### SES Performance Management System Executive Performance Plan



								10 40.10
Part 1. Consultation. I have reviewed this plan and have been consulted on its development.								
Executive's Name (Last, I	First, MI): I	Rogers, Gerard	F.				Apprais	al Pd. 10/01/17 - 9/30/18
Executive's Signature: (b)(6) Date: 9/7						9/2.9/17		
Title: Chief Administrativ	e Tradem	ark Judge	/				Organiz	ation:
Rating Official's Name (Lo	ast, First, N	///): Scardino, A	nthony P.	Tel strain			CA	NC LT/LE
Rating Official's Signature	e: (b)(	6)					Date:	10/31/17
Part 2. Progress Review		2						
Executive's Signature:	(	b)(6)					Date:	4 25/18
Rating Official's Signature	e: (b)(6)	)					Date: 4	1/25/18
Reviewing Official's Signa	ature (Õpti	ional):					Date:	
Part 3. Summary Rating				1.11				- Million Mi
	(b)(6)							
Initial Summary Rating								
Rating Official's Name (Lo	ast First M	All: Scardino A	nthony P					
Rating Official's Signature		initio, r	inclicity 11				Date:	ulala
Executive's Signature:		(b)(6)	P				Date:	11/7/18
Reviewing Official's Signa	ļ	~	,				Date:	11/1/18
		onui).					Date.	
Higher Level Review (if a								
I request a higher leve	Contraction of the second s	Executive's In	iitials:				Date:	
Higher Level Review Com							Date:	
Higher Level Reviewer Sig	gnature:	N						
Performance Review Boo	ard Recom	mendation	Level	5 🗌 Le	evel 4	Le	vel 3	Level 2 Level 1
PRB Chair Signature:								Date:
Annual Summary Rating	8		Level .	5 🗌 Le	evel 4	Le'	vel 3	Level 2 Level 1
Appointing Authority Sign	nature:							Date:
Part 4. Derivation Form	ula and Ca	lculation of An	nual Summa	ry Rating				
	Elem	ent Rating		S	core			
Critical Element	Initial	Final (if changed)	Weight	Initial	Fin (if chai	(1993) AMMO	C.	ummary Level Ranges
	(b)(6)	(ii changeu)	16	(b)(6)	(ii chai	igeu)	3	uninary Level Kanges
2. Leading People	(-)(-)		10					475-500 = Level 5
3. Business Acumen			10					400-474 = Level 4
4. Building Coalitions	2		10					300-399 = Level 3
5. Results Driven			60					200-299 = Level 2
Total			100%				Any (	CE rated Level 1 = Level 1

Gerard F. Rogers

#### 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.

lement Rating Level Points	
	Level 5 = 5 points
	Level 4 = 4 points
	Level 3 = 3 points
	Level 2 = 2 points
	Level 1 = 0 points

Executive Name and ID:	Gerard F. Roge	ers	Apprais	al Period: 10	/01/17 - 9/30	/18	
Critical Element 1. Leading Cha	nge			(Minimum w	reight 5%)	Weight	
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							
<ul> <li>(2) Implements TTAB action plan for organizational improvements</li> <li>(3) Conducts monthly TTAB leadership meetings</li> <li>(4) Develops and deploys revisions to organizational structure of TTAB, as needed, to attain goals</li> </ul>							
Rating Official Narrative: (Optio	nal)						
Critical Element Rating – Leading	g Change	Level 5	Level 4	Level 3	Level 2	Level 1	
Critical Element 2. Leading Peo	ple			(Minimum v	veight 5%)	Weight	
Mandatory Performance Requit the organization horizontally and and goals. Provides an inclusive participation by all employees; f of conflicts. Ensures employee p receive constructive feedback, a performance standards. Holds e considers employee input. Recr that reflects the nation, with the workforce diversity, workplace i	d vertically, and for workplace that for acilitates collabors performance plan nd that employees employees accours uits, retains, and e skills needed to	osters high ethica osters the develo ration, cooperatic is are aligned with es are realistically ntable for approp develops the tale accomplish organ	I standards in pment of othe on, and teamw the organizat appraised aga riate levels of nt needed to a iizational perfo	meeting the o rs to their full ork, and suppo tion's mission a ainst clearly de performance a achieve a high ormance objec	rganization's potential; allo orts construct and goals, tha fined and cor ind conduct. quality, divers	vision, mission, ows for full ive resolution t employees nmunicated Seeks and se workforce	
Agency-Specific Performance Re Lead, develop, and implement gathered from sources include and other initiatives.	actions to impr				-		
<ul> <li>(1) Conducts 1-2 All Hands</li> <li>(2) Reviews FY2015 incorpo</li> <li>SL/TBMP Editor</li> <li>(3) Conducts 1-2 meetings a</li> </ul>	oration of new De	puty Chief Judge				• •	
Rating Official Narrative: (Option		Level 5	Level 4	Level 3	Level 2	Level 1	
Critical Element Rating – Leadin	y i copic						

Executive Name and ID:	Gerard F. Roge	rs	Appraisal P	eri <mark>od:</mark> 10/01/	17 - 9/30/18	
Critical Element 3. Business A	cumen		(1	Minimum wei	ght 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 (1) Submits business cases as needed to manage resources to projections						
<ul> <li>(2) Gathers TPAC and other stakeholder input on Dashboard and other public-facing items</li> <li>(3) Supports TMNG and other system enhancements to meet the organization's mission</li> <li>(4) Executes Budget to within 5% of planned expenditures</li> </ul>						
Rating Official Narrative: (Option	onal)					
Critical Element Rating – Busin	ess Acumen	Level 5	Level 4	Level 3	Level 2	Level 1
Critical Element 4. Building Co	oalitions			(Minimum v	veight 5%}	Weight
Mandatory Performance Requ customers. Coordinates with a facilitate an open exchange of advocates, and expresses facts externally, as appropriate. Dev external politics that affect the	appropriate parties opinion from diver and ideas in a com velops a profession	to maximize inpu se groups and str vincing manner a al network with c	it from the wic engthen interr nd negotiates	lest range of a nal and extern with individua	ppropriate sta al support. Ex Is and groups	akeholders to plains, internally and
Agency-Specific Performance F						
(1) Establishes mechanism						
<ul><li>(2) Meets with stakeholde</li><li>(3) Meets with TPAC 3-4 t</li></ul>		/				
(4) Collaborates on 1-2 pr		other business ur	nits (e.g., Trade	emarks, PTAB)	and/or regior	nal offices.
Rating Official Narrative: (Option	onal)					

