

**UNITED STATES
PATENT AND TRADEMARK OFFICE**



A detailed technical drawing of a mechanical assembly, likely a car engine or transmission, rendered in a light gray line-art style. The drawing shows various components, bolts, and shafts, with several parts labeled with numbers such as 80, 84, 86, 82, 34, 32, 52, and 50. The drawing is set against a dark blue background that has a wavy, torn-paper-like edge at the top.

Interview Practice

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UNITED STATES
PATENT AND TRADEMARK OFFICE



Objectives

We will cover:

- Interview policy guidelines
- Trends and examiner training recap
- AIR form
- Interview experience survey
- Internet authorization
- Resources

Interview policy guidelines



Interview policy guidelines

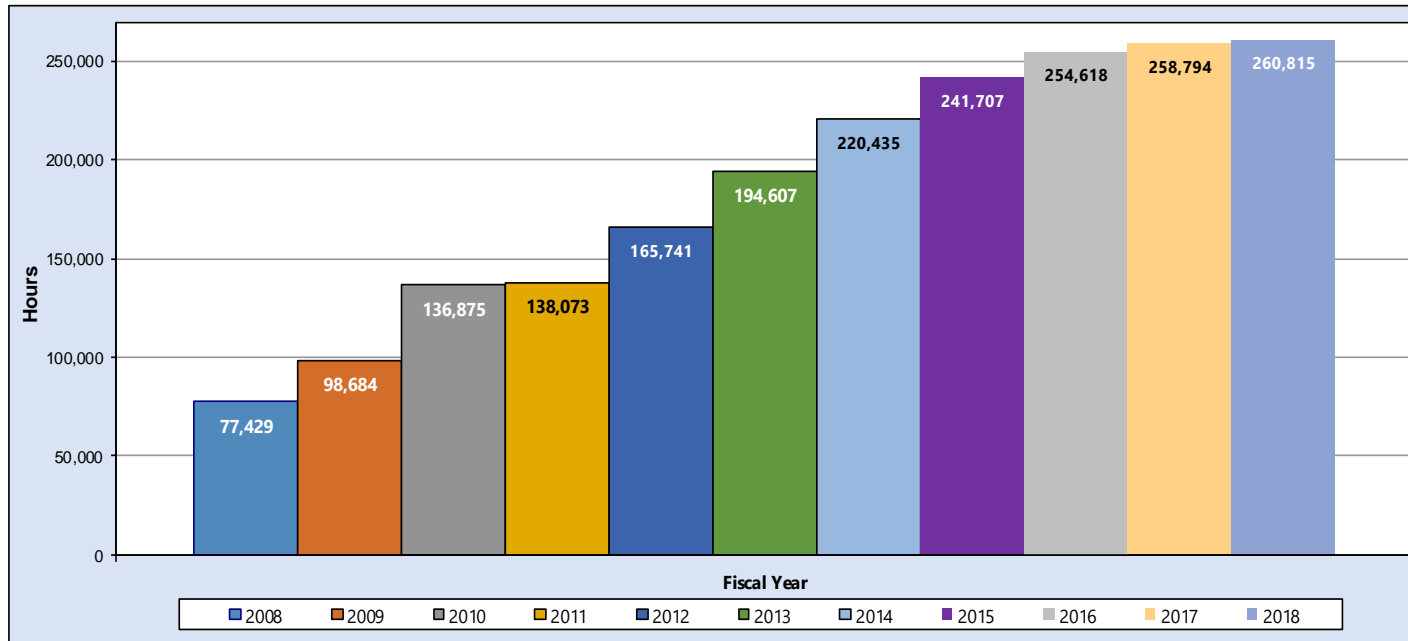
Interviews are an effective tool to resolve issues and shorten prosecution. “An interview should be granted when the nature of the case is such that the interview serves to develop and clarify outstanding issues in an application and leads to a mutual understanding between the examiner and the applicant, and thereby advance the prosecution of the application.”

See MPEP 713.

