

# CWS.ATR.ID.2011.US

## Annual Technical Report 2011 on Industrial Design Information Activities submitted by United States of America (CWS/ATR/ID/2011/US)

Where URLs are requested below, it is preferred that either URLs which are likely to remain stable over time (three years or more) are provided, or home (main) page URLs are provided with a short explanation of how to access the corresponding information.

The expression "industrial designs" covers industrial designs and models. Offices which issue design patents should report their design patent information activities in this series of Annual Technical Reports.

### I. Evolution of registration activities

The USPTO issues design patents and does not register industrial designs. However, US design patent information is included in this report since WIPO has requested that "Offices which issue design patents should report their design patent information activities in this series of Annual Technical Reports."

#### Changes experienced in terms of application filings and grants (registrations) with respect to the previous year

In calendar year (CY) 2011, the USPTO granted 21,356 design patents, down 6 percent from the number granted in CY 2010. The share of grants having foreign origin, as determined by the residence of the first-named inventor, was 45.0 percent for CY 2011, up from 44.7 percent for CY 2010, showing a slight recovery from the steep drop in foreign share that occurred from 2009 to 2010. The top patenting organizations receiving design patents in CY 2011 were 'Samsung Electronics Co., Ltd.' (328 design patents), 'Procter + Gamble Company' (270 design patents), 'LG Electronics Inc.' (236 design patents), 'Microsoft Corporation' (182 design patents), 'Koninklijke Philips Electronics, N.V.' (148 patents), 'Cheng Uei Precision Industry Co., Ltd.' (130 design patents), 'Apple, Inc.' (122 design patents), 'Nike, Inc.' (120 design patents), 'Hon Hai Precision Ind. Co., Ltd.' (114 design patents), and 'Honda Motor Company' (107 design patents).

There were 30,457 design patent applications filed at the USPTO in CY 2011, up 5 percent from the number filed in CY 2010. The CY 2011 share of applications having foreign origin, as determined by the residence of the first-named inventor, was 42.7 percent, up slightly from 42.5 percent for CY 2010.

#### Trends or areas experiencing rapid changes with respect to the previous year

In calendar year (CY) 2011, annual patent counts increased in 13 of the 34 U.S. design patent classes and declined in 18 of the classes. Among the highly active design patent areas for CY 2011, the number of annual design patent grants displayed the greatest increases in 'Material or Article Handling Equipment' (up 24 percent), 'Games, Toys, and Sports Goods' (up 14 percent), 'Arms, Pyrotechnics, Hunting and Fishing Equipment' (up 9 percent), and 'Cosmetic Products and Toilet Articles' (up 8 percent).

#### URLs of web pages of the Office's website that provide statistics related to industrial designs

General statistics relating to design patents may be accessed from the following USPTO Web Site pages:

General calendar year design patent statistics reports can be accessed from the following URL:

<http://www.uspto.gov/web/offices/ac/ido/oeip/taf/reports.htm>

General fiscal year design patent statistics and USPTO workload statistics can be accessed from the text and workload tables contained in annual USPTO Performance and Accountability Reports, which may be accessed from the following URL:

<http://www.uspto.gov/web/offices/com/annual/index.html>

### II. Matters concerning the generation, reproduction, and distribution of industrial design documents and of secondary sources of industrial design information, i.e., official gazettes

#### Mass storage media and microforms used

Presently, almost 4 TB of full-page image data for all patents from 1790 to the present are stored on hard disk drives at the USPTO and accessible from the Internet, along with a 200 GB file consisting of patent numbers and current US classifications for all patents from 1790 through 1975, as well as searchable full-text for all patents from 1976 to the present. In addition, approximately 600GB of storage have been deployed for the US OCR database (1790-1876) and 4.5 TB of storage have been deployed for published patent applications from March 15, 2001 forward. The published patent applications storage meets legislative mandates issued in 1998, in the American Inventor Protection Act (AIPA), which requires the timely granting of patents and the early publication of applications.

#### Databases and office automation

The USPTO's Electronic Information Products Division (EIPD) provides patent information products and services to the public in a variety of formats. The Products and Services Catalog on the USPTO Web site provides a Product Listing, a Product Description and XML Resources to obtain sample data. The Products and Services Catalog Product Description also contains details on how to obtain patent and trademark data files.

The USPTO maintains World Wide Web (WWW) and File Transfer Protocol (FTP) internet sites which permit the public free access to selected information related to patents and trademarks through interactive search requests or downloadable data files. Patent and Trademark data files are also available through a Google site.

NOTE: The Cassis and USA optical disc products were discontinued December 31, 2011. The information that was available on the products is available on other products or on the USPTO web site.

The USA products are now available as follows:

**Patent Grant Multi-Page Images:** Multi-page images of Patent Grants from 1790 to the present are available for free download from Google. The images are in TIFF (Tagged Image File Format) CCITT Group 4 compression and are stored in a series of compressed folders. A cumulative index is located in the archive of the most recent set of weekly images. These multi page images are available for download three weeks following issue.

**Patent Application Publication Multi-Page Images:** Multi-page images of Published Patent Applications from 2001 to the present are available for free download from Google. The images are in TIFF (Tagged Image File Format) CCITT Group 4 compression and are stored in a series of compressed folders. A cumulative index is located in the archive of the most recent set of weekly images. These multipage images are available for download three weeks following issue.

**Trademark Registration Multi-Page Images:** This data contains the images of U.S. registered trademarks from 1870 to the present are available for free download from Google. The images are in TIFF (Tagged Image File Format) with CCITT Group 4 Compression. An "image" is an actual page(s) of the trademark, including renewals and modifications, which appear just like the original printed document.

