

Management Document
Signatory Authority Program

Section 1: General

A. Management has determined that the following performance standards in the management rights area will apply in the Signatory Authority Program. Since the following performance standards are solely within management rights, the terms of the management document are not negotiable.

B. This document specifies the duration of the eligibility periods, the trial periods, the minimum number of hours of actual examining time required during the trial periods, and the standards applicable to the eligibility, the trial periods, and the retention of the permanent grant of Signatory Authority.

C. Within one (1) month after a design patent examiner (under the GS 1226 Series) is promoted to GS 12, the Agency will provide the examiner with a document setting forth the applicable standards that apply to the Signatory Authority Program. Within one (1) month after a utility examiner (under the GS 1224 Series) is promoted to GS 13, the Agency will provide the examiner with a document setting forth the applicable standards that apply to the Signatory Authority Program.

Section 2: Eligibility

Any GS-12 design examiner, full or part time, or any GS-13 or GS-14 utility examiner, full time or part time, without Signatory Authority is eligible to participate in the Signatory Authority Program under the following conditions:

A. Partial Signatory Authority:

1. Utility Examiners: With regard to the Partial Signatory Program, an eligible full time or part time who has performed, for a minimum of six (6) consecutive pay periods, hereinafter designated as the eligibility period, at least at the Fully Successful level in each of the critical elements in that examiner's Performance Appraisal Plan (PAP) shall be granted Temporary Partial Signatory Authority.
2. Design Examiners: With regard to the Partial Signatory Program, an eligible full time or part time who has performed, for a minimum of eleven (11) consecutive pay periods, hereinafter designated as the eligibility period, at least at the Fully Successful level in each of the critical elements in that examiner's Performance Appraisal Plan (PAP) shall be granted Temporary Partial Signatory Authority.

B. Full Signatory Authority:

1. Utility Examiners: With regard to the Full Signatory Program, an eligible full time or part time utility examiner with Permanent Partial Signatory Authority who has performed, for a minimum of ten (10) consecutive pay

periods, hereinafter designated as the eligibility period, at least at the Fully Successful level in each of the critical elements in that examiner's Performance Appraisal Plan (PAP) shall be granted Temporary Full Signatory Authority.

2. Design Examiners: With regard to the Full Signatory Program, an eligible full time or part time design examiner with Permanent Partial Signatory Authority who has performed, for a minimum of twenty-five (25) consecutive pay periods, hereinafter designated as the eligibility period, at least at the Fully Successful level in each of the critical elements in that examiner's Performance Appraisal Plan (PAP) shall be granted Temporary Full Signatory Authority

C. If an examiner does not elect to participate in the Signatory Program, written notification to the examiner's supervisor must be provided by the examiner.

D. When an examiner has previously declined the grant of temporary Partial Signatory Authority, an evaluation of his/her performance during the eligibility period will be based upon the most recent six (6) consecutive pay periods for a utility examiner, and eleven (11) consecutive pay periods for a design examiner.

E. If the grant of Temporary Partial Signatory authority has previously been declined, examiners shall notify their supervisor in writing of their intent to receive the temporary grant.

G. When an examiner has previously declined the grant of temporary Full Signatory Authority, an evaluation of his/her performance during the eligibility period will be based upon the most recent ten (10) consecutive pay periods.

H. If the grant of Temporary Full Signatory authority has previously been declined, examiners shall notify their supervisor in writing of their intent to receive the temporary grant.

I. When an examiner has been denied a permanent grant of Signatory Authority, the eligibility period begins with the start of the pay period after the written decision is provided to the examiner by the Technology Center Director.

Section 3: Trial Period

A. For the grant of Temporary Partial Signatory Authority for a full time utility examiner, the grant shall begin a trial period lasting ten (10) consecutive pay periods. The grant of Temporary Signatory Authority shall terminate at the end of the trial period.

