

Deputy Chief Administrative Patent Judge ES-1222 Alexandria, VA

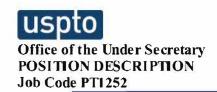
I. Introduction

The Deputy Chief Administrative Patent Judge (Chief Judge) is a full voting member of the Patent Trial and Appeal Board (Board) as provided by Title 35 U.S. Code, Section 6, and is the immediate supervisor of the Vice Chief Administrative Patent Judges (Judges) assigned to the Board and Board Executive. The Director, the Deputy Director, the Commissioner for Patents, the Commissioner for Trademarks, and the several Administrative Patent Judges (including the Chief Judge, Deputy Chief Judge, Vice Chief Judges, and Lead Judges) constitute the membership of the Board. Any three or more of these individuals may constitute a 3-judge panel of the Board to render a decision in a patent appeal, an interference proceeding, a post grant review proceeding, an inter partes review proceeding, a derivation proceeding, or a proceeding under the Transitional Program for Covered Business Methods Patents (CBM). The Board also hears and adjudicate ex parte patent appeals from decisions of the Patent Examiners in the Patent Examination Corps. The Board also holds oral hearings when requested, and has the authority to grant rehearings.

With respect to patent appeals, final decisions of the Board, if unfavorable to an applicant, may be appealed to the United States Court of Appeals for the Federal Circuit in accordance with 35 U.S.C. § 141. Alternatively, dissatisfied applicants may elect to bring a civil action in accordance with 35 U.S.C. § 145. With respect to interferences, final decisions of the Board, if unfavorable to a party, may be appealed to the United States Court of Appeals for the Federal Circuit in accordance with 35 U.S.C. § 141. Alternatively, dissatisfied parties may elect to bring a civil action in accordance with 35 U.S.C. § 146. With respect to inter partes reviews, post grant reviews, and CBM proceedings, final decisions of the Board, if unfavorable to a party, may be appealed only to the United States Court of Appeals for the Federal Circuit in accordance with 35 U.S.C. § 141. With respect to derivation proceedings, final decisions of the Board, if unfavorable to a party, may be appealed to the United States Court of Appeals for the Federal Circuit in accordance with 35 U.S.C. § 141. Alternatively, dissatisfied parties may elect to bring a civil action in accordance with 35 U.S.C. § 146.

II. Duties

Subject to the direction of the Director and Chief Judge, the Deputy Chief Judge is responsible for implementing USPTO rules and policies associated with patent appeals, interferences, post grant reviews, inter partes reviews, derivations, and CBM proceedings. These rules include Title 37 of the Code of Federal Regulations, Part 41: Subparts A through E, and Title 37 of the Code of Federal Regulations, Part 42: Subparts through D. Subject to the direction of the Director, and in coordination with other Agency leadership (such as the Commissioner for Patents, General Counsel, and Solicitor), the Deputy Chief



Judge with the Chief Judge is also responsible for developing rules and regulations governing Board procedure, and periodically updated the same as circumstances warrant. Subject to the direction of the Director and Chief Judge, the Deputy Chief Judge is also responsible for developing and implementing the Standard Operating Procedures necessary for the internal operation of the Board. In addition, the Deputy Chief Judge is charged with adhering to Agency policy (including but not limited to patent policy) and ensuring adherence to Agency policy by all Board Judges. Furthermore, the Deputy Chief Judge is charged with ensuring predictability, reliability, and consistency across the thousands of decisions issued every year by the several hundred Board judges that he or she oversees. Furthermore, the Deputy Chief Judge with the Chief Judge is responsible for adjudicating petitions for the Under Secretary of Commerce for Intellectual Property and Director of the USPTO.

The Deputy Chief Judge performs the comprehensive executive management, strategic planning, and financial functions essential to effective Board operation. Under authority that may be delegated by the Director and the Chief Judge. The Deputy Chief Judge may be responsible for the assignment of panels of administrative patent judges to adjudicate all patent appeals, interference and derivation proceedings, and AIA trial proceedings, on which panels the Deputy Chief Judge periodically serves. The Deputy Chief Judge with the Chief Judge further develops and implements quality, timeliness, and productivity performance standards for the Judges.

The Deputy Chief Judge interacts with the legal community, including the Court of Appeals for the Federal Circuit, bar associations, etc., actively participates in public conferences and meetings, and makes presentations to foreign dignitaries regarding the Board.

III. Educational Requirement

Due to the complexity of this position, the Deputy Chief Judge must possess both a technical degree and a law degree. Additionally, the Deputy Chief Judge must be a member in good standing of the Bar of any state, the District of Columbia, Puerto Rico, or any territorial court under the Constitution. Furthermore, the Deputy Chief Judge must possess significant work experience in both the fields of patent law and organizational management.

IV. Professional Technical Qualifications

The Deputy Chief Judge must possess the following Professional and Technical Qualifications:

1. Expert knowledge of the legal principles and technical subject matter associated with patent appeals, interferences, post grant reviews, inter partes reviews, derivations, and CBM proceedings. Demonstrated ability to understand technical subject matter, apply relevant patent law legal principles involved in patent appeals, interferences, post

grant reviews, inter partes reviews, derivations, and CBM, and effectively work in groups to resolve complex technical and legal issues.

- 2. Demonstrated executive level experience in directing, supervising, and evaluating the activities of a professional, technical, and legal organizational unit. Demonstrated ability to develop and achieve organizational goals, prepare and execute organizational budgets, delegate assignments, motivate subordinate groups and individuals, establish and execute programs to implement policies, and establish and maintain a positive working environment.
- 3. Executive level experience in effectively communicating orally and in writing regarding complex technical and legal issues, as well as the ability to fully comprehend the complex technical and legal issues discussed in a work group, the ability to lead said working group(s), and the demonstrated experience to effectively interact with the legal community and other internal and external stakeholders.

V. Executive Core Qualifications

The incumbent must possess the following Executive Core Qualifications:

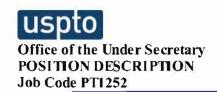
- Leading People
- Leading Change
- Results Driven
- Business Acumen
- Building Coalitions

VI. Supervision and Guidance

The Deputy Chief Judge provides oversight and direction within the Patent Trial and Appeal Board, including the coordination of the day-to-day activities of assigned staff. The Deputy Chief Judge develops procedures for program operations and oversees assignment and completion of functions. He/She also assures that an active effort is made to promote diversity within the organization and outside the organization through personnel outreach efforts.

The Deputy Chief Judge reports to the Chief Judge. Performance is judged in terms of accomplishment of objectives and overall effectiveness. The Deputy Chief Judge is expected to exercise independent judgment in deciding appropriate courses of action to implement Agency policy, and is also expected to seek input and approval from the Chief Judge, Deputy Director and Director as required, and keeping the same informed of significant and newsworthy events.

VII. SES Designation



In light of the Department's mission in protecting the integrity of this position, and the incumbent's accountability for the management and administration of the functions of the position, we believe that the principal duties of this position entail direct responsibility to the public for managing and operating the Board's functions. Therefore, this position has been designated as *Career Reserved*.

VIII. Security Designation, Drug Testing Requirement, Cyber Security Code

The security designation for this position is listed as 6N, there is a drug testing requirement for this position.

