



Department of Commerce

**U.S. Patent and Trademark Office—
Patents**

2020 Action Plan

Federal Customer Experience

US BY THE PEOPLE
FOR THE PEOPLE
WITH THE PEOPLE

Who are we?

In 2016, the U.S. Patent and Trademark Office (USPTO) performed a study of its customer experiences with Patents, Trademarks, and other mission support business units. The study team produced customer journey maps, customer personas, findings and recommendations for improvements, which were presented to senior management in April 2016.

One of those recommendations included strategically linking the customer experience to mission objectives of the agency. As a result, the USPTO Director and Commissioner for Patents included enhancing patent customer experiences as the first initiative under Objective #3: Fostering Business Effectiveness in support of Patents Goal #1: Optimize Patent Quality and Timeliness within the FY2018-2022 USPTO Strategic Plan.

In FY2018, the White House designated the Patents and Trademarks business units as high-impact service providers of federal government services. That same year, Patents hired its first Customer Experience (CX) Administrator to build out its CX functionality and coordinate customer-focused activities across the business unit.

In FY2019, Patents focused its efforts on creating a solid CX foundation. Patents' leaders set their CX vision, mission, and strategic goals in alignment with the FY2018-2022 USPTO Strategic Plan. Patents created its own FY2020-FY2023 CX Strategic Plan to outline its priorities and then created its own CX Operating Plan for FY2020 to highlight and link priorities to the initiatives that would contribute toward the achievement of the Patents' CX vision.

Patents then increased customer awareness through trainings and workshops, formed teams to drive CX cultural adoption, and built coalitions across USPTO to coordinate customer-focused activities. Patents also focused on enhancing its CX measurement program by ensuring greater consistency in methodology of data collection, more rigorous analysis, and disbursement of survey findings.

In 2020, Patents' focus has been on broadening customer awareness for all current and future employees nationwide, creating feedback loops for employees to provide their stories and ideas to improve CX, and creating more opportunities for regular direct customer feedback gathering.

By Q2 of FY2020, all 11,600 employees in the Patents business unit received an Introduction to Customer Experience training, and the training was added to the onboarding coursework for all incoming new hires to ensure every employee understands that customer-focus is a core value of Patents.

Naturally, employees who participated in the training had ideas that they wanted to share about how to make improvements for customers and the workforce to make those interactions clearer, more consistent, and more intuitive. Patents is in the process of setting up mechanisms to capture and integrate those ideas on an ongoing basis.

Patents continues to pursue opportunities to incorporate its customers and users in the design and build phases of new tools, processes, products, and services to improve Patents' CX.

How do we deliver value to the public?

Occasion

An inventor, Mariah, is a self-starter and used to doing things on her own. She doubts she will need to hire paid counsel to protect the intellectual property (IP) associated with her business because she's usually able to figure things out on her own. She doesn't have many resources to spend on help because she is just starting up her business. She is trying to figure out where and how to start her first patent application.

Ted is an early-career IP attorney and the one-stop IP legal shop for his best friend's start-up company. He has limited IP experience and is preoccupied with other pressing "fire drills" around the office. He needs to find quick resources to help him get smart on IP law and help his friend's company.

Andy has been in business for years and has applied for IP protections before. He is looking to protect the technology behind his popular coffee roasts app, but has not received an update on his application yet. He needs to know his application status to satisfy his investors.

High-Impact Service

Without a clear understanding of where to go, Mariah searched www.uspto.gov for assistance and found the Inventors Assistance Center (IAC), which she called. The customer service representative shared resources with her over the phone and suggested she meet with the Pro Se Assistance Center counselor for more tailored advice to prepare her for the process. She scheduled a virtual consultation with the Pro Se Assistance Center and got guidance about what she needs to consider, what she needs to have ready, and how to fill in the application.

Ted looked on www.uspto.gov for references, educational materials, and other resources in his local area. He found virtual courses being offered through USPTO regional offices and online modules offered through the Patents Training Academy.

Andy went online to look for how to find out the status of his application. He followed his bookmark to Public-PAIR and was redirected to the new Patents Center system. He logged into his account using myuspto.gov and was able to see his pending application in his docket.

Offering or Objective

The Pro Se Assistance Center provides guidance and tailored assistance to individuals pursuing patents without paid counsel.

Independent inventors like Mariah leave the consultation with a firmer grasp on the patent application process, a sense of what it will take, and some tips/tools to help them fill in the forms correctly.

Courses and guidance that are geared toward paralegals and attorneys like Ted to help ensure that their clients' patent applications are high-quality and well-structured, so that the examination process goes smoothly for the applicant.

Myuspto.gov and the new Patents Center streamline all related information into one place for applicants like Andy so they can quickly see their status information on their own customized dashboard. Patent applicants can subscribe for alerts and notifications if/when their case statuses change too.

Where could we improve?

