



**General Counsel
ES-0905
Alexandria, Virginia**

I. Introduction

The USPTO's Office of General Counsel plays a vital role in the USPTO's mission to issue patents and trademarks. It does so by providing timely and innovative legal advice which promotes innovation and creativity. The General Counsel serves as the Under Secretary for Commerce and Director of the USPTO's principal legal advisor. The General Counsel supervises the provision of legal advice and court representation on intellectual property and administrative matters for the agency. In addition the General Counsel is responsible for providing legal advice on patent, trademark and copyright matters as well as administrative issues such as government contracts, personnel, and budgetary matters.

Legal advisory opinions rendered by the General Counsel are relied on by the U/S in establishing policy and procedures of the USPTO. The General Counsel's supervision of court work ensures that the USPTO's views are skillfully presented to court and administrative forums.

II. Duties

The General Counsel for the USPTO is responsible for the following:

- Chief legal advisor to the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.
- Supervising the Offices of the Solicitor, Office of General Law and the Office of Enrollment and Discipline.
- Developing legal positions for patent, trademark and copyright litigation before the Federal Courts, including the U.S. Supreme Court, U.S. Court of Appeals for the Federal Circuit, U.S district courts, and regional U.S. courts of appeals,
- Participating in the development of legislative proposals for revisions to patent and trademark statutes.
- Legal review and drafting of patent and trademark regulations.
- Rendering legal advice in all areas of general law, including procurement, employment, fiscal, Freedom of Information Act, Privacy Act and regulatory matters.
- Supervising all enrollment and discipline matters for registered patent practitioners and attorneys handling trademark matters.
- Public outreach to and speaking engagements at various organizations involved in intellectual property law matters.

A highly qualified candidate would have substantial experience in litigating patent and trademark cases in the Federal Courts and applying knowledge of intellectual property law in cases involving complex legal and technological issues. An in-depth understanding of the USPTO's organic statute and the agency's rule making process is highly desirable along with an understanding of the American's Invent Act. In addition, a highly qualified candidate would have



a minimum of fifteen years of senior legal practice experience. Commitment to the highest ethical and professional standards; personal and professional integrity beyond reproach; unquestioned discretion in maintaining confidentiality.

Excellent written and oral communications skills in public and private settings with diverse audiences; ability to translate complex legal issues for a lay audience.

Strong leadership and interpersonal skills, able to collaborate with a diverse population, and ability to relate well with Senior Administration, political staff, government officials, and external audiences.

III. Educational Requirement

The incumbent must have a law degree and membership in good standing of the Bar of any state, District of Columbia, Puerto Rico, or any territorial court under the Constitution.

IV. Professional Technical Qualifications

The incumbent must possess the following Professional Technical Qualifications:

1. General knowledge of patent, trademark and copyright statutes, regulations and court decisions, including the America Invents Act.
2. Demonstrated ability to advise senior executives on complex legal issues.
3. Ability to manage a law office and budget with approximately 100 staff members.
4. Ability to work closely with the USPTO user community, trade associations and bar associations.

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 incumbent provides oversight and directions within the Office of the General Counsel, including the coordination of the day-to-day activities of assigned staff. The incumbent develops procedures for program operations and oversees assignment and completion of functions. He



also assures that an active effort is made to promote diversity within the organization and outside the organization through personnel outreach efforts.

The incumbent reports to the Deputy Under Secretary. Performance is judged in terms of accomplishment of objectives and overall effectiveness. The incumbent functions with extremely wide latitude and is expected to exercise independent judgment in deciding course of action, keeping the Deputy Under Secretary informed of significant events.

VII. SES Designation

The General Counsel position has been designated as a General position in the Senior Executive Service. As circumstances and organizational needs dictate it can thus be filled by either career or non-career appointees.

VIII. Security Designation and Drug Testing Requirement (if applicable)

The security designation for this position is listed as 6N, there is not a drug testing requirement for this position.



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Legal advisory opinions rendered by the General Counsel are relied on by the U/S in establishing policy and procedures of the USPTO. The General Counsel's supervision of court work ensures that the USPTO's views are skillfully presented to court and administrative forums.

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- Developing legal positions for patent, trademark and copyright litigation before the Federal Courts, including the U.S. Supreme Court, U.S. Court of Appeals for the Federal Circuit, U.S district courts, and regional U.S. courts of appeals,
- Participating in the development of legislative proposals for revisions to patent and trademark statutes.
- Legal review and drafting of patent and trademark regulations.
- Rendering legal advice in all areas of general law, including procurement, employment, fiscal, Freedom of Information Act, Privacy Act and regulatory matters.
- Supervising all enrollment and discipline matters for registered patent practitioners and attorneys handling trademark matters.
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The incumbent must have a law degree and membership in good standing of the Bar of any state, District of Columbia, Puerto Rico, or any territorial court under the Constitution.