The cyber security code for this position is as follows: Primary: 000 1st: 00 2nd: 00

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): Bonilla, Jacqueline								Appraisal Pd. 10/1/19 -9/30/20		
Executive's Signature: (b)(6)							Date: 9 24 19			
Title: Deputy Chief Administrative Patent Judge							Organization: PTAB			
Rating Official's Name (La	st, First, N	11): Boalick, S	Scott R.	,		CA	N	с 🗌 гі	/LE[
Rating Official's Signature: (b)(6)							Date: 9/26/19			
Part 2. Progress Review										
Executive's Signature: Date:										
Rating Official's Signature	11					Da	ate:			
Reviewing Official's Signa	ture (Opti	onal):				Da	ate:			
Part 3. Summary Rating							1			
Initial Summary Rating						Min	Level 2 Level 1 Minimally Unsatisfactory Satisfactory			
Rating Official's Name (Last, First, MI):										
Rating Official's Signature: Date:										
Executive's Signature:						Da	ate:			
Reviewing Official's Signa	ture (Opti	onal):				Da	ate:			
Higher Level Review (if a	pplicable)									
☐ I request a higher leve	el review.	Executive's	Initials:			Da	ate:			
Higher Level Review Com	pleted			· ·		Da	ate:			
Higher Level Reviewer Sig	gnature:									
Performance Review Boo	ırd Recom	mendation	Level 5		evel 4	Leve	13 [Level	2	Level 1
PRB Chair Signature:							C	Date:		
Annual Summary Rating			Level 5		evel 4	Leve	13 [Level	2	Level 1
Appointing Authority Sign	nature:							Date:		
Part 4. Derivation Form	ıla and Ca	Iculation of	Annual Summary	Rating						
	Elem	ent Rating			Score					
Critical Element	Initial	Final (if changed	l) Weight	Initial	Final (if change	1) I	Sur	mmary I	evel	Ranges
1. Leading Change	ii ii ciai	(vi citatiBea	10%		(iii diisiiga	,	Summary Level Ranges			
2. Leading People			10%					47 5-500 400-474		
3. Business Acumen			10%			-		300-399		
4. Building Coalitions			10%					200-299		
5. Results Driven Total			60%							1 = Level 1
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 S = 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%
organizational and program goals, priorities, value implementing innovative solutions to make organi major shifts in direction or approach, as appropria service and program performance; creates a work transparency; and maintains program focus, even	s and implements an organizational vision that integrates key s, and other factors. Assesses and adjusts to changing situations, zational improvements, ranging from incremental improvements to te. Balances change and continuity; continually strives to improve environment that encourages creative thinking, collaboration, and under adversity.
Implement Director's objectives for enhancing op the organizational staffing, policies, and procedu	operation of federal government agencies (e.g., Executive Orders). erations of USPTO and PTAB. Optimize PTAB operations by modifying res, as needed. Lead PTAB through enhancements of rules of practice, ers to ensure balance, reliability, transparency, and predictability.
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%
the organization horizontally and vertically, and for and goals. Provides an inclusive workplace that for participation by all employees; facilitates collaborated of conflicts. Ensures employee performance plans receive constructive feedback, and that employee performance standards. Holds employees account considers employee input. Recruits, retains, and of	and implements strategies that maximize employee potential, connects sters high ethical standards in meeting the organization's vision, mission, isters the development of others to their full potential; allows for full ation, cooperation, and teamwork, and supports constructive resolution are aligned with the organization's mission and goals, that employees are realistically appraised against clearly defined and communicated table for appropriate levels of performance and conduct. Seeks and levelops the talent needed to achieve a high quality, diverse workforce accomplish organizational performance objectives while supporting all employment policies and programs.
Agency-Specific Performance Requirements	
• •	we employee engagement in your area based on employee feedback eople Survey, Federal Employee Viewpoint Survey, focus groups
described in subparagraph (A) or (B) of section	responding constructively when an employee makes disclosures in 2302(b)(8); taking responsible actions to resolve disclosures; and of the agency feel comfortable making disclosures to supervisory
	ludge with Business Unit Head functions, as appropriate. Provide e PTAB employees are efficiently working on mission-critical tasks.
Rating Official Narrative: (Optional)	
Critical Element Rating – Leading People	Level 5 Level 4 Level 3 Level 2 Level 1
.	3 Basic SES Performance Appraisal System, updated August 2016

Level 2

Level 1

Level 3

Level 4

Level 5

Critical Element Rating – Building Coalitions

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: 25% Weight

America Invents Act Trial Timeliness:

Achieve AIA trial completion in compliance with applicable legal requirements in 12 months from institution, or in 18 months from institution in cases with extensions for good cause, for 95% of all AIA trials not subject to joinder. Achieve issuance of AIA petition decisions on institution in compliance with applicable legal requirements within statutory period of 3 months for 95% of all AIA petitions.

Performance Requirement 2: 25% Weight

Ex Parte Appeal Timeliness:

Manage the average overall pendency for ex parte appeals, excluding appeals for reexam and reissue proceedings, to resolve ex parte appeals in a timely manner consistent with available resources, and implement programs to balance pendency across technologies.

Performance Requirement 3: 25% Weight

PTAB Decision Consistency:

Ensure that PTAB judges render high quality, well-reasoned, and consistent written orders and opinions in accordance with the authority granted under Title 35 of the United States Code and Title 37 of the Code of Federal Regulations, binding case law precedent, and written guidance applicable to PTAB proceedings issued by the Director or the Director's delegate. Ensure review of 25% of final AIA decisions, excluding rehearing decisions and decisions in cases on remand from the U.S. Court of Appeals for the Federal Circuit, and 2% of ex parte appeals decisions.

Performance Requirement 4: 25% Weight

Effective Communications:

Ensure clear, timely, and accurate communications concerning PTAB matters to PTAB judges and staff, other USPTO business units, and external

Strategic Alignment:

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

Strategic Alignment:

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board Strategic Alignment:
FY 2018-2022 USPTO Strategic Plan,
Goal 1 - Optimize Patent Quality and Timeliness,

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

Strategic Alignment:

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

stakeholders to decrease uncertainty and increase predictability, transparency, and reliability.	Objective 4 - Enhance Operations of the Patent Trial And Appeal Board
Rating Official Narrative: (Optional)	
Critical Element Rating — Results Driven Level 5	Level 4 Level 3 Level 2 Level 1
Chilical Element Rating — Results Driven	

Deriving the Results Driven Rating Worksheet

Executive Name	Rating Period
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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	
Performance Requirement 2				Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating	
Performance Requirement 3				Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 4		100%			
Performance Requirement Total Score		= 100%		= Level	

Example of Results Driven Element Being Rated Level 4

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				
	TATE OF	100		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%	1 1 9 1 1	must be = Level 1 Rating Score	Total Probability
Performance					
Requirement	3000		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.



SES Performance Management System Executive Performance Agreement



Part 1. Consultation. I have reviewed this plan and have been consulted on its development.									
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Executive's Signature:	(b)(6)				70.000	Dat	e: 3/8/2016		
Title: Vice Chief Administra	ative Pat	ent Judge, U.S.	Patent and	Tradema	rk Office		ganization: PTAB		
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Rating Official's Signature:	(b)((6)			0)	Dat	e: 3/8/2016		
Part 2. Progress Review					×		1 1/10		
Executive's Signature:						Dat	te:		
Rating Official's Signature:						Dat	e:		
Reviewing Official's Signatu	ire (Optio	onal):	-11-51		Market Transfer	Dat	te:		
Part 3. Summary Rating	b)(6)								
Initial Summary Rating									
Rating Official's Name (Last	CONTRACTOR OF THE PARTY OF THE		THAN K., Ch	ief Admir	nistrative Pat				
Rating Official's Signature:	(b)(6	6				Dat	Date: Nov. 4, 2016 Date: Nov. 4, 2016		
Executive's Signature: (b)(6)				Dat	Date: NW 4, 7, 14/16				
Reviewing Official's Signature (Optional):					Dat	Date:			
Higher Level Review (if app	olicable)								
☐ I request a higher level	review.	Executive's In	itials:	-		Dat	te:		
Higher Level Review Compl	leted					Dat	Date:		
Higher Level Reviewer Sign	ature:	5					*		
Performance Review Board	d Recom	mendation	Level	5	Level 4	Level	3 Level 2 Level 1		
PRB Chair Signature:							Date:		
Annual Summary Rating			Level	5	Level 4	Level	3 Level 2 Level 1		
Appointing Authority Signa	ture:			-			Date:		
Part 4. Derivation Formula	a and Ca	culation of An	nual Summai	ry Rating					
	Elem	ent Rating			Score				
Critical Element	Initial	Final	Moight	Initial	Final /if chang	, d)	Summany Loyal Danger		
	o)(6)	(if changed)	Weight 10%	Initial (b)(6)	(if change	eu)	Summary Level Ranges		
2. Leading People	-)(-)		10%				475-500 = Level 5		
3. Business Acumen			10%				400-474 = Level 4		
4. Building Coalitions			10%				300-399 = Level 3		
S. Results Driven			60%	4			200-299 = Level 2 Any CE rated Level 1 = Level 1		
Total	50.0		100%				Any or rated rever 1 - rever 1		



