
Docket Management Manual

October 1, 2015

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DOCKET MANAGEMENT ELEMENT OF PAP

The Patent Examiner Performance Appraisal Plan contains a Docket Management element which comprises 20% of the overall rating.

Major Activities

Except where the SPE, Director, or other appropriate authority has waived, excused, or directed otherwise, the examiner:

1) Handles all applications and proceedings awaiting action in accordance with the time period or special handling instructions prescribed by current Office policy* ;

2) Forwards all work for processing and/or handling promptly or in accordance with prescribed time periods* .

* Specific time periods and special handling instructions are set forth in the PAP.

Note: An examiner will be held responsible only for applications that are ready for examination. If the examiner believes a case is not ready to be acted upon, the examiner should notify their SPE who will make the final determination.

Criteria for Evaluation

The criteria for evaluation are based on the average number of days an examiner takes to complete all cases that are subject to docket management time periods.

All pay periods and bi-weeks are defined as Office of Human Resources pay periods which are used in WebTA.

Each action type (defined as a component) has an expected average days to complete and a ceiling control. The number of days the examiner has taken to complete each action is used to calculate a percentage score for each component that is based on the average actual number of days to complete actions compared to the expected average number of days for that type of action.

The component score percentage is then weight-averaged based on the number of actions in each component to determine the overall docket management rating.

The ceiling control days are the maximum number of days an examiner has to do the case before it moves to the ceiling exceeded tab. Once the case has been moved to the ceiling exceeded tab, the docket management item is closed by adding the number of ceiling control days for the type of case into the component average except for category 1 cases (Amendments). For category 1 cases, when an amendment exceeds the 84 day ceiling, a 100% score (equivalent to 168 days) will be recorded for that application.

Table 1 shows the categories, types of actions along with the Expected Average Days and Ceiling Control Days for each component. Components are the individual case types within each Category. For example, Category 2 has two components, special new cases and special amended.

Performance Actions and Transition Issues

The CSI/Pendency Award/2016 PAP Agreement between USPTO and POPA signed June 18, 2015 outlined the following transitional guidelines:

1. Examiners on a Docket Management (DM) performance warning at end of FY 2015

Examiners on a performance warning (oral warning or written warning) in the FY 2015 Docket Management element as of the end of FY 2015 will remain on the

- docket management element of their 2015 PAP until no longer on a Docket Management performance warning (i.e., until successful completion of that performance warning, or successful completion of a written warning after failing an oral warning).
2. Examiners who are not on a warning but fail their Docket Management element in the fourth quarter of FY 2015
 - a. Examiners who achieve less than 80% in the Docket Management element in the fourth quarter of FY 2015 or who achieve less than 88% in the DM element in the fourth quarter of FY 2015 after having received a Safety Zone letter in the third quarter of FY 2015 may be issued an oral warning which will be evaluated using the FY 2015 Docket Management element. These examiners will remain subject to the FY 2015 Docket Management element until they are no longer on a Docket Management warning, whether oral or written, as described in I.B.1. above.
 - b. Examiners who achieve a Docket Management score in the fourth quarter of FY 2015 of 80% or greater, but less than 88% will be subject to the FY 2016 standards, beginning in the first quarter of FY 2016 and may be issued a safety zone in Docket Management for the first quarter of FY 2016.
 3. Examiners on a Docket Management maintenance period in FY 2016

Examiners who pass or have passed a Docket Management written warning under the FY 2015 Docket Management element and have a resulting maintenance period that begins in or extends into FY 2016 will be issued an FY 2016 PAP, including the revised Docket Management element, at the beginning of FY 2016 or upon successful completion of their written warning, whichever is later. The Agency will evaluate their performance under the FY 2016 Docket Management element, but will not propose removal for performance in Docket Management

during the maintenance period unless the examiner's performance is unacceptable under both the FY 2015 and 2016 Docket Management elements for the period.

4. Last chance agreements signed prior to June 12, 2014

As agreed in the June 12, 2014 MOU between POPA and the USPTO regarding Changes to the Patent Examiner Performance Appraisal Plan, Extension of the Pendency Award, and Other Issues, examiners on last chance agreements signed prior to June 12, 2014, will be evaluated for compliance with Docket Management portions of those agreements based on the terms of that MOU.

For FY 2016, those examiners will be evaluated for compliance with Docket Management based on the FY 2016 Docket Management element, but if the examiner has not maintained the level of performance required in the last chance agreement under the Docket Management element, the examiner will also be evaluated under the element contained in his/her FY 2014 performance appraisal plan. The examiner will be deemed to have achieved the required level of performance in the Docket Management element if either is sufficient.

5. Last chance agreements signed between June 12, 2014 and the effective date of this agreement

Examiners on last chance agreements signed between June 12, 2014 and the effective date of this agreement will be evaluated for compliance with the Docket Management portions of those agreements during FY 2016 based on the FY 2016 Docket Management element, but if the examiner has not maintained the level of performance required in the last chance agreement under the Docket Management element, the examiner will also be evaluated under the element contained in his/her FY 2015 performance appraisal plan. The examiner will be deemed to have achieved the required level of performance in the Docket Management element if performance under either element is sufficient.

Docket Management Categories – General Information**Table 1 – Docket Management Categories**

Cat.	Component (Action Types)	Expected Average Days	Ceiling Control (Days)
1	Amendments response to non-final OA, Appeal Briefs	56	84
2	Special New e.g. PPH, Accelerated Examination, Petitions to Make Special, Track 1, PCT, Reexam, Reissues, etc.	14	28
	Special Amended e.g. PPH, Accelerated Examination, Petitions to Make Special, Board Decisions/Remands	14	28
3	New Regular New, Continuations in Part (CIPs), Continuations, Divisionals, RCEs	28	56
4	Expedited e.g. After Finals, Responses under 37 CFR 1.312, PUBs Cases (Printer Rushes)	14	28
5	Returns (Returned by TSS & Reviewer)	14	28

The number of days for completion of work is determined when the case is posted for credit, approved, or counted, whichever occurs first.

Amendments

Cat.	Component (Action Type)	Expected Average Days	Ceiling Control (Days)
1	Amendments , response to non-final OA, Appeal Briefs	56	84
Start Dates			
Start of the biweek after the application is placed on examiners docket.			

- For 56-day cases (Category 1 in the Table 1), the docket management period begins (day 1) on the first day of the first full pay period (Sunday) after the amendment is entered.
- The ceiling exceeded date for amendments was reduced to 84 days to reduce the number of applications requiring Patent Term Adjustment (PTA) via an agreement signed 6/18/15.

- Actions in Category 1 (Amendments) posted for credit after the last Saturday of the biweek and prior to the close of counting for the biweek in which the application hits the 84 day mark will be credited for docket management purposes as if the action was posted for credit on the 84th day. An amendment that reaches the ceiling (84 days) on the second Saturday of a pay period or the first Sunday of the next pay period (new pay period) must be posted for credit by 3:00 p.m. on the first Monday of the new pay period (count Monday) to avoid exceeding the ceiling and to avoid the loss of asterisks. For more information on this topic, see the section on “Stop Dates for Docket Management Clocks” on this manual.
- Similarly, when amendments or any other cases are on a docket management plan, actions posted for credit after the last Saturday of the biweek and before close of counting for the biweek will be considered for docket management purposes as if posted for credit on the last Saturday of that biweek.
- When an amendment exceeds the 84 day ceiling (not posted for credit before the count Monday cut off time, normally 3 pm), a -100% score (equivalent to 168 days) will be recorded for the application. If the application is subsequently put on a docket management plan and the action is not posted for credit within the biweek assigned, a score of 0% (equivalent to 112 days) will be recorded for each of the next two biweeks the case remains on the docket management plan unless there is legitimate reason why the case has not been posted for credit (See PAP Guidelines).
 - If any Category 1 application (Amendment) exceeds the ceiling, all asterisks will be removed from the examiner’s docket at the time of asterisk selection. No new asterisks will be selected until the biweek after all Category 1 applications (Amendments) on the ceiling exceeded portion of the examiner’s docket have been posted for credit.
- In First Action Interview (FAI) applications in which the applicant responded to the Pre-Interview Communication with an Applicant-Initiated Interview Request form, the FAI joint USPTO/POPA Agreement specifies that:

- If the interview is held and the next Office Action completed prior to the expiration of the first 30 days, the application will count as zero days in the examiner's docket management calculation.
- After the first 30 days, the amendment will start accumulating days starting from Day 1, like any other amendment newly-placed on the examiner's amended docket.
- For those amendments completed after 30 days (provided they did not exceed the ceiling), 30 days will be subtracted. The Docket Management system is programmed to perform this calculation automatically at the end of the pay period. To identify a FAI case, look in the PALM Table of Contents for the following transactions.

02/15/2012		FWDX	DATE FORWARDED TO EXAMINER
02/09/2012	71	RPICO	RESPONSE TO PICO-REQUEST
01/09/2012	311	MPICO	MAIL PRE-INTERVIEW COMMUNICATION

- In Track 1, The Track 1 Prioritized Examination joint USPTO/POPA Agreement specifies that:
 - Amendments on Track 1 applications completed within 28 days will count as zero days for purposes of the docket management calculation.
 - Amendments on Track 1 applications completed after 28 days will begin accruing time as a 29 day case for purposes of the docket management calculation.
 - The Docket Management system is programmed to perform this calculation automatically at the end of the pay period. To identify a Track 1 case in eDan or DAV look at the Priority Level column as show below.

	Cateqor...	App #	Priority Level	Workflow Clock	AIA (FITF)
1	Regular	14/5 [REDACTED]	1	68	Yes
2	CON	14/6 [REDACTED]	1	68	No
3	RCE	12/8 [REDACTED]	0	40	No

The screenshot shows a software interface with a table of application data. The table has columns for Thumbnail, Title, App. #, Priority Level, MA(FITF), and Filing Date. The 'Priority Level' dropdown menu is highlighted with a green circle, and the value '1' is also circled in green.

Thumbnail	Title	App. #	Priority Level	MA(FITF)	Filing Date
	MEDICAMENT DELIVERY A...	14/19	1	No	02/28/2014
	NASAL VENTILATION SYST...	14/25	0	No	06/02/2014

Special New and Special Amended

Cat.	Component (Action Type)	Expected Average Days	Ceiling Control (Days)
2	Special New e.g. PPH, Accelerated Examination, Petitions to make Special, Track 1, PCT, Reexam, Reissue	14	28
	Special Amended- e.g. PPH, Accelerated Examination, Petitions to Make Special, Board Decisions/Remands	14	28
Component (Action Types)		Start Dates	
Special New		Start of the biweek after the previous application is completed or exceeds ceiling.	
Special Amended		Day after application is placed on examiners docket except for board decisions which will start 64 days after board decision date.	

- For 14 day Special New cases and Petitions/Special programs new cases, the examiner is expected to move the oldest case for each qualifying pay period. A **qualifying pay period** is one in which the examiner has a number of examining hours equal to or greater than 40 or the examiner's actual hours per BD including the RCE adjustment, whichever is greater. In situations involving mixed dockets, the higher of the hours per BD of the cases posted for credit during that pay period will be used for this determination. If a pay period is not a qualifying pay period the application clock is reset to what it was at the start of the non-qualifying pay period.