This critical element includes specific performance requirements expected of the focusing on measurable results from the strategic plan or other measurable outporganizational goals and objectives. At a minimum, the performance requirement their quality indicators describing the range of performance at Level 3 for each mindicators, applicable measures of quantity, timelines, and/or cost-effectiveness recommended to also establish the threshold quality indicators and measures for the same level of performance as the respective performance standard contained strategic Alignment-identify clear, transparent alignment to agency strategic play organizational goals/objectives with cited page numbers from the Strategic Plan, Performance Plan, or other organizational planning document) in the designated requirement.	puts and outcomes clearly aligned to nts must contain measurable results and esult specified. In addition to the quality may be included as appropriate. It is or Levels 5 and 2. Indicators must reflect ed in Part 5. anning initiatives (e.g., relevant agency or , Congressional Budget Justification/Annual d section for each performance at are clearly and differentially identified
(e.g., highlighted, bold, underlined) so that it is readily evident on what the senio expected for success.	or executive will be fated and what is
Performance Requirement 1: (20%)	Strategic Alignment:
Continue quarterly posting of existing measures and dashboards, and pilot new measures; conduct annual roundtable discussion with stakeholders	Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB
Performance Requirement 2: (20%)	Strategic Alignment:
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	Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB
Performance Requirement 3: (20%)	Strategic Alignment:
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)	Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB
Performance Requirement 4: (40%)	Strategic Alignment:
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	Goal 2: Optimize TM quality and timeliness, Objective 5: Enhance Operations at the TTAB
The <b>inventory of cases with contested motions</b> will be maintained within the <b>145-175 range</b> , with <b>average pendency for decided motions at 8-9 weeks</b> , and <b>stretch goal</b> of <b>none pending over 12 weeks</b> (except when undergoing precedential review) <b>at end of each quarter</b> ;	
The inventory of cases awaiting final decision will be maintained within the <b>130-160 range</b> and average pendency for issued decisions (excluding those that went through precedential review) will be <b>10-12 weeks</b>	

Gerard F. Rogers

This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency

Appraisal Period: 10/01/17 - 9/30/18

Weight

(Minimum Weight 20%)

Executive Name and ID:

**Critical Element 5. Results Driven** 

should specify if it sets a maximum number).

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

Gerard Rogers

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

### I. Issuance of Final Decisions on Merits.

### 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)	() ()			
	1			

# Gerard Rogers

(b)(6)		
(b)(6)		
Outlook for remainder of FY2018:	(b)(6)	

Gerard Rogers

## IV. Issuance of Precedents & Stakeholder Outreach

(b)(6)			
(b)(6) (b)(6)			
(b)(6)			

# V. Collaboration Within USPTO





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

### I. Issuance of Final Decisions on Merits.

(b)(6) Outlook for FY2019: 1 (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

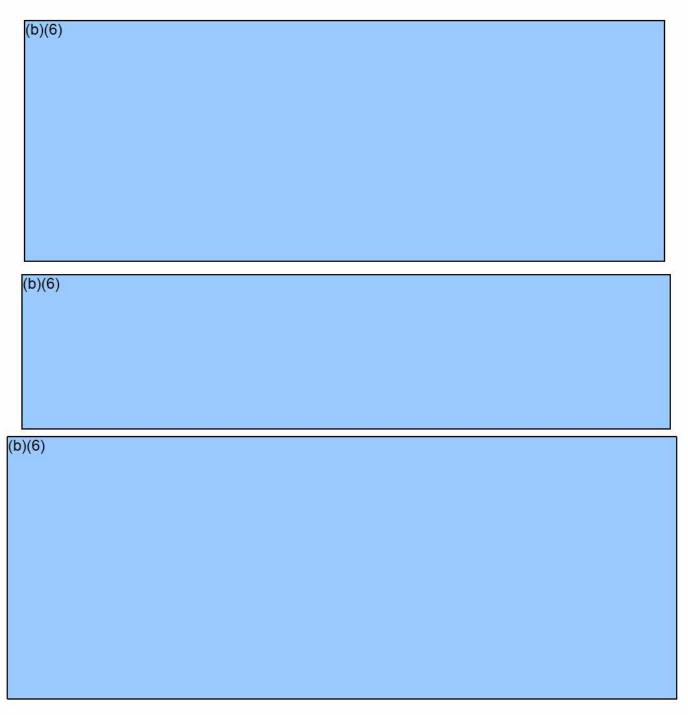
(b)(6)	
(b)(6)	
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(b)(6)	

# V. Collaboration Within USPTO; Employee Engagement

(b)(6)	
(b)(6)	
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p)(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.



### II. Issuance of Decisions on Contested Motions.

(b)(6)

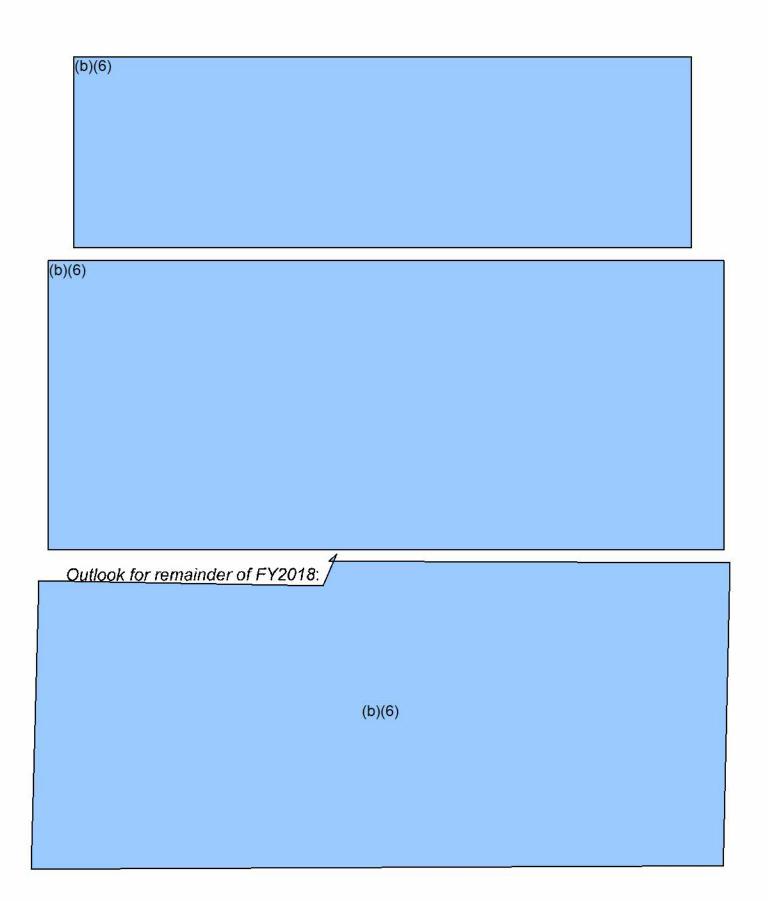
(b)(6)
(b)(6)
(b)(6)
Outlook for remainder of FY2018:

(b)(6)

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

(b)(6)

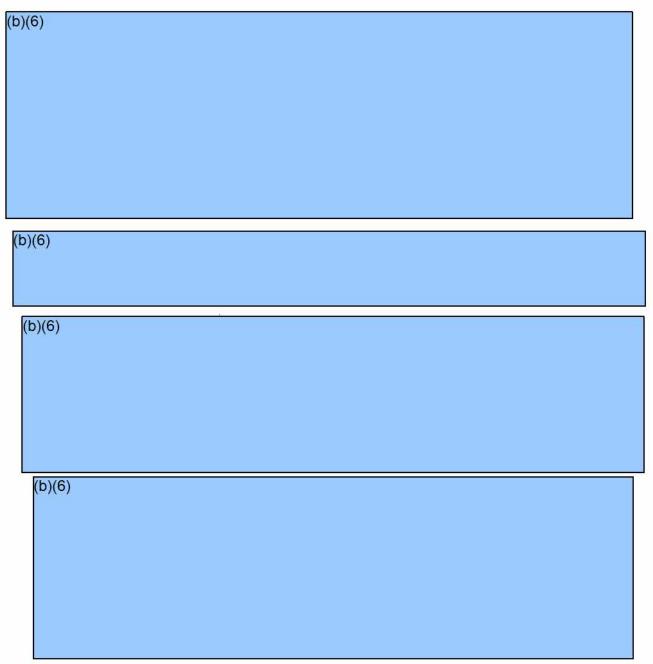
(b)(6)



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### IV. Issuance of Precedents & Stakeholder Outreach



# V. Collaboration Within USPTO



(b)(6)		÷ .		
(b)(6)				



## **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	Grade/Series
Gerard Rogers	ES-0905-00/00
Position title	Occupational field
Chief Administrative Trademark Judge, Trademark Trial and Appeal Board	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 5/11/14
Approvals	
Supervisor	Date
N.A.	40
Business Unit Head	ete Pro
N.A.	
Deputy Director, USPTO (only for EDPs from BU Heads and other direct reports) (b)(6)	ate 3/23/16

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# **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)		

Note: use a separate sheet for additional activities

### SES Performance Management System Executive Performance Agreement

		LACC	utive renomin	ance Ag	reement			SES	
Part 1. Consultation. //	have revier	wed this plar	and have been d	consulted	on its devel	opment.			
Executive's Name' (Last,	App	Appraisal Pd. 10/1/19 - 9/30/20							
Executive's Signature:	(b)(6)					Dat	e: 9/25	119	
Title: Chief Administration	ve Tradem	nark Judge				Org	anization:		
Rating Official's Name (L	ast, First, I	MI): Peter, La	aura A.			CA			
Rating Official's Signatur	e: (b)(6)					Dat	/	12018	
Part 2. Progress Review	- <b>4</b>								
Executive's Signature:						Dat	e:		
Rating Official's Signatur	e:					Dat	e:		
Reviewing Official's Signa	ature (Opt	ional):				Dat	e:		
Part 3. Summary Rating	1 e 1		2017		10.00	194.34	1.00		
Initial Summary Rating	Initial Summary Rating     Level 5     Level 4     Level 3       Outstanding     Commendable     Fully Successful					Minim	vel 2 nally actory	Level 1 Unsatisfactory	
Rating Official's Name (L	ast, First, I	MI): Peter, La	aura A.			Jatish	αστοιγ		
Rating Official's Signature						Date	e:		
Executive's Signature:					2	Date	Date:		
Reviewing Official's Signa	ature (Opt	ional):				Date	Date:		
Higher Level Review (if a	pplicable)								
I request a higher leve	el review.	Executive'	s Initials:			Date	e:		
Higher Level Review Com	pleted					Date	е:		
Higher Level Reviewer Sig	gnature:								
Performance Review Boo	ard Recom	mendation	Level 5		Level 4	Level 3	B Leve	el 2 🗌 Level 1	
PRB Chair Signature:							Date:	1.5	
Annual Summary Rating			Level 5		Level 4	_ Level 3	B Leve	el 2 🗌 Level 1	
Appointing Authority Sign	nature:						Date:		
Part 4. Derivation Form	ula and Ca	lculation of	Annual Summary	Rating			Straw P		
	Elem	ent Rating			Score				
Critical Element	Final Final					a d'A			
1. Leading Change	Initial	(if changed	l) Weight	Initial	(if change	ea)	Summary	Level Ranges	
2. Leading People							475-50	0 = Level 5	
3. Business Acumen							400-47	4 = Level 4	
4. Building Coalitions		300-399 = Level 3							
5. Results Driven								9 = Level 2	
Total 100 points						A	ny CE rated	Level 1 = Level 1	

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#### 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.
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- 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

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Executive	Name	and	ID:	Gerard	F.	Rogers
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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:							
<ol> <li>Develops annual TTAB goals to align with Agency Stra (2) Implements TTAB action plan for organizational impr (3) Conducts monthly TTAB leadership meetings (4) Develops and deploys revisions to organizational stru</li> </ol>	ovements						
Rating Official Narrative: (Optional)							
Critical Element Rating – Leading Change	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 employ gathered from sources including the USPTO People Surv and other initiatives.	ee engagement in your area based on employee feedback ey, Federal Employee Viewpoint Survey, focus groups						
Promotes the protection of whistleblowers by: respondin described in subparagraph (A) or (B) of section 2302(b)( fostering an environment in which employees of the agen employees or other appropriate authorities.	8); taking responsible actions to resolve disclosures; and						
<ul> <li>(1) Conducts 1-2 All Hands meetings annually</li> <li>(2) Continues onboarding of new Deputy Chief Judge and</li> <li>(3) Conducts 1-2 meetings annually for collaboration acrospecialists)</li> </ul>	optimizes assignments between Deputy and SL/TBMP Editor pss TTAB subgroups (e.g., ATJs/Attorneys/Paralegals/Info						