Mariah, independent inventor

“How hard can it be?” to get started on my patent

Steps	1: Before interacting with service	2: During main interaction	3: Secondary service interaction
<p>Customer Steps</p> <p>Name and describe the main steps that a person takes to use the service, left to right, start to finish.</p>	<p>An inventor, Mariah, is a self-starter and used to doing things on her own. She is trying to figure out where and how to start her first patent application. She doesn't have many resources to spend on help because she is just starting up her business. She's interested in free resources to help her get started. She searches about patents on her internet browser and finds some materials on patents on www.uspto.gov. She's read the information but is struggling to find an easy entry point to get started.</p>	<p>Without a clear understanding of where to go, Mariah searched www.uspto.gov for assistance and found the Inventors Assistance Center (IAC), which she called. The CSR rep shared resources with her over the phone and suggested she meet with the Pro Se Assistance Center counselor for more tailored guidance to prepare her for the process. She scheduled a virtual consultation with the Pro Se Assistance Center.</p>	<p>Mariah was able to meet virtually with a patents expert and ask detailed questions to prepare her patent application. Mariah got useful guidance about what she needs to consider, what she needs to have ready, how to fill in the application and recommendations for free resources available to help her along the way.</p>
<p>Service System</p> <p>Describe the channels, roles, and tools from your agency or partners.</p>	<p>Mariah primarily interacts with the main website and reviews its patents specific content.</p> <p>Her search is self-directed. Her experience depends on her ability to navigate the site intuitively and the strength and accuracy of the site's search algorithm.</p>	<p>Mariah interacts with the website and then tries another channel, phone, to connect with the Inventors Assistance Center (IAC).</p> <p>The IAC customer service specialists are retired patent examiners and have a wealth of expertise and knowledge about the patent application process.</p>	<p>Mariah receives virtual one-on-one support from experts in the Pro Se Assistance Center.</p> <p>The Pro Se Assistance Center assists independent inventors and small business owners who want to start the patent application process without the assistance of counsel. They provide an overview of the process, share available resources and tips, and serve as a resource prior to filing.</p>
<p>Pain Points</p> <p>Describe the highest priority problems to solve</p>	<p>The www.uspto.gov website was not very intuitive or easy to read. The search results were not well curated and most of the top results led to content that seemed too advanced. It was confusing to know how to begin the process.</p>	<p>While Mariah appreciated the expertise and professionalism of the specialist to whom she spoke, she was frustrated that she did not find the contact center she needed right away and was disappointed that she would need to take an additional step to get the help she really needed.</p>	<p>Mariah was thrilled to speak to the Pro Se specialist and thankful for all of the tips and guidance they provided. She got a strong start to her application. However, as time passed, she forgot some of what she learned and had to return for additional guidance to complete it.</p>

What will we do?

Make it easier for Mariah to find Patents' front door

Purpose

What are the problems?

The website is not as clear or as intuitive to first-time visitors as it is to return users. First time users have greater trouble navigating, understanding terms, and knowing where to go to actually file for a patent. They could use help finding existing resources meant to help them start the patent application process.

Usually they turn to the search function for help. Unfortunately, the current search returns results that have less relevant information toward the top of the screen making it difficult for customers to find the most useful content to meet their needs.

Desired future state?

First time visitors to the www.uspto.gov will be able to clearly understand where to go to get started on their application and be able to find resources easily to help them.

Any measurable indicators and targets?

There are helpful/not helpful feedback tabs on www.uspto.gov webpages already. Additionally, Patents is able to track perceptions of certain pages via the USPTO website survey for either mobile or desktop usage. Patents can use those data to take action on webpage elements and refine the search algorithm.

Approach

Process, methods, and expertise?

Patents will use customer data to drive its approach to problem-solving. Patents works with statisticians, web managers, and website-editor-in-chief to design and test new tools for customers.

Timeline, stage gates and dates?

In FY2020, Patents worked with other business units across the USPTO to expand its ability to collect and use customer feedback under a broader CX clearance. In FY2021, Patents will be able to leverage that clearance to make its products and services more intuitive for customers.

The CX team plans to create a Patents webpage management strategy and governance structure to ensure that the Patents' web team focuses its efforts first on making the most important pages current, clear, consistent, and intuitive for customers with their input.

The USPTO will also upgrade its search engine functionality within the www.uspto.gov website to optimize results so that the most relevant results are more easily found.

In the meantime, Patents will create a marketing plan to promote its existing how-to videos that help first time visitors navigate the beginning of the patent application process.

Deliverables being produced?

- Patents web management strategy
- Patents web governance structure
- New search functionality
- Patents marketing plan for how-to videos

Resources

Who is responsible?

The Patents Customer Experience Administrator and the Patents CX Steering Group will be responsible for coordinating the work across business units.

Who is contributing to the project?