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The incumbent must possess the following Professional Technical Qualifications:

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2. Demonstrated ability to advise senior executives on complex legal issues.
3. Ability to manage a law office and budget with approximately 100 staff members.
4. Ability to work closely with the USPTO user community, trade associations and bar associations.

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The incumbent must possess the following Executive Core Qualifications:

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- Leading Change
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- Business Acumen
- Building Coalitions

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Office of the General Counsel

POSITION DESCRIPTION

Job Code ES3501

also assures that an active effort is made to promote diversity within the organization and outside the organization through personnel outreach efforts.

The incumbent reports to the Deputy Under Secretary. Performance is judged in terms of accomplishment of objectives and overall effectiveness. The incumbent functions with extremely wide latitude and is expected to exercise independent judgment in deciding course of action, keeping the Deputy Under Secretary informed of significant events.

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The General Counsel position has been designated as a General position in the Senior Executive Service. As circumstances and organizational needs dictate it can thus be filled by either career or non-career appointees.

VIII. Security Designation and Drug Testing Requirement (if applicable)

The security designation for this position is listed as 6N, there is not a drug testing requirement for this position.

**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): Harris, Sarah T.	Appraisal Pd. 10/1/19 – 9/30/20
Executive's Signature: (b)(6)	Date: 9/30/19
Title: General Counsel	Organization:
Rating Official's Name (Last, First, MI): Peter, Laura	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 9/30/2019

Part 2. Progress Review

Executive's Signature:	Date:
Rating Official's Signature:	Date:
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

Initial Summary Rating	(b)(6)				
	Outstanding	Exceeds Fully Successful	Fully Successful	Minimally Satisfactory	Unsatisfactory

Rating Official's Name (Last, First, MI): Peter, Laura	
Rating Official's Signature:	Date:
Executive's Signature:	Date:
Reviewing Official's Signature (Optional):	Date:

Higher Level Review (if applicable)

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

Performance Review Board Recommendation

PRB Chair Signature:	Date:
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Annual Summary Rating

Appointing Authority Signature:	Date:
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Part 4. Derivation Formula and Calculation of Annual Summary Rating

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

Part 5. Performance Standards and Critical Elements

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

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

Element Rating Level Points

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

Critical Element 1. Leading Change	(Minimum weight 5 points)	Weight 10%
<p>Mandatory Performance Requirement: Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.</p>		
<p>Agency-Specific Performance Requirements</p>		
<p>Rating Official Narrative: <i>(Optional)</i></p>		
Critical Element Rating – Leading Change	(b)(6)	
Critical Element 2. Leading People	(Minimum weight 5 points)	Weight 10%
<p>Mandatory Performance Requirement: Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.</p>		
<p>Agency-Specific Performance Requirements</p> <p>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.</p> <p>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.</p>		
<p>Rating Official Narrative: <i>(Optional)</i></p>		
Critical Element Rating – Leading People	(b)(6)	

Critical Element 3. Business Acumen	(Minimum weight 5 points)	Weight 10%
<p>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.</p>		
<p>Agency-Specific Performance Requirements</p>		
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<p>Critical Element Rating – Business Acumen</p>	<p>(b)(6)</p>	
Critical Element 4. Building Coalitions	(Minimum weight 5 points)	Weight 10%
<p>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.</p>		
<p>Agency-Specific Performance Requirements</p>		
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<p>Critical Element Rating – Building Coalitions</p>	<p>(b)(6)</p>	