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. Roger	 S	Арр	raisal Period:	10/01/19 -	9/30/20
Critical Element 3. Business Acumen		(	Minimum weig	ght 5 points)	Weight 10%
Mandatory Performance Requirement: Assesser information resources in a manner that instills put to enhance processes and decision making. Exec and manages resources.	blic trust and acc	omplishes the	organization'	s mission. Us	es technology
Agency-Specific Performance Requirements:					
<ul> <li>(1) Submits business cases as needed to mar</li> <li>(2) Gathers TPAC and other stakeholder input</li> <li>(3) Supports IT system enhancements to meet</li> <li>(4) Prepares TTAB operation plan and spend</li> </ul>	it on Dashboard a et the organizatio	and other pub on's mission	÷		
Rating Official Narrative: (Optional)					
noting official native. (optionally					
Critical Element Rating – Business Acumen	Level 5	Level 4	Level 3	Level 2	Level 1
Critical Element 4. Building Coalitions		()	/inimum weig	ht 5 points)	Weight 10%
Mandatory Performance Requirement: Solicits a customers. Coordinates with appropriate parties facilitate an open exchange of opinion from diver	to maximize inpu se groups and str	it from the wi engthen inter	dest range of a nal and extern	ppropriate statestal support. Ex	akeholders to plains,
advocates, and expresses facts and ideas in a com externally, as appropriate. Develops a profession external politics that affect the work of the organ	al network with c				
Agency-Specific Performance Requirements:		n			·
<ul> <li>(1) Establishes mechanisms for internal and e</li> <li>(2) Meets with stakeholders at least annually</li> <li>(3) Meets with TPAC 3-4 times per year</li> </ul>					
(4) Collaborates on 1-2 projects/events with	other business ur	iits (e.g., Trad	emarks, PTAB}	and/or region	nal offices.
	4	Basic SES	Performance App	oraisal System, u	dated August 2016

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Rating Official Narrative: (Optional)							
Critical Element Rating – Building Coalitions	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 meas organizational goals and objectives. At a minimum, the performance	surable outputs and outcomes clearly aligned to requirements must contain measurable results and						
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-ef	fectiveness 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 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.							
<b>Note:</b> 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%)	Strategic Alignment:						
Continue quarterly posting of existing measures and dashboards, and							
new measures; conduct annual roundtable discussion with stakehold and/or a pilot project based on such discussion							
and/or a phot project based off such discussion	Objective 4: Enhance Operations at the TTAB						
Performance Requirement 2: (20%)	Strategic Alignment:						
Revise TBMP on at least an annual basis, and post a portion of the TB							
other guidance document each year for public comment and suggesti	0						
	Objective 4: Enhance Operations at the						
Performance Requirement 3: (30%)	TTAB Strategic Alignment:						
Issue an appropriate number of precedential decisions each year (30							
FY20)	Optimize TM quality and timeliness, Objective 4: Enhance Operations at the TTAB						

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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

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Part 6: Summary Rating Narrative (Mandatory)

Part 7: Executive's Accomplishment Narrative (Optional)

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Part 8: Agency Use

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#### **Deriving the Results Driven Rating Worksheet**

Executive Name: <u>Gerard F. Rogers</u>

Rating Period: <u>10/1/19 – 9/30/20</u>

Results Driven Performance Requirements	Performance Requirement Rating Level	Weight (multiply by)	Performance Requirement Points Score	Point Ranges to Rating Level Score	Results Driven Initial Element Score
(PR)	Score				
an dia Kapatén di Kabupatén ka	n géa l'agaister s' sa			Points 475 – 500 = Level 5 Rating	
Performance				Score	······
Requirement 1				Points 400 – 474 = Level 4 Rating Score	
Performance				Points 300 – 399 = Level 3 Rating	
Requirement 2				Score Points 200 – 299 = Level 2 Rating	
Performance				Score	
Requirement 3				Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance	-			3	
Requirement 4					
an og en som forska		= 100%			
Performance Requirement Total Score				= Level	

#### Example of Results Driven Element Being Rated Level 4

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

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

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### SES Performance Management System Executive Performance Agreement



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Part 1. Consultation. //	nave review	ed this plan and	d have been o	consultea	on its dev	velopme	ent.	Contenti Vice or	
Executive's Name (Last,	THE PERSON NEW YORK		F.				Apprai	sal 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.						10.00			
Rating Official's Signature: (b)(6)							Date: 1/14/14		
Part 2. Progress Review			/			Men I P			
Executive's Signature: (b)(6)							Date: 6/14/16		
Rating Official's Signatur	e: (b)	(6)					Date:	6/14/10	0
Reviewing Official's Sign	ature (Optio	onal):	/				Date:		
Part 3. Summary Rating	(b)(6)								
Initial Summary Rating									
Rating Official's Name (L	ast, First, N	11): Slifer, Russ	ell D.	/					
Rating Official's Signatur	e: (b)	(6)					Date:	10/19/16	
Executive's Signature: (b)(6)					Date: 10/19/16 Date: 10/19/16				
Reviewing Official's Sign	ature (Optio	onal):			Date:			1	
Higher Level Review (if a	applicable)	1011	11. DO 11. DO 11. DO 11. DO 11. DO						
🗌 I request a higher lev	el review.	Executive's In	itials:				Date:		
Higher Level Review Con	npleted						Date:	18	
Higher Level Reviewer Si	gnature:								
Performance Review Bo	ard Recom	mendation	Level !	5	Level 4	Le	vel 3	Level 2	Level 1
PRB Chair Signature:								Date:	
Annual Summary Rating	7		Level !	5	Level 4	Le	vel 3	Level 2	Level 1
Appointing Authority Sig	nature:							Date:	
Part 4. Derivation Form	ula and Ca	lculation of Anr	ual Summai	ry Rating	us an de		no. by	and particular of	
Critical Element	Elem	ent Rating Final (if changed)	Weight	Initial	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	nal anged)	5	Summary Level Ran	ges
1. Leading Change	(b)(6)		tomo - mor	(b)(6)				475-500 = Level 5	5
2. Leading People 3. Business Acumen			10% 10%					475-500 = Level = 400-474 = Level 400-474 =	
4. Building Coalitions			10%					300-399 = Level 3	3
5. Results Driven			60%					200-299 = Level 2	
Total		A Martin	100%				Any	CE rated Level 1 =	revel T

Executive Name and ID:	Gerard F. Rogers	Appraisal Period: 10/1/15-9/30/16
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

