

**SES Performance Management System
Executive Performance Plan**



Part 1. Consultation. *I have reviewed this plan and have been consulted on its development.*

Executive's Name (Last, First, MI): Rogers, Gerard F.	Appraisal Pd. 10/01/17 - 9/30/18
Executive's Signature: (b)(6)	Date: 9/29/17
Title: Chief Administrative Trademark Judge	Organization:
Rating Official's Name (Last, First, MI): Scardino, Anthony P.	CA <input type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 10/31/17

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 4/25/18
Rating Official's Signature: (b)(6)	Date: 4/25/18
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

Initial Summary Rating	(b)(6)
Rating Official's Name (Last, First, MI): Scardino, Anthony P.	
Rating Official's Signature: (b)(6)	Date: 11/7/18
Executive's Signature: (b)(6)	Date: 11/7/18
Reviewing Official's Signature (Optional):	Date:

Higher Level Review (if applicable)

<input type="checkbox"/> I request a higher level review. Executive's Initials:	Date:
Higher Level Review Completed <input type="checkbox"/>	Date:
Higher Level Reviewer Signature:	

Performance Review Board Recommendation

<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
PRB Chair Signature:				Date:
<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Appointing Authority Signature:				Date:

Part 4. Derivation Formula and Calculation of Annual Summary Rating

Critical Element	Element Rating		Weight	Score		Summary Level Ranges
	Initial	Final (if changed)		Initial	Final (if changed)	
1. Leading Change	(b)(6)		16	(b)(6)		475-500 = Level 5 400-474 = Level 4 300-399 = Level 3 200-299 = Level 2 Any CE rated Level 1 = Level 1
2. Leading People			10			
3. Business Acumen			10			
4. Building Coalitions			10			
5. Results Driven			60			
Total			100%			

Part 5. Performance Standards and Critical Elements

Performance Standards for Critical Elements (The performance standard for each critical element is specified below; examples for the top three performance levels can be found in the system description)

- **Level 5:** The executive demonstrates exceptional performance, fostering a climate that sustains excellence and optimizes results in the executive's organization, agency, department or Governmentwide. This represents the highest level of executive performance, as evidenced by the extraordinary impact on the achievement of the organization's mission. The executive is an inspirational leader and is considered a role model by agency leadership, peers, and employees. The executive continually contributes materially to or spearheads agency efforts that address or accomplish important agency goals, consistently achieves expectations at the highest level of quality possible, and consistently handles challenges, exceeds targets, and completes assignments ahead of schedule at every step along the way.
- **Level 4:** The executive demonstrates a very high level of performance beyond that required for successful performance in the executive's position and scope of responsibilities. The executive is a proven, highly effective leader who builds trust and instills confidence in agency leadership, peers, and employees. The executive consistently exceeds established performance expectations, timelines, or targets, as applicable.
- **Level 3:** The executive demonstrates the high level of performance expected and the executive's actions and leadership contribute positively toward the achievement of strategic goals and meaningful results. The executive is an effective, solid, and dependable leader who delivers high-quality results based on measures of quality, quantity, efficiency, and/or effectiveness within agreed upon timelines. The executive meets and sometimes exceeds challenging performance expectations established for the position.
- **Level 2:** The executive's contributions to the organization are acceptable in the short term but do not appreciably advance the organization towards achievement of its goals and objectives. While the executive generally meets established performance expectations, timelines and targets, there are occasional lapses that impair operations and/or cause concern from management. While showing basic ability to accomplish work through others, the executive may demonstrate limited ability to inspire subordinates to give their best efforts or to marshal those efforts effectively to address problems characteristic of the organization and its work.
- **Level 1:** In repeated instances, the executive demonstrates performance deficiencies that detract from mission goals and objectives. The executive generally is viewed as ineffectual by agency leadership, peers, or employees. The executive routinely does not meet established performance expectations/timelines/targets and fails to produce – or produces unacceptable – work products, services, or outcomes.

Element Rating Level Points

Level 5 = 5 points
Level 4 = 4 points
Level 3 = 3 points
Level 2 = 2 points
Level 1 = 0 points

Critical Element 1. Leading Change	(Minimum weight 5%)	Weight			
<p>Mandatory Performance Requirement: Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.</p>					
<p>Agency-Specific Performance Requirements</p> <ul style="list-style-type: none"> (1) Develops annual TTAB goals to align with Agency Strategic Plan (2) Implements TTAB action plan for organizational improvements (3) Conducts monthly TTAB leadership meetings (4) Develops and deploys revisions to organizational structure of TTAB, as needed, to attain goals 					
<p>Rating Official Narrative: <i>(Optional)</i></p>					
Critical Element Rating – Leading Change	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Critical Element 2. Leading People	(Minimum weight 5%)	Weight			
<p>Mandatory Performance Requirement: Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.</p>					
<p>Agency-Specific Performance Requirements</p> <p><i>Lead, develop, and implement actions to improve employee engagement in your area based on employee feedback gathered from sources including the USPTO People Survey, Federal Employee Viewpoint Survey, focus groups and other initiatives.</i></p> <ul style="list-style-type: none"> (1) Conducts 1-2 All Hands meetings annually (2) Reviews FY2015 incorporation of new Deputy Chief Judge position and optimizes assignments between Deputy and SL/TBMP Editor (3) Conducts 1-2 meetings annually for collaboration across TTAB subgroups (e.g., ATJs/Attorneys/Paralegals/CSRs) 					
<p>Rating Official Narrative: <i>(Optional)</i></p>					
Critical Element Rating – Leading People	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1

Critical Element 3. Business Acumen	(Minimum weight 5%)	Weight			
Mandatory Performance Requirement: Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.					
Agency-Specific Performance Requirements <ol style="list-style-type: none"> (1) Submits business cases as needed to manage resources to projections (2) Gathers TPAC and other stakeholder input on Dashboard and other public-facing items (3) Supports TMNG and other system enhancements to meet the organization's mission (4) Executes Budget to within 5% of planned expenditures 					
Rating Official Narrative: <i>(Optional)</i>					
Critical Element Rating – Business Acumen	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Critical Element 4. Building Coalitions	(Minimum weight 5%)	Weight			
Mandatory Performance Requirement: Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.					
Agency-Specific Performance Requirements <ol style="list-style-type: none"> (1) Establishes mechanisms for internal and external feedback (2) Meets with stakeholders at least annually (3) Meets with TPAC 3-4 times per year (4) Collaborates on 1-2 projects/events with other business units (e.g., Trademarks, PTAB) and/or regional offices. 					
Rating Official Narrative: <i>(Optional)</i>					
Critical Element Rating – Building Coalitions	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1