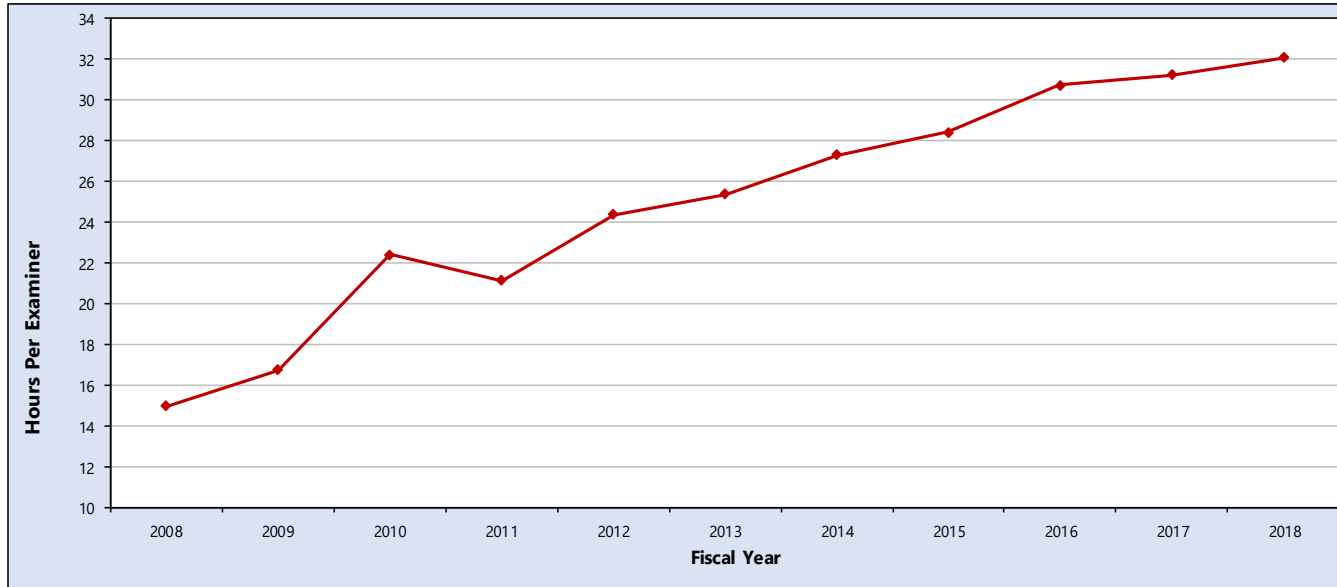
Trends and examiner training recap



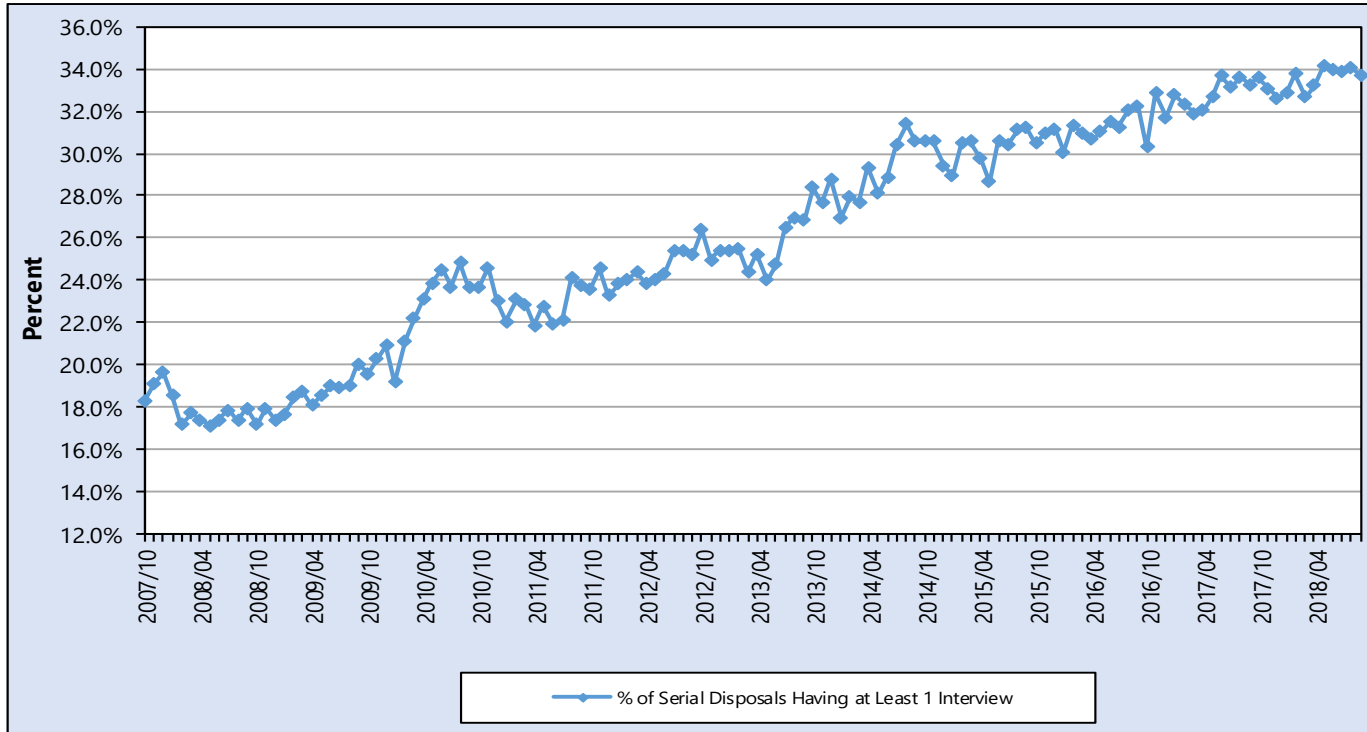
Interview time – patent corps FY08 – FY18



Interview time per examiner – patent corps FY08 – FY18



Percent of serial disposals having at least one interview by month FY08 – FY18



33.7% of Serial Disposals completed in September 2018 had at least one interview.



Interview practice training recap FY12-FY18

Fiscal Year	Topic
FY18	Interview refresher materials covering AIR form, internet authorization, and webcam/video interview etiquette
FY17	Examiner interview practice training covering interview issue resolution strategies and styles
FY16	Covered FAQs including when to place an email in the file record; how to check for written authorization; entering papers marked "do not enter"; as well as interview best practices
FY15	Covered interview policy guidelines and principles, survey results, oral/written authorization, AIR form, interview preparation and recordation, WebEx refresher, and Public Interview Room recap
FY14	Three-part training series on effective interview practice consisting of internal employee interview survey, training material discussion, and WebEx certification with Home SPE. Training material discussion covered WebEx refresher, Public Interview Room overview, and recap on Interview Practice Guidelines and Collaboration Tools
FY13	Covered Interview policy guidelines and introduced Examiner Interview Resource Website