Executive Name and ID:	Gerard F. Rogers	Appraisal Period: 10/1/15-9/30/16
Critical Element 1. Leading Chang	e	(Minimum weight 5%) Weight 10%
Develops and implements an orga and other factors. Assesses and ac improvements, ranging from incre change and continuity; continually encourages creative thinking, colla Agency-Specific Performance Requ (1) Develops annual TTAB goa (2) Implements TTAB action p (3) Conducts monthly TTAB le	nizational vision that integr djusts to changing situation mental improvements to m strives to improve service aboration, and transparency lirements Is to align with Agency Stra lan for organizational impro adership meetings	ites key organizational and program goals, priorities, values, a implementing innovative solutions to make organizational ajor shifts in direction or approach, as appropriate. Balances and program performance; creates a work environment that and maintains program focus, even under adversity.
Rating Official Narrative: (Optiona	1)	
	5.	α.
 Crítical Element Rating – Leading (	Change (b)(6)	
Critical Element 2. Leading Peopl		(Minimum weight 5%) Weight 10%
and fosters high ethical standards that fosters the development of or collaboration, cooperation, and te performance plans are aligned wit and that employees are realistical employees accountable for approp retains, and develops the talent no needed to accomplish organization and equal employment policies an Agency-Specific Performance Requ (1) Conducts 1-2 All Hands me (2) Reviews FY2015 incorpora SL/TBMP Editor	in meeting the organization thers to their full potential; amwork, and supports cons th the organization's mission by appraised against clearly briate levels of performance eeded to achieve a high qua nal performance objectives ad programs. uirements eetings annually ition of new Deputy Chief Ju	otential, connects the organization horizontally and vertically, 's vision, mission, and goals. Provides an inclusive workplace allows for full participation by all employees; facilitates tructive resolution of conflicts. Ensures employee and goals, that employees receive constructive feedback, defined and communicated performance standards. Holds and conduct. Seeks and considers employee input. Recruits, lity, diverse workforce that reflects the nation, with the skills while supporting workforce diversity, workplace inclusion,
Rating Official Narrative: (Optiona	<i>I)</i>	
Critical Element Rating Leading I	People (b)(6)	

Executive Name and ID: Gerard F. Ro	gers Appr	aisal Period: 10/1/15-9/30/16
Critical Element 3. Business Acumen	(Minimum)	weight 5%) Weight 10%
	s mission. Uses technology to enhance prod t requests with justifications; and manages is anage resources to projections out on Dashboard and other public-facing ite incements to meet the organization's missio	esses and decision making, resources.
(4) Executes bodget to within 570 of platfix		
5	12	4
Rating Official Narrative: (Optional)	8	
	5	
Critical Element Rating Business Acumen	(b)(6)	
Critical Element 4. Building Coalitions	(Minimu	m weight 5%)   Weight 10%
Solicits and considers feedback from internal a parties to maximize input from the widest rang diverse groups and strengthen internal and ext convincing manner and negotiates with individ professional network with other organizations	e of appropriate stakeholders to facilitate an ernal support. Explains, advocates, and expr uals and groups internally and externally, as	n open exchange of opinion from resses facts and ideas in a appropriate. Develops a
organization.	71 National Activity (School School S	ics that affect the work of the
Agency-Specific Performance Requirements	E E KUM LOUMERENE ON C	ics that affect the work of the
Agency-Specific Performance Requirements (1) Establishes mechanisms for internal an (2) Meets with stakeholders at least annua (3) Meets with TPAC 3-4 times per year	illy	
Agency-Specific Performance Requirements (1) Establishes mechanisms for internal an (2) Meets with stakeholders at least annua (3) Meets with TPAC 3-4 times per year		
Agency-Specific Performance Requirements (1) Establishes mechanisms for internal an (2) Meets with stakeholders at least annua (3) Meets with TPAC 3-4 times per year	illy	
<ul> <li>Agency-Specific Performance Requirements</li> <li>(1) Establishes mechanisms for internal an</li> <li>(2) Meets with stakeholders at least annual</li> <li>(3) Meets with TPAC 3-4 times per year</li> <li>(4) Collaborates on 1-2 projects/events with</li> </ul>	illy	
<ul> <li>Agency-Specific Performance Requirements</li> <li>(1) Establishes mechanisms for internal an</li> <li>(2) Meets with stakeholders at least annual</li> <li>(3) Meets with TPAC 3-4 times per year</li> <li>(4) Collaborates on 1-2 projects/events with</li> </ul>	illy	
<ul> <li>Agency-Specific Performance Requirements</li> <li>(1) Establishes mechanisms for internal an</li> <li>(2) Meets with stakeholders at least annual</li> <li>(3) Meets with TPAC 3-4 times per year</li> <li>(4) Collaborates on 1-2 projects/events with</li> </ul>	illy	
<ul> <li>Agency-Specific Performance Requirements</li> <li>(1) Establishes mechanisms for internal an</li> <li>(2) Meets with stakeholders at least annual</li> <li>(3) Meets with TPAC 3-4 times per year</li> <li>(4) Collaborates on 1-2 projects/events with</li> </ul>	illy	
<ul> <li>Agency-Specific Performance Requirements</li> <li>(1) Establishes mechanisms for internal an</li> <li>(2) Meets with stakeholders at least annual</li> <li>(3) Meets with TPAC 3-4 times per year</li> <li>(4) Collaborates on 1-2 projects/events with</li> </ul>	illy	

Executive Name and ID: Gerard F. Rogers	Appraisal Period: 10	0/1/15-9/30/16						
Critical Element 5. Results Driven (	(Minimum Weight 20%)	Weight 60%						
Agency Goals/Objectives for current FY: Must have at least 1 result (may have		1 <del>.</del>						
focusing on measurable outcomes from the strategic plan or other measurable o to organizational goals and objectives. At a minimum, the performance plan will (including measures, targets, timelines, or quality descriptors, as appropriate) de	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.							
Alignmentcite relevant goals/objectives, page numbers, from the Strategic Plan Justification/Annual Performance Plan, or other organizational planning docume performance requirement specified.		n for each						
Performance Requirement 1: (20%)	Strategic Alignment:							
Continue quarterly posting of existing measures and dashboards, and pilot new measures; conduct annual roundtable discussion with stakeholders	Goal 2: Optimize TM qua timeliness, Objective 5: E Operations at the TTAB							
Performance Requirement 2: (20%)	Strategic Alignment:							
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	Goal 2: Optimize TM qual timeliness, Objective 5: E Operations at the TTAB	Natal 23.00 23.50						
Performance Requirement 3: (20%)	Strategic Alignment:							
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	Goal 2: Optimize TM qual timeliness, Objective 5: E Operations at the TTAB	See States and States						
Performance Requirement 4: (40%)	Strategic Alignment:	`						
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	Goal 2: Optimize TM qual timeliness, Objective 5: E Operations at the TTAB	Contraction and the second						
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								
Rating Official Narrative: (Optional)								
(b)(6)								
Critical Element Rating – Results Driven								

Executive Name and ID:	Gerard F. Rogers	Appraisal Period: 10/1/15-9/30/1
Part 6: Summary Rating Narr	ative (Mandatory)	
······		
Part 7: Executive's Accomplis	shment Narrative (Optional)	
Part 8: Agency Use		

