

Agreement Between the Patent Office Professional Association and the United States Patent and Trademark Office on The Examiner Collaboration Center (ExCC)

The Patent Office Professional Association (POPA, Association or Union) and the United States Patent and Trademark Office (USPTO or Agency) hereby agree to the following conditions for implementation of the Examiner Collaboration Center (ExCC) Pilot.

Initiation of Program

Management has determined that the pilot will be comprised of up to 100 Examiners assigned to Technology Center 2400, workgroups 2410, 2420 and 2430 specifically.

Identification and Selection of Participants

Management shall randomly select examiners to participate in the ExCC pilot program. To the extent possible, the selections shall provide a normal distribution of participants across all the Examiner grades (GS-5 to GS-15). Participation throughout the ExCC pilot program is voluntary. Examiners selected for participation shall be notified prior to the beginning of the pilot.

Commencement of Pilot Program

At the start of the Pilot Program, participants shall be provided a packet of information necessary for participation in the Pilot. The packet shall include a username, an initial password, basic instructions for the ExCC tool access, use and customization and copies of all rules for participation in the program. The packet may be electronic. For the purposes of the pilot program only, participants shall be provided with one hour of non-examining time to read the packet, familiarize themselves with the ExCC tool and customize it for their use.

Evaluation

Pilot program participants may be asked for feedback on the pilot program before, during and after the pilot. Management shall provide POPA with all records or data regarding any feedback that is provided by examiners regardless of the means by which the feedback is provided such as, but not limited to E-mail, ExCC "Contact Us" account, ExCC feedback community, focus session or any other informal or formal feedback process. Management shall provide POPA with the number of participants who are using the ExCC tool on a monthly basis. Management shall provide POPA with a monthly accounting of the total ExCC dashboard Internet bandwidth. Participants shall be identified only by grade, signatory authority and workgroup.

Within thirty days of the end of the pilot, the parties will meet to discuss any voluntary or solicited feedback as well as the results and viability of the pilot.

Rules for Participation in the Pilot Program

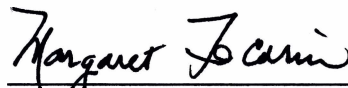
The following are the rules for participating in the ExCC pilot program. It is intended for participating examiners to self-monitor their posted content. Content includes but is not limited to pictures, videos, messages, wiki's and blogs. Examiners will be required to continue to adhere to the USPTO Rules of the Road Services Guide (http://ptoweb.uspto.gov/ptointranet/telework/docs/rules_road.pdf) while participating in the ExCC pilot. Participating examiners must also maintain at least fully successful performance and must not have been disciplined for internet/electronic communications issues within the past 12 months. Examiners failing to adhere to pilot program rules as recited herein may be removed from the pilot program.

Duration and Termination


The ExCC pilot program will run for six (6) months. Management reserves the right to terminate the ExCC pilot at any time without further bargaining. Management further reserves the right to terminate the ExCC pilot program should the infrastructure and/or bandwidth be insufficient to support the pilot program or the use of the ExCC tool substantially interferes with the functional efficiency of any of the core examining tools: E-DAN, OACS, EAST/WEST, STN and STIC/EIC Database access.

Should termination of the pilot program become necessary due to infrastructure and/or bandwidth concerns, examiners will be provided with thirty (30) days advance notice of the pilot's termination, if possible.

Should the Agency terminate the pilot before the six month pilot period ends, the data files including the contents of the examiner participants' dashboard, including but not limited to wiki's, posted files and pictures, shall be stored by the Agency for a period of three months. At the request of an Examiner participant, management shall provide a copy of the aforementioned data files.



Margaret Focarino 6/2/09
Acting Commissioner of Patents Date
U.S. Patent and Trademark Office



Robert D. Budens 6/2/2009
President Date
Patent Office Professional Association