Critical Element 5. Results Driven	(Minimum Weight 20%)	Weight
<p>This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency should specify if it sets a maximum number).</p>		
<p>This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable results from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance requirements must contain measurable results and their quality indicators describing the range of performance at Level 3 for each result specified. In addition to the quality indicators, applicable measures of quantity, timelines, and/or cost-effectiveness may be included as appropriate. It is recommended to also establish the threshold quality indicators and measures for Levels 5 and 2. Indicators must reflect the same level of performance as the respective performance standard contained in Part 5.</p>		
<p>Strategic Alignment—identify clear, transparent alignment to agency strategic planning initiatives (e.g., relevant agency or organizational goals/objectives with cited page numbers from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document) in the designated section for each performance requirement.</p>		
<p>Note: Performance requirements must contain results and quality indicators that are clearly and differentially identified (e.g., highlighted, bold, underlined) so that it is readily evident on what the senior executive will be rated and what is expected for success.</p>		
<p>Performance Requirement 1: (20%)</p> <p>Continue quarterly posting of existing measures and dashboards, and pilot new measures; conduct annual roundtable discussion with stakeholders</p>	<p>Strategic Alignment:</p> <p>Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB</p>	
<p>Performance Requirement 2: (20%)</p> <p>Continue implementation of Rules (CFR) changes from January 2017 and issue precedents and guidance throughout the year to promote compliance, and overall shortening and/or increased efficiency of appeals and trials</p>	<p>Strategic Alignment:</p> <p>Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB</p>	
<p>Performance Requirement 3: (20%)</p> <p>Revise TBMP on at least an annual basis, and post a portion of the TBMP or other guidance document each year for public comment and suggestions; issue an appropriate number of precedential decisions each year (e.g., 35-40 in FY18)</p>	<p>Strategic Alignment:</p> <p>Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB</p>	
<p>Performance Requirement 4: (40%)</p> <p>80% of consented or uncontested motions will be processed within 10 days; 90% will be processed within 20 days; with stretch goal of none taking longer than 30 days</p> <p>The inventory of cases with contested motions will be maintained within the 145-175 range, with average pendency for decided motions at 8-9 weeks, and stretch goal of none pending over 12 weeks (except when undergoing precedential review) at end of each quarter;</p> <p>The inventory of cases awaiting final decision will be maintained within the 130-160 range and average pendency for issued decisions (excluding those that went through precedential review) will be 10-12 weeks</p>	<p>Strategic Alignment:</p> <p>Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB</p>	

Rating Official Narrative: *(Optional)*

<i>Critical Element Rating – Results Driven</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
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Part 6: Summary Rating Narrative *(Mandatory)*

Part 7: Executive's Accomplishment Narrative *(Optional)*

Part 8: Agency Use

FY 2018 Mid-Year Highlights for Trademark Trial and Appeal Board

I. Issuance of Final Decisions on Merits.

(b)(6)



Outlook for remainder of FY2018:

(b)(6)



II. Issuance of Decisions on Contested Motions.

(b)(6)



(b)(6)



Outlook for remainder of FY2018:

(b)(6)



III. End to End (i.e., Commencement to Completion) Processing.

(b)(6)



(b)(6)



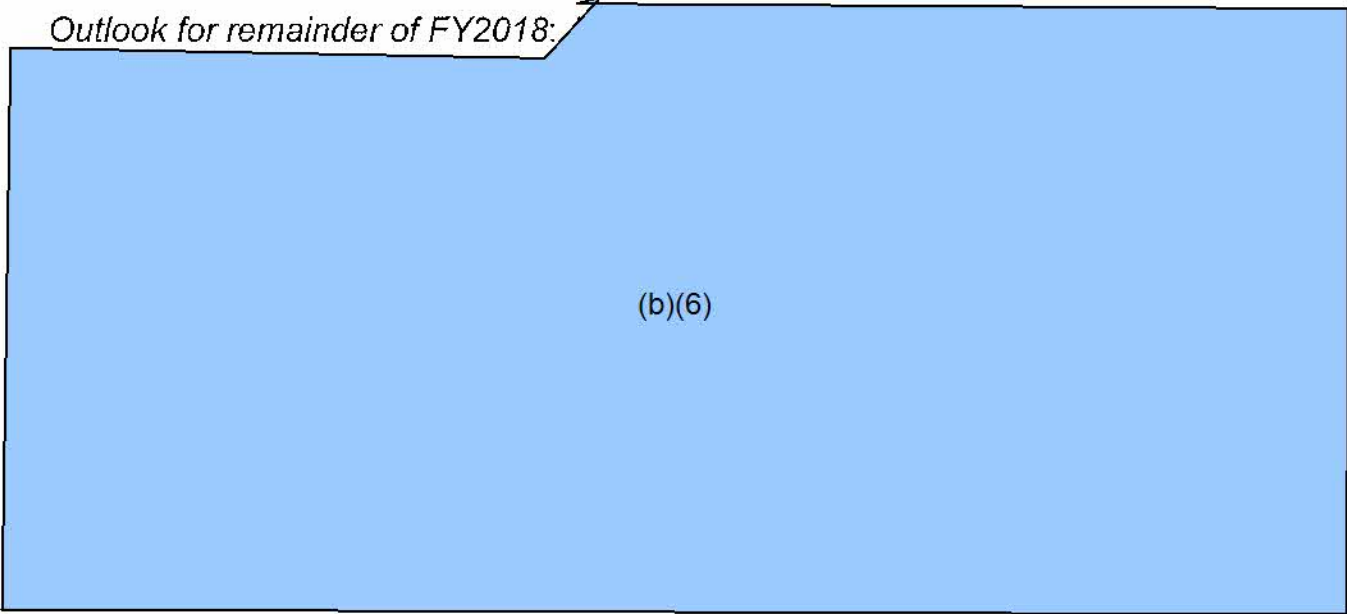
(b)(6)



(b)(6)



Outlook for remainder of FY2018:



(b)(6)

IV. Issuance of Precedents & Stakeholder Outreach

(b)(6)

(b)(6)

(b)(6)

(b)(6)

V. Collaboration Within USPTO

(b)(6)

(b)(6)



FY 2018 Full-Year Highlights for Trademark Trial and Appeal Board

I. Issuance of Final Decisions on Merits.

(b)(6)

Outlook for FY2019: ↑

(b)(6)

II. Issuance of Decisions on Contested Motions.

(b)(6)

(b)(6)

(b)(6)

Outlook for FY2019:

(b)(6)

(b)(6)

III. End to End (i.e., Commencement to Completion) Processing.

(b)(6)

(b)(6)

(b)(6)

Outlook for FY2019:

(b)(6)

(b)(6)

IV. Issuance of Precedents & Stakeholder Outreach

(b)(6)

(b)(6)

(b)(6)

(b)(6)

V. Collaboration Within USPTO; Employee Engagement

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

FY 2018 Mid-Year Highlights for Trademark Trial and Appeal Board

I. Issuance of Final Decisions on Merits.

(b)(6)

(b)(6)

(b)(6)

II. Issuance of Decisions on Contested Motions.

(b)(6)

(b)(6)

(b)(6)

(b)(6)

Outlook for remainder of FY2018:

(b)(6)

III. End to End (i.e., Commencement to Completion) Processing.

(b)(6)

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Outlook for remainder of FY2018: ↗

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(b)(6)

IV. Issuance of Precedents & Stakeholder Outreach

(b)(6)

(b)(6)

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V. Collaboration Within USPTO

(b)(6)

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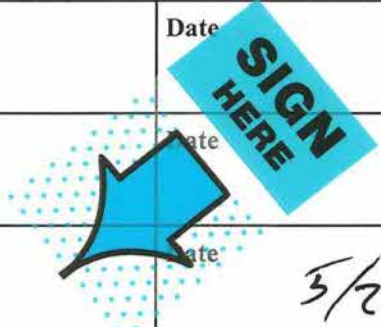


Executive Development Plan



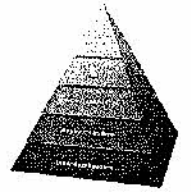
The Executive Development Plan is meant to serve as the "blueprint" for all short-term and long-term developmental activities which will enhance an executive's performance. Developmental activities, whether participating in a detail assignment, taking a course, or reading a book, should develop a broader perspective and deeper knowledge of the USPTO and the federal government. Plans should be updated periodically (at least once every year).

