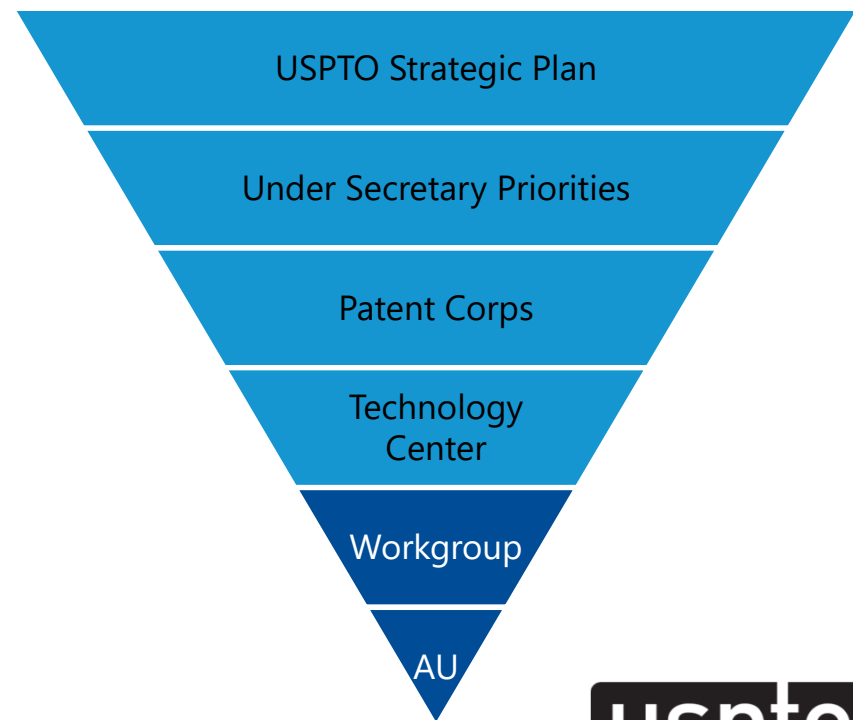
# Technology Center plans

- Complements patent corps initiatives
- Takes into account Office of Patent Quality Assurance and Supervisory Patent Examiner case reviews
- Address areas of confusion



# Workgroup and art unit

- Different arts can have different issues
  - Art-specific concerns
  - Examiner requests



# Fiscal year 2019 TC 1600 initiatives

- 35 U.S.C. 101
  - New guidance presented to examiners in late January
  - TC specific examples to follow

# Fiscal year 2019 TC 1600 initiatives

- Search
  - Workshops “search best practices”
    - Databases
    - Synonyms
    - Key terminology

# Fiscal year 2019 TC 1600 initiatives

- **Claim interpretation**
  - TC-specific examples
- **Election/restriction**
  - TC-specific examples

# Fiscal year 2019 workgroup initiatives

- Written description and antibodies
  - *Amgen Inc. v. Sanofi*, 872 F.3d 1367 (Fed. Cir. 2017)
- Ranges and new matter
- Search and sequences
- Search and chemical structures





# Questions?