SES Performance Management System Executive Performance Agreement



Part 1. Consultation. I h	ave review	ed this plan an	d have been c	onsulted o	n its develop	oment.	46 - 5WO, 106 - 456-7	MANUSCIA IN MOVE ASSESSMENT	
Executive's Name (Last, First, MI): BOALICK, SCOTT R.					Appra 9/30/	isal Pd. 10 16	/1/15 -		
Executive's Signature: (b)(6)						Date:	- 1 7		
Title: Vice Chief Administrative Patent Judge, U.S. Patent and Trademark Office							Organization: PTAB		
Rating Official's Name (Lo Patent Judge (Acting)		I): KELLEY, NA	THAN K., Chi	ef Adminis	trative	СА 🗌	NC 🗌 L	T/LE 🗌	
Rating Official's Signature	(b)(6)			Walter Str.		Date:	1/14/	2016	
Part 2. Progress Review		, (/	70	ALL OWN ALL SPECIES CO.	APPLICATE EVO			
Executive's Signature:	(b)(6)			11102102000 12²10	Date:	5/201	20/6	
Rating Official's Signature	(b)(6)		**************************************		Date:		12016	
Reviewing Official's Signa	ture (Optio	nal):	V			Date:			
Part 3. Summary Rating	U 12 MAILE 1880		3 A. 13 3 3 5 4 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5			Ų.			
Initial Summary Rating	Level Outstand		Level 4 nmendable	Level Fully Su		Leve Minima Satisfac	lly	Level 1 Unsatisfactory	
Rating Official's Name (Lo	st, First, M): KELLEY, NA	THAN K., Chi	ef Adminis	trative Pate	ent Judge	(Acting)	22	
Rating Official's Signature	2:		And the second second second second			Date:		THE STEEL	
Executive's Signature:	- Progress W. Cold		ensource (S			Date:		· · · · · · · · · · · · · · · · · · ·	
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Higher Level Review (if a	pplicable)			_		93W W 3/150			
	el review.	Executive's Ir	nitials:			Date:	George of the Control		
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PRB Chair Signature:	*	22					Date:	_	
Annual Summary Rating			Level	5 1	evel 4	Level 3	Leve	el 2	
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Part 4. Derivation Form	ula and Caí	culation of An	nual Summar	ry Rating	85		75	\$6 245 855 457 955 5	
		ent Rating			Score				
		Final	2.04.200.000.000	9	i Final				
Critical Element 1. Leading Change	Initial	(if changed)	Weight 10%	Initial	(if change	ed)	Summary	Level Ranges	
2. Leading People 10% 475-500 = Level 5						0 = Level 5			
3. Business Acumen 10%						4 = Level 4			
4. Building Coalitions			10% 300-399 = Level 3						
5. Results Driven			60%					9 = Level 2	
Total 100% Any CE rated Level 1 = Lo					Level 1 = Level 1				

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): BONILLA, JACQUELINE	Appraisal Pd. 10/01/16 - 9/30/17					
Executive's Signature (b)(6)	Date: 2/17/3:017					
Title: Vice Chief Administrative Patent Judge, Patent Trial and Appeal Board, U.S. Patent and Trademark Office	Organization: PTAB					
Rating Official's Name (Lost, First, MI): BOALICK, SCOTT R., Deputy Chief Administrative Patent Judge	CA NC LT/LE					
Rating Official's Signature: (b)(6)	Date: 2/13-117					
Part 2. Progress Review	*					
Executive's Signature: (b)(6)	Date: 4 (13)17					
Rating Official's Signature: (b)(6)	Date: 4/12/17-					
Reviewing Official's Signature (Optional):	Date:					
Part 3. Summary Rating	5					
Initial Summary Rating (b)(6)						
Rating Official's Name (Last, First, MI): BOALICK, SCOTT R., Deputy Chief Administra	itive Patent Judge					
Rating Official's Signature: (b)(6)	Date: 10/30/17					
Executive's Signature: (b)(6)	Date: 10(3\$/17					
Reviewing Official's Signature (Optional):	Date:					
Higher Level Review (if applicable)						
I request a higher level review. Executive's Initials:	Date:					
Higher Level Review Completed	Date:					
Higher Level Reviewer Signature:						
Performance Review Board Recommendation (b)(6)						
PRB Chair Signature: (b)(6)	Date:					
Annual Summary Rating (b)(6)						
Appointing Authority Signature: (b)(6)	Date:					
Part 4. Derivation Formula and Calculation of Annual Summary Rating	1					
Element Rating Score						
Final Final						
Critical Element Initial (if changed) Weight Initial (if changed) 1. Leading Change (b)(6) 10% (b)(6)	ed) Summary Level Ranges					
1. Leading Change (b)(6) 10% (b)(6) 2. Leading People 10%	475-500 = Level 5					
3. Business Acumen 10%	400-474 = Level 4					
4. Building Coalitions 10%	300-399 = Level 3					
5. Results Driven 60%	200-299 = Level 2 Any CE rated Level 1 = Level 1					
Total 100%	Ally CE lated Level 1 2 Level 1					

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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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: JACQUELINE BONILLA

Appraisal Period: FY 2017

Critical	Element 1.	Leading C	hange
CHICA	FICTION 4.	ECGGIII C	

(Minimum weight 5%)

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

Lead PTAB through continuing development, enhancement, and optimization of organizational structure, policies, and proceedings. Lead PTAB with further appropriate adjustments in number of judges and other personnel. Lead PTAB through further phases of issuing America Invents Act Trial final decisions and enhancement of rules of practice, precedential opinion process, and guidance to stakeholders.

Rating Official Narrative: (Optional)

Critical Element Rating - Leading Change

(b)(6)

Critical Element 2. Leading People

(Minimum weight 5%)

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.

Serve as Vice Chief Judge. Provide policy direction and guidance to the PTAB. Assist the Deputy Chief Judge and Chief Judge with Business Unit Head functions on the Executive Committee and Management Council of the Agency, and otherwise, as appropriate. Lead continuing activities directed at PTAB execution of duties given to the PTAB under the America invents Act. Ensure PTAB employees are efficiently working on mission-critical tasks. Ensure the most valuable PTAB employees are rewarded.

Rating Official Narrative: (Optional)

Critical Element Rating - Leading People

(b)(6)

Executive Name and ID: JACQUELINE BONILLA Appraisal Period: FY 2017 (Minimum weight 5%) Weight 10% Critical Element 3. Business Acumen 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 Advance development of improved PTAB IT systems and system integration to meet stakeholder needs and to support USPTO's mission. Encourage electronic filing and eliminate paper where possible. Manage allocation of budget resources to accommodate business unit needs. Ensure that user fees are used on only the most mission critical activities. Further develop capabilities of larger management team. Rating Official Narrative: (Optional) (b)(6)Cr tical Element Rating - Business Acumen **Critical Element 4. Building Coalitions** (Minimum weight 5%) 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 Collaborate with other business units, where possible, to implement strategies for reducing ex parte appeals inventory within limits imposed by AIA trial inventory and deadlines. Coordinate and share information within PTAB and with other business units. Interact with public to instruct on PTAB AIA trial and appeal practice and procedures. Ensure clear and consistent messaging is coordinated internally and communicated to stakeholders. Enhance stakeholder outreach, engagement and customer service -- including to small businesses and independent inventors. Rating Official Narrative: (Optional)

(b)(6)

Critical Element Rating – Building Coalitions

Executive Name and ID: JACQUELINE BONILLA

Appraisal Period: FY 2017

Critical Element 5. Results Driven

Critical Element Rating - Results Driven

(Minimum Weight 20%)

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: 35% Weight (b)(6) Strategic Alignment: America Invents Act Trial Timeliness: USPTO Strategic Plan, Goal 1, Maintain AIA trial completion in 12 months, or in 18 months in cases with **Objective 7-A** extensions for good cause. Maintain issuance of AIA trial decisions on institution within statutory period of 3 months. Performance Requirement 2: 30% Weight (b)(6) Strategic Alignment: Ex Parte Inventory / Pendency Reduction: USPTO Strategic Plan, Goal 1, Achieve a reduction of ex parte appeal inventory and achieve substantial **Objective 7-B** progress toward an appeal pendency of 12 months. Performance Requirement 3: 35% Weight (b)(6) Strategic Alignment: PTA8 Decision Consistency: USPTO Strategic Plan, Goal 1, **Objective 7-D** Facilitate and enhance regular extra-panel review of final AIA decisions, excluding rehearing decisions, and management review of ex parte appeals decisions. Ensure clear and consistent legal and procedural positions are taken on behalf of USPTO by PTAB judges and attorneys. Rating Official Narrative: (Optional)