For those examiners on a **part-time** schedule, the examiner must move the oldest case every two pay periods in which the examiner accumulates at least 40 hours of examining time or their actual hours per BD including the RCE adjustment, whichever is greater, over those two pay periods. In situations involving mixed dockets, the higher of the hours per BD of the cases posted for credit during that pay period will be used for this determination. If two consecutive pay periods do not qualify, the application clock is reset to what it was at the start of the two consecutive non-qualifying pay periods.

The examiner’s actual hours per BD is found in the examiner’s production report (3205) or the online Examiner Time and Activity Record as shown below.

Examiner Time and Activity Record

(WARNING: Data Security and Confidentiality Restrictions Apply)

Pay Period (YYYYPP) Examiner Number

Examiner Pay Period Details

Examiner Name:	Pay Period: 2011-26	GAU: 2117	Grade: 13
Grade Dt: 08/01/10	Step: 02	Step Dt: 07/31/11	Number of Effective OSI: 0
Examiner Number:	GS-12 PP Expectancy: 30.6	Position Factor: 1.25	PP Expectancy (GS-13): 24.48 + 2.00 = 26.48

PALM3205_EPSV2_PR1	U. S. PATENT AND TRADEMARK OFFICE	RUN DATE: 09/13/11	PAGE: 1 OF 2
GAU: 2117	EXAMINER PRODUCTION SYSTEM TRANSACTION AND COUNT CREDIT ANALYSIS		
FP: 2011-25	ENDING: 9/10/2011		
EXAMINER:	GRADE: GS-13	GRADE DT: 08/01/10	STEP: 02
EMPLOYEE NUMBER:	POSITION FACTOR: 1.25	PP EXPECTANCY (GS-12): 30.60	STEP DT: 07/31/11
			NO. OF EFFECTIVE OSI: 0
			ADJUSTED PP EXPECTANCY (GS-13): 24.48 + 2.00 = 26.48

- For 14-day (Special Amended) cases, the docket management period begins the day of the event which puts the case in that category. The day the case is forwarded to the examiner will be counted as day zero, except for board decisions which will start 64 days after board decision date. It should be noted that in instances where the examiner is on an extended leave and the entire docket is in paused status, when the extended leave pause expires, the entire docket will get unpaused and therefore clocks on paused board decisions will automatically restart. In this situation it is appropriate for the troubleshooter to adjust the clock on the board case as necessary.
- Beginning in FY 2015, fourteen day clocks for Expedited, Special Amended, and Return cases on a **part time** examiner’s docket will be at zero for 6 days. The clock for these cases will turn one on day 7. Please note that this adjustment will not interfere with or replace the existing short clock pause applied to 14 day cases for all examiners with 5 or more consecutive days of approved absence. Where the 6 day holding period overlaps with a clock pause for approved absence, the holding period will run concurrently with the pause.

- In situations where there is no oldest special new application selected, any special new application added during the biweek and posted for credit by the examiner will be credited with a zero day score for that application.
- In situations where there is an oldest special new application selected and the examiner posts for credit one or more special new applications in addition to posting for credit the oldest special new application, the examiner will receive a zero day score for the additional special new application(s).

New

Cat.	Component (Action Type)	Expected Average Days	Ceiling Control (Days)
3	New Regular New, Continuations-in-Part (CIP's), Continuations, Divisionals, RCEs	28	56
Component (Action Types)		Start Dates	
New	Start of the biweek after the previous application is completed or exceeds ceiling		

- For 28-day cases the docket management period begins (day 1) on the day after “Count Monday”. The June 18, 2015 memo titled “Extension of the Pendency Award and CSI, Changes to the PAP, and Other Issues” includes detailed information on docketing and inventory policies. Some of these policies are summarized on the table below:

CSI Initiatives	RCE Inventory levels (effective June 28, 2015)					
	Level A		Level B		Level C	
	0-15 RCEs		16-39 RCEs		40+ RCEs	
"New" inventory level	6 months' worth of work		6 months' worth of work		Only RCEs and Continuations	
Types of cases in "New" inventory	Regular New, Continuations, and Divisionals	RCEs	Regular New, Continuations, and Divisionals	RCEs	Regular New, Continuations and Divisionals	RCEs
Docket Size	At least 2 months' worth	All RCEs	At least 2 months' worth	All RCEs	Only Continuations ²	All RCEs
Clocks	One ¹	One	None	Two	None	Two
DM Asterisks Available	Three	Three	None	Six	None	Six

¹Examiners with no RCEs will only have one clock running and six asterisks

²Except for Sig. Program, warnings, LCAs, etc.

- As outlined above, levels B and C will have two oldest RCE case clocks running in parallel.

- Examiners will be transitioned to a new RCE Inventory level if their RCE inventory falls within the designated range at the end of two consecutive biweeks. The RCE inventory level is based upon the individual examiner RCE inventory at the end of the pay period. This biweekly evaluation includes RCE's with petitions and RCEs posted after the count cutoff.
- For dockets having an inventory level of 0 to 15 RCEs (Level A):
 - A first “oldest” case with a clock will be selected from available Regular New, Continuation, or Divisional applications.
 - The second “oldest” case with a clock will be selected from available RCEs.
 - A set of three asterisk applications (numbered 2-4), selected from Regular New, Continuation, or Divisional applications will be associated with the first clock (1) and another set of three asterisk applications (lettered B-D), selected from available RCEs, will be associated with the second clock (A).
 - Examiners with no RCEs on their docket will have only one application with a clock running, and 6 asterisk applications.
- For dockets having an inventory level of 16 or more RCEs (Levels B & C):
 - First and second “oldest” cases with associated clocks will be selected from available RCEs.
 - If either of the “oldest” cases is posted for credit an examiner can receive credit for any of the six selected asterisk cases.
- All applications on the new case docket will be prioritized for clock and asterisk assignment in the following manner:
 - CONs, DIVs, and Regular New applications based on actual filing date.
 - RCE applications by the date of the most recent RCE request.
- Selection of oldest applications (clocks) is based on the RCE levels as outlined on the RCE Inventory levels table above.

- If an “oldest” new case is posted for credit in a pay period, and if any associated asterisks (*) are also posted for credit during that same pay period, then those cases will be included in the average days calculation. These asterisk (*) cases will be added to the average days calculation as having been completed in “0” days. Asterisk cases are identified in eDAN and the PE2E Docket and Application Viewer (DAV) as shown below:

	Catego...	App #	AIA (FITF)	Filing Date	Oldest Ca.	RCE Filing ...	FAOM	INTER	ALW ...
1	CON	14/26	No	04/28/2014	1	11/21/2011	1.25	1.5	2.0
2	RCE	12/75	No	04/01/2010	A	06/15/2015	0.75	1.0	1.5
3	Regular	14/59	Yes	01/06/2015	2	N/A	1.25	1.5	2.0
4	RCE	14/3	No	06/26/2014	B	06/24/2015	1.0	1.25	1.75
5	Regular	14/5	Yes	01/06/2015	3	N/A	1.25	1.5	2.0
6	RCE	14/2	Yes	04/23/2014	C	06/26/2015	1.0	1.25	1.75
7	RCE	13/3	No	03/08/2012	D	07/07/2015	0.75	1.0	1.5
8	RCE	13/3	No	11/29/2011		07/20/2015	0.75	1.0	1.5

Thumbnail	Title	APP. #	AIA(FITF)	Filing Date	RCE Filing ...	Oldest New	Elapsed Days	Days to Exp. Avg
	POLICY ENFORCEMENT IN COM...	13/ [REDACTED]	No	02/28/2013		*1	22	6
	Content Management System f...	13/ [REDACTED]	No	05/22/2013		*2		
	SYSTEM AND METHOD FOR SU...	14/ [REDACTED]	Yes	09/24/2014	04/08/2015	*B		
	SYNCHRONIZING PRESENTATIO...	13/ [REDACTED]	No	06/24/2013		*3		
	Zero-Click Sharing of Applicatio...	13/ [REDACTED]	No	02/25/2013	06/12/2015	*C		
	MANAGEMENT AND PRIORITIZ...	13/ [REDACTED]	No	07/01/2013		*4		

- If there is not an oldest **regular or continuing new** in the new category and/or there are less than four asterisk cases associated with the oldest regular or continuing new identified for the biweek, the corresponding number (up to 5) of oldest applications in oldest filing date order will be considered as the oldest regular or continuing new and asterisk applications.

- If there is not an oldest **RCE** in the new category and/or there are less than two asterisk cases associated with the oldest RCE identified for the biweek, the corresponding number (up to 3) of oldest applications in oldest filing date order will be considered as the oldest RCE and asterisk applications.
- Docket Management credit for oldest new cases is not subject to the 3 p.m. count day cut off. PALM selects oldest new cases for the pay period on count Monday night after counting is finished and reports are run for the previous pay period. Any oldest new application posted for credit on count Monday before oldest cases are selected for the next pay period will be credited for the next pay period. In addition, any application that has been posted for credit before PALM selects oldest new cases will not be eligible for selection. Therefore, to receive oldest new case credit for an application in a given pay period an action must not be posted for credit in that application until the day after counting ends for the previous pay period.
- If one or more regular amended cases go to ceiling exceeded, all asterisk cases will be removed and no new asterisked cases will be designated until the number of regular amended cases which exceeded the ceiling after the beginning of FY 14 has been reduced to zero. In order to have asterisk cases selected for the following biweek, all ceiling exceeded amendments, amendments over 84 days, and Docket Management Plan amendments must be posted for credit by 3:00 p.m. on Count Monday.
- If the oldest new application is paused due to a proper transfer inquiry (TI), the zero day scores for asterisk-designated applications will be applied to the average day calculation if the TI was entered into PALM EXPO prior to 3:00 on the count Monday following the end of the biweek in which the asterisked application(s) are posted for credit.
- Examiners without transfer inquiry privileges are subject to the same rules as those with transfer inquiry privileges, except that the DM credit or impact is based on the time when the examiner requests that a proper TI be initiated by another examiner or SPE. In the event that a proper TI is timely requested but entered into the transfer tool, by another, after the ceiling is reached, the examiner's SPE

will request that a troubleshooter adjust the examiner's score to give 0 day credit for asterisk cases that were posted for credit. Examiners must provide their SPE with email or other documentation to establish when the transfer request was made.

- The following table summarizes adjustments made due to TIs.