Critical Element 5. Results Driven	(Minimum Weight 20 points)	Weight 60%
<p>This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency should specify if it sets a maximum number).</p>		
<p>This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable results from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance requirements must contain measurable results and their quality indicators describing the range of performance at Level 3 for each result specified. In addition to the quality indicators, applicable measures of quantity, timelines, and/or cost-effectiveness may be included as appropriate. It is recommended to also establish the threshold quality indicators and measures for Levels 5 and 2. Indicators must reflect the same level of performance as the respective performance standard contained in Part 5.</p>		
<p>Strategic Alignment—identify clear, transparent alignment to agency strategic planning initiatives (e.g., relevant agency or organizational goals/objectives with cited page numbers from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document) in the designated section for each performance requirement.</p>		
<p>Note: Performance requirements must contain results and quality indicators that are clearly and differentially identified (e.g., highlighted, bold, underlined) so that it is readily evident on what the senior executive will be rated and what is expected for success.</p>		
<p>Performance Requirement 1: 35% Fosters effective working relationships with the Front Office and the clients by providing sound legal advice that is consistent with applicable laws, regulations, and policies, and effectively address client’s legal issues and objectives.</p>	<p>Strategic Alignment: USPTO 2018-2022 Strategic Plan Goal #: 3 Objective(s) #: 1 Mission Support Goal Objective(s) #: 4</p>	
<p>Performance Requirement 2: 35% Provides timely and accurate legal strategies that responds to the needs of the agency in order to minimize potential risks and advance the agency’s mission. Strategies on legal issues and deadlines affecting clients are consistent with Service Legal Agreements.</p>	<p>Strategic Alignment: USPTO 2018-2022 Strategic Plan Goal #: 3 Objective(s) #: 1 Mission Support Goal Objective(s) #: 4</p>	
<p>Performance Requirement 3: 30% In accordance with legal and policy guidance, advocate and educate government and private sector external stakeholders on USPTO’s positions and/or policy standpoints in order to reach compatible outcome that promote USPTO’s objectives.</p>	<p>Strategic Alignment: USPTO 2018-2022 Strategic Plan Goal #: 3 Objective(s) #: 1 Mission Support Goal Objective(s) #: 4</p>	
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<p>Critical Element Rating – Results Driven</p>	<p>(b)(6)</p>	

Executive Name and ID: Sarah T. Harris

Appraisal Period: 10/01/19 - 9/30/20

Part 6: Summary Rating Narrative (Mandatory)

Part 7: Executive's Accomplishment Narrative (Optional)

Part 8: Agency Use

Executive Name: Sarah T. Harris

Rating Period: 10/01/19 - 9/30/20

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

Example of Results Driven Element Being Rated Level 4

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

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

**SES Performance Management System
Executive Performance Plan**



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

Executive's Name (Last, First, MI): Harris, Sarah T.	Appraisal Pd. 10/1/18 – 9/30/19
Executive's Signature: (b)(6)	Date: 4/25/18
Title: General Counsel	Organization:
Rating Official's Name (Last, First, MI): Scardino, Anthony P.	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 9.28.18

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 5.6.19
Rating Official's Signature: (b)(6)	Date:
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

(b)(6)	Outstanding	Exceeds Fully Successful	Fully Successful	Minimally Satisfactory	Unsatisfactory
Initial Summary Rating					
Rating Official's Name (Last, First, MI): PETOR, LAMARA A					
Rating Official's Signature: (b)(6)					Date: 10/28/2019
Executive's Signature: (b)(6)					Date: 10/28/2019
Reviewing Official's Signature (Optional):					Date:

Higher Level Review (if applicable)

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

Performance Review Board Recommendation	(b)(6)
PRB Chair Signature:	Date:
Annual Summary Rating	(b)(6)
Appointing Authority Signature:	Date:

Part 4. Derivation Formula and Calculation of Annual Summary Rating

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

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)

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Element Rating Level Points

- Level 5 = 5 points
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Critical Element 1. Leading Change		(Minimum weight 5 points)	Weight 10%
<p>Mandatory Performance Requirement: Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.</p>			
<p>Agency-Specific Performance Requirements</p>			
<p>Rating Official Narrative: <i>(Optional)</i></p>			

<i>Critical Element Rating – Leading Change</i>	(b)(6)
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Critical Element 2. Leading People		(Minimum weight 5 points)	Weight 10%
<p>Mandatory Performance Requirement: Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.</p>			
<p>Agency-Specific Performance Requirements</p>			
<p>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.</p>			
<p>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.</p>			
<p>Rating Official Narrative: <i>(Optional)</i></p>			

<i>Critical Element Rating – Leading People</i>	(b)(6)
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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		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Business Acumen	(b)(6)	
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		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Building Coalitions	(b)(6)	