#### Search Clients

Design examiners have access to the same two search clients used by utility examiners, both of which provide text and image search and display capabilities. One is a browser-based client called WEST (Web-based Examiner Search Tool); the other is a coded client called EAST (Examiner Automated Search Tool). WEST is designed for ease of use and rapid deployment of new functionality. EAST has a more complex interface, designed for greater user customization, more rapid retrieval of images, and greater use of the keyboard. Through these search clients, all USPTO patent examiners have access to full U.S. patent images from 1790 and full U.S. patent text search from 1920. The 1920-1970 segment of the U.S. database is the U.S. Patents OCR database. Access to another segment of the U.S. Patents OCR database covering the period from 1790 to 1919 has not been planned. Since the introduction of U.S. Published Applications in March 2001, the full text and images of these documents have been made available. Images of all USPTO Design Patents are available in either EAST or WEST with access through domestic and/or international classification assignments.

Also available are the contents of the First Page DataBase (FPDB) project, IBM Technical Disclosure Bulletins, and Derwent World Patents Index (WPI). The FPDB consists of the English-language Patent Abstracts of Japan (PAJ) from 1976, and five European Patent Office (EPO) member states (EP patent documents, France, Germany, Great Britain and Switzerland), and WIPO patent documents (PCT Publications), from 1978. Additionally, examiners have access to full patent document images from 1920 for these same intellectual property authoring countries and organizations. The addition of full English-language text of EPO documents and full patent document images for additional intellectual property countries and organizations is planned.

The full text search databases for US Patents and Published Applications migrated to using the International Common Element (ICE) Red Book for Patent Grant Data/XML and Patent Application Data/XML publication format as the input source content in 2006.

In 2008, implementation of the Middle Tier Phase 3 project was completed providing a multi-tiered application to improve the scalability and the performance of the BRS search system. Phase 3 enables data to be distributed across servers for better process management and system utilization. An addition of a new Superdome server also increases the performance to support the demands of more users and data

In 2008 the USPTO began the development on the Unpublished Patent Application Data (UPAD). The USPTO is processing newly filed patent applications to create text and image files similar to the existing Pre-Grant Publication format. The Patent applications are scanned as TIFF images into the Image File Wrapper repository, exported for OCR processing, and data entry resulting in XML Red Book text file and Yellow Book 2 TIFF image file of the unpublished patent applications. The XML Red Book file will be amended throughout the patenting process. The unpublished patent application text and image files are currently being loaded into SCORE for use by the patent examiners. At the completion of the UPAD project, the U.S. Patent Examination Corps will be able to search on unpublished patent application text and retrieve images within 45 days after receipt of an application through EAST and WEST - a major improvement on the current 18-month publication cycle.

Derwent XML implementation Phase 1 was completed in 2008. This included International Patent Classification Reform (IPCR) data for the Derwent abstracts, and involved the change over from subscriber format to full XML, data load and client display changes to EAST and WEST.

Preliminary efforts on the IP5 Foundation project started late 2008. Documents to support the two foundation projects that USPTO leads were created and circulated among the IP5 offices for review and comment, as well as preparation for the January 2009 IP5 Offices meeting to be hosted by USPTO.

### **III. Matters concerning classifying, reclassifying and indexing of industrial design information according to the classification systems applied**

**Classification and reclassification activities; Classification system used, e.g., International Classification for Industrial Designs (Locarno Classification), other classification (please indicate whether industrial designs are classified by your Office and, if so, which classification is used)**

All design patents that issued between 1970-1984 and from 1997 onward include both a US Patent Classification designation and a Locarno International Classification designation. The EAST and WEST search systems available within the USPTO and at selected Patent and Trademark Depository Libraries provide the capability for searching for US design patent documents issued from 1997 onward with either a US or a Locarno classification designation.

The USPTO maintains a concordance between the United States Patent Classification System and the Locarno International Classification System, 8th edition. This concordance is updated to reflect new subclasses established in the design patent search file as part of the reclassification of US design patent documents. The USPC Index is also updated to reflect new subclasses established as part of the reclassification of US design patent documents.

Formal definitions have been published for all mainline subclasses and will be published for any newly established subclasses in design classes. The purpose of formal definitions is to clarify the type and scope of subject matter contained in a class or subclass. Formal definitions may include search notes that aid in locating additional areas in the USPC system pertinent to specific subject matter. Classification definitions are available at the URL below:

<http://www.uspto.gov/web/offices/ac/ido/oeip/taf/def/index.htm>

Further information about the use of the US Patent Classification System is available at:  
<http://www.uspto.gov/main/patents.htm>

## **Bibliographic data and processing**

Currently, USPTO provides full text search of US patents back to 1970. Additionally, patent search capabilities provide text search of US Patent Applications (PGPub), US Patents, JPO and EPO abstracts, Derwent World Patent Index database, IBM's Technical Disclosure Bulletins, and OCR text of US Patents issued between 1920 and 1971. For the OCR file, examiners identify relevant documents by text searching the OCR file and use the document images to determine applicability to applications under review.

## **IV. Search file establishment and upkeep**

### **File building**

By the end of calendar year 2011, the total number of US Design Patents increased by 24,958 for a total of 650,057 documents. Over 450 design patent documents were issued each week and added to the search file.

#### **OCR File**

Using Optical Character Recognition, the USPTO has captured the text of all U.S. patents back to 1790, which is approximately 3.9 million additional documents. This text has not been perfected and contains mistakes in reading letters, and does not associate the data with the fields in the search system. It is being characterized as the "dirty OCR data." The dirty OCR'd text of the U.S. patent backfile was provided to the Computer Search System (CSS) project and loaded into the EAST and WEST search systems in 2000-2001. Initial examiner access to the OCR backfile was provided via the WEST (Web-based Examiner Search Tool) interface in October 2001; it was available in EAST (Examiner's Automated Search Tool) in January 2002. In FY 2002, the USPTO added "clean" bibliographic data to the backfile. The OCR patent back file will be made available for exchange with the USPTO's International partners and for sale to commercial customers.

