


**SETTLEMENT AGREEMENT BETWEEN
THE PATENT OFFICE PROFESSIONAL ASSOCIATION
AND
THE UNITED STATES PATENT AND TRADEMARK OFFICE**

The parties to this agreement, the Patent Office Professional Association (POPA) and the United States Patent and Trademark Office (USPTO or Agency), agree to the following terms in settlement of U.S. Patent and Trademark Office and Patent Office Professional Association, FLRA Case No. WA-RP-10-0072.

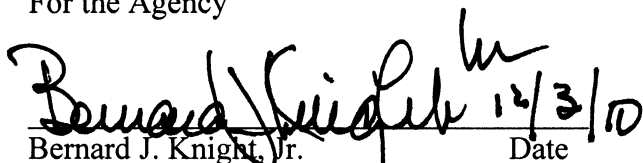
1. The parties agree that, absent a significant change in law or duties, employees in the following positions are properly included within the POPA bargaining unit:
 - a. Patent Attorneys at the Board of Patent Appeals and Interferences (BPAI);
 - b. Non-supervisory attorneys and Congressional Affairs Specialists in the Office of External Affairs;
 - c. All petitions examiners in the Office of Petitions; and
 - d. Review Quality Assurance Specialists (rQAS) in the Office of Patent Quality Assurance.
2. The parties agree that, absent a significant change in law or duties, employees in the following positions are properly excluded from the POPA bargaining unit:
 - a. Attorneys in the Solicitor's Office;
 - b. Attorneys in the Office of General Law;
 - c. Attorneys in the Office of Enrollment and Discipline;
 - d. Attorneys performing supervisory functions in the Office of External Affairs; and
 - e. International Technical Projects Specialists and Patent Classifiers on the International Liaison Staff.
3. In the event that another labor organization files a petition with the Authority claiming that it represents or should represent any employees in these offices, POPA may seek to intervene in that proceeding. POPA may claim that these employees are within its bargaining unit and taking such a position before the Authority will not be interpreted by the Agency as inconsistent with the terms of this Agreement.
4. The parties agree that, absent a significant change in law or duties, Training Quality Assurance Specialists (tQAS) will be classified as follows:
 - a. The Agency may designate a total of 24 tQASs as non-bargaining unit employees. All other tQASs will be classified as bargaining unit employees;
 - b. On or before January 3, 2011, the Agency will provide POPA with a list identifying the tQASs designated as non-bargaining unit employees and the tQASs who will be reclassified as bargaining unit employees;
 - c. The Agency may periodically revise or update its list of non-bargaining unit tQASs. Any such revision or update must first be communicated in writing to POPA; and

- d. In the event that the number of Technology Centers increases or decreases, the parties will negotiate over an addition to or subtraction from the total 24 tQASs that are classified as non-bargaining unit employees.
5. The parties have also reached agreement on a number of individual positions not set forth in the paragraphs above. Specifically, Jefferson Taylor (BPAI) will be included in the POPA bargaining unit, while Merrell Cashion (BPAI), George Edgell (BPAI), Bethanne Dayoan (PCT Legal), and Pinchus Laufer (OPLA) will remain excluded from the POPA bargaining unit.
6. Changes in bargaining unit status are effective on the effective date of this agreement. Within ten business days of the effective date of this agreement, the Agency will take the following actions:
 - a. Notify, in writing, all employees whose bargaining unit status is reclassified as a result of this agreement;
 - b. Update Agency OHR databases to reflect bargaining unit status changes;
 - c. Provide POPA with a list of all employees whose bargaining unit status has changed as a result of this agreement; and
 - d. Initiate the issuance of SF-50s for employees whose bargaining unit status has changed as a result of this agreement.With respect to tQASs, these actions will occur within ten business days of the Agency's designation described in Paragraph 4, above.
7. The parties agree that POPA will have the opportunity to meet with employees who have been included in the bargaining unit as a result of this agreement. POPA will coordinate any such meetings with the Agency's Labor Relations Office.
8. This agreement is effective upon execution by the signatories designated below.

