

External Quality Survey

Q1.

What is your affiliation?

- ☐ Law Firm or Sole Practitioner
- ☐ Corporation
- ☐ Independent Inventor
- ☐ Other (University, Federal Government, etc.)

Q2. Which one technology field listed below best describes the majority of patent applications you have filed over the past 3 months?

(SELECT ONLY ONE)

- ☐ Pharmaceuticals
- ☐ Other (e.g., biotechnology, chemical engineering, environmental technology, or materials/metallurgy)
- ☐ Audio-visual technology
- ☐ Computer technology
- ☐ Digital communication
- ☐ Electrical machinery, apparatus, or energy
- ☐ IT methods for management
- ☐ Semiconductors
- ☐ Other (e.g., basic communication processes or telecommunications)
- ☐ Medical technology
- ☐ Optics
- ☐ Other (e.g., measurement, control, or analysis of biological materials)
- ☐ Engines, pumps, or turbines
- ☐ Transport
- ☐ Other (e.g., machine tools, mechanical elements, textile or paper machines)
- ☐ Civil engineering
- ☐ Design
- ☐ Other (e.g., furniture, games, or other consumer goods)
- ☐ Did not file a patent application in the past 3 months

A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995, unless the information collection has a valid OMB Control Number. The OMB Control Number for this information collection is 0651-0057. Public burden for this form is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to the Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 or email InformationCollection@uspto.gov.

Q3. Approximately how many Office Actions have you received during the past 3 months?

- ☐ 1 to 10
- ☐ 11 to 20
- ☐ 21 to 30
- ☐ 31 to 50
- ☐ 51 or more
- ☐ Have not received an Office Action in the past 3 months

Q4. Consider your experiences over the past 3 months. Please think about the rules and procedures Patent Examiners must adhere to in their decisions. To what extent did the Patent Examiners you worked with adhere to the following rules and procedures with respect to:

	Not At All	Small Extent	Moderate Extent	Large Extent	Don't Know/Not Applicable
a. Citing appropriate prior art	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Treating all claims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Providing enough information to advance prosecution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Substantively addressing your responses to Office Actions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Following appropriate restriction practice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This section is about Title 35 U.S.C. rejections. The questions ask about correctness, clarity, and consistency of rejections using the following definitions:

Correctness: Compliance with all requirements of Title 35 U.S.C. as well as the relevant case law at the time of issuance. Decisions to reject were proper and contained sufficient evidence to support a conclusion of unpatentability.

Clarity: Sufficiently allows anyone reviewing a rejection to readily understand the position taken.

Consistency: A similar manner of treatment and examination standards between applications and examiners.

Title 35 U.S.C. 101 Rejections

Q5. Over the past 3 months, how often were the rejections you received under 35 U.S.C. 101 reasonable in terms of...

	Rarely	Some of the time	Most of the time	All of the time	Don't Know/Not Applicable
a. Correctness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Clarity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Consistency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Title 35 U.S.C. 102 Rejections

Q6. Over the past 3 months, how often were the rejections you received under 35 U.S.C. 102 reasonable in terms of...

	Rarely	Some of the time	Most of the time	All of the time	Don't Know/Not Applicable
a. Correctness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Clarity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Consistency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Title 35 U.S.C. 103 Rejections

7. Over the past 3 months, how often were the rejections you received under 35 U.S.C. 103 reasonable in terms of...

	Rarely	Some of the time	Most of the time	All of the time	Don't Know/Not Applicable
a. Correctness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Clarity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Consistency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Title 35 U.S.C. 112(a) Rejections

Q8. Over the past 3 months, how often were the rejections you received under 35 U.S.C. 112(a) reasonable in terms of...

	Rarely	Some of the time	Most of the time	All of the time	Don't Know/Not Applicable
a. Correctness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Clarity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Consistency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Title 35 U.S.C. 112(b) Rejections

Q9. Over the past 3 months, how often were the rejections you received under 35 U.S.C. 112(b) reasonable in terms of...

	Rarely	Some of the time	Most of the time	All of the time	Don't Know/Not Applicable
a. Correctness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Clarity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Consistency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Q10. For examinations in the past 3 months, would you rate the overall quality of the prior art found by patent examiners as...

- ☐ Very Poor
- ☐ Poor
- ☐ Fair
- ☐ Good
- ☐ Excellent

Q11. In the past 3 months, would you rate the overall examination quality as...

- ☐ Very Poor
- ☐ Poor
- ☐ Fair
- ☐ Good
- ☐ Excellent

Q12. In the past 3 months, overall examination quality has...

- ☐ Significantly Declined
- ☐ Slightly Declined
- ☐ Stayed the Same
- ☐ Slightly Improved
- ☐ Significantly Improved

Q13: Over the past 3 months, how would you rate the following in terms of timeliness?

Very Poor Fair Good Excellent NA
Poor

- a. Written actions in response to Non-final amendments
- b. Written actions in response to After-final amendments
- c. Written actions in response to RCEs
- d. Responses to telephone inquiries
- e. Responses to email inquiries

Q14. What, if anything, would you like to see incorporated as part of the application filing process to facilitate patent examination quality?

Most Recent Office Action

Q15. Considering only your most recent office action, how would you rate the following?

Very Poor Fair Good Excellent
Poor

- a. The examiner's understanding of the technology claimed
- b. The legal position taken by the examiner

Q16. Considering only your most recent office action, was the amount of information....

-Not enough -just right -Too much

Q17. Considering only your most recent office action, to what extent did the examiner meet your expectations with regard to how well each of the following were addressed?

Not Small Moderate Large DK/
At all extent extent extent NA

- a. 35 U.S.C. 102 Anticipation
- b. 35 U.S.C. 103 Obviousness
- c. 35 U.S.C. 112(a) Enablement
- d. 35 U.S.C. 112(b) Written Description
- e. 35 U.S.C. 101 Subject Matter Eligibility
- f. Restriction Practice
- g. Non-statutory Double Patenting

Q18. Considering only your most recent office action, to what extent do you agree or disagree with the following statements:

Strongly DK Disagree	Disagree	Neither agree Or disagree	Agree	Strongly /NA
----------------------------	----------	---------------------------------	-------	-----------------

- a. The office action increased my confidence in the USPTO.
- b. The examiner I interacted with was helpful.
- c. I was treated fairly.

Q19. Considering only your most recent office action, if there is anything you would like to bring to our attention please comment below.

To maintain your anonymity and protect the confidentiality of your responses, do not include application numbers or names in your comments. For issues requiring immediate attention please use the instructions and contact information provided in the office action itself.

Q20. You may be selected to participate in this survey again. If you are interested in completing this survey online, please provide your email address below:

Thank you