Name Gerard Rogers		Grade/Series ES-0905-00/00	
Position title Chief Administrative Trademark Judge, Trademark Trial and Appeal Board		Occupational field Attorney	
Developmental Goals			
1. Personal/Professional Goal: Collaborate with internal and external stakeholders through outreach activities designed to address concerns and challenges and reveal opportunities for improving the TTAB's processes and systems in ways that will promote greater efficiencies.			
2. Leadership/Management Goal: Optimize performance throughout TTAB by identifying process improvement opportunities revealed through quarterly reporting, data analysis and performance discussions with Branch Managers.			
3. Additional Goal (optional): Enhance communication at the TTAB in our increasingly telework-dependent environment.			
Signature (b)(6)		Date 5/11/16	
Approvals			
Supervisor N.A.		Date	
Business Unit Head N.A.		Date	
Deputy Director, USPTO (only for EDPs from BU Heads and other direct reports) (b)(6)		Date 3/23/16	





Executive Development Plan



To meet my developmental goals, I plan to implement the following activities:

DEVELOPMENTAL ACTIVITIES	START	COMPLETE	EXPECTED OUTCOMES
1. Executive Coaching:	(b)(6)		(b)(6)
(b)(6)			
2. Training Course(s):			
(b)(6)			
(b)(6)			
(b)(6)			
3. Books (or abstracts) / Webinars / Podcasts:			
(b)(6)			
(b)(6)			
4. Other Experiences:	(b)(6)		(b)(6)
(b)(6)			

Note: use a separate sheet for additional activities

SES Performance Management System Executive Performance Agreement



Part 1. Consultation. <i>I have reviewed this plan and have been consulted on its development.</i>						
Executive's Name (Last, First, MI): Rogers, Gerard F.				Appraisal Pd. 10/1/19 – 9/30/20		
Executive's Signature: (b)(6)				Date: 9/25/19		
Title: Chief Administrative Trademark Judge				Organization:		
Rating Official's Name (Last, First, MI): Peter, Laura A.				CA <input type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>		
Rating Official's Signature: (b)(6)				Date: 9/29/2019		
Part 2. Progress Review						
Executive's Signature:				Date:		
Rating Official's Signature:				Date:		
Reviewing Official's Signature (Optional):				Date:		
Part 3. Summary Rating						
Initial Summary Rating	<input type="checkbox"/> Level 5 Outstanding	<input type="checkbox"/> Level 4 Commendable	<input type="checkbox"/> Level 3 Fully Successful	<input type="checkbox"/> Level 2 Minimally Satisfactory	<input type="checkbox"/> Level 1 Unsatisfactory	
	Rating Official's Name (Last, First, MI): Peter, Laura A.					
Rating Official's Signature:				Date:		
Executive's Signature:				Date:		
Reviewing Official's Signature (Optional):				Date:		
Higher Level Review (if applicable)						
<input type="checkbox"/> I request a higher level review. Executive's Initials:				Date:		
Higher Level Review Completed <input type="checkbox"/>				Date:		
Higher Level Reviewer Signature:						
Performance Review Board Recommendation		<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2 <input type="checkbox"/> Level 1	
PRB Chair Signature:				Date:		
Annual Summary Rating		<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2 <input type="checkbox"/> Level 1	
Appointing Authority Signature:				Date:		
Part 4. Derivation Formula and Calculation of Annual Summary Rating						
Critical Element	Element Rating		Weight	Score		Summary Level Ranges
	Initial	Final (if changed)		Initial	Final (if changed)	
1. Leading Change						475-500 = Level 5 400-474 = Level 4 300-399 = Level 3 200-299 = Level 2 Any CE rated Level 1 = Level 1
2. Leading People						
3. Business Acumen						
4. Building Coalitions						
5. Results Driven						
Total			100 points			

Part 5. Performance Standards and Critical Elements

Performance Standards for Critical Elements (The performance standard for each critical element is specified below; examples for the top three performance levels can be found in the system description)

- **Level 5:** The executive demonstrates exceptional performance, fostering a climate that sustains excellence and optimizes results in the executive's organization, agency, department or Governmentwide. This represents the highest level of executive performance, as evidenced by the extraordinary impact on the achievement of the organization's mission. The executive is an inspirational leader and is considered a role model by agency leadership, peers, and employees. The executive continually contributes materially to or spearheads agency efforts that address or accomplish important agency goals, consistently achieves expectations at the highest level of quality possible, and consistently handles challenges, exceeds targets, and completes assignments ahead of schedule at every step along the way.
- **Level 4:** The executive demonstrates a very high level of performance beyond that required for successful performance in the executive's position and scope of responsibilities. The executive is a proven, highly effective leader who builds trust and instills confidence in agency leadership, peers, and employees. The executive consistently exceeds established performance expectations, timelines, or targets, as applicable.
- **Level 3:** The executive demonstrates the high level of performance expected and the executive's actions and leadership contribute positively toward the achievement of strategic goals and meaningful results. The executive is an effective, solid, and dependable leader who delivers high-quality results based on measures of quality, quantity, efficiency, and/or effectiveness within agreed upon timelines. The executive meets and sometimes exceeds challenging performance expectations established for the position.
- **Level 2:** The executive's contributions to the organization are acceptable in the short term but do not appreciably advance the organization towards achievement of its goals and objectives. While the executive generally meets established performance expectations, timelines and targets, there are occasional lapses that impair operations and/or cause concern from management. While showing basic ability to accomplish work through others, the executive may demonstrate limited ability to inspire subordinates to give their best efforts or to marshal those efforts effectively to address problems characteristic of the organization and its work.
- **Level 1:** In repeated instances, the executive demonstrates performance deficiencies that detract from mission goals and objectives. The executive generally is viewed as ineffectual by agency leadership, peers, or employees. The executive routinely does not meet established performance expectations/timelines/targets and fails to produce – or produces unacceptable – work products, services, or outcomes.

Element Rating Level Points

Level 5 = 5 points
Level 4 = 4 points
Level 3 = 3 points
Level 2 = 2 points
Level 1 = 0 points

Critical Element 1. Leading Change**(Minimum weight 5 points)**

Weight 10%

Mandatory Performance Requirement: Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.

Agency-Specific Performance Requirements:

- (1) Develops annual TTAB goals to align with Agency Strategic Plan
- (2) Implements TTAB action plan for organizational improvements
- (3) Conducts monthly TTAB leadership meetings
- (4) Develops and deploys revisions to organizational structure of TTAB, as needed, to attain goals

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading Change

 Level 5 Level 4 Level 3 Level 2 Level 1**Critical Element 2. Leading People****(Minimum weight 5 points)**

Weight 10%

Mandatory Performance Requirement: Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.

Agency-Specific Performance Requirements:

Lead, develop, and implement actions to improve employee engagement in your area based on employee feedback gathered from sources including the USPTO People Survey, Federal Employee Viewpoint Survey, focus groups and other initiatives.