For the Union


Robert D. Budens 12/3/2010
Date
President,
Patent Office Professional Association

For the Agency


Bernard J. Knight, Jr. 12/3/10
Date
General Counsel
United States Patent and Trademark Office

As of Jan. 13, 2011

1	JULIE	BURKE	1600	tQAS (BU)
2	BENNETT	CELSA	1600	tQAS (BU)
3	MARIANNE	SEIDEL	1600	tQAS (BU)
4	JEAN	VOLLANO	1600	tQAS (BU)
5	KATHLEEN	BRAGDON	1600	tQAS (non-BU)
6	JEAN	WITZ	1600	tQAS (non-BU)
7	BLAINE	COPENHEAVER	1700	tQAS (BU)
8	THOMAS	DUNN	1700	tQAS (BU)
9	CHRISTINE	TIERNEY	1700	tQAS (BU)
10	CHRISTOPHER	FIORILLA	1700	tQAS (non-BU)
11	WILLIAM	KRYNSKI	1700	tQAS (non-BU)
12	GREGORY	MILLS	1700	tQAS (non-BU)
13	KAKALI	CHAKI	2100	tQAS (BU)
14	EDDIE	LEE	2100	tQAS (BU)
15	MANO	PADMANABHAN	2100	tQAS (BU)
16	GAIL	HAYES	2100	tQAS (non-BU)
17	BRIAN	JOHNSON	2100	tQAS (non-BU)
18	VINCENT	TRANS	2100	tQAS (non-BU)
19	CHRISTOPHER	GRANT	2400	tQAS (BU)
20	BEATRIZ	PRIETO	2400	tQAS (BU)
21	KIM NGOC	HUYNH	2400	tQAS (non-BU)
22	CHAU	NGUYEN	2400	tQAS (non-BU)
23	TOD	SWANN	2400	tQAS (non-BU)
24	MICHAEL	HORABIK	2600	tQAS (BU)
25	DANIEL	SWERDLOW	2600	tQAS (BU)
26	DORIS	TO	2600	tQAS (BU)
27	KENNETH	WIEDER	2600	tQAS (BU)
28	WELLINGTON	CHIN	2600	tQAS (non-BU)
29	ANDREW	CHRISTENSEN	2600	tQAS (non-BU)
30	JOHN	PENG	2600	tQAS (non-BU)
31	MICHAEL	DAY	2800	tQAS (BU)
32	JOSE	DEES	2800	tQAS (BU)
33	HIEH	PHAN	2800	tQAS (BU)
34	DEAN	REICHARD	2800	tQAS (BU)
35	DARREN	SCHUBERG	2800	tQAS (BU)
36	BRIAN	SIRCUS	2800	tQAS (non-BU)
37	LEE	YOUNG	2800	tQAS (non-BU)
38	MIKADO	BUIZ	3600	tQAS (BU)
39	LANNA	MAI	3600	tQAS (BU)
40	TERRY	MELIUS	3600	tQAS (BU)
41	STEVEN	MEYERS	3600	tQAS (BU)
42	VINCENT	MILLIN	3600	tQAS (BU)
43	ROBERT	WEINHARDT	3600	tQAS (BU)
44	MARC	JIMENEZ	3600	tQAS (non-BU)
45	TUYET PHUONG	LUU	3600	tQAS (non-BU)
46	JOSIE	BALLATO	3700	tQAS (BU)
47	COLLEEN	DUNN	3700	tQAS (BU)
48	MICHAEL	HAYES	3700	tQAS (BU)
49	LINDA	SHOLL	3700	tQAS (BU)
50	HENRY	YUEN	3700	tQAS (BU)
51	JANET	BAXTER	3700	tQAS (non-BU)
52	ROBIN	EVANS	3700	tQAS (non-BU)
53	SAMUEL	HUGHES	3700	tQAS (non-BU)
54	KATHRYN	GORGOS	4100	tQAS (BU)
55	CHRISTINE	ODA	4100	tQAS (non-BU)