

**Agreement on Pendency Award between  
The Patent Office Professional Association (POPA) and  
The United States Patent and Trademark Office (USPTO)**

June 2, 2011

This agreement between the USPTO and POPA extends and modifies the pendency award program originally provided in the Memorandum of Understanding (MOU) dated October 22, 2010, regarding the 2011 Examiner Performance Appraisal Plan and Other Matters. This agreement replaces the agreement signed on March 4, 2011.

**Section 1: Extension of Pendency Award Program**

The Pendency Award Program as set out in Section II of the MOU is hereby extended for the first two quarters of fiscal year 2012. Award amounts, eligibility and other requirements remain as established in the MOU. In addition, examiner will earn supplemental payments of either .5% or 1.0% of salary if the examiner meets the requirements of Section II.D of the MOU for the first and second quarters of fiscal year 2012.

**Section 2: Provision for Discussion of Further Extensions or Modifications**

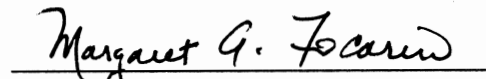
The parties will meet during the second quarter of FY 2012 to discuss extending or modifying the Pendency Award program.

**Section 3: Termination of Awards**

The Termination Procedures section of the October 22, 2010, MOU (Section II.F) remains in effect, except that the last sentence of Section II.F.2 is amended to read, "This will not affect USPTO's right to terminate the Program at the end of the second quarter of FY 2012 or any quarter thereafter."



Robert D. Budens  
President  
POPA



Margaret A. Focarino  
Deputy Commissioner for Patents  
USPTO

6/2/2011

Date

6/2/2011

Date