Table 3 – Summary of Adjustments due to Transfer Inquiries

Category 3 - New		
Oldest New Application	DM credit and impacts	
	for Oldest New	for Asterisks
TI entered or requested before 3:00PM count Monday	No score at time of TI	Asterisks credit available
TI entered or requested after 3:00PM count Monday	- No score at time of TI - Ceiling exceeded score given when application exceeds the ceiling - If DMP case, normal DMP procedures apply	No asterisks credits available for the associated oldest new
Category 1- Amendments		
Amendment	DM credit and impacts	
	for Amendment	for Asterisks
TI entered or requested before exceeding the ceiling	No score at time of TI	No Impact
TI entered or requested after exceeding the ceiling	- No score at time of TI - Ceiling exceeded score given when application exceeds the ceiling - If DMP case, normal DMP procedures apply	No credit available until ceiling amendments are reduced to zero

- Any oldest new applications transferred by the Agency will not preclude other asterisk applications from counting towards oldest new requirements in that same bi-week of the transfer.
- If the Agency transfers an oldest new application, and one or more asterisk applications, the corresponding number of oldest applications, (in filing date order), will be considered as the oldest new and asterisk applications.
- When new applications go to the ceiling exceeded tab, a new oldest application will be designated on the “new” category tab. While any existing asterisks will remain, no additional new applications will be designated as asterisks in that

component until the ceiling exceeded (CE) application(s) in that component is completed.

Expedited

Cat.	Component (Action Type)	Expected Average Days	Ceiling Control (Days)
4	Expedited After Finals, Responses under 37 CFR 1.312, PUBs Cases (Printer Rushes)	14	28
Start Dates			
Day after application is placed on the examiner's docket			

- For 14-day (After finals, Responses under 37 CFR 1.312, Printer Rushes) cases, the docket management period begins the day of the event which puts the case in that category. The day the case is forwarded to the examiner is day zero.
- In some cases an application is listed as a 312 Amendment with days counting because of an IDS filed by applicant but there is an RCE in the case. When an applicant files an IDS and an RCE after allowance, the IDS is entered automatically placing the case in 312 Amendment status. Once the RCE is processed by the TSS the case will move back to status 30 and be moved to “Continuing New” tab on their docket. If examiner is improperly charged a data point in their workflow calculations because of this interim 312 status, they should contact their SPE and PALM troubleshooter to have this case corrected.
- Beginning in FY 2015, fourteen day clocks for Expedited, Special Amended, and Return cases on a part time examiner’s docket will be at zero for 6 days. The clock for these cases turns one on day 7. Please note that this adjustment does not interfere with or replace the existing short clock pause applied to 14 day cases for all examiners with 5 or more consecutive days of approved absence.

Returns

Cat.	Component (Action Type)	Expected Average Days	Ceiling Control (Days)
5	Returns (Returned by TSS or Reviewer)	14	28
Start Dates			
Day after the application is returned to the examiner			

- Returns initiated by either a SPE or primary examiner reviewer will start the 14 day docket management clock upon returning the action to the examiner. The day the case is forwarded to the examiner is day zero. The docket management clock for returns resets when a case is returned multiple times (see example D within the section “Stop Dates for Docket Management Clocks (End Points)” below).
- If the case is returned for corrections a new docket management "return" clock starts. If the type of action changes, the examiner should not delete the office action, but use the "Change OA" button to rename the office action using the OACS Console "Change OA" button. The individual documents within the folder could be deleted, however the office action itself should be changed and the new respective office action documents should be added. This way when the corrected office action is posted for credit again, the clock for the "Return" will stop. Returns by TSS will start a clock upon returning the action to the examiner. The day the case is forwarded to the examiner is day zero. The docket management clock for returns resets when a case is returned multiple times (see example D within the section “Stop Dates for Docket Management Clocks (End Points)” below).
- For FY 2016, the 20% cap on the contributing weight of TSS return scores will be replaced with a cap on the contributing weight of combined TSS and SPE/ reviewer returns. Accordingly, total return scores will be capped as follows:
 - For permanent Full Signatory Examiners: the total return score (combined TSS and SPE/reviewer) may not contribute more than 15% to an examiner’s DM score.

- For all other examiners: the total return score (combined TSS and SPE/reviewer) may not contribute more than 30% to an examiner's DM score.
- The cap applicable to each examiner will be determined by their level of permanent signatory authority on October 1st. For example, an examiner granted permanent full signatory authority on October 3rd will be treated as a non- full signatory examiner through the following September 30th for purposes of the DM return cap.
- Returns are also capped at 110% in QTD and YTD calculations.
- For GS-12 and GS-13 examiners without temporary or permanent signatory authority, the Agency will track:
 - (Group 1) the number of "Reviewer" returns that exceed the ceiling (28 days) and
 - (Group 2) the number of "Reviewer" returns that have been in return status on an examiner's docket for more than 28 days cumulatively.
- For purposes of this section, "returns" includes reviewer returns only. The counting of days for TSS returns and the reviewer returns will remain separate.
- For example, if an action is returned to an examiner three times, and each time the return is on the examiner's docket for 10 days before being resubmitted, this results in a cumulative return time of greater than 28 days, and the action falls under Group 2. For an action to be in Group 2, all 28 days do not need to be in a single quarter.
- If a GS-12 or -13 examiner without temporary or permanent signatory authority has two returns during a single quarter that fall into Group 1, Group 2, or a combination of the two groups (i.e. – one from Group 1 and one from Group 2), then that examiner's auto-count privilege will be temporarily suspended.
- For examiners whose autocount has not been suspended, the tally of Group 1 and Group 2 returns resets at the start of each new quarter. For

examiners whose autocount has been suspended, the tally resets once autocount is restored. The number of days that the examiner has had a returned action does not reset at the end of a quarter.

- Examiners who have had auto-count temporarily suspended will instead have a five day delayed auto-count. For examiners in this situation, once an action has been posted for credit, a reviewer will have five calendar days to either return the action with comments or to approve the action. Actions not returned or approved within five days will be auto-counted. The reviewer's 5 day review period will begin the day after the action is submitted. However, to insure that an action is approved, returned, or auto-counted in the current pay period, the examiner must submit the action for credit before 3:00 p.m .on the second Wednesday of the pay period.
- Once suspended, auto-count will be restored after all returns that have previously fallen into Group 1 or Group 2 have been approved and then one more pay period passes without any new returns falling into either Group 1 or Group 2.
- Examiners and reviewers will be notified when auto-count is suspended and restored. During the temporary suspension of an examiner's auto-count, both the examiner and the reviewer(s) are expected to retain copies of actions posted for credit and reviewer returns.
 - The notification of autocount suspension can be in the form of an email that should read as follows:

“Due to the tally of returns in Group 1 and/or Group 2 reaching the threshold of two in this quarter, autocounting of your office actions has been temporarily suspended. The autocount suspension begins this pay period, FYYY-PP. Per the memorandum from Andy Faile, June 18, 2015, once suspended, autocount will be restored after all returns that have fallen into Group 1 or Group 2 have been approved, and one additional

pay period has passed without any new returns falling into either Group 1 or Group 2.”.

- The notification of autocount restoration can be in the form of an email that should read as follows:

“Autocount has been restored as of pay period FYYY-PP. Your Group 1 tally and Group 2 tally have been reset as well.”.
- Beginning in FY 2015, fourteen day clocks for Expedited, Special Amended, and Return cases on a **part time** examiner’s docket will be at zero for 6 days. The clock for these cases will turn one on day 7. Please note that this adjustment will not interfere with or replace the existing short clock pause applied to 14 day cases for all examiners with 5 or more consecutive days of approved absence.

Returns - Examples

- A. The day a case is returned to an examiner for correction is day 0. If the examiner returns the case before midnight of that day, the number of days used in the docket management calculation is 0.
- B. The SPE returns an action to an examiner at 4:30 PM. The examiner corrects the action and returns the action to the SPE at 7:30 PM. In this situation, the number of days used in the docket management calculation would be 0 days.
- C. The SPE returns an action to an examiner at 10:00 PM. The examiner corrects the action and returns the action to the SPE the following morning at 8:00 AM. In this situation, the number of days used in the docket management calculation would be 1 day.
- D. The examiner returns a correction to the SPE on day 6 of the correction cycle. The SPE returns the action for a second time for the same correction. In this case, the first day the examiner gets the case back will be considered to be day 0 (clock is reset).

Start Dates for Docket Management Clocks

The following Table summarizes the start date for each type of action:

Table 4a – Summary of the start date for each type of action.

Component (Action Types)	Start Dates
Amendments	Start of the biweek after the application is placed on examiner's docket.
Special New *	Start of the biweek after the previous application is completed or exceeds ceiling
Special Amended **	Day after application is placed on examiners docket except for board decisions which will start 64 days after board decision date.
New Regular New, Continuations in Part (CIPS), Continuations, Divisionals, RCEs *	Start of the biweek after the previous application is completed or exceeds ceiling.
Expedited ** After Finals, Responses under 37 CFR 1.312, Printer Rushes	Day after application is placed on examiners docket.
Returns ** (Returned by TSS & Reviewer)	Day after the application is returned to Examiner.

* In general, for docket management items that begin on a pay period, the first day of the pay period is Day 1. For docket management items that do not begin at the start of the pay period, the first day the application appears available for action is Day 0.

**Beginning in FY 2015, fourteen day clocks for Expedited, Special Amended, and Return cases on a part time examiner's docket will be at zero for 6 days. The clock for these cases will turn one on day 7. Please note that this adjustment will not interfere with or replace the existing short clock pause applied to 14 day cases for all examiners with 5 or more consecutive days of approved absence.

Stop Dates for Docket Management Clocks (End Points)

The following Table summarizes the stop date for each type of action:

Table 4b – Summary of the stop date for each type of action.

Cat.	Component (Action Type)	Expected Average Days	Ceiling Control (Days)	Stop Dates for <u>DM Credit</u> in current PP **	Deadline for posting Ceiling/DMP cases to prevent loss of asterisks	Deadline for determining CSI Docket levels	Count Monday Adjustment to clock
1	Amendments	56	84	By 3:00 p.m. on Count Monday	By 3:00 p.m. on Count Monday	N/A	Yes
2	Special New	14	28	By 11:59 p.m. on Count Monday	N/A	N/A	No
	Special Amended	14	28	By 3:00 p.m. on Count Monday	N/A	N/A	No
3	New	28	56	By 11:59 p.m. on Count Monday	N/A	By 3:00 p.m. on Count Monday	No
4	Expedited	14	28	By 3:00 p.m. on Count Monday	N/A	N/A	No
4	Returns	14	28	By 3:00 p.m. on Count Monday	N/A	N/A	No
	Docket Management Plan (DMP)	N/A	N/A	By 3:00 p.m. on Count Monday	By 3:00 p.m. on Count Monday	N/A	N/A

* Office actions that the examiner has the independent authority to sign can be posted by 3:00 p.m. on Count Monday to be counted for the just completed biweek.

**It should be noted that the clock stops when the case is posted for credit, but the score is generated when the case is counted.

The docket management period ends for a particular case, when a qualified PALM action is either posted for credit, approved, or counted, whichever comes first. An Interview Summary does not close any docket management item.

The clock is stopped when an examiner posts a completed office action for credit, not when the case is counted. By using the post for credit button in OACS, all examiners have the ability to stop the clock regardless of their grade or level of signatory authority. From a docket management perspective, the count transaction merely triggers the calculation of the number of days from the clock start to the clock stop date. It should be noted that in some instances, although a clock is stopped when the application is posted for credit, the DM score may not be entered into the system until after the case is actually counted.