(b)(6)

Executive Name and ID: JACQUELINE BONILLA	Appraisal Period: FY 2017
Part 6: Summary Rating Narrative (Mandatory)	
Part 7: Executive's Accomplishment Narrative (Optional)	
	i
Part 8: Agency Use	
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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, F	irst, MI): B	onilla, Jacqueli	ine				Apprais	sal Pd. 3/13/19	9 -9/30/19
Executive's Signature: (t)(6)						Date: 4/10/19		
Title: Deputy Chief Admir	nistrative I	Patent Judge						zation: PTAB	
Rating Official's Name (Lo	st, First, N	11): Boalick, Sco	ott R.				CA 🖂	NC LT/LE	
Rating Official's Signature	e:	(b)(6)					Date:	3/25/10	1
Part 2. Progress Review									
Executive's Signature:	(b)(6)		_				Date:	511/19	
Rating Official's Signature	(b)(6)					Date:	5/1/19	
Reviewing Official's Signa	ture (Opti	onal):					Date:	<u> </u>	_
Part 3. Summary Rating				151					
Initial Summary Rating	(b)(6)								
Rating Official's Name (Lo	st, First, N	11): Bocke	h, Sest	+ 1					
Rating Official's Signature	(b)(6)			, -			Date:	11/4/20	19
Executive's Signature:	(b)(6)						Date:	11/4/20	919
Reviewing Official's Signa	ture (Opti	onal):					Date:	\$ UK.	1.4
Higher Level Review (if a	pplicable)								
☐ I request a higher leve	el review.	Executive's In	itials:				Date:		
Higher Level Review Com	pleted						Date:	·	
Higher Level Reviewer Sig	gnature:					,			
Performance Review Boo	ard Recom	mendation	Level !	5 🔲 ι	evel 4	Le	vel 3	Level 2	Level 1
PRB Chair Signature:								Date:	
Annual Summary Rating			Level !	5 🔲 ι	evel 4	Le	vel 3	Level 2	Level 1
Appointing Authority Sign	nature:							Date:	
Part 4. Derivation Formula and Calculation of Annual Summary Rating									
	Elem	ent Rating			Score				
Critical Element	Initial	Final (if changed)	Woight	Initial	Fir (if cha			Summary Leve	l Panges
	(b)(6)	(ii changed)	Weight 10%	(b)(6)	(ii Cila	ngeuj			
2. Leading People			10%					475-500 = L	
3. Business Acumen	200 200 - Lovel 2								
4. Building Coalitions			10% 60%					200-299 = L	
5. Results Driven			100 points				Any	CE rated Leve	
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.

E	lement	Rating	Leve	Points
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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

Implement Presidential directives for enhancing operation of federal government agencies (e.g., Executive Orders). Implement Director's objectives for enhancing operations of USPTO and PTAB. Optimize PTAB operations by modifying the organizational structure, policies, and procedures, as needed, Lead PTAB through enhancements of rules of practice. precedential opinions, and guidance to stakeholders to ensure balance, reliability, transparency, and predictability.

Rating Official Narrative: (Optional)

Critical Element Rating – Leading Change

(b)(6)

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.

Serve as Deputy Chief Judge and assist the Chief Judge with Business Unit Head functions, as appropriate. Provide policy direction and guidance to the PTAB. Ensure PTAB employees are efficiently working on mission-critical tasks. Retain and leverage nationwide talent.

Rating Official Narrative: (Optional)		
, in the second		
	a	
	(b)(6)	
Critical Element Rating – Leading People		
Executive Name and ID: Bonilla, Jacqueline	Appraisal Period: 3/13/	19 – 9/30/19
Critical Element 3. Business Acumen	(Minimum weight 5 points)	Weight 10%
	es, analyzes, acquires, and administers human, financial, mat	
	ublic trust and accomplishes the organization's mission. Use	0,
and manages resources.	cutes the operating budget; prepares budget requests with ju	ustifications;
Agency-Specific Performance Requirements		
Support development of improved PTAB IT syst	tem and system integration. Manage allocation of budget re	esources to
	d enhance tools to promote transparency and enable increa	
	ative initiatives to ensure PTAB's organizational infrastructu	re is sufficient
and appropriate to support the Board's size and	d workload.	
Rating Official Narrative: (Optional)		
×		
	8	
Critical Element Rating – Business Acumen	(b)(6)	
Critical Element 4. Building Coalitions	(Minimum weight 5 points)	Weight 10%
Service Section 1 to 10	and considers feedback from internal and external stakehole	
	es to maximize input from the widest range of appropriate sta	
	erse groups and strengthen internal and external support. Ex	
	nvincing manner and negotiates with individuals and groups	
	onal network with other organizations and identifies the inter	rnal and
external politics that affect the work of the orga Agency-Specific Performance Requirements	nization.	
Agency-specific Performance Requirements		
Collaborate and share information within PTAE	and with other business units to implement strategies for	achieving
	or informal collaborations and education opportunities wit	
Interact with public to educate about PTAB pra	ctice and procedure to promote understanding. Collect pub	olic feedback
about PTAB proceedings to guide enhancemen	ts of policies and procedures to promote balance, reliability	1,
transparency, and predictability.		
Dating Official Nagrating (Option of)	·	
Rating Official Narrative: (Optional)		

Critical Element Rating – Building Coalitions

(b)(6)

Executive Name and ID: Bonilla, Jacqueline

Appraisal Period: 3/13/19 - 9/30/19

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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: 25% Weight	Strategic Alignment:
America Invents Act Trial Timeliness: Achieve AIA trial completion in compliance with applicable legal requirements in 12 months from institution, or in 18 months from institution in cases with outprisons for good cause, for DEW of all AIA trials not subject	FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,
in cases with extensions for good cause, for 95% of all AIA trials not subject to joinder. Achieve issuance of AIA petition decisions on institution in compliance with applicable legal requirements within statutory period of 3 months for 95% of all AIA petitions.	Objective 4 - Enhance Operations of the Patent Trial And Appeal Board
Performance Requirement 2: 25% Weight	Strategic Alignment:
	FY 2018-2022 USPTO Strategic Plan,
Ex Parte Appeal Timeliness:	Goal 1 - Optimize Patent Quality and
Manage the average overall pendency for ex parte appeals, excluding	Timeliness,
appeals for reexam and reissue proceedings, to resolve ex parte appeals in a	
timely manner consistent with available resources, and implement programs	Objective 4 - Enhance Operations of the
to balance pendency across technologies.	Patent Trial And Appeal Board
Performance Requirement 3: 25% Weight	Strategic Alignment: FY 2018-2022 USPTO Strategic Plan,
PTAB Decision Consistency:	Goal 1 - Optimize Patent Quality and
Ensure that PTAB judges render high quality, well-reasoned, and consistent written orders and opinions in accordance with the authority granted under	Timeliness,
Title 35 of the United States Code and Title 37 of the Code of Federal	Objective 4 - Enhance Operations of the

Regulations, binding case law precedent, and written guidance applicable to

PTAB proceedings issued by the Director or the Director's delegate. Ensure review of 25% of final AIA decisions, excluding rehearing decisions and

Patent Trial And Appeal Board

decisions in cases on remand from the U.S. Court of Appeals for the Federal Circuit, and 2% of ex parte appeals decisions.	
Performance Requirement 4: 25% Weight	Strategic Alignment:
	FY 2018-2022 USPTO Strategic Plan,
Effective Communications:	Goal 1 - Optimize Patent Quality and
Ensure clear, timely, and accurate communications concerning PTAB matters to PTAB judges and staff, other USPTO business units, and external	Timeliness,
stakeholders to decrease uncertainty and increase predictability,	Objective 4 - Enhance Operations of the
transparency, and reliability.	Patent Trial And Appeal Board
Rating Official Narrative: (Optional)	
Critical Florant Rating Regults Drives (b)(6)	
Critical Element Rating – Results Driven	