B. For the grant of Temporary Partial Signatory Authority for a full time design examiner, the grant shall begin a trial period lasting thirteen (13) consecutive pay periods. The grant of Temporary Signatory Authority shall terminate at the end of the trial period.

- C. For the grant of Temporary Partial Signatory Authority for a part time utility examiner, the grant shall begin a trial period lasting ten (10) or fifteen (15) consecutive pay periods, as elected by the examiner.
- D. For a part time design examiner, the grant shall begin a trial period lasting thirteen (13) or eighteen (18) consecutive pay periods, as elected by the examiner. The grant of Temporary Partial Signatory Authority shall terminate at the end of the trial period selected by the part time employee.
- E. For the grant of Temporary Full Signatory Authority for a full time utility examiner, the grant shall begin a trial period lasting ten (10) consecutive pay periods. The grant of Temporary Full Signatory Authority shall terminate at the end of the trial period.
- F. For the grant of Temporary Full Signatory Authority for a full time design examiner, the grant shall begin a trial period lasting thirteen (13) consecutive pay periods. The grant of Temporary Full Signatory Authority shall terminate at the end of the trial period.
- G. For the grant of Temporary Full Signatory Authority for a part time utility examiner, the grant shall begin a trial period lasting ten (10) or twenty (20) consecutive pay periods, as elected by the examiner. The grant of Temporary Full Signatory Authority shall terminate at the end of the trial period selected by the part time employee.
- H. For the grant of Temporary Full Signatory Authority for a part time design examiner, the grant shall begin a trial period lasting thirteen (13) or twenty-three (23) consecutive pay periods, as elected by the examiner. The grant of Temporary Full Signatory Authority shall terminate at the end of the trial period selected by the part time employee.
- I. At the mid-point of the trial period under the Program, if the examiner's cumulative performance for the trial period is less than fully satisfactory in the quantity or the timeliness element as set forth in the examiner's PAP, the examiner shall be removed from the Program and the temporary grant shall be terminated. The mid-point of a trial period shall be:
- a. for an eight (8) pay period trial period after four (4) pay periods,
 - b. for a ten (10) pay period trial period after five (5) pay periods;
 - c. for a thirteen (13) pay period trial period after six (6) pay periods;
 - d. for a fifteen (15) pay period trial period after seven (7) pay periods;
 - e. for an eighteen (18) pay period trial period after nine (9) pay periods;
 - f. for a twenty (20) pay period trial period after ten (10) pay periods; and
 - g. for a twenty-three (23) pay period trial period after ten (12) pay periods.
- J. An examiner shall be removed from the Program and the temporary grant terminated for conduct infractions, defined as misrepresentations of performance, fraud, or dishonesty, that are related to the performance of assigned patent examining functions under the examiner's PAP.

K. Management has the right to review any and all work products completed during the trial period. A representative sample of 20 cases will be reviewed. An examiner must submit at least 20 reviewable actions during the trial period. For an examiner with Temporary Partial Signatory Authority, these consist of First Actions on the Merits and Non-Final Rejections signed by the examiner. For an examiner with Temporary Full Signatory Authority, reviewable actions consist of Allowances and Final Rejections signed by the examiner.

L. During the Temporary Partial Signatory Program trial period, if an examiner fails to timely submit the required number of reviewable office actions completed for the trial period, management may take up to five (5) pay periods to render the decision of whether to make the Temporary grant permanent. Failure to timely submit the required reviewable office actions completed for the trial period is defined as submission for credit of more than 30% of all the reviewable actions for the trial period in:

- a. the last two (2) pay periods for an eight (8) or ten (10) pay period trial period;
- b. the last three (3) pay periods for a thirteen (13), fifteen (15), and
- c. the last four (4) pay periods for an eighteen (18) pay period trial period.