FY12	Effective Interview Practice discusses the use of an agenda, preparing for the interview, properly recording the interview to clarify the record, and steps that can be taken to properly follow through after the interview



AIR form



What is the AIR form?

- The Automated Interview Request (AIR) form is an **alternative electronic way** for applicant to **initially request** an interview with examiner.
- The AIR form itself is just a mechanism **to initiate** the conversation to schedule an interview, similar to applicant leaving a voicemail. Just like voicemail, the examiner is expected to follow up on the request within one (1) business day.

Where is the AIR form located?

uspto UNITED STATES PATENT AND TRADEMARK OFFICE

Search uspto.gov

Patents Trademarks IP Policy Learning and Resources Quick links

Home / Patents / Laws and Regulations / Interview Practice

Interview Practice

Interviews enable Applicants and Examiners to discuss and resolve issues and are an effective tool to advance the prosecution of an application. The USPTO encourages Examiners to take a proactive approach to examination by reaching out and engaging our stakeholders in order to shorten prosecution.

- 1 USPTO AIR
- 2 TC Interview Specialist
- 3 Video Conference
- 4 Policy and Guidance
- 5 Training and FAQs
- 6 Federal Register Notice
- 7 Contact Us

USPTO AIR

A new web-based tool that allows Applicants to schedule an interview with an Examiner for their pending patent application.