Deriving the Results Driven Rating Worksheet

Executive Name	Rating Period
EXCERTIVE INDITIO	nating renou

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	10000-20			Points 475 – 500 = Level 5 Rating Score Points 400 – 474 = Level 4 Rating Score	
Performance Requirement 2				Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating	W.
Performance Requirement 3				Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 4					T. Car
Performance		= 100%			
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
History	VIEW TO USE	J. 1114		Points 475 – 500 = Level 5 Rating	Contract of
Performance Requirement 1	4	x 25	100	Score Points 400 – 474 = Level 4 Rating	Hillian L
Performance Requirement 2	5	x 30	150	Score Points 300 – 399 = Level 3 Rating	
Performance Requirement 3	5	x 15	75	Score Points 200– 299 = Level 2 Rating	41 BY 3
Performance Requirement 4	3	x 30	90	Score Any PR rated Level 1 overall score	
EXCEPTION OF THE PERSON OF THE	A STATE OF	= 100%	Market State of State	must be = Level 1 Rating Score	
Performance Requirement Total Score			415	415= Level4	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, F	irst, MI): B	onilla, Jacqueli	ne			1	Apprai:	ppraisal Pd. 3/13/19 -9/30/19	
Executive's Signature: (b)(6)						Date:	4/10/19	
Title: Deputy Chief Admir	nistrative l	Patent Judge				(Organi	zation: PTAB	
Rating Official's Name (Lo	ast, First, N	11): Boalick, Sco	tt R.				CA 🖂	NC LT/LE	
Rating Official's Signature	≘: (١	0)(6)					Date:	3/25/10	1
Part 2. Progress Review							gy Y		
Executive's Signature:	(b)(6)						Date:	511119	
Rating Official's Signature	e: (b)(6)				ı	Date:	5/1/19	
Reviewing Official's Signa	iture (Opti	onal):					Date:	<u>**</u>	_
Part 3. Summary Rating									
Initial Summary Rating	(b)(6)								
Rating Official's Name (Lo	ast, First, N	11): Bocke	h, Sest	+ 1					
Rating Official's Name (Lo Rating Official's Signature Executive's Signature:	e: 🔥	In		,			Date:	11/4/20	19
Executive's Signature:	Que	000	Bully			1	Date:	11/4/20	919
Reviewing Official's Signa							Date:	5 UAX	- 102
Higher Level Review (if a	pplicable)								
☐ I request a higher lev	el review.	Executive's In	itials:				Date:		
Higher Level Review Com	pleted						Date:		
Higher Level Reviewer Si	gnature:								
Performance Review Boo	ard Recom	mendation	Level 9	5 🔲	Level 4	Le	vel 3	Level 2	Level 1
PRB Chair Signature:						Tr.		Date:	
Annual Summary Rating			Level S	5 🔲	Level 4	Le	vel 3	Level 2	Level 1
Appointing Authority Sig	nature:							Date:	
Part 4. Derivation Form	ula and Ca	culation of An	nual Summar	y Rating	THE STATE				
	Elem	ent Rating			Score				
Critical Element	Initial	Final (if changed)	Weight	Initial	Fir (if cha			Summary Leve	l Ranges
	(b)(6)	(ii cildiiged)		(b)(6)	, tir cria	bca)			
2. Leading People			10%					47S-S00 = L 400-474 = L	
3. Business Acumen 10%								300-399 = L	
Building Coalitions Results Driven			10% 60%					200-299 = L	
Total			100 points				Any	CE rated Leve	l 1 = Level 1
				4					

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	Leve	Po	ints
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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

Implement Presidential directives for enhancing operation of federal government agencies (e.g., Executive Orders). Implement Director's objectives for enhancing operations of USPTO and PTAB. Optimize PTAB operations by modifying the organizational structure, policies, and procedures, as needed, Lead PTAB through enhancements of rules of practice. precedential opinions, and guidance to stakeholders to ensure balance, reliability, transparency, and predictability.

Rating Official Narrative: (Optional)

Critical Element Rating – Leading Change

(b)(6)

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.

Serve as Deputy Chief Judge and assist the Chief Judge with Business Unit Head functions, as appropriate. Provide policy direction and guidance to the PTAB. Ensure PTAB employees are efficiently working on mission-critical tasks. Retain and leverage nationwide talent.

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Rating Official Narrative: (Optional)	
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	9
	(b)(6)
Critical Element Rating – Leading People	(3)(0)
Executive Name and ID: Bonilla, Jacqueline	Appraisal Period: 3/13/19 – 9/30/19
Critical Element 3. Business Acumen	(Minimum weight 5 points) Weight 10%
	es, analyzes, acquires, and administers human, financial, material, and
	public trust and accomplishes the organization's mission. Uses technology
and manages resources.	ecutes the operating budget; prepares budget requests with justifications;
Agency-Specific Performance Requirements	
	tem and system integration. Manage allocation of budget resources to
	nd enhance tools to promote transparency and enable increased use of ative initiatives to ensure PTAB's organizational infrastructure is sufficient
and appropriate to support the Board's size an	
Rating Official Narrative: (Optional)	
` · · · · · · · · · · · · · · · · · · ·	
Ξ	
Critical Element Rating – Business Acumen	(b)(6)
Critical Element Rating - Business Acumen	=
Critical Element 4. Building Coalitions	(Minimum weight 5 points) Weight 10%
	s and considers feedback from internal and external stakeholders or
	es to maximize input from the widest range of appropriate stakeholders to erse groups and strengthen internal and external support. Explains,
	privincing manner and negotiates with individuals and groups internally and
	onal network with other organizations and identifies the internal and
external politics that affect the work of the organics Agency-Specific Performance Requirements	anization.
Agency-specific Performance Requirements	
Collaborate and share information within PTA	B and with other business units to implement strategies for achieving
USPTO and/or PTAB objectives. Pursue formal	or informal collaborations and education opportunities with examiners.
	actice and procedure to promote understanding. Collect public feedback
	its of policies and procedures to promote balance, reliability,
transparency, and predictability.	
Rating Official Narrative: (Optional)	
, , , ,	

Critical Element Rating – Building Coalitions

(b)(6)

Executive Name and ID: Bonilla, Jacqueline

Appraisal Period: 3/13/19 - 9/30/19

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: 25% Weight

Strategic Alignment:

America Invents Act Trial Timeliness:

Achieve AIA trial completion in compliance with applicable legal requirements in 12 months from institution, or in 18 months from institution in cases with extensions for good cause, for 95% of all AIA trials not subject to joinder. Achieve issuance of AIA petition decisions on institution in compliance with applicable legal requirements within statutory period of 3 months for 95% of all AIA petitions.

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness.

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

Performance Requirement 2: 25% Weight

Strategic Alignment:

Ex Parte Appeal Timeliness:

Manage the average overall pendency for ex parte appeals, excluding appeals for reexam and reissue proceedings, to resolve ex parte appeals in a timely manner consistent with available resources, and implement programs to balance pendency across technologies.

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

Performance Requirement 3: 25% Weight

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

PTAB Decision Consistency:

Strategic Alignment:

Ensure that PTAB judges render high quality, well-reasoned, and consistent Title 35 of the United States Code and Title 37 of the Code of Federal

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

written orders and opinions in accordance with the authority granted under Regulations, binding case law precedent, and written guidance applicable to PTAB proceedings issued by the Director or the Director's delegate. Ensure review of 25% of final AIA decisions, excluding rehearing decisions and

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

Circuit, and 2% of ex parte appeals decisions.	
Performance Requirement 4: 25% Weight	Strategic Alignment:
	FY 2018-2022 USPTO Strategic Plan,
Effective Communications:	Goal 1 - Optimize Patent Quality and
Ensure clear, timely, and accurate communications concerning PTAB matters to PTAB judges and staff, other USPTO business units, and external	Timeliness,
stakeholders to decrease uncertainty and increase predictability,	Objective 4 - Enhance Operations of the
	Detent Trial And Annual Deard
	Patent Trial And Appeal Board
Rating Official Narrative: (Optional)	Patent Trial And Appeal Board
Rating Official Narrative: (Optional)	Patent Trial And Appeal Board

Deriving the Results Driven Rating Worksheet

Executive Name	Rating Period
EXCERTIVE INDITIO	nating renou

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	
Performance Requirement 2				Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating	
Performance Requirement 3				Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 4					
Performance		= 100%			
Requirement Total Score				= Level	