#### **NPL**

STIC continues development of a database of examiner-identified NPL using Proquest's Priv platform. The multi-disciplined database has been named E2D2 (Examiner's Electronic Digest Database). The database currently contains NPL on chemical, electrical engineering, telecommunications, business methods, designs and nanotechnology. The types of documents submitted by examiners include journal articles, portions of books and catalogs, technical specifications documents from the Internet, translations of foreign patents, advertisements, press releases, and standards. The database has been available to examiners since 2002.

USPTO examiners have desktop access to over 54,000 e-journals as well as 109,000 electronic books.

In 2001, registered industrial design images of CD-ROM from the International Bureau and the Japanese Patent Office became available for access by design patent examiners.

### **Updating**

Concurrent with the publication of each new Design Patent in the Official Gazette, copies are added to the electronic search files.

Also, see File Building, above.

### **Storage, including mass storage media**

At the end of FY 2004, the USPTO acquired over 400 TB of raw disk capacity. Managing this storage required continued vendor support, and implementation of storage management tools. In FY 2004 and FY 2005 the USPTO extended the SAN to support the agency move to Carlyle and to enhance disaster recovery capabilities. In FY 2006 the USPTO made a significant investment in NAS storage from the vendor NetApp by acquiring 400TB of raw disk capacity, followed by additional storage acquired for Disaster Recovery in FY07. As of FY11, the USPTO has over 2.8 Petabytes of disk storage enabling the processing of all business area needs, both in Carlyle and the remote Disaster Recovery site.

### **Documentation from other offices maintained and/or considered part of the available search file**

Gazette type publications of design registrations from over 37 nations or international organizations are available to examiners. These publications are generally maintained in the Design Collection located in the USPTO Scientific and Technical Information Center (STIC).

A collection of non-patent literature is available to examiners in the Design Collection. Non-patent literature includes commercial publications, catalogs, magazines, advertising fliers, technical publications and other information pertinent to the 33 classes for industrial designs in the United States Patent Classification system. Additionally, the Scientific and Technical Information Center provides complete library services that include links to libraries nation-wide, literature acquisition as requested, and cataloging of literature received. The literature in the collection can be searched via an on-line catalog maintained by STIC.

The USPTO's Production Services Branch (PSB) is within the Electronic Information Products Division (EIPD) of Public Information Services Group (PISG) of the OCIO. PSB staff are responsible for all text and image data load processes and maintenance of both domestic and foreign patent data. PSB staff perform the data loading and maintenance of text and image data for the following domestic databases: Patent Image Retrieval System (PIRS), Patent Images on the Web (PIW), Application Image Retrieval System (AIRS), Application Images on the Web (AIW), Bibliographic Retrieval Service (BRS), Patent Grant and Application Text Database, Publication Site for Issued and Published Sequences (PSIPS), BRS Keyword/PLUS Database Update, Automated Biotechnology Search System (ABSS)/STIC, CD-Rom Reference Library System, New Technology Assessment Forecast, Group 1 Address Database Update, and the Trademark Image Capture and Retrieval System. PSB Staff perform the data loading and maintenance of text and image data for the following foreign databases: Derwent Text and Image Data, Foreign Image Data Load (JPO Abstract Data, EPO/JPO Full Image Data, DOCDB, ECLA, JPO FI-Data File, Korean, Brazilian Full Image, Canadian Mimosa and Australian Mimosa).

## **V. Activities in the field of computerized search systems for industrial designs**

### **In-house systems (online/offline)**

Design examiners at the USPTO have the same search tools as utility examiners. The International Patent Classification field that is part of the text search system can also be used to search Locarno classifications for industrial design patents but is not frequently used by USPTO examiners.

In October 2000, the patent database on the Web was expanded to include additional U.S. patent image data back to 1790 and other ancillary documents. The patent image data can be accessed by a class/subclass search or by patent number. In FY 2001, the USPTO began electronically publishing for Pre-Grant Publication (PGPub) patent applications. Biosequence repository data was made available in FY 2002. In FY 2003, assignment data was added to the Web site.

The Patent Application Information Retrieval (PAIR) system was deployed in 1998 and then was upgraded in 2003 to include the listing of documents from the Image File Wrapper (IFW) database. PAIR displays a subset of data maintained in the internal Patent Application Location and Monitoring (PALM) and IFW systems to Internet users via the USPTO web site. Users can view and download design patent data in both PDF and XML formats.

The USPTO Public PAIR system is available online at:  
(<http://portal.uspto.gov/external/portal/pair>)

The USPTO Private PAIR system is available online at: (<http://portal.uspto.gov/external/portal/pair>)

### **External databases**

STIC performs searches for the design examiners on commercial online databases when requested. They also search on the Internet for resources that are appropriate for design examiners.

External databases are primarily accessed using software such as STN Express or DialogWeb loaded on PTOnet. Examiners also use secure communications and servers to search these services via the Internet. The USPTO accesses the Internet through high speed connections. VPNs with STN and Dialog allow for fast, secure searching. Examiners establish connections to the external databases through sessions that are set up after logging into the PTO firewall.

### **Administrative management systems (e.g., register, legal status, statistics and administrative support)**

Patent Application Locating and Monitoring System (PALM)

PALM continues to constitute the backbone for management information throughout the USPTO. PALM additionally tracks examiner and other employee production, case history and bibliographic data. Via PALM reports and ad-hoc reports, PALM data is used to manage and track the USPTO's pending applications. Throughout 2007, the main emphasis was on making changes to provide services to other projects such as PFW, PAIR and the e-Office Action Pilot.

PALM on PTOnet

All managers, Patent examiners and support staff have been provided access to the current PALM System on their desktop PC via barcode readers and a web browser interface. Efforts at making more PALM interfaces web-browser-based have improved efficiency and increased case tracking accuracy.