The Patents Communications and Web Services Groups in conjunction with experts from the Office of the Chief Communications Officer and Office of Chief Information Officer will need to work together to create the Patents' web strategy and governance approach and to update the search functionality using metadata, web analytics, and user testing.

Optional: estimated budget allocated to the work?

N/A

What will we do?

Make it easier for Mariah to get the right assistance at the right time

Purpose

What is the problem?

Customers have a hard time determining the appropriate party to call by just looking at the www.uspto.gov website as it's written today.

As a result, customers may be calling the wrong place for help, which may require them to be transferred.

Or, customers may be confused when they call in, hear the interactive voice response (IVR) options, and end up choosing the wrong option.

Or, the customer service representative they speak with may not transfer them correctly because they too are using incomplete information available on the site to forward the customer's call.

Desired future state?

Callers can easily reach the right person for assistance at the right time in their journey without the frustration of being misdirected initially or being transferred incorrectly.

Any measurable indicators and targets?

USPTO captures information about transferred calls and root causes of calls that could be helpful guides for baselines and key performance indicator (KPI) targets going forward.

Approach

Process, methods, and expertise?

The proposed fix for this issue is creating a more intuitive and easy way for customers to follow the information on the "contact us" information page that anchors the customer in the patent application journey, provides them with the information for each of the contact centers within each journey phase, and clarifies what each center does and does not do. This also includes making updates to the USPTO IVR options so that the phone tree decision flow mirrors the "contact us" information page.

Timeline, stage gates and dates?

Patents is already working on simplifying this information. There will likely be three stages: (1) clarifying the scope of each contact center, (2) updating the website to reflect that information in the context of the customer journey, and (3) updating the IVR system to reflect menu options that mirror the "contact us" page. Patents plans to complete this project by Q2 of FY2021.

Deliverables being produced?

- Updated "contact us" page
- Updated IVR menu

Resources

Who is responsible?

The Patents CX Steering Group will be responsible for coordinating the necessary work across the contact centers and Patents web group.

Who is contributing to the project?

- USPTO contact centers – Scoping for each center
- Patents Communications and Web Groups – Updating website
- Office of Chief Communications Officer– Updating website
- Office of Chief Information Officer– Updating website and IVR system

Optional: estimated budget allocated to the work?
N/A

What are we proud of this year?

Service Improvement

Who is the user and what was the problem? If you have baseline statistics, include (ex. “34% of users dropped off on this page, or “call volume on this made up 20% of our calls)

A 2014 Supreme Court decision significantly changed the interpretation of the law regarding patent subject matter eligibility. From the customer’s perspective, this decision increased uncertainty about what inventions are patentable and how patent examiners would conduct patent eligibility determinations.

What did you build / improve? What does it do for the public or how you deliver your mission? What was the resulting impact? (Include numbers whenever possible)

The USPTO synthesized comments and concerns from customers, the courts, and patent examiners. In January 2019, the agency issued new examination guidance that not only complied with the court decision, but added clarity and predictability as to how affected technologies would be assessed during examination. Overall perceptions of examination quality have risen significantly.

Any lessons for other agencies emulating this work?

When faced with the uncertainty created by the judicial decision, which created a potential for inconsistent application of laws and regulations, the agency produced training and guidance to increase certainty and consistency regarding patent eligibility determinations, which resulted in more positive perceptions of quality both internally and externally.

Sum up what happened in two sentences.

By listening to customers and understanding potential outcomes, despite the uncertainty created by the judicial decision, the USPTO was able to develop examination guidance that created more certainty and consistency with respect to patent eligibility determinations during the patent examination process. Through this single effort the agency significantly contributed to its mission of providing a system that spurs invention and innovation.

https://www.uspto.gov/sites/default/files/documents/OCE-DH_AdjustingtoAlice.pdf

Capacity Building

Was this a governance, measurement, organizational, customer understanding, service development, or service delivery capability?

USPTO is using artificial intelligence (AI) to improve service delivery and increase its capabilities regarding search and patent classification.

What was the new action taken capability and it’s goal or purpose?

One of USPTO’s priorities is to use AI to augment its classification and search capabilities. USPTO has already identified the most promising of these AI capabilities and is currently working to pilot these capabilities in its search and classification systems.

What was the resulting impact? Include numbers whenever possible.

These capabilities will result in more thorough patent examination which will yield time and cost savings for customers as well as higher-quality patent grants.

Any lessons for other agencies emulating this work?

The USPTO engages with stakeholders throughout the world to better understand where to apply AI search and classification techniques to provide higher quality examination while reducing costs.

Can you sum up what happened in two sentences?

The new AI capabilities for search hold the potential to improve consistency in searching and more quickly surface prior art that may be located in any of several disparate databases. The new AI capabilities for classification hold the potential to ensure that Patents routes the right case to the right examiner, providing higher quality examination while reducing costs.