Example of Results Driven Element Being Rated Level 4

Results Driven Performance	Performance Requirement	Weight	Performance Requirement	Point Ranges to Rating Level Score	Results Driven Initial Element
Requirements (PR)	Rating Level Score	by)	Points Score		Score
(PK)	Score		W. C. C. C.	Points 475 – 500 = Level 5 Rating	15-7-15-7
Performance Requirement 1	4	x 25	100	Score Points 400 – 474 = Level 4 Rating	5333
Performance Requirement 2	5	x 30	150	Score Points 300–399 = Level 3 Rating	
Performance Requirement 3	5	x 15	75	Score Points 200– 299 = Level 2 Rating	STEEL ST
Performance Requirement 4	3	x 30	90	Score Any PR rated Level 1 overall score	
	ALC: N	= 100%		must be = Level 1 Rating Score	
Performance Requirement Total Score			415	415= Level4	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, F	irst, MI): B	onilla, Jacqueli	ne				Apprais	sal Pd. 3/13/19	9 -9/30/19
Executive's Signature:	o)(6)						Date:	Date: 4/10/19	
Title: Deputy Chief Admir	nistrative l	Patent Judge					Organi	zation: PTAB	
Rating Official's Name (La	st, First, N	11): Boalick, Sco	tt R.				CA 🖂	NC LT/LE	
Rating Official's Signature	: (b)(6)					Date:	3/25/10	1
Part 2. Progress Review									
Executive's Signature:	(b)(6)						Date:	511/19	
Rating Official's Signature	(b)(6)					Date:	5/1/19	
Reviewing Official's Signa	ture (Opti	onal):					Date:		
Part 3. Summary Rating									
Initial Summary Rating (b)(6)									
Rating Official's Name (Lo	st, First, M	11): Bocke	h, Sest	+ 1					
Rating Official's Signature	(b)(6)		#				Date:	11/4/20	19
Executive's Signature:	(b)(6)						Date: 11/4/2019		
Reviewing Official's Signa	ture (Option	onal):			,		Date:	8 080	1.02
Higher Level Review (if a	pplicable)								
☐ I request a higher leve	el review.	Executive's In	itials:				Date:		
Higher Level Review Com	pleted						Date:		
Higher Level Reviewer Sig	gnature:								
Performance Review Boo	ard Recom	mendation	Level :	s 🔲 ı	evel 4	Le	vel 3	Level 2	Level 1
PRB Chair Signature:			-21			Ŷr.		Date:	
Annual Summary Rating		_	Level	s 🔲 l	evel 4	Le	vel 3	Level 2	Level 1
Appointing Authority Sign	nature:			1				Date:	
Part 4. Derivation Form	ıla and Ca	lculation of An	nual Summar	ry Rating	E FILE				
	Elem	ent Rating			Score				
Critical Element	Initial	Final (if changed)	Weight	Initial	Fir (if cha			Summary Leve	l Ranges
Leading Change	(b)(6)	(II changea)		(b)(6)	(ii ciid	прсиј	,		
2. Leading People			10%					475-S00 = L 400-474 = L	
3. Business Acumen			10%					400-474 = L 300-399 = L	
4. Building Coalitions			10%					200-299 = L	
5. Results Driven			60%				Any	CE rated Leve	
Total	12 5 VA		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
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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

Implement Presidential directives for enhancing operation of federal government agencies (e.g., Executive Orders). Implement Director's objectives for enhancing operations of USPTO and PTAB. Optimize PTAB operations by modifying the organizational structure, policies, and procedures, as needed. Lead PTAB through enhancements of rules of practice, precedential opinions, and guidance to stakeholders to ensure balance, reliability, transparency, and predictability.

Rating Official Narrative: (Optional)

(b)(6)

Critical Element Rating - Leading Change

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.

Serve as Deputy Chief Judge and assist the Chief Judge with Business Unit Head functions, as appropriate. Provide policy direction and guidance to the PTAB. Ensure PTAB employees are efficiently working on mission-critical tasks. Retain and leverage nationwide talent.

Rating Official Narrative: (Optional)	
Nating Official Native. (Optional)	
*	
	e
	(b)(6)
Critical Element Rating – Leading People	
Executive Name and ID: Bonilla, Jacqueline	Appraisal Period: 3/13/19 – 9/30/19
Critical Element 3. Business Acumen	(Minimum weight 5 points) Weight 10%
information resources in a manner that instills p to enhance processes and decision making. Exe and manages resources.	es, analyzes, acquires, and administers human, financial, material, and public trust and accomplishes the organization's mission. Uses technology ecutes the operating budget; prepares budget requests with justifications;
Agency-Specific Performance Requirements	
accommodate business unit needs. Develop an	tem and system integration. Manage allocation of budget resources to ad enhance tools to promote transparency and enable increased use of ative initiatives to ensure PTAB's organizational infrastructure is sufficient d workload.
Rating Official Narrative: (Optional)	
	*
_	
	Facility 20
Critical Element Rating – Business Acumen	(b)(6)
Critical Element 4. Building Coalitions	(Minimum weight 5 points) Weight 10%
customers. Coordinates with appropriate partic facilitate an open exchange of opinion from divi advocates, and expresses facts and ideas in a co	s and considers feedback from internal and external stakeholders or es to maximize input from the widest range of appropriate stakeholders to erse groups and strengthen internal and external support. Explains, polyincing manner and negotiates with individuals and groups internally and conal network with other organizations and identifies the internal and canization.
Agency-Specific Performance Requirements	
	B and with other business units to implement strategies for achieving or informal collaborations and education opportunities with examiners.
Interact with public to educate about PTAB pra	actice and procedure to promote understanding. Collect public feedback its of policies and procedures to promote balance, reliability,
Rating Official Narrative: (Optional)	

Critical Element Rating – Building Coalitions

(b)(6)

Executive Name and ID: Bonilla, Jacqueline

Appraisal Period: 3/13/19 - 9/30/19

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: 25% Weight

Strategic Alignment:

America Invents Act Trial Timeliness:

Achieve AIA trial completion in compliance with applicable legal requirements in 12 months from institution, or in 18 months from institution in cases with extensions for good cause, for 95% of all AIA trials not subject to joinder. Achieve issuance of AIA petition decisions on institution in compliance with applicable legal requirements within statutory period of 3 months for 95% of all AIA petitions.

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness.

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

Performance Requirement 2: 25% Weight

Strategic Alignment:

Ex Parte Appeal Timeliness:

Manage the average overall pendency for ex parte appeals, excluding appeals for reexam and reissue proceedings, to resolve ex parte appeals in a timely manner consistent with available resources, and implement programs to balance pendency across technologies.

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

Performance Requirement 3: 25% Weight

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

PTAB Decision Consistency:

Ensure that PTAB judges render high quality, well-reasoned, and consistent written orders and opinions in accordance with the authority granted under Title 35 of the United States Code and Title 37 of the Code of Federal Regulations, binding case law precedent, and written guidance applicable to PTAB proceedings issued by the Director or the Director's delegate. Ensure review of 25% of final AIA decisions, excluding rehearing decisions and

Strategic Alignment:

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

decisions in cases on remand from the U.S. Court of Appeals for the Federal Circuit, and 2% of ex parte appeals decisions.	
Performance Requirement 4: 25% Weight	Strategic Alignment:
	FY 2018-2022 USPTO Strategic Plan,
Effective Communications:	Goal 1 - Optimize Patent Quality and
Ensure clear, timely, and accurate communications concerning PTAB matters	Timeliness,
to PTAB judges and staff, other USPTO business units, and external	
stakeholders to decrease uncertainty and increase predictability,	Objective 4 - Enhance Operations of the
transparency, and reliability.	Patent Trial And Appeal Board
Rating Official Narrative: (Optional)	
(b)(6)	
Critical Element Rating – Results Driven	

Deriving the Results Driven Rating Worksheet

Executive Name	Rating Period
EXCERTIVE INDITIO	nating renou

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	
Performance Requirement 2				Points 300 – 399 = Level 3 Rating Score Points 200 – 299 = Level 2 Rating	
Performance Requirement 3				Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 4					
Performance Requirement Total Score		= 100%		= 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
	NAME OF STREET	100	W. C. C.	Points 475 – 500 = Level 5 Rating	10. Physical
Performance Requirement 1	4	x 25	100	Score Points 400 – 474 = Level 4 Rating	Harris I
Performance Requirement 2	5	x 30	150	Score Points 300 – 399 = Level 3 Rating	
Performance Requirement 3	5	x 15	75	Score Points 200– 299 = Level 2 Rating	21 B 13
Performance Requirement 4	3	x 30	90	Score Any PR rated Level 1 overall score	
State of the last	AND DESCRIPTION OF	= 100%		must be = Level 1 Rating Score	
Performance Requirement Total Score			415	415= Level4	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 Plan