### **Equipment used (hardware, including the types of terminal and network used, and software), data carriers used**

PTOnet has an architecture consisting of a campus-wide Gigabit Ethernet switched backbone with Telecommunications Room switches providing switched Ethernet connection to individual workstations and Data Center servers.

Since desktop applications require increasingly more network bandwidth; in 2010 PTOnet was upgraded to keep ahead of the requirements including transition to IPv6. PTOnet users now have dedicated 1 Gbps connections and there is a 10 Gbps backbone; industry analysis indicates this will be more than sufficient for any forecast client application.

PTOnet provides examiners and other staff with access to the Internet through dual-redundant firewalls. Access zones implemented via firewalls and proxy servers have been implemented to provide a limited amount of controlled access to PTOnet resources for external users. Additional external access capabilities are being developed through the implementation of a variety of access control mechanisms including digital certificate-based authentication supported by a full Public Key Infrastructure (PKI) and two-factor authentication with authorization and accounting.

#### Access to external databases

Examiners establish secure connections to the external databases via site to site Internet VPNs and secure Web Browser connections. The USPTO's Internet access line bandwidth is one 1 Gbps connection and two full OC-3 connections (1.3 Gbps total).

The USPTO is in the process of testing three 1Gbps Managed Trusted Internet Protocol Service connections (3 Gbps total) that should be deployed in July 2012. Once they are deployed, the existing 1 Gbps connection and one of the two OC-3 connections will be disconnected. The remaining OC-3 connection will be retained for IPv6 testing.

## **VI. Administration of industrial design information products and services available to the public (relating to facilities, e.g., for lodging applications, registering designs, assisting clients with search procedures, obtaining official publications and registry extracts)**

### **Planning, administration, automation, security**

These functions are provided by the Scientific and Technical Information Center.

### **Collection management, preservation**

The Scientific and Technical Information Center processes and distributes all foreign patent documents and journals received at the USPTO. The majority of foreign documents are now received in CD-ROM/DVD format.

The collections consist of print monograph and serial titles and millions of foreign patent documents in print and micro formats. Those portions of the collection maintained in Main STIC are open to the public. In accordance with the Patent Cooperation Treaty (PCT), STIC meets minimum documentation requirements for foreign patent documents and non-patent literature and makes these documents available to the public.

### **Information services available to the public (including computerized services and search files contained in libraries remote from your Office and industrial design information posted by your Office on the World Wide Web)**

Patent and Trademark application status information are both available from the USPTO Web site. Both of these databases are searchable and are updated on a daily basis.

In November 1995, the USPTO began providing access to patent grant bibliographic information and abstract text on its Web site. This raw data is available for direct download with updates occurring each Tuesday issue date.

In March 2001, the USPTO began providing access to patent application bibliographic information and abstract text on its Web site. This raw data is available for direct download with updates occurring each Thursday publication date.

In November 1998, the USPTO began providing access to the searchable, full text of US patents granted from January 1976 to the present. Updates occur each Tuesday issue date.

In March 2001, the USPTO began providing access to the searchable, full text of US published patent applications from March 15, 2001 to the present. Updates occur each Thursday publication date.

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In March 2001, the USPTO began providing access to the searchable, full text of US published patent applications from March 15, 2001 to the present. Updates occur each Thursday publication date.

Copies of Design patents online via Pub WEST continue to be provided to the libraries in the USPTO's Patent and Trademark Depository Library (PTDL) Program that has been renamed to the Patent and Trademark Resource Center (PTRC) Program. All PTRCs also provide public access to the USPTO Web site that contains a searchable database of Design patents. A list of current PTRCs can be found at the PTRC Web site located at: [www.uspto.gov/ptrc](http://www.uspto.gov/ptrc). The Web site includes information about the Program's mission, history, background, services, and core collections, as well as links to the Program's publications, materials, and reference tools. Each of the PTRCs is linked from the PTRC List available on the USPTO Web site.

## Automated Information in Patent and Trademark Resource Centers

Web-based online searching for the patent text and image database via PubWEST is available at all PTRCs. All PTRCs also provide public access to the USPTO Web site.

The USPTO no longer provides optical disc products to PTRCs.

## Automated Patent Information in Public Search Facility

The USPTO Public Search Facility (PSF) provides public users with access to over 20 software applications that provide full-text search and/or document retrieval capability. The primary information delivery channel is the Universal Public Workstation (UPWS). The UPWS is a secured access computer providing a single platform and consistent interface to all databases. There are over 125 UPWS workstations available to the public and online system use during FY 2011 totaled over 145,000 hours.

Public versions of the patent examiner search system EAST and the Patent Application Information Retrieval (PAIR) are the heaviest used applications. Other patent software applications available on UPWS include the USPTO Web site, Assignment Historical Database (AHD) and the patent examiner search system WEST.

Both EAST and WEST retrieve all U.S. patent images and provide text searching back to 1971. The Optical Character Recognition application allows searching of U.S. patents both text and images back to 1920. EAST and WEST also provide text searching of English language patent abstracts from the European Patent Office (EPO) and Japan Patent Office (JPO), and a set of foreign patent images. Public users search Re-exam file information by logging onto the PAIR application. UPWS provides access to World Patents Index (WPI), a proprietary database that is also available to USPTO patent examiners. This search tool is accessed through both EAST and West.

The Public Search Facility is one of the USPTO wireless hot spots whereby facility customers may use their personal computers or communication devices in the facility to access Internet resources. This capability allows users to supplement or expand their intellectual property researching activities as they search/retrieve information using the Universal Public Workstation.

Training courses on EAST and WEST are offered monthly and on an as needed basis. Special one-page guides and Helpful Hints are available in the on-line search areas. Individual assistance is available from staff between the hours of 8 a.m. – 5 p.m., with self-service available until 8 p.m.. Public users have opportunities throughout the year to participate in Beta testing of updated versions of software applications.