As outlined in the November 27, 2012 memo titled “[FY 2013 Timing of Patent Examiners’ Work Credit](#)”, examiners are encouraged to complete and post for credit their Office actions throughout the biweek. Office actions that the examiner has the independent authority to sign must be appropriately posted for credit by 3:00 p.m. on Count Monday to be counted for the just completed biweek. SPEs may provide guidance regarding a reasonable amount of time they require for a guarantee of review and counting of work. A “completed office action” is an action where the examiner believes he/she has performed the activities of patent examining as noted in the quality elements of the performance appraisal plan, consistent with the grade and level of authority of the examiner.

In order to receive DM credit for an action for a particular pay period, the action must be counted by 3:00 p.m. (Eastern Time) on count Monday. Actions counted after 3:00 p.m. will receive DM credit in the next pay period. Amendments and Docket Management Plan (DMP) applications that exceed the ceiling because they were not posted for credit by 3:00 p.m. on count Monday will receive the penalty score in the just-ended pay period. A DMP application must be posted for credit by 3:00 p.m. on count Monday to avoid the DMP penalty score.

Clocks are not adjusted to wait for an appeal conference to take place. The average day system is designed with these kinds of situations in mind. Some cases take longer than

others and the examiner will have the opportunity to offset this case with another one. Adjustments in unusual situations where it takes a long time (e.g. more than three weeks) to setup and conduct a conference may be considered.

Deletion of a PALM count will not affect the status of posted for credit as the end point of the docket management calculation.

Withdrawal of an action shall not reopen an old docket management item but instead create a new one.

For Category 1 amendments that reach the expected average day (56 days, for signatory examiners) or the ceiling (84 days, for all examiners) thresholds, count Monday procedures will be handled as follows:

For amendments, where the start date is always the first day of the next full pay period, examiners who post for credit on Sunday/Monday before the count Monday cut off time will get post credit as if posted on the last Saturday of the biweek.

Example:

A signatory examiner has a regular amended case on their docket that will reach 56 days on the second Saturday of a pay period. The examiner posts for credit an action in the case on the following count Monday which is then counted that day for credit for the previous bi-week. In this situation, even though the examiner took 58 days to complete the action, the examiner would only be charged for 56 days when determining the docket management calculation for that application.

Docket Management Adjustments

The SPE and examiner should work together to detect when adjustments to DM are

necessary. These adjustments must be entered into the PALM input screens. If the examiner notices any corrections or updates after the reports are run, the SPE should convey that information to a PALM troubleshooter in order to correct the calculations.

Table 5 – Summary of adjustments applicable to each category

Cat.	Component (Action Types)	Expected Average Days	Ceiling Controls (Days)	APPLICABLE ADJUSTMENTS								
				Part Time	Qualifying PP	Count Monday	5+ Days *	FMLA-type	Vacation *	Combined *	Military	
1	Amendments response to non-final OA, Appeal Briefs	56	84			✓		✓	✓	✓	✓	✓
2	Special New e.g. PPH, Accelerated Examination, Petitions to Make Special, Track 1, PCT, Reexam, Reissues, etc.	14	28	✓	✓		✓	✓	✓	✓	✓	✓
	Special Amended e.g. PPH, Accelerated Examination, Petitions to Make Special, Board Decisions/Remands	14	28	✓			✓	✓	✓	✓	✓	✓
3	New Regular New, Continuations in Part (CIPs), Continuations, Divisionals, RCEs	28	56					✓	✓	✓	✓	✓
4	Expedited e.g. After Finals, Responses under 37 CFR 1.312, PUBs Cases (Printer Rushes)	14	28	✓			✓	✓	✓	✓	✓	✓
5	Returns (Returned by TSS & Reviewer)	14	28	✓			✓	✓	✓	✓	✓	✓

* Adjustment applicable unless the application is already past the expected average days prior to the beginning of the approved leave.

Restarts

Under some circumstances, the number of days in the docket management calculation will be restarted. Any supplemental amendment filed or withdrawal of an action will restart the docket management clock. Note that in some cases, the over/under rule may apply to restarts. (See Restarts Section on pg 26.)

Additionally, if a case is re-docketed to a new examiner, the docket management period restarts for the new examiner and the period will be reset according to the applicable docket management beginning point as described in Table 4.

Suspensions

In some situations, the docket management clock is suspended. Any undecided [Critical Petitions](#) or noncompliant preliminary amendments will result in a suspension in the docket management clock. The case is hidden from view on the examiner's docket during the suspension period. The docket management period is restarted when the suspension period is over.

Non-critical petitions do not affect the docket management clock. The case may be acted upon by the examiner and counted prior to the petition being decided.

Pauses

Additionally, certain categories of docket management such as Transfer Inquiry or Board Decision are subject to a pause in the clock. For Terminal Disclaimers the clock should pause when entered in PALM and restart when approved or disapproved. The clock for the case will not reset to zero on TD submission. While a case is in a Pause status, it will still show up on an examiner's docket. For situations when a case reaches an examiner with an unentered TD, the examiner should notify the SPE or submit a expedited TD request to the Patent Legal Research Center. If the request date does not match the Palm entry date, a manual correction will be made to adjust the clock to reflect a pause from the time the request is made until the TD is entered into PALM.

For all types of pauses, applications may be reassigned if there is a reasonable expectation that they would have exceeded the ceiling during the time that the examiner is absent or for other business needs.

FMLA-type Pause (formerly known as the “28-day pause”)

The FMLA-type pause will correspond to a continuous approved absence of at least 21 calendar days, for reasons for which the examiner would be eligible for FMLA or sick leave (i.e. this excludes vacations). All clocks in Categories (1-5) will be paused upon the examiner’s departure and unpaused upon the examiner’s return.

If an examiner returns to the Office for 6 hours or less of examining or examining-related activities per week, this time will not cause clocks to be unpaused. For example, if an examiner were to return to the office for a brief period such as a 1 hour Art Unit meeting or training class, this will not unpause the time clock.

If there is a delay between the time the examiner leaves and the time the SPE designates the examiner as out of office, the docket management clocks shall be reset to the values they would have been if they were paused on the first day of the absence.

When an examiner returns to work from an extended absence for FMLA-type reasons (when the FMLA-type pause is over), the SPE should work closely with the examiner to ensure that the amendment pipeline is replenished at a reasonable rate. Clocks for amendments received during the pause will start in a staggered manner. For example, if the examiner receives 8 amendments during a 4 biweek absence, then 2 amendment clocks will start each biweek thereafter. In this example, the examiner will be able to work on the remaining 6 paused amended cases. During or following a FMLA-type pause, the SPE

will meet with the DM POC to review requirements and processes for restarting clocks that were paused during the absence. The DM POC and SPE will offer to meet with the examiner to answer any questions.

When an examiner qualifies for a FMLA-type pause due to 21 days of continuous absence for reasons for which the examiner would be eligible for FMLA or sick leave, any additional days of absence contiguous with the pause (before or after) for other reasons such as vacation will be treated as part of the FMLA-type absence.

5-Day Pause

If an examiner is on approved absence for five or more consecutive calendar days (excludes AWOL and includes weekends and holidays), there will be an adjustment for 14 day categories (expedited, returns, special amended, special new) **unless** the application is already past the expected average days prior to the beginning of the approved leave. Timeframes of cases already on the examiner's docket are paused on the day the examiner leaves and resume on the day the examiner returns.

If an examiner returns to the Office for 4 hours or less of examining or examining-related activities during the entire period of approved absence this time will not restart the time clock. For example, if an examiner were to return to the office for a brief period such as a 1 hour Art Unit meeting or training class, this will not restart the time clock. However, if an examiner were to return to the office for 5 hours, this will restart the time clock. For example, if an examiner is out on leave for two consecutive weeks but returns to the office for a total of 5 hours within the two week period, the pause will end at that point because the 4-hour exemption has been exceeded.

The codes used to designate “examining” activities are 112012 (Utility Examiners) and 112030 (Design Examiners).

The most commonly used codes to designate “examining-related” activities are:

- 112014 – QEMs
- 112024 – Applicant Initiated Interviews
- 112025 – Markush Searching
- 112026 – Examiner Initiated Interviews
- 112041 – Appeals Conference
- 112042 – Transfers
- 112043 – Staff Meeting
- 112044 – Classification
- 112045 – Substitute for SPE
- 112047 – Assist SPE with Training Examiners
- 140751 – CPC learning curve
- 112054 – Restriction Time
- 112019 – QPIDS before issue fee
- 112020 – QPIDS after issue fee
- 112056 – AFCP Interview Time
- 112057 – AFCP Consideration Time
- 090XXX - Examining related training

Vacation Pause

For a continuous approved absence of 28 or more calendar days excluding FMLA or FMLA-type absences, and sick leave, all clocks in Categories 1-5 **which are less than the expected average days** for the category on the last working day (Monday through Saturday) before the absence, will be paused. The clocks will be unpaused on the first day that the examiner returns to work.

During the absence, no work may be submitted and no work hours may be claimed. If at any point during the 28 days an examiner submits any work or claims any work hours, the pause will be negated; clocks will be reset to run as if the pause had never occurred, although a new pause is not precluded if the examiner is absent for an additional period of 28 or more contiguous calendar days. Crediting of an RCE disposal or an express abandonment will not cause

a Vacation Pause to end. Applications which are over the expected average days prior to the beginning of the absence will not be paused due to the absence. For this reason, examiners are encouraged to plan ahead for vacations by completing amendments and other cases prior to the expected average days and by completing asterisk cases.

Combined Pause

For a continuous approved absence of 28 or more calendar days that is a combination of FMLA-type and vacation absences (e.g. 14 days of annual leave followed by 14 days of sick leave, such that the absence does not meet the FMLA-type pause requirement), all clocks in Categories 1-5 applications **which have not reached the expected average days** on the last working day (Monday through Saturday) before the absence will be paused, and will resume on the first day that the examiner returns to work. During the absence, no work may be submitted and no work hours may be claimed. If at any point during the 28 days an examiner submits any work or claims any work hours, the pause will be negated; clocks will be reset to run as if the pause had never occurred, although a new pause is not precluded if the examiner is absent for an additional period of 28 or more contiguous calendar days. If 21 contiguous days or more of the combined pause consist of a FMLA-type pause, the entire period will be treated as a FMLA-type pause (see FMLA-type Pause above). Crediting of an RCE disposal or an express abandonment will not cause a Combined Pause to end. Applications which are over the expected average days prior to the beginning of the absence will not be paused due to the absence. For this reason, examiners are encouraged to plan ahead for vacations by completing amendments and other cases prior to the expected average days and by completing asterisk cases.

Military Pause

For those on military leave, all clocks will be paused for the duration of the absence. When an examiner returns to work from an **extended** military absence, the SPE should work closely with the examiner to ensure that the amendment pipeline is replenished at a reasonable rate. See FMLA type pause above.