Promotes the protection of whistleblowers by: responding constructively when an employee makes disclosures described in subparagraph (A) or (B) of section 2302(b)(8); taking responsible actions to resolve disclosures; and fostering an environment in which employees of the agency feel comfortable making disclosures to supervisory employees or other appropriate authorities.

- (1) Conducts 1-2 All Hands meetings annually
- (2) Continues onboarding of new Deputy Chief Judge and optimizes assignments between Deputy and SL/TBMP Editor
- (3) Conducts 1-2 meetings annually for collaboration across TTAB subgroups (e.g., ATJs/Attorneys/Paralegals/Info Specialists)

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading People

Level 5

Level 4

Level 3

Level 2

Level 1

Executive Name and ID: Gerard F. Rogers

Appraisal Period: 10/01/19 – 9/30/20

Critical Element 3. Business Acumen

(Minimum weight 5 points)

Weight 10%

Mandatory Performance Requirement: Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.

Agency-Specific Performance Requirements:

- (1) Submits business cases as needed to manage resources to projections
- (2) Gathers TPAC and other stakeholder input on Dashboard and other public-facing items
- (3) Supports IT system enhancements to meet the organization's mission
- (4) Prepares TTAB operation plan and spends to plan, providing justification for program initiatives

Rating Official Narrative: *(Optional)*

Critical Element Rating – Business Acumen

Level 5

Level 4

Level 3

Level 2

Level 1

Critical Element 4. Building Coalitions

(Minimum weight 5 points)

Weight 10%

Mandatory Performance Requirement: Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.

Agency-Specific Performance Requirements:

- (1) Establishes mechanisms for internal and external feedback
- (2) Meets with stakeholders at least annually
- (3) Meets with TPAC 3-4 times per year
- (4) Collaborates on 1-2 projects/events with other business units (e.g., Trademarks, PTAB) and/or regional offices.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Building Coalitions

Level 5

Level 4

Level 3

Level 2

Level 1

Executive Name and ID: Gerard F. Rogers

Appraisal Period: 10/1/19 – 9/30/20

Critical Element 5. Results Driven

(Minimum Weight 20 points)

Weight 60%

This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency should specify if it sets a maximum number).

This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable results from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance requirements must contain measurable results and their quality indicators describing the range of performance at Level 3 for each result specified. In addition to the quality indicators, applicable measures of quantity, timelines, and/or cost-effectiveness may be included as appropriate. It is recommended to also establish the threshold quality indicators and measures for Levels 5 and 2. Indicators must reflect the same level of performance as the respective performance standard contained in Part 5.

Strategic Alignment—identify clear, transparent alignment to agency strategic planning initiatives (e.g., relevant agency or organizational goals/objectives with cited page numbers from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document) in the designated section for each performance requirement.

Note: Performance requirements must contain results and quality indicators that are clearly and differentially identified (e.g., highlighted, bold, underlined) so that it is readily evident on what the senior executive will be rated and what is expected for success.

Performance Requirement 1: (20%)

Continue **quarterly posting** of existing measures and dashboards, and pilot new measures; conduct **annual** roundtable discussion with stakeholders and/or a pilot project based on such discussion

Strategic Alignment:

USPTO 2018–2022 Strategic Plan: Goal 2: Optimize TM quality and timeliness, Objective 4: Enhance Operations at the TTAB

Performance Requirement 2: (20%)

Revise TBMP on at least an **annual** basis, and post a portion of the TBMP or other guidance document **each year** for public comment and suggestions

Strategic Alignment:

USPTO 2018–2022 Strategic Plan: Goal 2: Optimize TM quality and timeliness, Objective 4: Enhance Operations at the TTAB

Performance Requirement 3: (30%)

Issue an appropriate number of precedential decisions each year (30-35 for FY20)

Strategic Alignment:

USPTO 2018–2022 Strategic Plan: Goal 2: Optimize TM quality and timeliness, Objective 4: Enhance Operations at the TTAB

Performance Requirement 4: (30%)

Maintain an **average pendency for issued decisions at 10-12 weeks** (excluding those that went through precedential review) **at the end of each quarter**

Maintain an **overall average pendency for decided motions at 8-10 weeks**, with a stretch goal of **none pending over 12 weeks for non-dispositive motions and 15 weeks for potentially dispositive motions**, (except when undergoing precedential review) **at the end of each quarter**

Strategic Alignment:

USPTO 2018–2022 Strategic Plan: Goal 2: Optimize TM quality and timeliness, Objective 4: Enhance Operations at the TTAB

Rating Official Narrative: *(Optional)*

Critical Element Rating – Results Driven

Level 5

Level 4

Level 3

Level 2

Level 1

Part 6: Summary Rating Narrative *(Mandatory)*

Part 7: Executive's Accomplishment Narrative *(Optional)*

Part 8: Agency Use

Deriving the Results Driven Rating Worksheet

Executive Name: Gerard F. Rogers Rating Period: 10/1/19 – 9/30/20

Results Driven Performance Requirements (PR)	Performance Requirement Rating Level Score	Weight (multiply by)	Performance Requirement Points Score	Point Ranges to Rating Level Score	Results Driven Initial Element Score
Performance Requirement 1				Points 475 – 500 = Level 5 Rating Score Points 400 – 474 = Level 4 Rating Score Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 2					
Performance Requirement 3					
Performance Requirement 4					
		= 100%			
Performance Requirement Total Score				___ = Level ___	

Example of Results Driven Element Being Rated Level 4

Results Driven Performance Requirements (PR)	Performance Requirement Rating Level Score	Weight (multiply by)	Performance Requirement Points Score	Point Ranges to Rating Level Score	Results Driven Initial Element Score
Performance Requirement 1	4	x 25	100	Points 475 – 500 = Level 5 Rating Score Points 400 – 474 = Level 4 Rating Score Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 2	5	x 30	150		
Performance Requirement 3	5	x 15	75		
Performance Requirement 4	3	x 30	90		
		= 100%			
Performance Requirement Total Score			415	415= Level 4	4*

*Results Driven Rating is 4 – to be transferred to Initial Element Score beside Results Driven Critical Element on the bottom of page 1.



SES Performance Management System Executive Performance Agreement



Part 1. Consultation. *I have reviewed this plan and have been consulted on its development.*

Executive's Name (Last, First, MI): Rogers, Gerard F.	Appraisal Pd. 10/1/15-9/30/16
Executive's Signature: (b)(6)	Date: 1/14/16
Title: Chief Administrative Trademark Judge	Organization: TTAB
Rating Official's Name (Last, First, MI): Slifer, Russell D.	CA <input type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 1/14/16

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 6/14/16
Rating Official's Signature: (b)(6)	Date: 6/14/16
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

Initial Summary Rating	(b)(6)		
Rating Official's Name (Last, First, MI): Slifer, Russell D.			
Rating Official's Signature: (b)(6)	Date: 10/19/16		
Executive's Signature: (b)(6)	Date: 10/19/16		
Reviewing Official's Signature (Optional):	Date:		

Higher Level Review (if applicable)

<input type="checkbox"/> I request a higher level review. Executive's Initials:	Date:
Higher Level Review Completed <input type="checkbox"/>	Date:
Higher Level Reviewer Signature:	

Performance Review Board Recommendation

	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
PRB Chair Signature:	Date:				
Annual Summary Rating	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Appointing Authority Signature:	Date:				

