



Pillar 1 — Proposal 1: Applicant Requests for Prosecution Review of Selected Applications

Summary: The Office of Patent Quality Assurance (OPQA) conducts reviews of randomly selected applications. The USPTO proposes a mechanism for an applicant to request OPQA prosecution review of a particular application where the applicant believes that the application contains an issue that would benefit from further review. An applicant would identify the application by serial number, which would then be placed into a pool of applications for selection by OPQA for review. Through this process, the applicant would be able to bring issues to the attention of OPQA so that the Office can analyze the data from the reviews to identify trends and challenges to better inform future training and improvements to the examination process.

Concept	Brainstorming Questions
Usage	<ul style="list-style-type: none"> • What types of issues would prompt you to use such a program and what attributes would the program need in order to make it useful? • Are there any reservations/concerns that might limit your use of the program?
Inputs	<ul style="list-style-type: none"> • What parameters, if any, should be imposed on requests (e.g. who should be able to submit an application into the program- practitioner with standing in the case only, third party. etc., limit number of applications per requestor within a given timeframe, limit timeframes for submission relative to date of action containing issue for which review is sought, types of issues submitted for review, must have had interview with examiner and reached impasse, etc.)? • What level of detail should be provided to OPQA in describing the issue for which review is sought?
Process	<ul style="list-style-type: none"> • What “best practices” would you recommend for the OPQA selection and review of submitted cases (i.e. sampling, reviewer blind to issues raised, scope of review, etc.)?
Outcomes	<ul style="list-style-type: none"> • What type of result/outcome would practitioners expect if they were to use this program (e.g. what type of acknowledgement/feedback, if any, should be provided to the requestor concerning selection of submitted application for review, review findings, etc. and how would any feedback be used?