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xecutive Name	Rogers, G	erard 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
A STATE OF A				Points 475 – 500 = Level 5 Rating	
Performance Requirement 1		25%		Score Points 400 – 474 = Level 4 Rating Score	
Performance Requirement 2		25%		Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating	
Performance Requirement 3		25%		Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 4		25%			
ALC: NOT	2-1-2-2-2-3	= 100%	A SALE AND A		
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
				Points 475 – 500 = Level 5 Rating	
Performance	4	x 25	100	Score	
<b>Requirement 1</b>				Points 400 – 474 = Level 4 Rating	
Performance	5	x 30	150	Score	
Requirement 2	-	e		Points 300 – 399 = Level 3 Rating	
Performance	5	x 15	75	Score	
<b>Requirement 3</b>				Points 200 – 299 = Level 2 Rating	
Performance	3	x 30	90	Score	
<b>Requirement 4</b>				Any PR rated Level 1 overall score	
	and then it is	= 100%		must be = Level 1 Rating Score	A CONTRACTOR OF THE
Performance					
Requirement			415	415= Level 4	4*
Total Score	Section of the line of				

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

# TTAB

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



FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
JUDGES and ATTORNEYS	22	(actuals) 24	(b)(6)	
Administrative Trademark Judges	23	24		
Interlocutory Attorneys	13.6	14.6		
FILINGS Notices of Appeal Extensions of Time to Oppose Notices of Opposition Petitions to Cancel	2,992 17,132 5,290 1,763		(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	562	25.40	(b)(6)	
Contested Motions Decided Uncontested Motions Processed	42 1,297 29,906	35-40 (target)		
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
PENDENCY- Contested Motions (1) Measured from ready-for decision until mailing; average of orders on contested motions, excluding precedents, issued during reporting period (2) Age of <u>single</u> oldest contested motion ready for decision at end of reporting period	9.8 weeks 12 weeks	(targets) 8-9 weeks (avg.) 12 weeks or less	(b)(6)	
INVENTORY—Contested Motions Ready for Decision The number of cases with contested motions in which briefing was completed, becoming ready for decision, as of the end of the reporting period	159	Cases with Motions 145-175 (target)		

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
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	9.7 weeks	10-12 weeks (target)	(b)(6)	
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	Ex Parte Appeals 81 Oppositions 23 Cancellations 7	Total Case Inventory 125-150 (target)		

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

# FY 2016 Highlights for Trademark Trial and Appeal Board

#### I. Issuance of Final Decisions on Merits.

After 11 months of FY16 (except as noted):

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Outlook for FY2017:

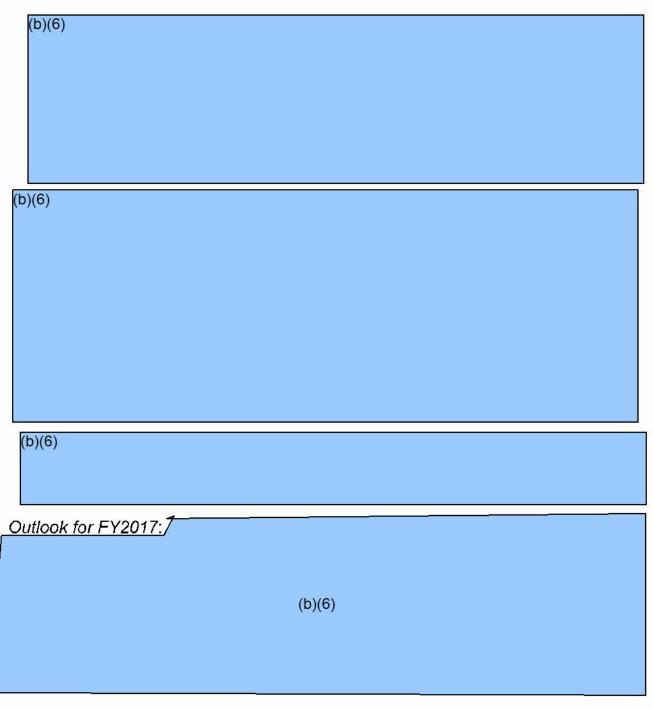
(b)(6)

#### II. Issuance of Decisions on Contested Motions.

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After 11 months of FY16 (except as noted):

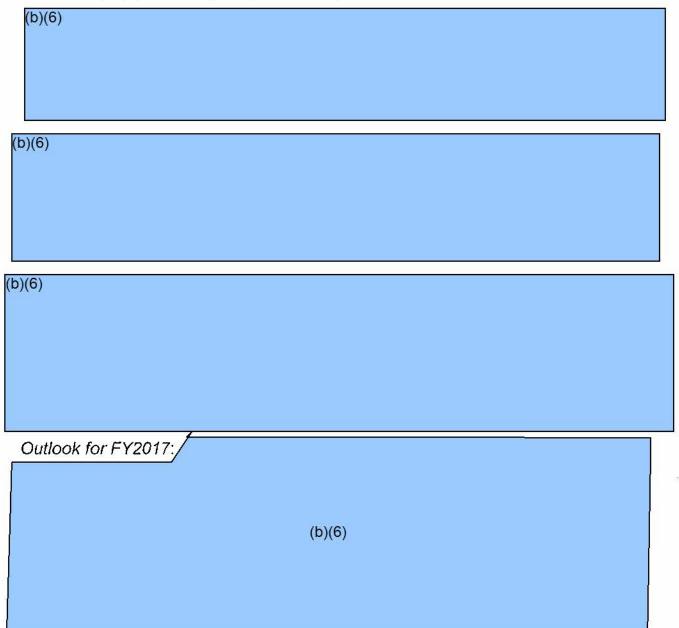


(b)(6)

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

e contra

# After 11 months of FY16 (except as noted):



#### IV. Issuance of Precedents & Stakeholder Outreach

(b)(6)

(b)(6)	
(b)(6)	
(b)(6)	
(b)(6)	
(b)(6)	

# V. Collaboration Within USPTO

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(b)(6)

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### SES Performance Management System Executive Performance Agreement