Part 4. Derivation Formula and Calculation of Annual Summary Rating

Critical Element	Element Rating		Weight	Score		Summary Level Ranges
	Initial	Final (if changed)		Initial	Final (if changed)	
1. Leading Change	(b)(6)		10%	(b)(6)		475-500 = Level 5 400-474 = Level 4 300-399 = Level 3 200-299 = Level 2 Any CE rated Level 1 = Level 1
2. Leading People			10%			
3. Business Acumen			10%			
4. Building Coalitions			10%			
5. Results Driven			60%			
Total			100%			

Part 5: Critical Elements

Performance Standards for Critical Elements (The performance standard for each critical element is specified below; examples for the top three performance levels can be found in the system description)

- **Level 5:** The executive demonstrates exceptional performance, fostering a climate that sustains excellence and optimizes results in the executive's organization, agency, department or government-wide. This represents the highest level of executive performance, as evidenced by the extraordinary impact on the achievement of the organization's mission. The executive is an inspirational leader and is considered a role model by agency leadership, peers, and employees. The executive continually contributes materially to or spearheads agency efforts that address or accomplish important agency goals, consistently achieves expectations at the highest level of quality possible, and consistently handles challenges, exceeds targets, and completes assignments ahead of schedule at every step along the way.
- **Level 4:** The executive demonstrates a very high level of performance beyond that required for successful performance in the executive's position and scope of responsibilities. The executive is a proven, highly effective leader who builds trust and instills confidence in agency leadership, peers, and employees. The executive consistently exceeds established performance expectations, timelines, or targets, as applicable.
- **Level 3:** The executive demonstrates the high level of performance expected and the executive's actions and leadership contribute positively toward the achievement of strategic goals and meaningful results. The executive is an effective, solid, and dependable leader who delivers high-quality results based on measures of quality, quantity, efficiency, and/or effectiveness within agreed upon timelines. The executive meets and often exceeds challenging performance expectations established for the position.
- **Level 2:** The executive's contributions to the organization are acceptable in the short term but do not appreciably advance the organization towards achievement of its goals and objectives. While the executive generally meets established performance expectations, timelines and targets, there are occasional lapses that impair operations and/or cause concern from management. While showing basic ability to accomplish work through others, the executive may demonstrate limited ability to inspire subordinates to give their best efforts or to marshal those efforts effectively to address problems characteristic of the organization and its work.
- **Level 1:** In repeated instances, the executive demonstrates performance deficiencies that detract from mission goals and objectives. The executive generally is viewed as ineffectual by agency leadership, peers, or employees. The executive does not meet established performance expectations/timelines/targets and fails to produce – or produces unacceptable – work products, services, or outcomes.

Element Rating Level Points

Level 5 = 5 points
 Level 4 = 4 points
 Level 3 = 3 points
 Level 2 = 2 points
 Level 1 = 0 points

Critical Element 1. Leading Change**(Minimum weight 5%)****Weight 10%**

Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.

Agency-Specific Performance Requirements

- (1) Develops annual TTAB goals to align with Agency Strategic Plan
- (2) Implements TTAB action plan for organizational improvements
- (3) Conducts monthly TTAB leadership meetings
- (4) Develops and deploys revisions to organizational structure of TTAB, as needed, to attain goals

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading Change

(b)(6)

Critical Element 2. Leading People**(Minimum weight 5%)****Weight 10%**

Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.

Agency-Specific Performance Requirements

- (1) Conducts 1-2 All Hands meetings annually
- (2) Reviews FY2015 incorporation of new Deputy Chief Judge position and optimizes assignments between Deputy and SL/TBMP Editor
- (3) Conducts 1-2 meetings annually for collaboration across TTAB subgroups (e.g., ATJs, Attorneys, Paralegals, CSRs)

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading People

(b)(6)

Critical Element 3. Business Acumen**(Minimum weight 5%)**

Weight 10%

Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.

Agency-Specific Performance Requirements

- (1) Submits business cases as needed to manage resources to projections
- (2) Gathers TPAC and other stakeholder input on Dashboard and other public-facing items
- (3) Supports TMNG and other system enhancements to meet the organization's mission
- (4) Executes Budget to within 5% of planned expenditures

Rating Official Narrative: *(Optional)*

Critical Element Rating -- Business Acumen

(b)(6)

Critical Element 4. Building Coalitions**(Minimum weight 5%)**

Weight 10%

Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.

Agency-Specific Performance Requirements

- (1) Establishes mechanisms for internal and external feedback
- (2) Meets with stakeholders at least annually
- (3) Meets with TPAC 3-4 times per year
- (4) Collaborates on 1-2 projects/events with other business units (e.g., Trademarks, PTAB) and/or satellite offices.

Rating Official Narrative: *(Optional)*

Critical Element Rating -- Building Coalitions

(b)(6)

Executive Name and ID: Gerard F. Rogers

Appraisal Period: 10/1/15-9/30/16

Critical Element 5. Results Driven	(Minimum Weight 20%)	Weight 60%
Agency Goals/Objectives for current FY: Must have at least 1 result (may have up to 4)		
<p>This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable outcomes from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance plan will include performance requirements (including measures, targets, timelines, or quality descriptors, as appropriate) describing the range of performance at Level 3 for each result specified. It is recommended to also establish the threshold measures/targets for Levels 5 and 2.</p> <p>Alignment--cite relevant goals/objectives, page numbers, from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document in the designated section for each performance requirement specified.</p>		
<p>Performance Requirement 1: (20%)</p> <p>Continue quarterly posting of existing measures and dashboards, and pilot new measures; conduct annual roundtable discussion with stakeholders</p>	<p>Strategic Alignment:</p> <p>Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB</p>	
<p>Performance Requirement 2: (20%)</p> <p>Develop and implement proposal(s) for Rules (i.e., CFR) changes or process changes that will promote overall shortening and/or increased efficiency of appeal and trial processes</p>	<p>Strategic Alignment:</p> <p>Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB</p>	
<p>Performance Requirement 3: (20%)</p> <p>Revise TBMP on at least an annual basis, and post a portion of the TBMP or other guidance document twice per year for public comment and suggestions; issue an appropriate number of precedential decisions each year</p>	<p>Strategic Alignment:</p> <p>Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB</p>	
<p>Performance Requirement 4: (40%)</p> <p>80% of consented or uncontested motions will be processed within 10 days; 90% will be processed within 20 days; with stretch goal of none taking longer than 30 days</p> <p>The inventory of cases with contested motions will be maintained within the 145-175 range, with average pendency for decided motions at 8-9 weeks, and none pending over 12 weeks (except when undergoing precedential review);</p> <p>The inventory of cases awaiting final decision will be maintained within the 125-150 range and average pendency for issued decisions (excluding those that went through precedential review) will be 10-12 weeks</p>	<p>Strategic Alignment:</p> <p>Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB</p>	
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<p>Critical Element Rating – Results Driven</p> <p>(b)(6)</p>		

Executive Name and ID: Gerard F. Rogers

Appraisal Period: 10/1/15-9/30/16

Part 6: Summary Rating Narrative (Mandatory)

Part 7: Executive's Accomplishment Narrative (Optional)