M. During the Temporary Full Signatory Program trial period, if an examiner fails to timely submit the required reviewable office actions completed for the trial period, management may take up to five (5) pay periods to render the decision of whether to make the Temporary grant permanent. Failing to timely submit the required reviewable office actions completed for the trial period is defined as submission for credit of more than 40% of all the reviewable actions for the trial period in:

- a. the last two (2) pay periods for a ten (10) pay period trial period;
- b. the last three (3) pay periods for a thirteen (13) pay period trial period; and
- c. the last five (5) pay periods for a twenty (20) or twenty-three (23) pay period trial period.

Section 4: Minimum Hour Requirement

A. Any examiner under a grant of Temporary Partial Signatory Authority must perform, unless waived by management, a minimum number of hours of actual examining time in paid status during the trial period. The minimum number of hours is:

- a. 430 hours for an eight (8) pay period trial period,
- b. 540 hours for a ten (10) pay period trial period;
- c. 700 hours for a thirteen (13) pay period trial period;
- d. 810 hours for a fifteen (15) pay period trial period; and
- e. 1270 hours for an eighteen (18) pay period trail period.

B. Any examiner under a grant of Temporary Full Signatory Authority must perform, unless waived by management, a minimum number of hours of actual examining time in paid status during the trial period. The minimum number of hours is:

- a. 540 hours for a ten (10) pay period trial period;
- b. 700 hours for a thirteen (13) pay period trial period;
- c. 1080 hours for a twenty (20) pay period trial period; and
- d. 1240 hours for a twenty-three (23) pay period trial period.

C. Failure to perform the minimum number of hours of actual examining time in paid status during the trial period for a Partial or Full Temporary grant, unless waived by Management, will result in a denial of a permanent grant of Signatory Authority.

D. Actual examining time in paid status for the purpose of meeting the minimum hour requirements in any trial period under the Signatory Authority Program will consist of hours worked in the following activities and subproject codes reported to and approved by the immediate Supervisor.

ACTIVITY	Subproject Code
Examining Time	112012/112030
Reexam Time	119051/119052
PCT Time	119024/119025
Restriction Time	112054
Appeal Conferences	112041
Other examining duties, which produce work product subject to review, e.g. amendment crossing in the mail, time spent examining transferred amended applications, etc.	112036 ...and any future subproject codes conforming to this criteria
Quality Assurance Cases	119045
Markush Practice	112025
Extra Time For Examiner's Answer	112050
SIR Processing	112065
Catastrophic Time For Computer Failure	090180
Catastrophic Time For e-Dan & MADRAS Failure	160498
Trilateral Search Exchange Program	119040

Section 5: Applicable Standards

The standards applicable for performance evaluations and determinations with respect to the Signatory Authority Program shall be as follows:

To successfully complete either the Partial or Full Signatory Authority Program, the examiner must not commit more than 2 significant errors in patent examining quality, and must achieve a level of Fully Successful or better performance in all other critical elements of either the GS-13 Partial Signatory Authority or GS-14 Full Signatory Authority Performance Appraisal Plan as applicable. Additionally, for successful completion of the Full Signatory Authority Program, no more than one of the errors may consist of an improper allowance of an application.

Section 6: Permanent Grant of Authority

Within two pay periods after the expiration of the trial period, unless modified as a result of the examiner's performance, the Office shall transmit to the examiner the written delegation of Permanent Signatory Authority or the written reasons denying the grant of Permanent Signatory Authority.

Section 7: Accelerated Signatory Program

A. Notwithstanding the above eligibility and trial time periods, full time examiners may elect, after consultation with and approval from their supervisor, an accelerated signatory review program.

B. For utility examiners, the eligibility periods for both partial and full signatory authority under the accelerated program are four (4) biweeks.

C. For design examiners, the eligibility periods for partial and full signatory authority under the accelerated program are eleven (11) and fifteen (15) biweeks respectively.

D. For utility examiners, the trial periods for partial and full signatory authority under the accelerated program are eight (8) and ten (10) biweeks respectively.

E. For design examiners, the trial periods for both partial and full signatory authority under the accelerated program are thirteen (13) biweeks.

F. All other provisions of the regular signatory program described above apply.