Examiners on Detail

When an examiner is on a detail for a period of at least 50% of their time, the examiner may choose to be removed (opt-out) from the average day system and to be placed on a “plan” that allows sufficient time to complete the assigned work. The examiner may make this choice at any time during the detail. However, examiners are responsible for meeting the performance requirements of the Docket Management element up to the time that they choose to be removed from the average day system. The SPE should enter the “opt-out” choice into the PALM system. With the “opt-out” option, clocks will continue to run on cases during the detail period so that supervisors can determine which cases the examiner will be responsible for on the “plan”. The scores associated with these cases will not be factored into the examiner’s DM scores. Examiners with auto count may still lose autocount for failure to complete returns as required. If the examiner is participating on a full-time detail, the SPE should also enter an “extended leave” pause into the system in order to pause all the clocks.

Examiners are reminded that opting out of DM may affect their rating under the PAP because DM may be prorated or removed depending on the length of the detail. Examiners should speak to their supervisor prior to opting out to determine what affect if any opting out will have on their performance rating. Examiners have the option to opt back in each time a detail is extended or once a year for details longer than a year.

Similar to an extended absence pause, cases may be reassigned if there is a reasonable expectation that they would go over the expected average days during the time that the examiner is on a detail.

Upon return from the detail, if the examiner had elected the “plan” option (opt-out), docket management for the examiner will be calculated for the examiner (via troubleshooter) as if the examiner had an extended absence (FMLA type pause). When an examiner returns from an extended detail or opts back in, the SPE should work closely with the examiner to ensure that the amendment pipeline is replenished at a reasonable rate. See FMLA type pause above. Detail beginning and end dates as well as opt in and opt out dates will be recorded by the SPE. If an examiner chooses to remain on the average day system, regular docket management calculations are performed.

Calculation Adjustments due to absences are entered into PALM by the SPE as shown below. In order for the DM clocks to automatically pause during the absence, the information has to be entered by the SPE into PALM prior to the absence. Otherwise, a PALM troubleshooter will have to be contacted to adjust the clocks.

GAU: Examiner Number: Examiner Name:

Examiner Name:

Examiner Signatory Authority: FS

Examiner Status: Full Time

Out Of Office

From:

To:

Type: 5+ Days Away

From	To	Type	
11/28/2011		5+ Days Away	Delete
09/30/2012		5+ Days Away	Delete
09/30/2012		Opt Out(Detail)	Delete
11/27/2011		Opt Out(Detail)	Delete

Interrupts

An Interrupt applies only to a docket management item (case) wherein no posting for credit has been made. The Interrupt causes the docket management item to close.

Interrupts are defined as: removing a case from an examiner's docket or docketing a case to a different examiner; abandonments; informal or non-responsive amendments; filing of RCE/CPA¹; filing of supplemental amendments¹ and changing of docket categories.

Over/Under Rule for Docket Management Calculations Due to Interrupts

Beginning in FY 2016 the Over/Under Rule for DM Calculations due to interrupts will be eliminated. This means that when a case with a DM clock is interrupted (see the DM section of the Examiner PAP guidelines for a list of interrupts) there will be no score given to the examiner based on that interrupt. Normal ceiling exceeded rules still apply to cases with a DM clock, so if the interrupt occurs after the case exceeds the ceiling, the examiner will still get a ceiling exceeded score for that case. Interrupts will still continue to work the same way; however, no score will be associated with the interrupt.

If the docket management clock at the time of interrupt is on or after the "Ceiling Control" date, then the docket management days that go into the calculation is the "Ceiling Control" number of days. For category 1 cases, an interrupt or termination of a clock on day 84 will receive a score of 84 days. If no termination or interrupt occurs by 12:00 midnight on the 84th day, the result will be a score of 168 days instead of the ceiling control number of days (84),

¹ If there is a delay between the filing date and the entered date that has caused an incorrect score then see your troubleshooter.

which will be used when calculating the average number of days for that particular component.

In the case of an application on transfer inquiry, the docket management clock is paused for the examiner making the transfer request. If accepted by the other examiner, the above rules for an Interrupt apply and a new docket management clock is started for the accepting examiner. If the application is not accepted for transfer and the TI is terminated then the clock resumes for the original examiner. The TI can be terminated by the following actions: adverse decision on the dispute resolution; accepting of the application by the originating art unit (termination of the TI); acting on the application.

CPC Adjustment

Details of the transition to CPC are outlined on the 6/19/13 document titled “[Implementation of the Cooperative Patent Classification at the USPTO](#)”. In particular, page 11 discusses the CPC Adjustment which is summarized below. Adjustment applies to both PAP and Award scores.

- For each 20 hours of CPC related non-production time in any single quarter,
 - Quarterly DM score will be adjusted by +2.5% for that quarter (Quarterly CPC DM adjustment).
 - For each Quarterly CPC DM adjustment, **End-of -Year** DM scores will be adjusted by +0.625%.
 - CPC related non-production time cannot be carried over from one quarter to the next
- The chart below illustrates examples of the calculation of the CPC Adjustment:

	2014				EOY
	Q1	Q2	Q3	Q4	
CPC non-production time (hours)	20	10	20		
Adjustment to Quarterly score	2.50%	0%	2.50%		
Adjustment to End-of-Year score	0.625% + 0% + 0.625%				1.25%
CPC non-production time (hours)	50	10	20		
Adjustment to Quarterly score	5.00%	0%	2.50%		
Adjustment to End-of-Year score	(0.625% x 2) + 0% + 0.625%				1.875%
CPC non-production time (hours)	60	10	50		
Adjustment to Quarterly score	7.50%	0%	5.00%		
Adjustment to End-of-Year score	(0.625% x 3) + 0% + (0.625% x 2)				3.125%

The CPC Adjustment forecast tool allows examiner to forecast Quarterly DM score with at least 20 hours of CPC non-production time. The tool is accessible through the “DM Planner” (http://sirdev-opae/dm_planner/) web page. CPC Time is tracked within the “CPC Time” tab of the “DM3106 – Award Summary”.

AFCP Adjustment

There is an automated docket management clock adjustment of 10 days for AFCP requests that are given further consideration within the scope of the AFCP program (the lowest potential score being 0 days). In order to receive the docket management clock adjustment, the examiner should attach the AFCP 2.0 Decision form to the posted action, and must post the case for credit prior to the AFCP request reaching its ceiling date (28 days).

Ceiling Exceeded Cases

If a case exceeds the ceiling control days, the case is moved onto the Ceiling Exceeded Tab where it is then handled individually, and the ceiling exceeded number of days for that case is then used when calculating the average number of days for that particular component. An exception to this rule involves category 1 cases (Amendments). For

category 1 cases, 168 days instead of the ceiling exceeded number of days (84) is used when calculating the average number of days for that particular component.

Docket management plans (DMP)

The DMP is designed as a process to assist the examiner in working off ceiling exceeded cases and getting back into a healthy docket management pipeline. The examiner should normally manage their docket in a way that prevents cases from exceeding the established ceiling. In the situation where a case(s) exceeds the ceiling control days and is placed on a DMP, the examiner is expected to complete the case(s) within the allotted time frame in order to prevent additional performance consequences. In addition to completing the assigned DMP cases, the examiner should manage the rest of his/her docket to prevent other cases from exceeding the ceiling control days.

A Docket Management Plan (DMP) does not replace the SPE providing coaching, mentoring, and training to the examiner. The SPE should work with the examiner to keep cases from hitting the ceiling exceeded tab, to successfully complete the cases on a DMP, and toward assisting the examiner in improving his/her skills in Docket Management.

For cases that exceed the ceiling number of days, a DMP will be assigned. The DMP will use the consistent methodology set forth below so that a reasonable number of ceiling exceeded cases can be readily calculated.

The calculation is based on the individual examiner's expectancy (hours per BD which includes the RCE adjustment) and the amount of actual regular examining hours worked by the examiner in that biweek.

If the examiner has 64 or more examining hours in the biweek, the calculation to determine the number of applications to be assigned is based on 64 examining hours. If the examiner has less than 64 examining hours, the number is calculated based upon the

actual number of examining hours. “Examining hours” is defined to include regular examining time, overtime, compensatory time (worked) and credit hours (worked) charged to program codes 112012 (Utility Examiners) and 112030 (Design Examiners).

The examiner and SPE should meet at/near the beginning of the biweek to discuss the DMP. If known in advance, the examiner should provide the supervisor with his/her anticipated leave usage at the beginning of the biweek before the calculation is performed. DMP assignments for a pay period will be made no later than 48 hours after the previous pay period’s counting is completed (normally 3:00 p.m. on the first Wednesday of that pay period), unless the Office is closed in that 48-hour period, in which case the assignments will be made no later than the number of hours the office was closed after the 48-hour deadline

The number of ceiling exceeded cases to be completed will be calculated by dividing the number of examining hours by the examiner’s expectancy (hours/balanced disposal), the result is truncated at the decimal to the whole number, and 1 is added. If the number of examining hours divided by the expectancy is 0.49 or less, no addition of 1 occurs and no application will be assigned. If there are more ceiling exceeded cases on the examiner’s docket than assigned per the DMP, the SPE may prioritize which ceiling exceeded cases are to be worked on and move those to the DMP tab.

$(\text{Examining hours}/(\text{Hours per BD})) + 1 =$ the number of ceiling exceeded cases that need to be completed. For examiners on a split docket the hours per BD will be calculated using the weighted average of expectancies of the cases on the examiner’s Ceiling Exceed Tab.

If the examiner has posted for credit, approved, or counted (whichever comes first) the ceiling exceeded cases on his/her DMP by the end of counting for that biweek, no additional data points will be generated for these cases.

EXAMPLE 1 - If the examiner's expectancy is 15.00 hrs/BD, expects to work 72 regular examining hours during the bi-week then the number of ceiling exceeded cases to be worked on would be 5 ($64/15.00=4.26 + 1$).

EXAMPLE 2 - If the examiner's expectancy is 22.00 hrs/BD, expects to work 68 regular examining hours during the bi-week then the number of ceiling cases to be worked on would be 3 ($64/22.00 = 2.90 + 1$).

EXAMPLE 3 - If the examiner's expectancy is 15.00 hrs/BD and the examiner only has 50 regular examining hours in the biweek, then the number of ceiling exceeded cases would be 4 ($50/15.00=3.33 + 1$).

EXAMPLE 4 - If the examiner's expectancy is 32.00 hrs/BD, expects to work 15 regular examining hours during the bi-week then the number of ceiling cases to be worked on would be 0 ($(15/32.00) = 0.47$).

EXAMPLE 5 - If the examiner's expectancy is 32.00 hrs/BD, expects to work 17 regular examining hours during the bi-week then the number of ceiling cases to be worked on would be 1 ($(17/32.00) = 0.53 + 1$).

The following table displays calculation ranges and their corresponding number of cases that should be assigned to the examiner:

Table 6 – Summary of DMP calculations

DMP Calculation	DMP+1 Result
0-.49	0
.50 - .99	1
1.00 -1.99	2
2.0 – 2.99	3
3.0 – 3.99	4
4.0 – 4.99	5
5.0 - 5.99	6

Using this formula, the number of ceiling exceeded cases on the Docket Management Plan tab should be reasonably attainable and should afford the examiner a reasonable opportunity to perform to the other critical standards of his/her PAP, including Docket Management relative to cases under the ceiling.