Part 8: Agency Use

Deriving the Results Driven Rating Worksheet

Executive Name Rogers, Gerard F. Rating Period 10/1/15-9/30/16

Results Driven Performance Requirements (PR)	Performance Requirement Rating Level Score	Weight (multiply by)	Performance Requirement Points Score	Point Ranges to Rating Level Score	Results Driven Initial Element Score
Performance Requirement 1		25%		Points 475 – 500 = Level 5 Rating Score Points 400 – 474 = Level 4 Rating Score Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 2		25%			
Performance Requirement 3		25%			
Performance Requirement 4		25%			
		= 100%			
Performance Requirement Total Score				___ = Level ___	

Example of Results Driven Element Being Rated Level 4

Results Driven Performance Requirements (PR)	Performance Requirement Rating Level Score	Weight (multiply by)	Performance Requirement Points Score	Point Ranges to Rating Level Score	Results Driven Initial Element Score
Performance Requirement 1	4	x 25	100	Points 475 – 500 = Level 5 Rating Score Points 400 – 474 = Level 4 Rating Score Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 2	5	x 30	150		
Performance Requirement 3	5	x 15	75		
Performance Requirement 4	3	x 30	90		
		= 100%			
Performance Requirement Total Score			415	415= Level 4	4*

*Results Driven Rating is 4 – to be transferred to Initial Element Score beside Results Driven Critical Element on the bottom of page 1.

TTAB

Gerard F. Rogers
Chief Administrative Trademark Judge
Fiscal Year 2016 Report

UNITED STATES
PATENT AND TRADEMARK OFFICE

uspto

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
JUDGES and ATTORNEYS				
Administrative Trademark Judges	23	(actuals) 24	(b)(6)	
Interlocutory Attorneys	13.6	14.6		

FILINGS

Notices of Appeal	2,992	(b)(6)	
Extensions of Time to Oppose	17,132		
Notices of Opposition	5,290		
Petitions to Cancel	1,763		

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
PRODUCTION-DECISIONS				
Cases Decided on Merits Precedential Decisions Issued Contested Motions Decided Uncontested Motions Processed	562 42 1,297 29,906	35-40 (target)	(b)(6)	
CUSTOMER SERVICE DESK				
Number of Calls Answered Number of Service Requests Quality of Call Responses	N.A. N.A. N.A.			

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
<p>PENDENCY- Contested Motions</p> <p>(1) Measured from ready-for decision until mailing; average of orders on contested motions, excluding precedents, issued during reporting period</p> <p>(2) Age of <u>single</u> oldest contested motion ready for decision at end of reporting period</p>	<p>9.8 weeks</p> <p>12 weeks</p>	<p>(targets)</p> <p>8-9 weeks (avg.)</p> <p>12 weeks or less</p>		
<p>INVENTORY—Contested Motions Ready for Decision</p> <p>The number of cases with contested motions in which briefing was completed, becoming ready for decision, as of the end of the reporting period</p>	<p>159</p>	<p>Cases with Motions</p> <p>145-175 (target)</p>	<p>(b)(6)</p>	

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
<p>PENDENCY- Final Decisions (Cancellations, Oppositions, Ex Parte Appeals) Measured from ready for decision date until mailing for final decisions, excluding precedents, in appeals and trial cases during reporting period</p>	9.7 weeks	10-12 weeks (target)	(b)(6)	
<p>INVENTORY—Cases Ready for Final Decision The number of pending appeals and trial cases in which briefing was completed, or in which briefing and arguments were completed, thus becoming ready for decision on the merits, as of the end of the reporting period</p>	<p>Ex Parte Appeals 81 Oppositions 23 Cancellations 7</p>	<p>Total Case Inventory 125-150 (target)</p>	(b)(6)	

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
<p>TOTAL PENDENCY Average total pendency, commencement to completion, excluding precedents</p> <p>Appeals (439 decided FY15; 528 in FY16)</p> <p>Trial Cases (123 decided FY15; 158 in FY16)</p> <p>ACR Trial Cases (10 decided FY15; 23 in FY16 and 2 assigned and in process)</p>	<p>42.7 weeks</p> <p>161.2 weeks</p> <p>138.6 weeks</p>		(b)(6)	

FY 2016 Highlights for Trademark Trial and Appeal Board

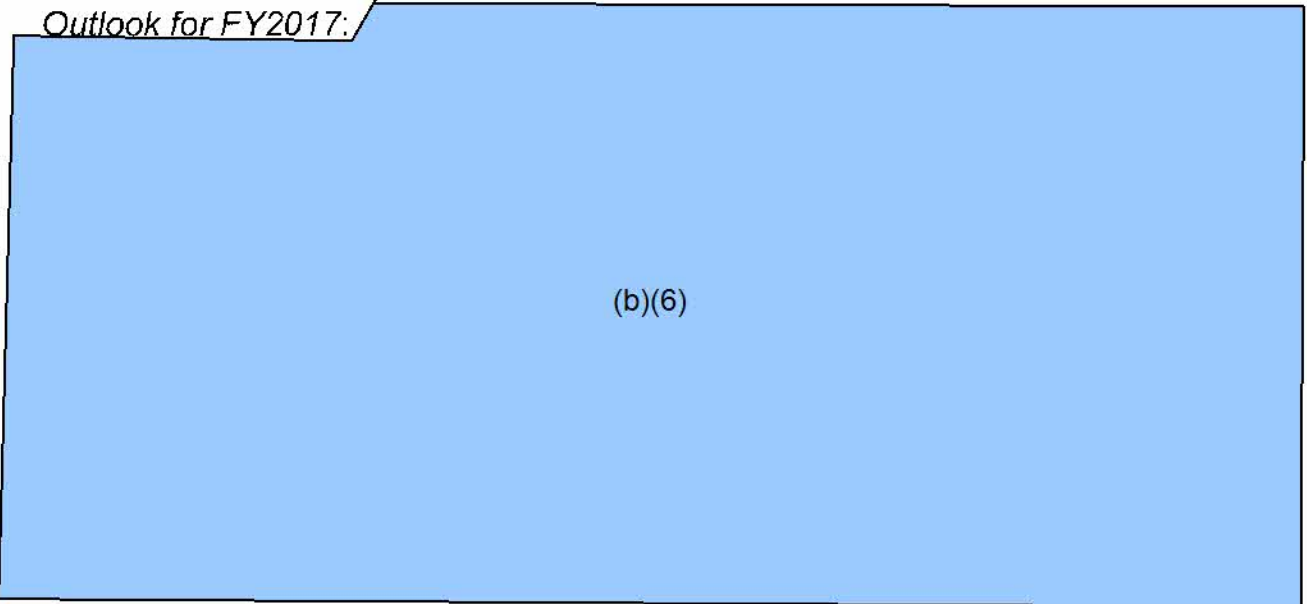
I. Issuance of Final Decisions on Merits.

After 11 months of FY16 (except as noted):

(b)(6)



Outlook for FY2017:



(b)(6)

II. Issuance of Decisions on Contested Motions.

After 11 months of FY16 (except as noted):

(b)(6)

(b)(6)

(b)(6)

Outlook for FY2017:

(b)(6)

(b)(6)

III. End to End (i.e., Commencement to Completion) Processing.

After 11 months of FY16 (except as noted):

(b)(6)

(b)(6)

(b)(6)

Outlook for FY2017:

(b)(6)

IV. Issuance of Precedents & Stakeholder Outreach

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

V. Collaboration Within USPTO

(b)(6)





SES Performance Management System Executive Performance Agreement



Part 1. Consultation. I have reviewed this plan and have been consulted on its development.