## Data Products Provided to the Public

The USPTO's Electronic Information Products Division (EIPD) provides patent information products and services to the public in a variety of formats. The Products and Services Catalog on the USPTO Web site provides a Product Listing, a Product Description and XML Resources to obtain sample data. The Products and Services Catalog Product Description also contains details on how to obtain patent and trademark data files.

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**Electronic Official Gazette of the U.S. Patent and Trademark Office – Patents (eOG:P):** The eOG:P began publication in July 2002 on both the USPTO Web site (free) and on CD-ROM (subscription). In September 2002, the eOG:P replaced the paper Official Gazette that had been published since 1872. The eOG:P contains the OG record, including an exemplary claim and a representative image (if applicable). Indexes by type of patent (e.g., utility, design), patentee name (both inventor and assignee), geographical location of the first listed inventor (U.S. state or country), and classification are provided. The eOG:P is available each Tuesday. A rolling calendar year's worth of eOG:P are kept on the USPTO Web site. The eOG:P on optical disc was discontinued as of December 31, 2011.

## URLs of web pages of the Office's website for electronic filing of industrial design applications

In March 2006, the USPTO launched a new and improved patent application electronic filing system, EFS-Web. Applicants can use EFS-Web to file design patent applications and pay fees online. EFS-Web provides an electronic Acknowledgement Receipt immediately at time of submission. EFS-Web is available 24/7 at <https://portal.uspto.gov/efs>.

## URLs of web pages of the Office's website that provide information on business procedures such as: filing, publication, examination and registration procedures related to industrial designs; opposition and appeal procedures related to industrial designs; etc.

The USPTO provides online help material for EFS-Web, including tools, tutorials, Computer Based Training (CBT), and FAQs, at [http://www.uspto.gov/efc/efs\\_help.html](http://www.uspto.gov/efc/efs_help.html). In addition, the Patent Electronic Business Center (EBC) provides technical assistance to patent applicants on how to use EFS-Web and other eCommerce systems. Patent EBC hours and contact information are listed at [http://www.uspto.gov/efc/efc\\_help.htm](http://www.uspto.gov/efc/efc_help.htm).

## **VII. Matters concerning mutual exchange of industrial design documentation and information**

## **VIII. Matters concerning education and training, including technical assistance to developing countries (please indicate URLs of web pages of the Office's website wherever appropriate)**

### **Promotional activities (seminars, exhibitions, visits, advertising, etc.)**

In 2011 the Inventors Assistance Program became part of the newly created Office of Innovation Development.

The Office of Innovation Development oversees the USPTO's efforts to assist independent inventors, small business concerns and university affiliated inventors. The office also works closely with other officials and agencies throughout the government in support of the Administrations efforts to promote small business, entrepreneurship and job creation. The Innovation Development office designs and implements outreach programs to a wide range of groups including independent inventors, women, small business concerns, minorities, and other underserved communities.

The office also assists the agency's educational outreach programs that promote intellectual property protection and the valuable role it plays as a key driver of the American economy.

**Inventors Conferences and Women's Entrepreneurship Symposium:** The IAP sponsors events for inventors and small business concerns nationwide. The USPTO makes supervisory patent examiners available to conduct breakout sessions. USPTO also invites resources from metropolitan area where the conference is located, such as Small Business Development Center (SBDC), Service Corps of Retired Engineers (SCORE), Patent and Trademark Depository Libraries, attorneys from the Intellectual Property Law Associations and subject matter experts in marketing.

**Supporting Inventor Organizations:** The USPTO also participates in outreach initiatives with inventor organizations throughout the United States. These are typically non-profit inventor organizations that assist inventors with innovations and the desire to start a business based on those inventions.

**Minority/UnderServed Communities - Expansion** plans are underway to establish additional meaningful partnerships with other organizations such as the Department of Commerce's Minority Business Development Association (MBDA), the Society of Hispanic Professional Engineers (SHPE), the National Society of Black Engineers (NSBE), national professional organizations, and national and local educational institutions.

**Pro-Bono Program - The Minnesota (MN) pilot** now serves as a model for other IP law associations across the country in the establishment of additional IP pro bono programs. There are five additional regions that will launch during 2012 (Colorado, Washington DC region including all of Maryland and Virginia, Northern California, Southern California and Texas) and we are working with an additional 10 regions for launch in 2013. The ultimate goal is to have regions covering the entire country and to have a single entity that will serve as an intake and referral center for all inventors and small businesses interested in pro bono services.

There is a pro bono Task Force which includes member from the major IP law association, the USPTO, and the Minnesota pilot. The Task Force is working together to determine the best way to coordinate the growth of future programs. They also are working on ways to offer advice

**IP Assessment Tool/Small Business Education - In collaboration with the National Institute for Standards and Technology – Manufacturing Extension Partnership (NIST/MEP)** have created a tool for use by small businesses that will allow them to self-assess their intellectual property (IP) assets. The tool is a web-based questionnaire that asks small business pertinent questions about products and/or services offered, created or sold by their business. From the answers to these questions a semi-custom report is created according to the specific responses to the questions answered. This report contains basic information about IP and offers web site links that will allow the small business owner(s) or designates to learn more about a particular aspect of IP protection.

**The Inventors Resource Page:** The Inventor's Resource Page provides "plain language" information about the patent and trademark processes. <http://www.uspto.gov/web/offices/com/iip/index.htm>

**Pro-Se Page:** designed for those inventors that are either filing on their own behalf (pro se) or are seeking free or greatly reduced services from patent professionals. This page is meant to be actively dynamic so that as rules change or practices before the United States Patent and Trademark Office change the page will be updated with current information. The pro se portion of the page will eventually contain training on the patent process, training on search techniques, sample provisional applications and direct links to forms and fees needed for filing a patent application. <http://www.uspto.gov/inventors/proseprobono/index.jsp>

**Discrete Email Address:** The email address, [IndependentInventor@USPTO.GOV](mailto:IndependentInventor@USPTO.GOV), provides a place for inventors and small businesses to submit questions for specific information outside of a public venue.