If the examiner works less hours than those hours used in determining the number of cases on the docket management plan for the pay period, then the number of cases will be recalculated at the end of the pay period. If the examiner has posted for credit, approved or counted (whichever comes first) at least the recalculated number of cases from the docket management plan then the examiner will be excused from completing the other cases on the DMP during that pay period. All biweeks for which a case is on a DMP and is not later removed due to recalculation will count for escalation purposes if the case is not posted for credit. Biweeks do not have to be consecutive to count for escalation purposes.

The SPE assigns cases to a DMP in PALM as shown below.



When a DMP case is posted for credit but not approved within a previous biweek, the case remains listed as a DMP until the case is actually approved or returned. If a new set of DMP cases is to be assigned in the current biweek, the posted-unapproved case from a previous biweek does not count towards the maximum number of DMP cases that can be assigned in the current biweek and should not get a negative score.

Scores and Process for Cases not posted for Credit when on a DMP

- A. **Biweeks 1 and 2 of case(s) being on a DMP** – Appropriate number of ceiling exceeded cases go onto DMP. If any case(s) that has been placed on a DMP is not posted for credit by end of counting for the biweek, another ceiling exceeded score for each incomplete case will be recorded except as in accordance with the PAP guidelines (e.g. fewer examining hours than expected). Coaching and/or Mentoring should be provided, where needed, to assist the examiner in completing the assigned work.

- B. **Biweek 3 of DMP** – When a case has not been posted for credit during the first two biweeks that the case has been placed on a DMP, the SPE should send the following e-mail to the examiner during the first week (prior to 12:01 A.M. of the second Sunday of the biweek). The SPE should use delivery receipts to confirm that the e-mail has been received.

Language of email sent to examiners:

Failure to post for credit cases assigned to you on a Docket Management Plan (DMP) has the potential for serious consequences for both the Agency and you. For the Agency, delays can lead to statutory extensions to the term of any granted patent and may cost the American people through both higher prices and reduced economic competition. For you, failure to post cases for credit leads to added scores for the docket management element of your performance appraisal plan. I have already added a score for failure to complete the case prior to it reaching the ceiling exceeded date and two additional scores for failure to complete the work when it is assigned to you on your DMP.

Beginning this biweek, and for each biweek thereafter, if the case has not been posted for credit by the close of counting for the biweek and adding a score for purposes of evaluation under the docket management plan is appropriate in accordance with the PAP guidelines, I will be adding a score as outlined in your Performance Appraisal Plan. For category 1 amendments, day one will be the first day of the first full pay period that the case is on your docket. It is important for you to post this case(s) for credit to avoid these scores which can seriously and negatively affect your performance rating under the docket management element.

I am available if you need assistance with this case(s). You may also discuss any issues preventing you from completing the case(s) with a Quality Assurance Specialist, or your assigned Primary examiner (if applicable). If there are multiple cases that you are directed to complete and you have insufficient time to allow completion of all cases, please inform me so that I may determine the priority in which those cases are to be completed.

If the case(s) have not been posted for credit, the system will add a score as indicated in the e-mail and on the sample table below.

Table 7 – Varying scale for DMP cases not posted for credit.

Category	Reaches Ceiling	While on Ceiling Status	Charge to Score at end of PP				
			DMP - PP1 (Days)	DMP - PP2 (Days)	DMP - PP3 (Days)	DMP - PP4 (Days)	DMP >= PP5
1	84 Days	Holding - No Clock	112	112	140	154	N+14 Days
2	28 Days	Holding - No Clock	28	28	70	84	N+14 Days
3	56 Days	Holding - No Clock	56	56	98	112	N+14 Days
4	28 Days	Holding - No Clock	28	28	70	84	N+14 Days
5	28 Days	Holding - No Clock	28	28	70	84	N+14 Days

Note: If the SPE (or designee) has not sent an e-mail containing the information set out above during the first week of the biweek, the score for failure to complete the case(s) shall remain the same as it was during biweeks 1 and 2.

- C. ***Biweek 4 and subsequent biweeks of DMP*** – Once the SPE (or designee) has sent the e-mail as indicated in the paragraph above, the actual day score will be recorded for each biweek that the case(s) is not submitted for credit and for which it is appropriate under the PAP guidelines to record a score.

Repeated failures to make a bona fide attempt to post DMP cases for credit may result in disciplinary action.

Docket management calculations

As a general rule, the Docket Management Score will benefit by:

- Posting actions before clocks reach the expected average.
- Posting actions on cases with low clock values.

- Working with your SPE to address DM situations at the beginning of the biweek instead of end.

The Docket management score will be generated at the end of every biweek for the biweek that just ended. Calculations will be performed on docket management items where the docket management item has been ended by counting of the action. For DM clock cases, the clock stops at time of posting, and the score is generated when the case is counted. In actions that have been posted for credit but not counted, docket management calculations will not be performed until the action is counted (note: the action of posting for credit has already stopped the clock). Cases remain in any given docket management category until the case has been counted in PALM, even if there is a post for credit. The return category, a DM interrupt, and exceeding the ceiling are exceptions to the case counting requirements.

Clock values of zero will go into the docket management calculation as a 0. An example of such a scenario would be where an amended case is placed on an examiner's docket during a pay period and then the examiner posts an action for credit in that application prior to the end of the pay period. Because the docket management clock does not start for amended cases until the pay period following the pay period in which they are forwarded to the examiner, the docket management clock on the aforementioned amended case was never started. A calculation of 0 days would be used when determining the examiner's docket management calculation for that application.

Component Score Percentage

The Component Score Percentage is based on the average number of days to complete all actions and docket management items compared to the Expected Average number of days for each component. The following formula is used to determine the component score percentage:

$$\text{Component Score Percentage (CS)} = (((wf_0 - wf_1) / wf_0) + 1) * 100$$

where: wf_0 is the number of expected average days for the particular component; and
 wf_1 is the average number of days the examiner has taken to post for credit all actions and docket management items in that particular component.

Note that for Category 5 (Returns), the Component Scores (CS) are capped at 110.0% for PAP score purposes. Beginning with FY 2015, the Agency is modifying how TSS returns are handled under the Docket Management (DM) element of the PAP. Under the modified DM element, the TSS returns component of the Returns category may not contribute more than 20% of an examiner’s overall Docket Management score, regardless of how many TSS return scores the examiner receives.

If an examiner were to complete each action in an average number of days equal to the Expected Average number for any particular component, their Component Score Percentage (CS) for that component would be equal to 100%. If the average number of days taken to complete the work in the component is lower than the Expected Average number, then the CS for that component will be greater than 100%. When the average number of days taken is greater than the Expected Average number, the CS will be lower than 100%. In certain situations such as overdue DMP cases, an actual day score may be higher than the ceiling level. In those situations, the component score may be a negative percentage.

The Component Score Percentage for each component is then weight averaged based on number of cases n_0 to determine the overall docket management rating.

An example is shown in the following Table:

Table 8 – DM calculation example.

Cat.	Component (Action Types)	Expected	Number	Average	Component	Contributing
------	--------------------------	----------	--------	---------	-----------	--------------

		Average Days wf_0	of Cases n_o	Days wf_1	Score $\frac{((w_0 \cdot wf_1) / (w_0 + 1)) * 100}{CS_1}$	Score $\frac{(n_o / \text{Sum}(n_o)) * 100}{CS_1}$
1	Amendments in response to non-final OA, Appeal Briefs	56	100	60.0	92.9%	39.5%
2	Special New e.g. PPH, Accelerated Examination, Petitions to Make Special, Track 1, PCT, Reexam, Reissues, etc.	14	12	10.0	128.6%	6.6%
	Special Amended e.g. PPH, Acceleration Examination, Petitions to Make Special, Board Decisions/Remarks	14	10	8.0	142.9%	6.1%
3	New Regular New, Continuations, Continuations in Part (CIPs), Divisionals, RCEs	28	52	20.0	128.6%	28.4%
4	Expedited e.g. After Finals, Responses under 37 CFR 1.312, PUBs Cases (Printer Rushes)	14	57	10.0	128.6%	31.2%
5	Returns (Returned by TSS & Reviewer)	14	4	10.5	103.6%	1.8%
Sum(n_o)=235						
Overall % Score – 113.6%						

Note: The Category 5 Returns Component Score Percentage is capped at 110% **for PAP purposes**. For permanent Full Signatory Examiners: the total return score (combined TSS and SPE/reviewer) may not contribute more than 15% to an examiner’s DM score. For all other examiners: the total return score (combined TSS and SPE/reviewer) may not contribute more than 30% to an examiner’s DM score.

An examiner shall be assigned a rating with respect to Docket Management as follows:

110% and above	Outstanding
103% to 109%	Commendable
95% to 102%	Fully Successful
88% to 94%	Marginal*
Below 88%	Unacceptable

* Note: Continued or repetitive performance at this level adversely impacts upon the efficiency of the service under the performance element.

All percentages shall be rounded to the nearest whole number.

Pendency Award

A. To be eligible for the Pendency Award in any given quarter, an examiner must (a) have a most recent rating of record of Fully Successful or better; (b) have completed one full year of employment with the USPTO before the first day of the quarter under consideration; (c) have a returns category score in the Docket Management element of at least 100%; and (d) meet the award criteria as outlined below.

B. The Pendency Award Program has three tiers of performance award criteria. Quarterly award payments will be made based on performance achieved during that quarter. Time periods referenced below will be measured in accordance with the Docket Management element in the PAP.

Entry Tier: 0.25% of current annual salary, excluding overtime and awards, paid following a quarter in which an examiner meets the following criteria:

- At least 110% overall Docket Management score (excluding the Returns category); and
- No ceiling exceeded applications in any category during the period.

Tier 1: 0.5% of current annual salary, excluding overtime and awards, paid following a quarter in which an examiner meets each of the following criteria:

- At least 120% overall Docket Management score (excluding the Returns category);
- No single category score under 100%; and
- No more than one application exceeds the ceiling in the quarter.
- Completion of a number of oldest new or other applications for which asterisk credit is received (see Table 11 below), which depends on the

number of biweeks in the quarter, part-time status and expectancy (hrs/BD).

Tier 2: 0.75% of current annual salary, excluding overtime and awards, paid following a quarter in which an examiner meets each of the following criteria:

- At least 140% overall Docket Management score (excluding the Return category);
- No single category component score under 120% (excluding the Returns category); and
- Returns category must be at least 100%; and
- No more than one application exceeds the ceiling in the quarter, and
- Completion of a number of oldest new or other applications for which asterisk credit is received (see Table 11 below), which depends on the number of biweeks in the quarter, part-time status and expectancy (hrs/BD).

In instances where an examiner has no available applications in a category that require action during the quarter, eligibility for the Pendency Award will not be precluded.

If an examiner has a small number of cases in any of categories 1 through 4 (a small number means less than or equal to 5% of the total number of cases included in the total composite score for award purposes) and the score in that category would prevent the examiner from qualifying for an award or higher award level, the individual category score will not prevent an examiner from receiving an award. Even though the category score has not prevented the examiner from getting the award, the category score will be used to calculate the overall DM score. Any ceiling exceeded cases under this exception will still count towards the overall number of allowed ceiling cases for award purposes.