Executive's Name (Last, First, MI): Rogers, Gerard F.	Appraisal Pd. 10/1/15-9/30/16
Executive's Signature: (b)(6)	Date: 1/14/16
Title: Chief Administrative Trademark Judge	Organization: TTAB
Rating Official's Name (Last, First, MI): Slifer, Russell D.	CA <input type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 1/14/16

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 6/14/16
Rating Official's Signature: (b)(6)	Date: 6/14/16
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

Initial Summary Rating	(b)(6)		
Rating Official's Name (Last, First, MI): Slifer, Russell D.			
Rating Official's Signature: (b)(6)	Date: 10/19/16		
Executive's Signature:	Date: 10/19/16		
Reviewing Official's Signature (Optional):	Date:		

Higher Level Review (if applicable)

<input type="checkbox"/> I request a higher level review. Executive's Initials:	Date:
Higher Level Review Completed <input type="checkbox"/>	Date:
Higher Level Reviewer Signature:	

Performance Review Board Recommendation

	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
PRB Chair Signature:	Date:				
Annual Summary Rating	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Appointing Authority Signature:	Date:				

Part 4. Derivation Formula and Calculation of Annual Summary Rating

Critical Element	Element Rating		Weight	Score		Summary Level Ranges
	Initial	Final (if changed)		Initial	Final (if changed)	
1. Leading Change	(b)(6)		10%	(b)(6)		475-500 = Level 5 400-474 = Level 4 300-399 = Level 3 200-299 = Level 2 Any CE rated Level 1 = Level 1
2. Leading People	(b)(6)		10%	(b)(6)		
3. Business Acumen	(b)(6)		10%	(b)(6)		
4. Building Coalitions	(b)(6)		10%	(b)(6)		
5. Results Driven	(b)(6)		60%	(b)(6)		
Total			100%	(b)(6)		

Part 5: Critical Elements

Performance Standards for Critical Elements (The performance standard for each critical element is specified below; examples for the top three performance levels can be found in the system description)

- **Level 5:** The executive demonstrates exceptional performance, fostering a climate that sustains excellence and optimizes results in the executive's organization, agency, department or government-wide. This represents the highest level of executive performance, as evidenced by the extraordinary impact on the achievement of the organization's mission. The executive is an inspirational leader and is considered a role model by agency leadership, peers, and employees. The executive continually contributes materially to or spearheads agency efforts that address or accomplish important agency goals, consistently achieves expectations at the highest level of quality possible, and consistently handles challenges, exceeds targets, and completes assignments ahead of schedule at every step along the way.
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- **Level 1:** In repeated instances, the executive demonstrates performance deficiencies that detract from mission goals and objectives. The executive generally is viewed as ineffectual by agency leadership, peers, or employees. The executive does not meet established performance expectations/timelines/targets and fails to produce – or produces unacceptable – work products, services, or outcomes.

Element Rating Level Points

Level 5 = 5 points
 Level 4 = 4 points
 Level 3 = 3 points
 Level 2 = 2 points
 Level 1 = 0 points

Critical Element 1. Leading Change**(Minimum weight 5%)****Weight 10%**

Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.

Agency-Specific Performance Requirements

- (1) Develops annual TTAB goals to align with Agency Strategic Plan
- (2) Implements TTAB action plan for organizational improvements
- (3) Conducts monthly TTAB leadership meetings
- (4) Develops and deploys revisions to organizational structure of TTAB, as needed, to attain goals

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading Change

(b)(6)

Critical Element 2. Leading People**(Minimum weight 5%)****Weight 10%**

Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.

Agency-Specific Performance Requirements

- (1) Conducts 1-2 All Hands meetings annually
- (2) Reviews FY2015 incorporation of new Deputy Chief Judge position and optimizes assignments between Deputy and SL/TBMP Editor
- (3) Conducts 1-2 meetings annually for collaboration across TTAB subgroups (e.g., ATJs, Attorneys, Paralegals, CSRs)

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading People

(b)(6)

Critical Element 3. Business Acumen**(Minimum weight 5%)**

Weight 10%

Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.

Agency-Specific Performance Requirements

- (1) Submits business cases as needed to manage resources to projections
- (2) Gathers TPAC and other stakeholder input on Dashboard and other public-facing items
- (3) Supports TMNG and other system enhancements to meet the organization's mission
- (4) Executes Budget to within 5% of planned expenditures

Rating Official Narrative: *(Optional)*

Critical Element Rating -- Business Acumen

(b)(6)

Critical Element 4. Building Coalitions**(Minimum weight 5%)**

Weight 10%

Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.

Agency-Specific Performance Requirements

- (1) Establishes mechanisms for internal and external feedback
- (2) Meets with stakeholders at least annually
- (3) Meets with TPAC 3-4 times per year
- (4) Collaborates on 1-2 projects/events with other business units (e.g., Trademarks, PTAB) and/or satellite offices.

Rating Official Narrative: *(Optional)*

Critical Element Rating -- Building Coalitions

(b)(6)

Executive Name and ID: Gerard F. Rogers

Appraisal Period: 10/1/15-9/30/16

Critical Element 5. Results Driven	(Minimum Weight 20%)	Weight 60%
Agency Goals/Objectives for current FY: Must have at least 1 result (may have up to 4)		
This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable outcomes from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance plan will include performance requirements (including measures, targets, timelines, or quality descriptors, as appropriate) describing the range of performance at Level 3 for each result specified. It is recommended to also establish the threshold measures/targets for Levels 5 and 2.		
Alignment--cite relevant goals/objectives, page numbers, from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document in the designated section for each performance requirement specified.		
Performance Requirement 1: (20%) Continue quarterly posting of existing measures and dashboards, and pilot new measures; conduct annual roundtable discussion with stakeholders	Strategic Alignment: Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB	
Performance Requirement 2: (20%) Develop and implement proposal(s) for Rules (i.e., CFR) changes or process changes that will promote overall shortening and/or increased efficiency of appeal and trial processes	Strategic Alignment: Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB	
Performance Requirement 3: (20%) Revise TBMP on at least an annual basis, and post a portion of the TBMP or other guidance document twice per year for public comment and suggestions; issue an appropriate number of precedential decisions each year	Strategic Alignment: Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB	
Performance Requirement 4: (40%) 80% of consented or uncontested motions will be processed within 10 days; 90% will be processed within 20 days; with stretch goal of none taking longer than 30 days The inventory of cases with contested motions will be maintained within the 145-175 range, with average pendency for decided motions at 8-9 weeks, and none pending over 12 weeks (except when undergoing precedential review); The inventory of cases awaiting final decision will be maintained within the 125-150 range and average pendency for issued decisions (excluding those that went through precedential review) will be 10-12 weeks	Strategic Alignment: Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB	
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Results Driven (b)(6)		

Executive Name and ID: Gerard F. Rogers

Appraisal Period: 10/1/15-9/30/16

Part 6: Summary Rating Narrative (Mandatory)

Part 7: Executive's Accomplishment Narrative (Optional)

Part 8: Agency Use

Deriving the Results Driven Rating Worksheet

Executive Name Rogers, Gerard F. Rating Period 10/1/15-9/30/16

Results Driven Performance Requirements (PR)	Performance Requirement Rating Level Score	Weight (multiply by)	Performance Requirement Points Score	Point Ranges to Rating Level Score	Results Driven Initial Element Score
Performance Requirement 1		25%		Points 475 – 500 = Level 5 Rating Score Points 400 – 474 = Level 4 Rating Score Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 2		25%			
Performance Requirement 3		25%			
Performance Requirement 4		25%			
		= 100%			
Performance Requirement Total Score				___ = Level ___	

Example of Results Driven Element Being Rated Level 4

Results Driven Performance Requirements (PR)	Performance Requirement Rating Level Score	Weight (multiply by)	Performance Requirement Points Score	Point Ranges to Rating Level Score	Results Driven Initial Element Score
Performance Requirement 1	4	x 25	100	Points 475 – 500 = Level 5 Rating Score Points 400 – 474 = Level 4 Rating Score Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 2	5	x 30	150		
Performance Requirement 3	5	x 15	75		
Performance Requirement 4	3	x 30	90		
		= 100%			
Performance Requirement Total Score			415	415= Level 4	4*

*Results Driven Rating is 4 – to be transferred to Initial Element Score beside Results Driven Critical Element on the bottom of page 1.