[Complete the form.](#)

Watch USPTO's Interview Practice short video below for a brief introduction to the USPTO Automated Interview Request (AIR) tool and other available USPTO interview resources. AIR is a convenient online form for submitting requests for interviews. After the form is submitted, an examiner will email you to confirm your request within two business days.

Schedule an Interview with a Patent Examiner

AIR

Automated Interview Request

The AIR form is found on our external USPTO website at:

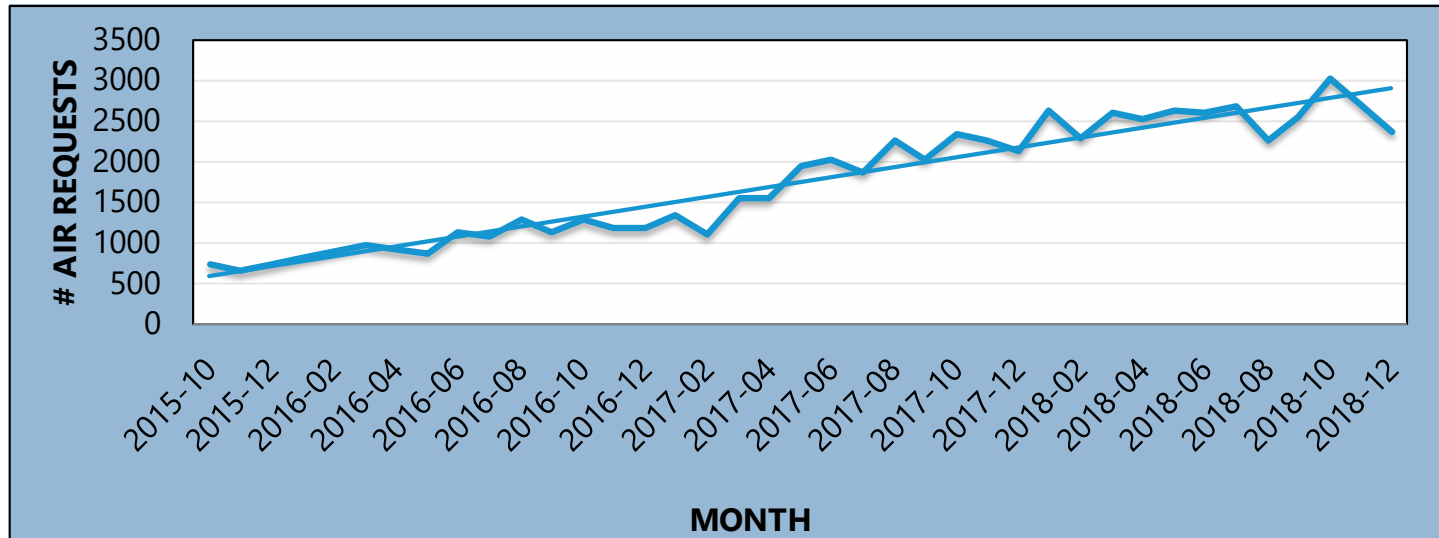
www.uspto.gov/interviewpractice

Note: Applicant is also made aware of AIR form request in the conclusion form paragraph of an Office Action



Is applicant using the AIR form?

“**Yes**”, as of December 2018 we have over 72,600+ AIR form requests.