Part 1. Consultation. 11	nave reviev	ved this plan an	d have been	consulted o	n its developn	nent.		
Executive's Name (Last, First, MI): BOALICK, SCOTT R.						Apprai 9/30/1	sal Pd. 10/01/17 - 18	
Executive's Signature: (b)(6)						Date:	9/26/18	
Title: Deputy Chief Administrative Patent Judge, Patent Trial and Appeal Board, U.S. Patent and Trademark Office						Organi	zation: PTAB	
Rating Official's Name (Last, First, MI): RUSCHKE, DAVID P., Chief Administrative Patent Judge						СА	NC LT/LE	
Rating Official's Signature:						Date:		
Part 2. Progress Review								
Executive's Signature:						Date:		
Rating Official's Signatur	e:			5		Date:		
Reviewing Official's Signa	ature (Opti	ional):				Date:		
Part 3. Summary Rating	(h) (0)							
Initial Summary Rating	C ADMIN TO							
Rating Official's Name (L	ast, First, N	MI): RUSCHKE,	DAVID P., Ch	<u>ief</u> Adminis	trative Paten	Judge	Scardin, Arthury, ?	
Rating Official's Signatur	e: (b)(6)					Date: 11/6/18		
Executive's Signature: (b)(6)					Date:	11/6/18		
Reviewing Official's Signa	ature (Opti	ional):				Date:		
Higher Level Review (if a	applicable)							
☐ I request a higher lev	el review.	Executive's In	itials:			Date:		
Higher Level Review Con	npleted					Date:		
Higher Level Reviewer Si	gnature:							
Performance Review Bo	ard Recom	mendation	Level	5 🔲 ι	evel 4 🔲 L	evel 3	Level 2 Level 1	
PRB Chair Signature:							Date:	
Annual Summary Rating	,		(b)(6)					
Appointing Authority Sig	nature:						Date:	
Part 4. Derivation Form	ula and Ca	lculation of An	nual Summa	ry Rating				
	Elem	ent Rating			Score	1		
C :::-15!		Final			Final			
Critical Element	Initial	(if changed)	Weight	Initial	(if changed)		Summary Level Ranges	
Leading Change Leading People	(b)(6)		10%	(b)(6)			475-500 = Level 5	
3. Business Acumen	a		10%				400-474 = Level 4	
4. Building Coalitions			10%	1			300-399 = Level 3	
5. Results Driven	7		60%	İ			200-299 = Level 2	
Total	STATE OF THE STATE	The state of	100%	1		Any	CE rated Level 1 = Level 1	
	1000							

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, timclines 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
	,

Executive Name and ID: SCOTT R BOALICK			Appraisal Pe	riod: FY2018			
Critical Element 1. Leading Change (Minimum weight 5 points) Weigh							
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 Lead PTAB through continuing appropriate development, enhancement, and optimization of organizational structure, policies, and proceedings. Make further appropriate adjustments in number of judges and other personnel. Lead PTAB							
through further phases of issuing America Invent	•			•			
practice, precedential opinions, and guidance to	stakeholders.						
Rating Official Narrative: (Optional)							
maning of total managers (opposition)							
							
Critical Element Rating Leading Change	Level 5	Level 4	Level 3	Level 2	Level 1		
Critical Element 2. Leading People		(1)	Minimum weig	ht 5 points)	Weight 10%		
Mandatory Performance Requirement: Designs the organization horizontally and vertically, and for and goals. Provides an inclusive workplace that for participation by all employees; facilitates collabor of conflicts. Ensures employee performance plan receive constructive feedback, and that employee performance standards. Holds employees accour considers employee input. Recruits, retains, and that reflects the nation, with the skills needed to workforce diversity, workplace inclusion, and equipments	osters high ethical osters the develocation, cooperations are aligned with a sare realistically ntable for approped evelops the tale accomplish organistics.	al standards in opment of other on, and teamwhith the organizary appraised againate levels of ent needed to anizational performant	meeting the overs to their full york, and supportion's mission a performance a achieve a high ormance objections.	rganization's potential; allo potential; allo orts construct and goals, that fined and corand conduct. quality, divers	vision, mission, ows for full ive resolution at employees mmunicated Seeks and se workforce		
Lead, develop, and implement actions to impr gathered from sources including the USPT• I and other initiatives.		~ ~	•				
Serve as Deputy Chief Judge. Provide policy dire Unit Head functions as appropriate. Lead continunder the America Invents Act. Ensure PTAB em	uing activities di	rected at PTA	B execution of	dutiesgiven			
Rating Official Narrative: (Optional)							
	,		.,	,	·		
Critical Element Ratina – Leadina People	level 5	Level 4	□ Level3	Level 2	Level1		

Executive Name and ID: SCOTT R BOALICK Appraisal Period: FY2018 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 Advance development of improved PTA8 IT systems and system integration to support PTAB's mission. Manage allocation of budget resources to accommodate business unit needs. 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 Collaborate with other business units, where possible and appropriate, to implement strategies for achieving USPTO objectives or PTAB objectives such as reducing ex parte appeals inventory / pendency within limits imposed by AIA trial inventory and deadlines. Interact with public to collect feedback and to inform on PTAB AIA trial and appeal practice and procedures. Ensure clear and consistent messaging is coordinated internally and communicated to the public. Rating Official Narrative: (Optional)

Level 2

Level 1

Level 3

Level 4

Level 5

Critical Element Rating -- Building Coalitions

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: 25% Weight

Strategic Alignment:

America Invents Act Trial Timeliness:

Achieve AIA trial completion in compliance with applicable legal requirements in 12 months from institution, or in 18 months from institution In cases with extensions for good cause, for 95% of all AIA trials not subject to joinder. Achieve issuance of AIA petition decisions on institution in compliance with applicable legal requirements within statutory period of 3 months for 95% of all AIA petitions.

USPTO Strategic Plan, Goal 1, **Objective 7**

Performance Requirement 2: 25% Weight

Ex Parte Inventory / Pendency Reduction:

Achieve progress toward a reduction in the average time from jurisdiction passing to the Board to decision on regular ex parte appeals, or achieve progress toward a reduction of ex parte appeal inventory by Issuing decisions in accordance with applicable legal requirements.

Strategic Alignment:

USPTO Strategic Plan, Goal 1, **Objective 7**

Performance Requirement 3: 25% Weight

Strategic Alignment:

PTAB Decision Consistency:

ex parte appeals decisions.

In accordance with the authority granted under Title 35 of the United States Code and Title 37 of the Code of Federal Regulations, binding case law precedent, and written guidance applicable to PTAB proceedings issued by the Director or the Director's delegate, ensure that PTAB judges render clear and consistent decisions for proceedings before the PTAB. Ensure review of 25% of final AIA decisions, excluding rehearing decisions, and 2% of regular

USPTO Strategic Plan, Goal 1, Objective 7

Performance Requirement 4: 25% Weight			Strategic Alig	nment:	
Federal Circuit Remand Decision Timeliness: Ensure completion of decisions on remand in collegal requirements from the Federal Circuit in 12 the Federal Circuit's mandate for 50% of all such	months from iss	•	USPTO Strate Objective 7	egic Plan, Goa	1 1,
Rating Official Narrative: (Optional)					
Critical Element Rating – Results Driven	Level 5	Level4	Level 3	Level2	Level 1

Executive Name and ID: SCOTT R BOALICK	Appraisal Period: FY2018
Part 6: Summary Rating Narrative (Mandatory)	
,, ,	
Part 7: Executive's Accomplishment Narrative (Optional)	
Part 8: Agency Use	
rait 6: Agency Ose	

7

Deriving the Results Driven Rating Worksheet

_	
Executive Name	Rating Period

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	
Performance Requirement 2				Points 300 – 399 = Level 3 Rating Score Points 200~ 299 = Level 2 Rating	
Performance Requirement 3				Score Any PR rated Level 1 overall score must be = Level 1 Rating Score	
Performance Requirement 4					
		= 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		Į.		Peints 400-474 = Leve14 Rating	
Performance	5	x 30	150	Score	
Requirement 2				Points 300 – 399 = Level 3 Rating	
Performance	5	x 15	75	Score	
Requirement 3		İ		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= Leve 4	4*
Total Score	4 (1) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4				<u> </u>