TTAB

Gerard F. Rogers
Chief Administrative Trademark Judge
Fiscal Year 2016 Report



FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
JUDGES and ATTORNEYS Administrative Trademark Judges Interlocutory Attorneys	(b)(6)	(actuals) 24	(b)(6)	
FILINGS Notices of Appeal Extensions of Time to Oppose Notices of Opposition Petitions to Cancel		14.6	(b)(6)	

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
PRODUCTION-DECISIONS Cases Decided on Merits Precedential Decisions Issued Contested Motions Decided Uncontested Motions Processed	(b)(6)	35-40 (target)	(b)(6)	
CUSTOMER SERVICE DESK Number of Calls Answered Number of Service Requests Quality of Call Responses				

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
<p>PENDENCY- Contested Motions</p> <p>(1) Measured from ready-for decision until mailing; average of orders on contested motions, excluding precedents, issued during reporting period</p> <p>(2) Age of <u>single</u> oldest contested motion ready for decision at end of reporting period</p> <p>INVENTORY—Contested Motions Ready for Decision</p> <p>The number of cases with contested motions in which briefing was completed, becoming ready for decision, as of the end of the reporting period</p>	(b)(6)	<p>(targets)</p> <p>8-9 weeks (avg.)</p> <p>12 weeks or less</p> <p>Cases with Motions 145-175 (target)</p>	(b)(6)	

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
<p>PENDENCY- Final Decisions (Cancellations, Oppositions, Ex Parte Appeals) Measured from ready for decision date until mailing for final decisions, excluding precedents, in appeals and trial cases during reporting period</p>	(b)(6)	10-12 weeks (target)	(b)(6)	
<p>INVENTORY—Cases Ready for Final Decision The number of pending appeals and trial cases in which briefing was completed, or in which briefing and arguments were completed, thus becoming ready for decision on the merits, as of the end of the reporting period</p>	(b)(6)	Total Case Inventory 125-150 (target)	(b)(6)	

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
<p>TOTAL PENDENCY Average total pendency, commencement to completion, excluding precedents</p> <p>Appeals (439 decided FY15; 528 in FY16)</p> <p>Trial Cases (123 decided FY15; 158 in FY16)</p> <p>ACR Trial Cases (10 decided FY15; 23 in FY16 and 2 assigned and in process)</p>	(b)(6)		(b)(6)	

TTAB Rulemaking

UNITED STATES
PATENT AND TRADEMARK OFFICE

uspto



NPRM – 81 FR 19296

(b)(6)



NPRM – 81 FR 19296

(b)(6)



NPRM – 81 FR 19296

(b)(6)



Notice of Final Rule

(b)(6)





Final Rule

(b)(6)



Final Rule

(b)(6)



Final Rule

(b)(6)



Final Rule

(b)(6)



FY 2016 Highlights for Trademark Trial and Appeal Board

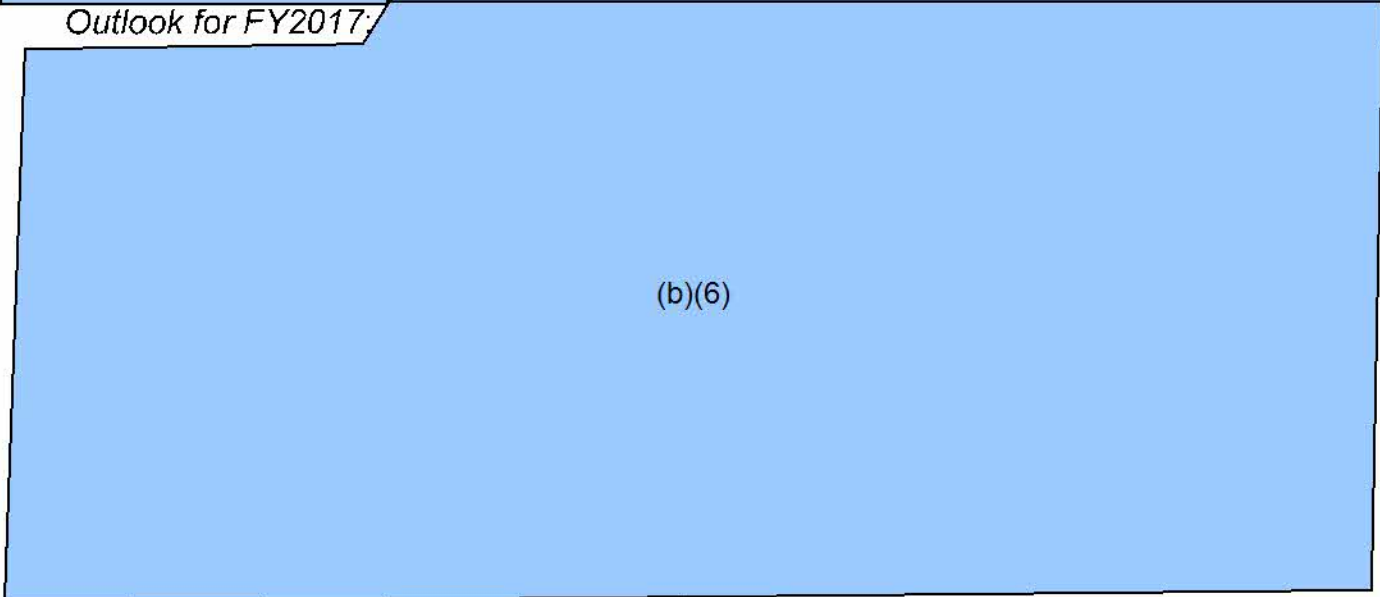
I. Issuance of Final Decisions on Merits.

After 11 months of FY16 (except as noted):

(b)(6)



Outlook for FY2017:



(b)(6)

II. Issuance of Decisions on Contested Motions.

After 11 months of FY16 (except as noted):

(b)(6)



Outlook for FY2017:

(b)(6)



(b)(6)



III. End to End (i.e., Commencement to Completion) Processing.

After 11 months of FY16 (except as noted):

(b)(6)



Outlook for FY2017:

(b)(6)



IV. Issuance of Precedents & Stakeholder Outreach

(b)(6)



(b)(6)

(b)(6)

(b)(6)

(b)(6)

(b)(6)

V. Collaboration Within USPTO

(b)(6)