Examiner AIR email confirmation

Examiner will receive an email confirmation which includes the following information:

- Application number and applicant contact information
- Proposes date(s) / time(s) for interview and preferred type of interview

Note: Examiner is not limited to applicant's proposed date(s)/time(s)

- Reminder to contact applicant within one (1) business day
- **NEW** - Clarifies "next steps" for examiner including applicant's written authorization selection
- **NEW** - Clarifies whether examiner can call and/or email applicant
- Reminder to contact SPE if interview is denied
- Reminder to complete Interview Experience Survey
- Provides QRG and contact info for further assistance if needed



Applicant AIR email confirmation

Applicant receives a similar email that contains the following information worth noting:

- Confirmation that AIR form was submitted
- **NEW** - Clarifies applicant next step(s) for submitting written authorization if needed
- **NEW** - Clarifies that written authorization cannot be accepted via email
- **NEW** - Clarifies that the examiner still has to grant / deny interview in accordance with USPTO interview policy, practice, and procedure
- Reminder to complete Interview Experience Survey
- Encourages applicant to contact examiner within two (2) business days if no communication was received from examiner



Interview experience survey

- USPTO has launched an Interview Experience Survey in response to applicants desire to share feedback on the interview experience.
- The survey is given to applicants who used the AIR form to schedule their interview and to the examiner of record.
- Feedback from both applicants and examiners are evaluated to determine future improvements.

Sample email to applicant


Your name →

Application Number →

Link to survey →

Questions? Email us. →

From: USPTO [[mailto: email_notifier@foreseeresults.com](mailto:email_notifier@foreseeresults.com)]
Sent: Monday, July 3, 2017 9:53 AM
To: Applicant's email address
Subject: Your feedback about your interview experience is requested



We appreciate your feedback!

Dear {Applicant Name},

Thank you for using USPTO Automated Interview Request (AIR) for your recent meeting. Your feedback is very important to us as we strive to improve your customer experience.

We invite you to provide your opinions about the recent interview held regarding Application # xxx7231.

The survey will take about 3-5 minutes and your responses will be kept strictly confidential. Thank you for your time, your feedback is key to evaluating our performance.

To take the survey, please click the link below:
[Take Survey](#)

Thank you

If you have questions regarding this survey, please contact InterviewExperience@uspto.gov

ForeSee works with hundreds of companies around the world to collect customer insights. If you are experiencing problems with this company's website or the customer service or support department we recommend that you contact the company directly.

If you prefer not to receive future survey invitations from ForeSee, [click here](#).



Applicant's survey

1: *Thinking about scheduling with USPTO Automated Interview Request (AIR), please rate the following: The convenience of scheduling with AIR as compared to other methods 1=Not Convenient at all Very Convenient=10 1 2 3 4 5 6 7 8 9 10 Don't Know <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
2: *How long I had to wait to confirm the interview with an examiner 1=Unexpected Wait Time Expected Wait Time=10 1 2 3 4 5 6 7 8 9 10 Don't Know <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
3: *Please rate the examiner who conducted the interview in the following areas: Level of knowledge regarding the inventive concept and prior art 1=Poor Excellent=10 1 2 3 4 5 6 7 8 9 10 Don't Know <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
4: *Please rate the responses provided to your requests or questions in the following areas: Thoroughness of explanations regarding examiner's position during the interview 1=Insufficient Very Thorough=10 1 2 3 4 5 6 7 8 9 10 Don't Know <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
5: *The extent to which my issues or requests were resolved 1=Not Resolved at all Complete Resolved=10 1 2 3 4 5 6 7 8 9 10 Don't Know <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
6: *What was your overall satisfaction with this interview experience? 1=Very Dissatisfied Very Satisfied=10 1 2 3 4 5 6 7 8 9 10 <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
7: *How well did your interview experience meet your expectations? 1=Fell Short Exceeded=10 1 2 3 4 5 6 7 8 9 10 <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>

Reservation / Scheduling

Overall Satisfaction



Applicant's survey

14: *Did you reach resolution on pending issues during this interview?
 Yes No

15: *Did this interview improve your understanding of the examiner's positions regarding this application?
 Yes No

16: *Did the examiner discuss possible ways to overcome the rejections of record?
 Yes No

17: *Did the interview provide adequate time to address all issues?
 Yes No

18: *Were the examiner's positions presented with decorum, courtesy, and professionalism?
 Yes No

18.1: Please explain:

19: Please provide any additional comments that might help us improve your experience. *Please do not include any information regarding the substance of the interview.*

Effectiveness

Examiner's survey

- Similar to applicant's survey
- Focus remains on:
 - Reservation
 - Overall satisfaction
 - Preparedness
 - Effectiveness