**E-Newsletter:** The Inventors Eye newsletter is delivered by email on a bi-monthly basis. This newsletter provides helpful advice and resources as well as a listing of relevant events to all subscribers. <http://www.uspto.gov/inventors/independent/eye/201004/index.html>

**Online public chats:** Held every other month, these chats provide ongoing education opportunities, allowing the public to ask questions in a live chat room and receive an answer. The chat lasts for 1 hour, and resources from across the agency (SPE's, Design practitioners, Trademark attorneys and PTDL representative) provide input for the responses. Chat transcripts are converted to FAQ's posted on the Inventors Resource Page. <http://www.uspto.gov/inventors/independent/chats/faq/index.jsp>

**University Outreach:** initial effort was directed at universities where we had a well established recruiting effort and those universities within easy driving distance of the focus university.

The lectures are primarily to engineering students, but also provide lectures to business and entrepreneurship students upon requested. At many universities we provided lectures to faculty and staff about the state of IP protection in today's environment.

### **Training courses for national and foreign participants**

The USPTO requested public assistance from scientists and experts to provide technical training to patent examiners in order to update the examiners' knowledge and understanding in technical developments, state-of-the-art, emerging trends, maturing technologies and recent innovations in various technical fields. A total of 6,395 Examiners participated in the Patent Examiner Technical Training Program (PETTP) which provides patent examiners with direct access to experts who are able to share their technical knowledge on prior art and industry standards in areas of emerging technologies and established technologies. In CY-11, companies from the fields of Biotechnology, Chemical and Materials Engineering, Communications, Mechanical Engineering, Transportation, Construction, Electronic Commerce and other technology fields provided training for the PETTP.

The Patent Training Academy (PTA) provided training for 523 new examiners in CY-11. Of the 523 examiners hired, 432 were hired into the Entry Level 2-Phase Program. In Phase 1, examiners are in residence in the Patent Training Academy for the first 4 months where they are provided entry-level and then more focused training of U.S. statutes, rules, procedures, and practices pertaining to patent examination; as well as hands on work with Patent Applications. During Phase 2, examiners transition to their technology center and periodically return to the Academy for the remaining eight (8) months for more advanced training. In addition to the Entry Level 2-Phase Program, an additional program of training intellectual property (IP) experienced patent examiners was offered. The IP Experienced Program is an initial 20-day in residence in the PTA for new examiners who already have substantial prior work experience in the IP field. Just-In-Time training takes place within the first 12-months of employment. The program provides an overview of U.S. statutes, rules, procedures, and practices as they apply to the examination of patent applications in the USPTO, searching, and automation tools. Ninety-three (93) examiners were hired and trained in the IP Experienced Program in CY 11. Supervisory Patent Examiners, who have completed a trainer orientation workshop, supervised a lab of up to 16 new examiners during either the Entry Level 2-Phase Program or the IP Experienced Training Program. The new examiners attended lectures created by a Curriculum Committee of senior patent managers. These lectures were presented by patent subject matter experts. The new examiners returned to their labs to apply the lecture material, conduct searches, and complete Office actions on pending applications while they were in residence at the Academy. New examiners in the Entry Level Training Program completed their new examiner training program with a three-hour Proficiency Exam. Formal graduations, attended by the senior executives of the Agency, were held, and the new examiners, from both programs, attended.

The success of the PTA is partially due to the collaborative direction of Patents senior executives of the USPTO. The Directors of the Office of Patent Training (OPT) frequently met with the Deputy Commissioner for Patents to assess progress and to review goals and objectives. In addition, the Patent Academy Steering Committee, consisting of the OPT Directors and Group Directors from each Technology Center, met regularly to identify new examiner training and development concerns and to offer solutions to program and administrative issues.

The management team continually assesses the performance of the New Examiner Training Program and identifies and recommends opportunities for improving the effectiveness and efficiency of the PTA. In CY-11, the PTA is the first USPTO organization to obtain and maintain the prestigious ISO-9000:2008 certification. The PTA's ISO 9001 Certification is for the facilitation of the New Examiner Training Program for the USPTO. PTA received the Certificate of Registration in June of 2009.

The Office of Patent Training (OPT) provided training to managers in CY-11. The Management Training Program is a blended approach to management training developed in coordination with the Technology Centers and the Enterprise Training Division (ETD) in the Office of Human Resources. It is a collaboration to provide new supervisory patent examiners (SPEs), as well as experienced SPEs, with the knowledge and skills needed to be successful supervisors.

OPT facilitated with the Technology Centers to provide Examiner Refresher Training in CY-11 to experienced examiners. This program was designed to enhance examiner knowledge and skills in 21 procedural and legal topics pertaining to patent examination.

The Patent Training Academy (PTA) completed an Examiner Overview training course for 12 international examiners for one week in July of 2011. In addition, the PTA completed an Examiner and Training Representative Workshop for one week to a group of 18 international examiners and training representatives in December of 2011.

### **Assistance to developing countries (sending consultants and experts, receiving trainees from developing countries, etc.)**

The United States Patent and Trademark Office's Global Intellectual Property Academy (GIPA) offers capacity building programs in the United States and around the world on IPR protection, enforcement, and capitalization.

The USPTO continued its work under a MOU with ROSPATENT to cooperate in capacity building activities, work sharing and public awareness programs in Russia. Specific activities as part of a FY2011 action plan on bilateral cooperation included a multi-city IP awareness program in Russia in June 2011, Roundtables on Patent Examination of Computer Implemented Inventions and Methods of Medical Treatment/Diagnostics in the United States at ROSPATENT in September 2011, Patent Prosecution Highway (PPH) training program at ROSPATENT in April 2011, and Technology Transfer/IP commercialization program at the Moscow State University in September 2011.