Critical Element 5. Results Driven	(Minimum Weight 20 points)	Weight 60%
<p>This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency should specify if it sets a maximum number).</p>		
<p>This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable results from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance requirements must contain measurable results and their quality indicators describing the range of performance at Level 3 for each result specified. In addition to the quality indicators, applicable measures of quantity, timelines, and/or cost-effectiveness may be included as appropriate. It is recommended to also establish the threshold quality indicators and measures for Levels 5 and 2. Indicators must reflect the same level of performance as the respective performance standard contained in Part 5.</p>		
<p>Strategic Alignment—identify clear, transparent alignment to agency strategic planning initiatives (e.g., relevant agency or organizational goals/objectives with cited page numbers from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document) in the designated section for each performance requirement.</p>		
<p>Note: Performance requirements must contain results and quality indicators that are clearly and differentially identified (e.g., highlighted, bold, underlined) so that it is readily evident on what the senior executive will be rated and what is expected for success.</p>		
<p>Performance Requirement 1: 35% Fosters effective working relationships with the Director and the clients by providing sound legal advice that is consistent with applicable laws, regulations, and policies, and effectively address client’s legal issues and objectives.</p>	<p>Strategic Alignment: (b)(6)</p>	
<p>Performance Requirement 2: 35% Provides timely and accurate legal strategies that responds to the needs of the agency in order to minimize potential risks and advance the agency’s mission. Strategies on legal issues and deadlines affecting clients are consistent with Service Legal Agreements.</p>	<p>Strategic Alignment: (b)(6)</p>	
<p>Performance Requirement 3: 30% In accordance with legal and policy guidance, advocate and educate government and private sector external stakeholders on USPTO’s positions and/or policy standpoints in order to reach compatible outcome that promote USPTO’s objectives.</p>	<p>Strategic Alignment: (b)(6)</p>	
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<p>Critical Element Rating – Results Driven</p>		<p>(b)(6)</p>

Part 6: Summary Rating Narrative (Mandatory)

Part 7: Executive's Accomplishment Narrative (Optional)

Part 8: Agency Use

Executive Name Sarah T. Harris

Rating Period: 10/01/18 - 9/30/19

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

Example of Results Driven Element Being Rated Level 4

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

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

FY 2019 Year End Review – Sarah Harris

Leading Change

- (b)(6)
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-
-

- (b)(6)

Leading People

- (b)(6)

➤ (b)(6)

➤

➤

➤

➤

➤

Business Acumen

➤ (b)(6)

➤

➤

➤

➤ (b)(6)

➤

➤



ECQ 4 – Building Coalitions (10%)

➤ (b)(6)

➤

➤

➤

➤

➤

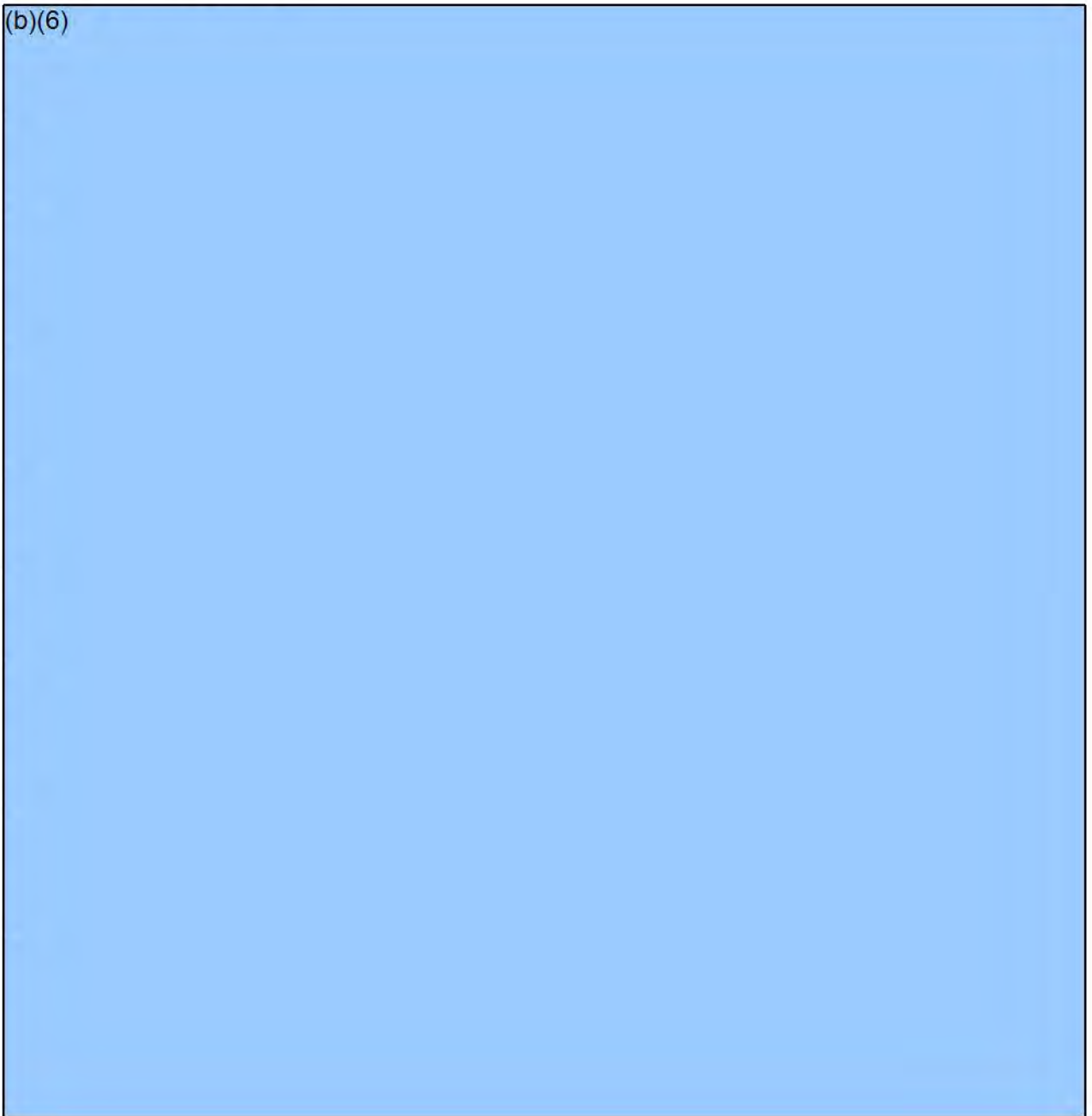
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(b)(6)



