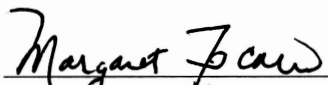


**Agreement Between the Patent Office Professional Association and
the United States Patent and Trademark Office on
the Temporary Extension and Final Termination of the Voluntary Flat Goal
Pilot Program**

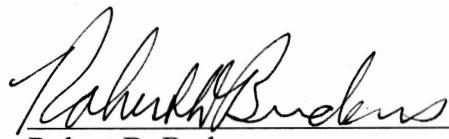
The Patent Office Professional Association (POPA, Association or Union) and the United States Patent and Trademark Office (USPTO or Agency) hereby agree to the following conditions to extend the Voluntary Flat Goal Pilot Program (Flat Goal Pilot) through the end of Fiscal Year 2009 (FY09), after which the current Pilot Program will be permanently terminated.

1. For the express purpose of permitting the remaining original participants of the Flat Goal Pilot the option of having their performance for FY09 measured using a single Performance Appraisal Plan (PAP) the parties hereby agree that the USPTO may extend the time period for the Flat Goal Pilot program to September 30, 2009 (the end of FY09), after which the current Flat Goal Pilot will be permanently terminated and all employees will again be rated using the standard patent examiner PAP appropriate for the grade level of signatory authority of each employee.
2. The extension of the Flat Goal Pilot will only be applicable to original Flat Goal Pilot participants remaining on the Flat Goal Pilot as of the date of this Agreement. No additional employees will be permitted to join the Flat Goal Pilot.
3. Existing participants of the Flat Goal Pilot will be permitted to voluntarily withdraw from the Flat Goal Pilot at the end of the Second Quarter of FY09 (March 28, 2009) when the Flat Goal Pilot would normally have terminated. Any participant who chooses to withdraw at this point will be rated during the Third and Fourth Quarters of FY09 according to the standard patent examiner PAP appropriate for the grade and level of signatory authority of the employee.
4. During the extension period, the Agency agrees to maintain the *status quo*.
5. The parties agree that this Agreement shall not be construed in any way as acquiescence by the other party with respect to any aspect of the Flat Goal Pilot. The parties agree that this Agreement shall not be construed in any way as affecting the litigation currently pending before the Federal Labor Relations Authority as Case No. 0-AR-4456 or any litigation resulting there from.



Margaret Focarino
Acting Commissioner of Patents
U.S. Patent and Trademark Office

3/3/09
Date



Robert D. Budens
President
Patent Office Professional Association

3/3/09
Date