In Ukraine, the USPTO participated in the Seminar on IP Management and Technology Commercialization in CIS Countries in March 2011. Participants included universities, government research centers and Small/Medium Businesses (SMEs). Also, in collaboration with the Ukrainian State Department of Intellectual Property (SDIP), the USPTO conducted a workshop on Patent and Trademark Examination.

In Kazakhstan, the USPTO conducted training programs on patent and trademark protection in Almaty and Astana in April 2011 for patent and trademark examiners, SMEs, researchers and the general public.

In Kyrgyzstan, the USPTO staff participated in the CLDP/USPTO/Kyrgyzpatent Seminar on "Intellectual Property and Technology Transfer: Opportunities and Challenges for the Economy of Kyrgyzstan" in September 2011.

In Moldova, the USPTO staff participated in the USPTO/United Nations Economic Commission for Europe (UNECE) Subregional Capacity-building Conference on Economic Aspects and Enforcement of Intellectual Property held Chisinau in November 2011.

The USPTO continued to boost enforcement capacity globally by holding customs and enforcement workshops and capacity-building programs in a number of countries and regions, including the Balkans, East Africa, Colombia, Brazil, Slovenia, Cambodia, and Senegal.

The USPTO partnered with ASEAN on a sub-regional border enforcement program in Brunei, a seminar/tour in the US on innovation and protection/enforcement of IP, a criminal enforcement program in Cambodia, and other sessions on digital piracy, IP management and commercialization, and judicial and prosecutorial education.

In addition, the USPTO emphasized the importance of combating counterfeits, particularly for public health and safety reasons, through specialized programs in Tanzania, India, and Trinidad and Tobago. The USPTO also ramped up its efforts in fighting the growing problem of digital piracy by coordinating and participating in focused programs in Ukraine and Estonia.

In Latin America, the USPTO participated in an intellectual property enforcement program organized by INTERPOL in Mexico City, Mexico (February 2011). The program brought together IP office officials, custom officials, judges, prosecutors and police who are all involved in various



aspects of IP protection and enforcement. The programs provided a forum to discuss the socio-economic impact of piracy and counterfeiting and to share experiences to combat piracy and counterfeiting and improve IP protection and enforcement.

The USPTO, in conjunction with the World Intellectual Property Organization (WIPO), organized a Workshop on IPR Enforcement in Ciudad del Este, Paraguay, (June 2011) which included participation of 82 intellectual property officials from Paraguay, Peru, Brazil, Uruguay, Ecuador and Chile.

In March 2011, the USPTO also organized specific IP enforcement training at its Global IP Academy (GIPA) for judges from Argentina, Chile, Colombia, Mexico and Peru. In August 2011, the USPTO participated in a U.S. Department of Commerce/ITA Trade Facilitation and Public Private Partnership customs workshop targeting the MERCOSUR countries by providing information on intellectual property enforcement issues.

The USPTO provided training on the Patent Prosecution Highway to Mexico's Industrial Property Institute (IMPI). In January 2011, the USPTO organized a Patent Cooperation Treaty (PCT) Office Administration Program where intellectual property officials from Costa Rica, El Salvador, Peru and Uruguay, among others, were in attendance.

In addition, the USPTO organized an Advanced Patent Examination: Computer Implemented Inventions program where IP officials from Colombia, Jamaica, Mexico and Peru participated. The program focused on an overview of patent examination procedures used with computer implemented inventions.

In Sub-Saharan Africa, the USPTO provided training programs on an array of intellectual property and enforcement subjects. On copyright, we were observers at the Southern and Eastern Africa Copyright Network (SEACONET) Workshop in South Africa in January 2011.

The USPTO conducted two workshops on IPR border enforcement; one program in January 2011, at USPTO, for Ethiopia, Ghana, Kenya, Swaziland and Uganda, and one in February 2011 for Cape Verde, Ethiopia, Lesotho and Tanzania.

The USPTO also participated in an Interagency IP Task Force Workshop in Kenya, in May 2011, about IPR enforcement.

In collaboration with WIPO and the Public Intellectual Property Resource for Agriculture (PIPRA), the USPTO also co-organized a program on IP management and technology commercialization in Kenya in May 2011.

To promote plant variety protection and the accession to the International Union for the Protection of New Varieties of Plants (UPOV), the USPTO and the UPOV Office co-sponsored two regional plant variety protection programs, one in Ghana for ARIPO members in July 2011 and the other in Zanzibar in June 2011 for Tanzanian legislators and stakeholders.

The USPTO also presented two programs about geographical indications, one in cooperation with the Department of Commerce Commercial Law Development Program (CLDP) in Mali in December 2010, and the other an ARIPO Regional Geographical Indications Program in Kenya in September 2011.

In Russia, the USPTO partnered with the Investigative Committee of the Russian Federation to conduct a training program in Moscow in March 2011 on Copyright Infringement in the Digital Environment. USPTO, FBI and DOJ, along with various Russian government enforcement agencies, as well as industry representatives, shared their experience and best practices in investigating and prosecuting Internet piracy cases. 60 Russian investigators participated in the program.

Also, in the area of enforcement, the USPTO conducted a regional copyright enforcement program for Russia, Nordic and Baltic States, Vilnius, Lithuania in May 2011. The program was dedicated to IPR protection in the age of digital and internet media. It was one in a series of USPTO IPR regional programs which were previously held in Tallinn, Estonia and Helsinki, Finland. Invitees to the conference included prosecutors, customs, and police officials involved in combating internet piracy from Latvia, Estonia, Finland, Sweden, and Russia. Representatives from DOJ, USPTO, and ICE attended as speakers and as moderators for the conference panels. 6 Russian participants representing various enforcement agencies, both federal level and local (incl. General Procuracy, Investigative Committee, Ministry of Interior, Federal Customs Service, Procuracy of St. Petersburg and Investigative Directorate of St. Petersburg) actively participated and contributed to this program.