Overall results – FY18

	Most satisfied – 90% or higher	Least satisfied
Applicant	<ul style="list-style-type: none">• Examiner professionalism• Level of preparation• Adequate time	<ul style="list-style-type: none">• Discuss ways to overcome the rejection (75%)• Reach a resolution (50%)
Examiner	<ul style="list-style-type: none">• Applicant professionalism• Level of preparation• Effectively explaining the inventive concept• Adequate time	<ul style="list-style-type: none">• Applicant explanation of difference with prior art (86%)• Discuss ways to overcome the rejection (84%)

Improvements made in 2018

- 1 AIR form modifications**
 - Time of **request shortened** from 7 to 5 days.
 - Applicants can enter **multiple dates** (2 alternatives).
 - **“Topics for Discussion”** box added.
 - Applicant’s **Registration number** added.
 - **Application number restricted** to include initial examination; re-exams are excluded
- 2 E-mail notifications**
 - **Instructions** on internet authorization added.
 - **Docket number** included in e-mail to applicant.
- 3 TC interview specialists**
 - Set up **low-satisfaction alert** to intervene and resolve issues.
 - **Logging** low-satisfaction alerts for follow-up.
- 4 Education and outreach**
 - **Interviewer Practice Refresher Training** to all examiners (Nov 2018) – timing/protocol for responding to AIR requests, clearing interview request dot in dashboard and video conference etiquette.
 - **Applicant outreach** – discussed survey at AIPLA, Directors Spring Videoconference, IPO annual meeting; Commissioner discussed survey results during outreach activities.

Internet authorization



Internet authorization

Internet authorization is required for examiners to communicate via email with the applicant. Without a written authorization by applicant in place, the USPTO will not respond via internet email to any internet correspondence which contains information subject to the confidentiality requirement as set forth in **35 U.S.C. 122**.

Sample authorization

“Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with the undersigned and practitioners in accordance with 37 CFR 1.33 and 37 CFR 1.34 concerning any subject matter of this application by video conferencing, instant messaging, or electronic mail. I understand that a copy of these communications will be made of record in the application file.”



Ways to properly submit Internet authorization

- EFS web*
- US Postal Service
- USPTO Customer Service Window
- Central fax
- One-Time oral authorization

*Recommended form



Oral/Internet authorization for video conferencing

Change to Internet Usage Policy to permit oral authorization for video conferencing tools

- The USPTO updated its policy to make it easier for patent applicants to authorize the use of video conferencing tools to conduct examiner interviews. The policy change supersedes-in-part MPEP § 502.03 with respect to the requirement for applicant to file a written authorization before video conferencing tools can be used to conduct an examiner interview via the Internet.
- Applicant or applicant's representative(s) may **verbally request and authorize a video conference interview** in the same way they would request a telephone or in-person interview with the examiner, instead of submitting a written request.



Oral/Internet authorization for video conferencing

Change to internet usage policy to permit oral authorization for video conferencing tools

- The change is intended to make the interview process more efficient but **it is important that the details of the authorization be noted on the record.**
- This authorization is limited to the video conference interview being arranged and conducted and **does not extend to any other internet or e-mail communications regarding the application.**

Resources



Contact a TC 3600 interview specialist

Interview specialists are subject matter experts in each Technology Center (TC) on interview practice and policy to assist both applicants and examiners in interviews, as needed, including facilitating interviews by assisting with technical issues which may arise (e.g. WebEx problems, public interview room setup) or helping to ensure that the interview goes smoothly.

- Anita Coupe anita.coupe@uspto.gov
- Matthew Gart matthew.gart1@uspto.gov
- Angela Ortiz angela.Ortiz@uspto.gov
- Sarah Monfeldt sarah.Monfeldt@uspto.gov



WebEx training

Applicants who are interested in more detailed WebEx training may request a one-on-one WebEx training session with an interview specialist. Please email your request to ExaminerInterviewPractice@USPTO.gov, with some possible dates and times, and we will accommodate your request. Please give at least one week notice.

Questions?