C. In addition to the quarterly award payments, supplemental payments will be available to examiners who achieve sustained performance at the Tier 1 or Tier 2 level for four consecutive quarters. The supplemental payments will be as follows:

- **Tier 1:** 0.5% of current annual salary, excluding overtime and awards, to any examiner who has performed at the Tier 1 level or better in each of the four preceding quarters.
- **Tier 2:** 1.0% of current annual salary, excluding overtime and awards, to any examiner who has performed at the Tier 2 level in each of the four preceding quarters.
- **Entry-Tier:** There is no supplemental payment for sustained performance at the entry-level Tier.

Table 9 –Supplemental award payment table

2015		2016		Supplemental Payment at end of 2016/Q2
Q3	Q4	Q1	Q2	
Tier 1	Tier 1	Tier 1	Tier 1	0.50%
Tier 2	Tier 2	Tier 2	Tier 2	1.00%
Tier 1	Tier 1 or 2	Tier 1 or 2	Tier 1 or 2	0.50%
Tier 1 or 2	Tier 1	Tier 1 or 2	Tier 1 or 2	0.50%
Tier 1 or 2	Tier 1 or 2	Tier 1	Tier 1 or 2	0.50%
Tier 1 or 2	Tier 1 or 2	Tier 1 or 2	Tier 1	0.50%

D. Generally, for planned absences, defined as any absence for which an examiner has at least one working day advance knowledge an examiner should plan ahead and position his/her docket in anticipation of the absence. An examiner who is on approved absence will receive the Docket Management adjustments detailed in their current PAP and the current PAP Guidelines. No additional adjustments will be made for purposes of calculating the Pendency Award. There is no minimum quarterly examining hour requirement for payment of the Pendency Award except as provided

below. Approved absences from the office will affect award determinations as follows:

- Examiners who are on approved absence for twenty one (21) consecutive days or more for reasons that would qualify under FMLA or sick leave (excludes vacations), may elect to receive a prorated Pendency Award. In this instance, the new application requirement is prorated to the nearest whole application based on the proportion of the days missed from the quarter. The prorated award will be calculated by considering the examiner's performance in the Docket Management element only during the duty hours (duty hours does not include leave) in which the examiner worked. If the examiner meets the criteria of any Tier based upon performance in the duty hours worked and has at least 150 duty hours during the quarter (but fewer than 300 duty hours worked), he/she will receive an award payment X calculated as follows:

$$X = (\text{payout for highest Tier attained}) \times \frac{\text{duty hours worked}}{300 \text{ hours}}$$

where the duty hours worked is between 150 and 299 hours.

- An examiner who maintains the required award levels during the quarter may opt to maintain eligibility for the full Pendency Award.
- An examiner may work six hours or less of examining or examining-related time per week during the absence and still be considered "absent" for purposes of this provision. The four week period may span quarters.
- For a pro-rated award, the new-case criteria can also be pro-rated based on the number of duty hours in a quarter in which the examiner had duty hours. For example, if the examiner had 160 duty hours during the quarter. The Tier 1 new-case requirement would be 2 applications and the Tier 2 requirement would be 3 applications (160/80 x 1.5).
- Examiners who receive a pro-rated award for any quarter as set forth above, may be eligible for a pro-rated supplemental payment. All Pendency Award criteria must be achieved for the time worked in each quarter. The supplemental payment will be prorated based on the total duty hours worked for all eligible quarters, using the following formula::

$$\frac{(\text{Total duty hours for all eligible quarters})^*}{(\text{Total number of eligible quarters}) \times (300 \text{ Hours})}$$

*For purposes of this calculation, no quarter can exceed 300 duty hours

E. If an examiner leaves his or her position after having two qualifying full quarters (Tier 1 or Tier 2), a supplemental award will be paid, but will be prorated to 50% of the full amount. If the examiner has three qualifying full quarters the supplemental award will be 75%.

F. **Rehired** examiners and the Pendency Award

- Examiners who had **one year or more** prior experience at the USPTO are eligible for the award beginning with the first full quarter of their reemployment.
- Examiners who have **less than one year** of experience at the USPTO will be eligible beginning with the first full quarter after they have completed one year of cumulative service. Cumulative service is the combination of prior and current USPTO employment time.
- A rehired examiner’s status as a probationary examiner does not change this answer. Thus, it is possible for a rehired probationary examiner to earn a Pendency Award.

Table 10 – Award eligibility summary.

<i>Criteria</i>	<i>Entry Tier</i>	<i>Tier 1</i>	<i>Tier 2</i>
Award Payout	0.25% of salary	0.5% + 0.5% Supplemental Payment for FY15 Q3-Q4 and FY16 Q1 – Q2	0.75% + 1.0% Supplemental Payment for FY15 Q3-Q4 and FY16 Q1 – Q2

1. Docket Management Scores	110% overall score	120% overall score with no category score under 100%	140% overall score with no category score under 120%
2. Ceiling Exceeded	No ceiling cases	No more than one application (of any kind) exceeds the ceiling in the quarter	
3. New Cases	N/A	The requirement varies depending on the number of full biweeks in a quarter. (See table 11 below)*	
4. Returns	Excluded from the calculation but must be at 100% or more		

New Case Requirement for Pendency Award

As noted in the Tier 1 and Tier 2 descriptions above, completion of a minimum number of oldest new asterisk or other applications for which asterisk credit is received in the quarter is required. The following types of applications count towards the criteria:

- Regular and Continuing New applications which are either marked as oldest or for which asterisk credit is received.
- RCE applications which are either marked as oldest or for which asterisk credit is received,
- All Special New.

The number of oldest/asterisk new applications which must be posted for credit in a quarter to meet the Tier 1 or Tier 2 award criteria depends upon the length of the quarter, the examiner’s work schedule (full-time vs. part-time), and expectancy (if over 28 hours/BD, based upon the examiner’s average hours/BD for the previous quarter). The requirements are:

Table 11 – New-case requirements for award.

5 Bi-week Quarter	Tier 1	Tier 2
--------------------------	---------------	---------------

Full Time Examiner	5 applications	7 applications
Part time or over 28 hours/BD	4 applications	5 applications

6 Bi-week Quarter	Tier 1	Tier 2
Full Time Examiner	6 applications	9 applications
Part time or over 28 hours/BD	4 applications	6 applications

7 Bi-week Quarter	Tier 1	Tier 2
Full Time Examiner	7 applications	10 applications
Part time or over 28 hours/BD	5 applications	7 applications

- For part-time examiners and for examiners with an expectancy of greater than 28 hours/bd (based upon the examiner’s average hours/bd for the previous quarter), the number of new cases to qualify for Tier one and Tier two will be measured on a quarterly basis. The requirements vary depending on the number of full biweeks in a quarter.
- The following guidelines explain how cases are selected to qualify for the calculation of the new-case average for award purposes:
 - 1) The “oldest” cases are defined as the oldest case selected by PALM and the “asterisk” cases identified by number as the next oldest. To get credit for completing any “asterisk” cases, you must complete (i.e., post for credit) an oldest case within the same biweek as you complete the asterisk case(s).
 - 2) As long as the oldest case in an eDAN tab has been posted for credit for that biweek, you can work on any of the asterisk cases in the same eDAN tab in any order to receive credit under this award criteria (i.e., you do not need to do #2, then #3, etc).
 - 3) The new case requirement is a quarterly requirement, you can catch up or work ahead in any biweek by completing the oldest marked case and up to 6 asterisk cases to comply with the criteria.

Part-Time Status and Pendency Awards

- Award payments for part-time examiner will be prorated based on the examiner's part-time work schedule. For example, if an examiner is scheduled to work 40 hours per biweek, the examiner earning an award will receive a payment of 50% of the award payment of a full time examiner at the same grade and step.
- Supplemental payments for part-time examiners will be based on the work schedule used to determine the Pendency Award payment in the majority of the quarters. For example, an examiner working part time in the third quarter of FY 2015, but converting to full-time for the fourth quarter of FY 2015 and continuing to work full-time through the second quarter of FY 2016 will be eligible for a supplemental award based on his or her full-time salary if the examiner meets the other criteria for the supplemental payment.
- Examiners who change their work schedule from full-time to part-time any time during a quarter, must meet the oldest new/asterisk application criteria by completing the part-time requirement. The award payment will be based on a full-time schedule. For the subsequent quarters the examiner award requirement and award payment are both based on the examiner's part-time schedule.
 - If requested by the examiner, during the first 120 days of the new schedule, the supervisor will remove a portion of the cases from the examiner's docket. The number of cases removed should be proportional to the change in examining hours. The cases may be stored on the supervisor's docket for eventual return to the examiner or reassigned to other examiners.
 - In a given quarter, if cases are removed or reassigned, the examiner will not be eligible for a docket management award for that quarter.

- Examiners who change from a part-time to a full-time work schedule any time during a quarter, must meet the oldest new/asterisk application award criteria by completing the full-time requirement. The award payment will be based on a full-time work schedule.

Docket Management Reports and Administrative Tools

A number of resources/tools have been developed for docket management to help monitor and calculate scores.

What's on my docket?	What should I do?				What did I do in previous biweeks? eSTATS			
Docket Report (DM 3105) History *	Production		Docket Management		Production		Docket Management	
Other Reports ▼	Hourly Production & Award Calculator	Split Docket Calculator	DM Award Calculator	DM 3106 Award Summary	CSI 3205 Previous PP	CSI Pseudo 3205	PAP 3106 Previous PP	AWARD 3106 Previous PP
	DM Planner				Other Reports ▼	Other Reports ▼		

Docket Management Dashboard

The examiner/SPE Dashboards display both DM and non-DM categories.

The dashboard displays a list of application categories with status indicators (red, yellow, green) and counts. Red arrows on the left group categories into three groups:

- DM Categories:** Includes New Applications, Regular Amended, Special Amended, Expedited Applications, Return Applications, and Ceiling Exceeded.
- Carry Over Non-DM:** Includes Counted Not Mailed Applications, PTA Amendments, 8-Month Status Applications, Pre-Appeal Conferences, Accelerated Examination, Reissue Applications, Mis-docketed Applications, and Potential Abandonment.
- New Non-DM:** Includes Interview Request.