In Ukraine, the USPTO conducted the following programs: a training program on Copyright Infringement in the Digital Environment for Ukrainian prosecutors and investigators in Kyiv in June 2011; and a Workshop on Identification and Interdiction of Counterfeit Medicines for Ukrainian customs officials, health officials, prosecutors and investigators in Kyiv in May 2011. The latter program was organized in partnership with CLDP. In the ASEAN Region, the USPTO, in cooperation with the ASEAN Secretariat, conducted several ASEAN regional (not including Burma) programs on IP protection, utilization and enforcement in 2011. The USPTO also conducted several in-country IP training, capacity building, and public awareness programs, separately or in conjunction with the regional programs. Five regional programs concerned IP enforcement and four concerned substantive IP topics. On March 6-8, the USPTO held a Regional Copyright, Digital Piracy and Enforcement Workshop in Bangkok, Thailand. About 50 people from the countries in the region including a large number of Thai officials and stakeholders participated in the program. An Advanced Workshop for Law Enforcement Investigators and Public Prosecutors on Criminal Enforcement of IP was held in Bangkok, on June 28-30.

On May 10-12, two concurrent regional programs on Design Examination and Trademark Administration were held in Bangkok, Thailand. Twenty-five industrial design examiners from the IP offices in the region attended the Design Examination Program, where the participants not only learned from the USPTO lecturers, but also exchanged their experiences. Twenty-seven trademark officials attended the trademark administration program. The USPTO experts also conducted seminars on design examination and trademark examination for examiners at the Thai Department of Intellectual Property, prior to the regional programs.

On June 14-16, the USPTO conducted a 3-day Seminar and Workshop on IP Management and Technology Commercialization in Manila, Philippines. More than 30 IP officials and university technology managers from nine countries including local universities participated in the program to learn about policy and best practices in technology transfer. The participants also shared their experiences and discussed best practices.

On July 19-21, the USPTO held an ASEAN regional program on Train the IP Trainers. The program was attended by 23 participants. The graduates of this program are expected to conduct IP training to others in the respective countries. On September 19-29, the program on IPR Border Enforcement-U.S. Study Visit for ASEAN Customs Officers was held in several cities in the United States. Nineteen officials participated. The participants met with the U.S. counterparts who shared their experiences and best practices.

In March 2011, USPTO conducted a Judicial Round Table Discussion on Intellectual Property Rights for judicial officials in the UAE.

In September 2011, the USPTO held four-day consultations on technology transfer policy and best practices with university and other government officials in Rabat and Casablanca, Morocco.

In October 2011, USPTO conducted an Innovation Ecosystem program in Alexandria, Virginia for Iraqi researchers and other officials.

In November 2011, USPTO conducted intellectual property awareness programs in Tunisia and Algeria for intellectual property-related officials.

In 2011, the USPTO conducted a joint seminar with the State Intellectual Property Office (SIPO) on technology transfer policy, focusing on the law, regulations and policies in each country concerning technology transfer. The seminar attracted a large number of Chinese and US government experts, academics from Beijing area universities in China, and university technology transfer personnel, who were given the opportunity to speak directly with their US counterparts about technology transfer issues.

In March, 2011, USPTO held a joint program with the Supreme People's Court in Shanghai, where both sides exchanged information on the topic of internet intermediate/joint liability. Attendees included judges from the Supreme People's Court and judges from provincial level courts in China.

In calendar year 2011, the USPTO conducted a total of thirty-seven intellectual property capacity building and technical assistance programs for developing countries in the South Asia region. In January, USPTO held a Residential Capacity Building Workshop on Intellectual Property Rights Law and Industry Perspective for Ministry Secretaries and Senior Civil Servants of Sri Lanka and a Residential IPR Capacity Building Program for the Anti-Piracy and Counterfeit Unit in Sri Lanka. In September, USPTO conducted a Workshop with Customs & NBR; a Workshop on Patents, Designs and Trademarks; and a Workshop with foreign agencies and International Organizations in Dhaka, Bangladesh. In December, USPTO held an IPR Policy Dialogue and Technical Workshop in Kathmandu, Nepal. In addition to these bilateral programs, USPTO sponsored a regional customs training program for participants from India, Pakistan, Sri Lanka, Nepal, the Maldives, Bangladesh, and Bhutan. Throughout the year, in India, USPTO conducted twenty-five programs on a wide range of topics. These programs were held in Ahmedabad, Bangalore, Chennai, Coimbatore, Delhi, Kanpur, Kolkata, Madurai, Mumbai, Patna, Tirapur, and Tuticorin. These programs included several focusing on assisting SMEs in leveraging their IP assets, as well as "Copyright for librarians in the digital age," a "Roundtable on Innovations in Anti-Counterfeiting Technologies for Drugs," an "Exchange of Best Practices in the Area of Electronics and Computer Related Inventions Patents," a "Seminar on Protection of Plant Variety and Agricultural Biotechnology Inventions," a "Workshop on Collecting and Analyzing Forensic Data "For Computer Crime Incidents," several judicial colloquia, and numerous other anti-piracy and counterfeiting capacity building workshops. In addition to these activities organized in-country, approximately twenty officials from Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka participated in programs held at USPTO's headquarters in the Washington, DC area. These programs covered subject matter such as "IP and Green Tech Innovation," "Copyright in the Digital Age," "The Patent Cooperation Treaty and ISA/IPEA, and border enforcement of IPR.

## **IX. Other general information related to the Office that is available on the Internet -- URLs of web pages of the Office's website that:**

See: <http://www.uspto.gov>

## **X. Other relevant matters**