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

MEMORANDUM

FROM: Scott R. Boalick

Acting Chief Administrative Patent Judge

SUBJECT: Executive Performance Summary Narrative for Fiscal Year 2018,

Jacqueline Bonilla, Acting Deputy Chief Judge

Summary Rating Narrative:

(b)(6)			-
	(b)(6)		
	Afficial date of participations and participations are participated as a participation of the		

(b)(6)		

b)(6)	

SES Performance Management System Executive Performance Agreement



Part 1. Consultation. I ha	Part 1. Consultation. I have reviewed this plan and have been consulted on its development.								
Executive's Name (Last, First, MI): Bonilla, Jacqueline Appraisal Pd. 10/1/19 -9/30/20									
Executive's Signature: (b)(6)							Date: 9/24/19		
Title: Deputy Chief Admir	nistrative I	Patent Judge	e	- 100 S		Organi	ization: PTAB		
Rating Official's Name (La	st, First, N	11): Boalick,	Scott R.			CA 🔀	NC LT/LE		
Rating Official's Signature	(b)(6	3)				Date:	9/26/19		
Part 2. Progress Review	Part 2. Progress Review								
Executive's Signature:						Date:			
Rating Official's Signature	: :					Date:			
Reviewing Official's Signa	ture (Opti	onal):				Date:			
Part 3. Summary Rating									
Initial Summary Rating	Level Outstand		Level 4 Commendable	Level Fully Su	el 3 ccessful	Leve Minimal Satisfact	ly Unsatisfactory		
Rating Official's Name (Lo	st, First, N	ΛI):							
Rating Official's Signature	Rating Official's Signature: Date:								
Executive's Signature:						Date:			
Reviewing Official's Signa	ture (Opti	onal):				Date:			
Higher Level Review (if a	pplicable)	V -							
I request a higher leve	el review.	Executive'	s Initials:			Date:			
Higher Level Review Com	pleted					Date:			
Higher Level Reviewer Sig	gnature:								
Performance Review Boo	rd Recom	mendation	Level 5	l	evel 4	Level 3	Level 2 Level 1		
PRB Chair Signature:							Date:		
Annual Summary Rating			Level S		evel 4	Level 3	Level 2 Level 1		
Appointing Authority Sign	nature:						Date:		
Part 4. Derivation Formu	ıla and Ca	Iculation of	Annual Summary	Rating					
,	Elem	ent Rating			Score				
Critical Element	Initial	Final (if change	d) Weight	Initial	Final (if changed	. 76	Summary Level Ranges		
1. Leading Change	IIIILIAI	(11 change)	10%	micial	(ii change	"	Summary Level Kanges		
2. Leading People			10%				47S-S00 = Level S		
3. Business Acumen			10%				400-474 = Level 4		
4. Building Coalitions			10%				300-399 = Level 3		
5. Results Driven			60%				200-299 = Level 2		
Total			100 points			Any	CE rated Level 1 = Level 1		

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

Critical Element 1. Leading Change		(N	/linimum weigh	nt 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						
Implement Presidential directives for enhancing of Implement Director's objectives for enhancing op the organizational staffing, policies, and procedur precedential opinions, and guidance to stakehold	erations of USP es, as needed.	TO and PTAB. Lead PTAB thr	Optimize PTAE ough enhancen	operations benefits of rules	oy modifying s of practice,	
Rating Official Narrative: (Optional)						
					,	
Critical Element Rating – Leading Change	Level 5	Level 4	Level 3	Level 2	Level 1	
Critical Element 2. Leading People		(n	Minimum weigh	nt 5 points)	Weight 10%	
Mandatory Performance Requirement: Designs at the organization horizontally and vertically, and for and goals. Provides an inclusive workplace that for participation by all employees; facilitates collaborated of conflicts. Ensures employee performance plans receive constructive feedback, and that employees performance standards. Holds employees account considers employee input. Recruits, retains, and of that reflects the nation, with the skills needed to a workforce diversity, workplace inclusion, and equal	sters high ethical sters the development of the development of the development of the development of the tale of the tale of the tale of the development of the tale of tale o	al standards in pment of other on, and teamwith the organizary appraised againste levels of ent needed to a nizational perfe	meeting the or ers to their full p rork, and suppo tion's mission a ainst clearly def performance al achieve a high c ormance object	ganization's vootential; alloorts construction goals, that fined and commod conduct. Squality, divers	vision, mission, ws for full vive resolution temployees nmunicated Seeks and see workforce	
Agency-Specific Performance Requirements Lead, develop, and implement actions to impro	wa amnlayaa a	nadaamant in	voue area has	rad on ample	waa faadhack	
gathered from sources including the USPTO P and other initiatives.	•	., .,	•	•	• "	
Promotes the protection of whistleblowers by: described in subparagraph (A) or (B) of sectio fostering an environment in which employees o employees or other appropriate authorities.	n 2302(b)(8); t	aking respon.	sible actions to	o resolve dis	closures; and	
Serve as Deputy Chief Judge and assist the Chief Judge and assist the Chief policy direction and guidance to the PTAB. Ensure Retain and leverage nationwide talent.	_					
Rating Official Narrative: (Optional)						
Critical Element Rating – Leading People	Level 5	Level 4	Level 3	Level 2	Level 1	
	3	Basic SES	Performance App	raisal System, up	odated August 2016	

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: 25% Weight

America Invents Act Trial Timeliness:

Achieve AIA trial completion in compliance with applicable legal requirements in 12 months from institution, or in 18 months from institution in cases with extensions for good cause, for 95% of all AIA trials not subject to joinder. Achieve issuance of AIA petition decisions on institution in compliance with applicable legal requirements within statutory period of 3 months for 95% of all AIA petitions.

Performance Requirement 2: 25% Weight

Ex Parte Appeal Timeliness:

Manage the average overall pendency for ex parte appeals, excluding appeals for reexam and reissue proceedings, to resolve ex parte appeals in a timely manner consistent with available resources, and implement programs to balance pendency across technologies.

Performance Requirement 3: 25% Weight

PTAB Decision Consistency:

Ensure that PTAB judges render high quality, well-reasoned, and consistent written orders and opinions in accordance with the authority granted under Title 35 of the United States Code and Title 37 of the Code of Federal Regulations, binding case law precedent, and written guidance applicable to PTAB proceedings issued by the Director or the Director's delegate. Ensure review of 25% of final AIA decisions, excluding rehearing decisions and decisions in cases on remand from the U.S. Court of Appeals for the Federal Circuit, and 2% of exparte appeals decisions.

Performance Requirement 4: 25% Weight

Effective Communications:

Ensure clear, timely, and accurate communications concerning PTAB matters to PTAB judges and staff, other USPTO business units, and external

Strategic Alignment:

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

Strategic Alignment:

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board Strategic Alignment:
FY 2018-2022 USPTO Strategic Plan,
Goal 1 - Optimize Patent Quality and Timeliness,

Objective 4 - Enhance Operations of the Patent Trial And Appeal Board

Strategic Alignment:

FY 2018-2022 USPTO Strategic Plan, Goal 1 - Optimize Patent Quality and Timeliness,

stakeholders to decrease uncertainty and increase predictability, transparency, and reliability.	Objective 4 - Enhance Operations of the Patent Trial And Appeal Board
Rating Official Narrative: (Optional)	
	,
Critical Element Rating – Results Driven	Level 4 Level 3 Level 2 Level 1

Deriving the Results Driven Rating Worksheet

Executive Name	Rating Period

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 Performance Requirement 2 Performance	36016			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	
Requirement 3 Performance Requirement 4		= 100%		Any PR rated Level 1 overall score must be = Level 1 Rating Score	
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	24	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	W 1. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	1000 775	= 100%	The state of	must be = Level 1 Rating Score	San Contract
Performance					
Requirement	A C 16 18		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.

MEMORANDUM

FROM: Scott R. Boalick

Acting Chief Administrative Patent Judge

SUBJECT: Executive Performance Summary Narrative for Fiscal Year 2018,

Jacqueline Bonilla, Acting Deputy Chief Judge

Summary Rating Narrative:

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(3)(3)		