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Part 1. Consultation. //	nave review	ved this plan and	d have been	consulte	ed on its dev	velopme	ent.	Constant Production of
Executive's Name (Last,	1. Charles and the second state of the seco		F.			-	Apprai	sal Pd. 10/1/15-9/30/16
Executive's Signature:	(	b)(6)					Date:	1/14/16
Title: Chief Administration	ve Tradema	ark Judge					Organi	zation: TTAB
Rating Official's Name (L			ell D. 🦯			an a	CA	NC 🗌 LT/LE 🗌
Rating Official's Signatur	e: (k	o)(6)					Date:	1/14/14
Part 2. Progress Review	(		/	188				
Executive's Signature:	(b	)(6)					Date:	6/14/16
Rating Official's Signatur	e: (b)	(6)					Date:	6/14/16
Reviewing Official's Sign	ature (Opti	onal):	/				Date:	
Part 3. Summary Rating	(b)(6)							
Initial Summary Rating								
Rating Official's Name (L	ast, First, N	/II): Slifer, Russ	ell D.					
Rating Official's Signatur	e: (b)	)(6)					Date:	10/19/16 10/19/16
Executive's Signature:			Date:	10/19/16				
Reviewing Official's Sign	ature (Opur	onarj.					Date:	
Higher Level Review (if applicable)								
🗌 I request a higher lev	el review.	Executive's In	itials:				Date:	
Higher Level Review Completed			Date:	1				
Higher Level Reviewer Si	gnature:					and a second		
Performance Review Bo	ard Recom	mendation	Level	5 [	Level 4	Le	evel 3	Level 2 Level 1
PRB Chair Signature:						1		Date:
Annual Summary Rating	7		Level	5 [	Level 4	Le	evel 3	Level 2 Level 1
Appointing Authority Sig	nature:							Date:
Part 4. Derivation Form	ula and Ca	Iculation of Anr	ual Summa	ry Ratin	g	1	no. dy	
	Elem	ent Rating			Score			
Critical Element	Initial	Final (if changed)	Weight	Initia	and the second filler	nal inged)		Summary Level Ranges
1. Leading Change		(in changed)		(b)(6)		ingeuj		withing rever hanges
2. Leading People	(b)(6)		10%	(0)(0)				475-500 = Level 5
3. Business Acumen			10%	Ş.				400-474 = Level 4
4. Building Coalitions	-		10%					300-399 = Level 3
5. Results Driven			60%					200-299 = Level 2
Total		Con Manual State	100%	(b)(6)			Any	CE rated Level 1 = Level 1

Executive Name and ID:	Gerard F. Rogers	Appraisal Period: 10/1/15-9/30/16
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

Executive Name and ID:	Gerard F. Rogers	Appraisal Period: 10/1/15-9/30/16
Critical Element 1. Leading Chang	je	(Minimum weight 5%) Weight 10%
Develops and implements an orga and other factors. Assesses and an improvements, ranging from incre change and continuity; continually encourages creative thinking, colla Agency-Specific Performance Requ (1) Develops annual TTAB goa (2) Implements TTAB action p (3) Conducts monthly TTAB le	nizational vision that integrat djusts to changing situations, mental improvements to maj strives to improve service ar aboration, and transparency; uirements als to align with Agency Strate lan for organizational improv adership meetings	es key organizational and program goals, priorities, values, implementing innovative solutions to make organizational or shifts in direction or approach, as appropriate. Balances d program performance; creates a work environment that and maintains program focus, even under adversity. gic Plan
Rating Official Narrative: (Optiona	ıl)	
	s.	2
Crítical Element Rating – Leading (	Change (b)(6)	
Critical Element 2. Leading Peopl	e	(Minimum weight 5%) Weight 10%
and fosters high ethical standards that fosters the development of o collaboration, cooperation, and te performance plans are aligned wit and that employees are realistical employees accountable for appro- retains, and develops the talent n	in meeting the organization's thers to their full potential; a amwork, and supports constr th the organization's mission ly appraised against clearly de priate levels of performance a eeded to achieve a high quali nal performance objectives w ad programs.	tential, connects the organization horizontally and vertically, vision, mission, and goals. Provides an inclusive workplace lows for full participation by all employees; facilitates ructive resolution of conflicts. Ensures employee and goals, that employees receive constructive feedback, efined and communicated performance standards. Holds and conduct. Seeks and considers employee input. Recruits, ty, diverse workforce that reflects the nation, with the skills hile supporting workforce diversity, workplace inclusion,
12 22 22 22 13 41 41 41 41 41 41 14 14 14 14 14 14 14		8
SL/TBMP Editor	ation of new Deputy Chief Juc	ge position and optimizes assignments between Deputy and s TTAB subgroups (e.g., ATJs, Attorneys, Paralegals, CSRs)
Rating Official Narrative: (Optional	1)	
	с 	
Critical Element Rating Leading	People (b)(6)	

public trust and accomplishes the organization's mission. L Executes the operating budget; prepares budget requests v	
public trust and accomplishes the organization's mission. L Executes the operating budget; prepares budget requests v	(Minimum weight 5%) Weight 10%
<ul> <li>Agency-Specific Performance Requirements</li> <li>(1) Submits business cases as needed to manage resout</li> <li>(2) Gathers TPAC and other stakeholder input on Dash</li> <li>(3) Supports TMNG and other system enhancements to</li> <li>(4) Executes Budget to within 5% of planned expendition</li> </ul>	vith justifications; and manages resources. rces to projections board and other public-facing items o meet the organization's mission
Rating Official Narrative: (Optional)	s,
(b)(6)	
Critical Element Rating Business Acumen	
diverse groups and strengthen internal and external support convincing manner and negotiates with individuals and gro	iate stakeholders to facilitate an open exchange of opinion from t. Explains, advocates, and expresses facts and ideas in a
Agency-Specific Performance Requirements	· · · · · · · · · · · · · · · · · · ·
(1) Establishes mechanisms for internal and external fe	
<ul> <li>(2) Meets with stakeholders at least annually</li> <li>(3) Meets with TPAC 3-4 times per year</li> <li>(4) Collaborates on 1-2 projects/events with other bus</li> </ul>	iness units (e.g., Trademarks, PTAB) and/or satellite offices.
<ul><li>(2) Meets with stakeholders at least annually</li><li>(3) Meets with TPAC 3-4 times per year</li></ul>	iness units (e.g., Trademarks, PTAB) and/or satellite offices.