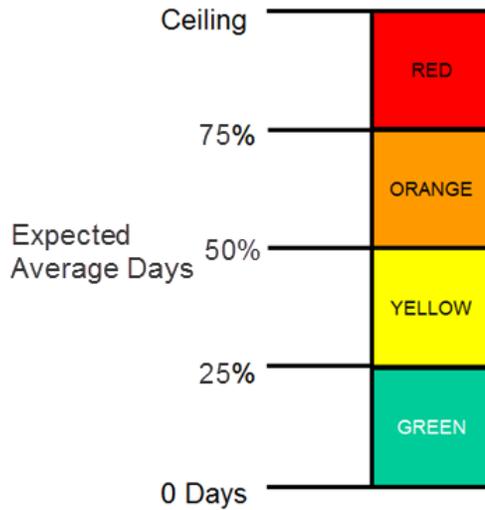
Legend: Red=Critical; Yellow=Semi-critical; Green=Non-Critical

Category	Red	Yellow	Green
New Applications	5	26	784
Regular Amended	88	53	99
Special Amended			7
Expedited Applications			8
Return Applications	27		
Ceiling Exceeded			
Counted Not Mailed Applications	47		
PTA Amendments	18	76	
8-Month Status Applications	28	76	
Pre-Appeal Conferences	2		
Accelerated Examination	1		
Reissue Applications			
Mis-docketed Applications			
Potential Abandonment	139	110	
Interview Request	1		1
Total	638	53	899

Print Selected Reports Group by Examiner

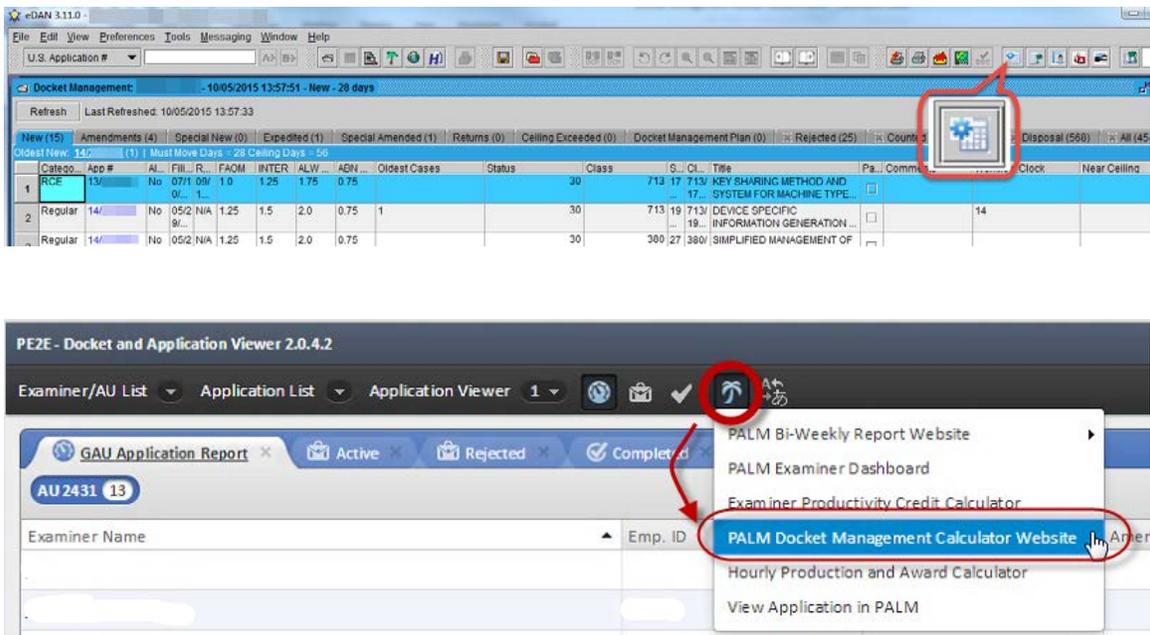
Date Case Listing (YYYYMM) GO

The color scheme of the Dashboard is defined as follows.



Docket Management Planner

The Docket Management Workflow Planner is accessible through eDAN or the PE2E Docket Management Viewer (DAV) as shown below.



The DM Workflow Planner is a tool that combines the features of the previous DM calculator and the Award Summary report. For detailed information on using the DM

Workflow Planner, click on the Guide button on the upper right hand section of the screen.



- Exmr No: - GAU							Options
Generated On: Mon Oct 5 14:36:08 2015							
	Expected Days	Actual Average Days	Component Score		Total Cases	Invokes 5% Rule	Contributing Score
Category 1	56	9.222	183.53	[+]	18		89.28
Category 2	14			[+]	0		0
Category 3	28	4.3	184.64	[+]	10		49.9
Category 4	14	2.222	184.13	[+]	9		44.78
Returns	14	0	200	[+]			
CPC Adjustment	CPC hours: 0						0
Overall Award Score							183.98
Additional Award Criteria							
Ok. Must have less than 2 ceiling exceeded cases. Currently has: 0							
Total New cases: Ok. Has at least 10 cases. Currently has 10 cases.							
In addition to any indication that an examiner qualifies for Entry Tier, Tier 1, or Tier 2 the examiner needs to: (1) have a most recent rating of record of Fully Successful or better, and (2) have completed one full year of employment with the USPTO before the first day of the quarter under consideration.							

Display Mode:
 Awards
 PAP
 Interval
 Current FY
 Current PP [FY 2016 PP 1 - QTR 1]

Colorize award summary:
 Entry
 Tier 1
 Tier 2

Show data from FY-QTR:
 FY 2015 - Q 4

View Autocount Status

Part-time: No
 HRs/BD: 25.3 [?]

Show docket notifications, if any.

POC-only:
 Show pay-period and workflow start and end columns.

CPC Adj. Extension

Other Docket Management Reports

The PALM Action Posting webpage shows all posting data related to a particular serial number. The site is available on the PALM Resource Center. Applications on the DM Calculators are also linked to this page.

OFFICE ACTION POSTING REPORT

Application Number: 12

Examiner Action Summary For Application 12

Action	Number	Posted	Returned	Approved	Submitted	Mailed	Current Location
TCPB Detail	18200	09/28/2015					TC
CNTA Detail	17609	06/23/2015	06/22/2015	06/22/2015	06/23/2015		mail
APEA Detail	12658	11/19/2012	11/18/2012	11/19/2012	11/19/2012	11/27/2012	mail
APCP Detail	11994	06/20/2012			06/21/2012	06/25/2012	mail
CTAV Detail	11748	05/06/2012		05/06/2012	05/06/2012	05/16/2012	mail
EXIA Detail	11624	04/10/2012		04/10/2012	04/11/2012	04/17/2012	mail
CTFR Detail	11229	01/25/2012		01/25/2012	01/27/2012	01/31/2012	mail
CTNF Detail	10138	07/01/2011		07/01/2011	07/01/2011	07/07/2011	mail

The Docket Management Report (DM3106) is a static report which documents DM performance at the end of each pay period. It includes the same information in the PAP Rating tab of the calculator but it doesn't include projections.

PALMDM3106-PR1 Individual Examiner **PAP Report**
U. S. PATENT AND TRADEMARK OFFICE

PALMDM3106-PR1
EXAMINER NUMBER: [REDACTED] EXAMINER NAME: [REDACTED]
PALM BIWEEK: 2015-21 BIWEEKLY ENDING: 7/25/2015 WebTA PP: 2015-13

PAGE: 3 OF 5
GROUP ART UNIT: [REDACTED]
RUN DATE: 07/28/15

Category 3 Cases - 28 day categories

Category	Sub category	Number of Cases	Average Day	Component Score	Weight	Contributing Score
3	Continuing New	1	2.00	192.86	33.33	64.29

Application No.	Last Count Date	Sub-Category	Start Date	Days Actual / Expected	Ceiling Date
13/[REDACTED]	eDAN 07/15/15	Continuing New	07/14/15	2 / 28	09/06/15

Category	Sub category	Number of Cases	Average Day	Component Score	Weight	Contributing Score
3	Regular New	2	1.00	196.43	66.67	130.95

Application No.	Last Count Date	Sub-Category	Start Date	Days Actual / Expected	Ceiling Date
14/[REDACTED]	eDAN 01/01/01	Regular New	01/01/01	0 / 28	02/26/01
13/[REDACTED]	eDAN 07/15/15	Regular New	07/14/15	2 / 28	09/06/15

The Individual Examiner Docket Report DM 3105 is a static report which documents applications with clocks on the examiner's docket at the beginning of the pay period.

PALM DM 3105-PR1 INDIVIDUAL EXAMINER DOCKET REPORT										
PALMDM3105-PR1 EXAMINER NUMBER: [REDACTED] EXAMINER NAME: [REDACTED] PALM BIWEEK: 2015-18 BIWEEKLY ENDING: 6/13/2015 WebTA PP: 2015-10 RCE Inventory Level = A RCE Inventory Total= 3							U. S. PATENT AND TRADEMARK OFFICE PAGE: 4 OF 10 GROUP ART UNIT: [REDACTED] RUN DATE: 06/02/15			
New TARGET = 28 Days --- CEILING = 56 Days No. of Cases: 24										
Application No.	Oldest Date	DM CLOCK START DATE	DM DAYS	PAUSE	INHERITED	APPL. TYPE	Oldest Available	TI	EXCLUDED	CLS / SUBCLS
12/[REDACTED] eDAN	03/10/15	05/19/15	15	N	N	RCE	OLD	N	N	726/020000
TITLE:GUEST ACCESS TO ADDRESS SPACES OF ADAPTER										
13/[REDACTED] eDAN	07/17/13	06/02/15	1	N	N	Regular	OLD	N	N	726/023000
TITLE:METHODS FOR IDENTIFYING KEY LOGGING ACTIVITIES WITH A PORTABLE DEVICE AND DEVICES THEREOF										
13/[REDACTED] eDAN	07/17/13		0	N	N	Regular	***	N	N	713/176000
TITLE:COMPLETE FORWARD ACCESS SESSIONS										
13/[REDACTED] eDAN	07/17/13		0	N	N	Regular	***	N	N	380/030000
TITLE:ENCRYPTION SYSTEM, ENCRYPTION PROCESSING METHOD OF ENCRYPTION SYSTEM, ENCRYPTION DEVICE, ENCRYPTION PROGRAM, DECRYPTION DEVICE, DECRYPTION PROGRAM, SETUP DEVICE, SETUP PROGRAM, KEY GENERATION DEVICE, KEY GENERATION PROGRAM, KEY DELEGATION DEVICE, AND KEY DELEGATION PROGRAM										
13/[REDACTED] eDAN	07/18/13		0	N	N	Regular	***	N	N	726/023000
TITLE:Mitigating a Cyber-Security Attack By Changing a Network Address of a System Under Attack										
14/[REDACTED] eDAN	01/10/14		0	N	N	Regular	***	N	N	726/026000
TITLE:LICENSE MANAGEMENT DEVICE, LICENSE MANAGEMENT SYSTEM, LICENSE MANAGEMENT METHOD, AND PROGRAM										

The PALM Award Report gives the user qualification data for each of the categories of the Pendency Award.

DM Resources and Assistance

For assistance in correcting a clock value, inform the SPE and contact the TC PALM troubleshooter using the following email addresses:

- | | |
|----------------------|-----------------------|
| TSB1600 IFW_PALM | TSB1700_2900 IFW_PALM |
| TSB2100 IFW_PALM | TSB2400 IFW_PALM |
| TSB2600 IFW_PALM | TSB2800 IFW_PALM |
| TSB3600 IFW_PALM | TSB3700 IFW_PALM |
| TSB TRAINING ACADEMY | |

For further assistance with Docket Management contact your Technology Center DM POC. A list of DM POCs is available within the “Cases Counted & Projections” section of the DM Workflow Planner.

Appendix A - Auto-Count Process