Executive Name and ID: Gerard F. Rogers	Appraisal Period: 10	0/1/15-9/30/16
Critical Element 5. Results Driven (	(Minimum Weight 20%)	Weight 60%
Agency Goals/Objectives for current FY: Must have at least 1 result (may have		<u>~</u>
This critical element includes specific performance requirements expected of the focusing on measurable outcomes from the strategic plan or other measurable o to organizational goals and objectives. At a minimum, the performance plan will (including measures, targets, timelines, or quality descriptors, as appropriate) de 3 for each result specified. It is recommended to also establish the threshold me	utputs and outcomes clear include performance requiscribing the range of perfo	ly aligned irements rmance at Level
Alignmentcite relevant goals/objectives, page numbers, from the Strategic Plan Justification/Annual Performance Plan, or other organizational planning docume performance requirement specified.		n for each
Performance Requirement 1: (20%)	Strategic Alignment:	
Continue quarterly posting of existing measures and dashboards, and pilot new measures; conduct annual roundtable discussion with stakeholders	Goal 2: Optimize TM qua timeliness, Objective 5: E Operations at the TTAB	
Performance Requirement 2: (20%)	Strategic Alignment:	
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	Goal 2: Optimize TM qual timeliness, Objective 5: E Operations at the TTAB	2444 BAR 224
Performance Requirement 3: (20%)	Strategic Alignment:	
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	Goal 2: Optimize TM qual timeliness, Objective 5: E Operations at the TTAB	Cherry Construction in
Performance Requirement 4: (40%)	Strategic Alignment:	
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);	Goal 2: Optimize TM qual timeliness, Objective 5: E Operations at the TTAB	an a
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		
Rating Official Narrative: (Optional)		· • • • • • • • • • • • • • • • • • • •
(b)(6)		
Critical Element Rating – Results Driven		

Executive Name and ID:	Gerard F. Rogers	Appraisal Period: 10/1/15-9/30/1
Part 6: Summary Rating Narr	ative (Mandatory)	
······		
Part 7: Executive's Accomplis	shment Narrative (Optional)	
Part 8: Agency Use		

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xecutive 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	
A STATE OF A				Points 475 – 500 = Level 5 Rating		
Performance Requirement 1		25%		Score Points 400 – 474 = Level 4 Rating Score		
Performance Requirement 2		25%		Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating		
Performance Requirement 3		25%		Score Any PR rated Level 1 overall score must be = Level 1 Rating Score		
Performance Requirement 4		25%				
ALC: NOT	2-1-2-2-2-3	= 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
				Points 475 – 500 = Level 5 Rating	Carl Street
Performance	4	x 25	100	Score	
Requirement 1		,		Points 400 – 474 = Level 4 Rating	
Performance	5	x 30	150	Score	
Requirement 2	-	e		Points 300 – 399 = Level 3 Rating	
Performance	5	x 15	75	Score	
<b>Requirement 3</b>				Points 200 – 299 = Level 2 Rating	
Performance	3	x 30	90	Score	
<b>Requirement 4</b>				Any PR rated Level 1 overall score	
		= 100%		must be = Level 1 Rating Score	
Performance					
Requirement			415	415= Level 4	4*
Total Score	Section and the Aver				

\*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 USDEO

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 14.6	(b)(6)	
FILINGS Notices of Appeal Extensions of Time to Oppose Notices of Opposition Petitions to Cancel			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
PENDENCY- Contested Motions (1) Measured from ready-for decision until mailing; average of orders on contested motions, excluding precedents, issued during reporting period (2) Age of <u>single</u> oldest contested motion ready for decision at end of reporting period	(b)(6)	(targets) 8-9 weeks (avg.) 12 weeks or less	(b)(6)	
INVENTORY—Contested Motions Ready for Decision The number of cases with contested motions in which briefing was completed, becoming ready for decision, as of the end of the reporting period		Cases with Motions 145-175 (target)		

FY 2016 TTAB Performance Measures	FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
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	(b)(6)	10-12 weeks (target)	(b)(6)	
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		Total Case Inventory 125-150 (target)		

FY 2015 EOY Results	FY 2016 Actual, Target or Projected	FY2016 EOY Results	Variance
(b)(6)		(b)(6)	
	EOY Results	(b)(6)	FY 2015 EOY ResultsActual, Target or ProjectedFY2016 EOY Results(b)(6)(b)(6)

# **TTAB Rulemaking**



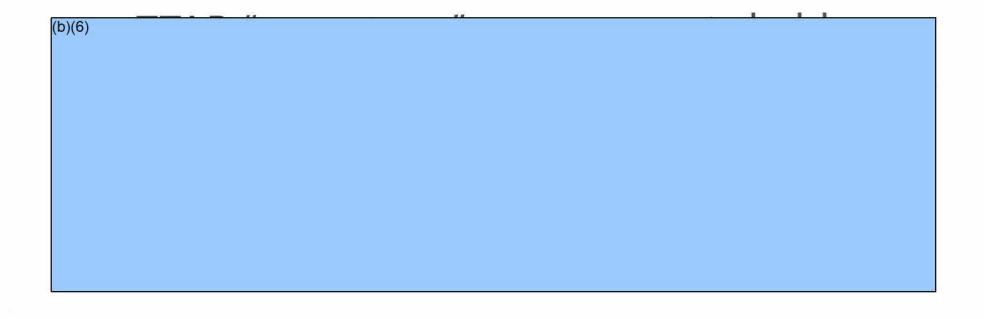
### NPRM – 81 FR 19296



### NPRM – 81 FR 19296



### NPRM – 81 FR 19296



## **Notice of Final Rule**



(b)(6)		
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		12





(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):

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(b)(6)

Outlook for FY2017;

(b)(6)

### II. Issuance of Decisions on Contested Motions.

25

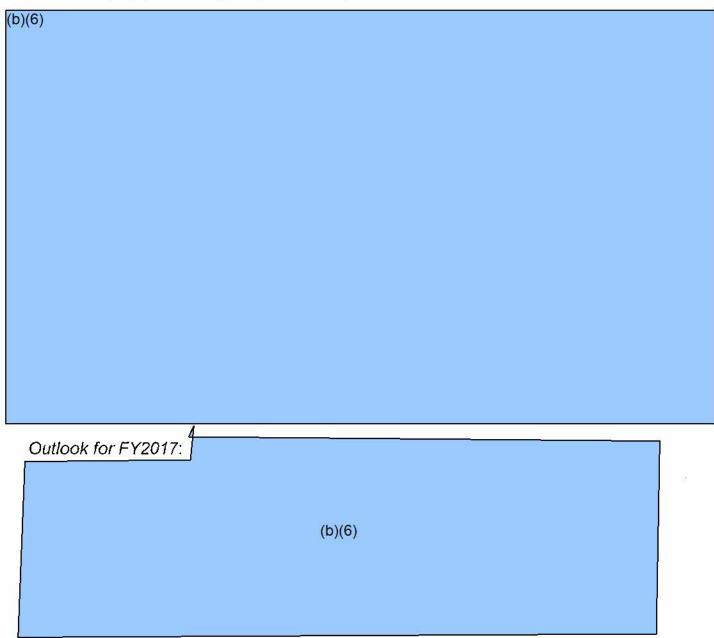
After 11 months of FY16 (except as noted):

(b)(6) Outlook for FY2017: (b)(6) (b)(6)

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

e cost ja

After 11 months of FY16 (except as noted):



#### IV. Issuance of Precedents & Stakeholder Outreach

(b)(6)

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(b)(6)

### V. Collaboration Within USPTO

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