Results Driven



(b)(6)

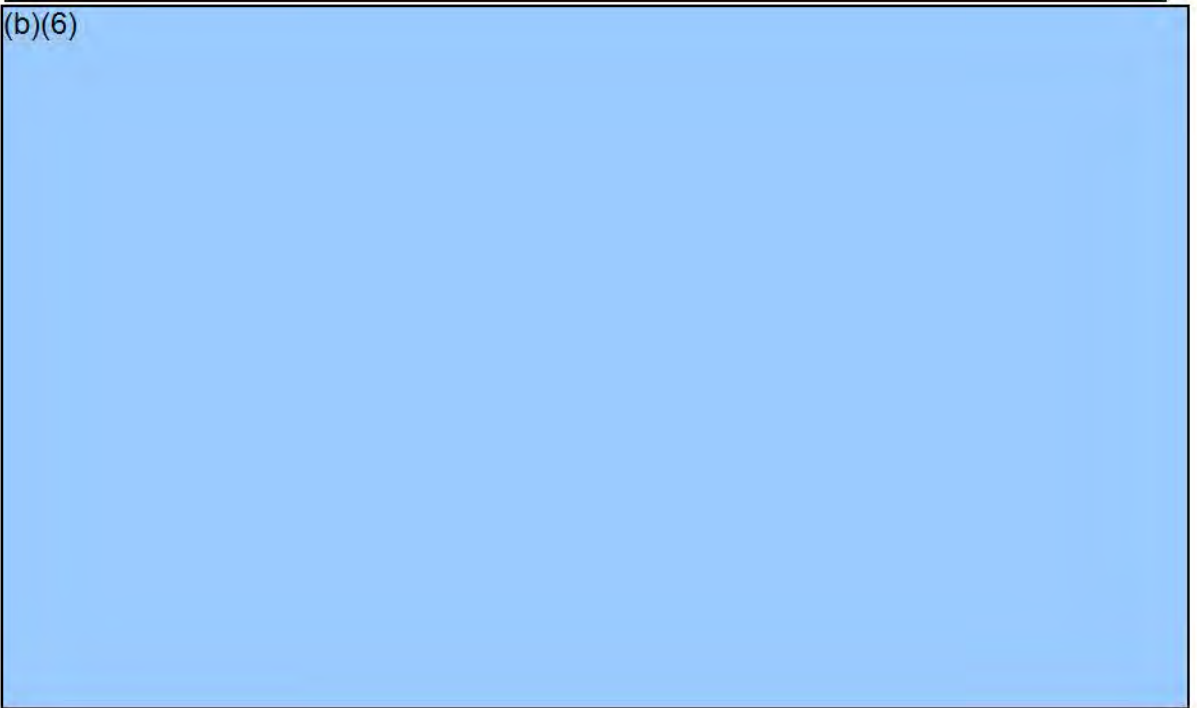


(b)(6)

o (b)(6)



o (b)(6)



Leading Change

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

Leading People

- (b)(6)
-
-

➤ (b)(6)

➤



Business Acumen

➤ (b)(6)

➤

➤

➤

➤

➤

➤



ECQ 4 – Building Coalitions (10%)

➤ (b)(6)

➤

➤



➤ (b)(6)

➤

➤

➤

➤

➤

➤

Results Driven

➤ (b)(6)

➤

- (b)(6)
- [Redacted]

- (b)(6)

- (b)(6)

**SES Performance Management System
Executive Performance Plan**



Part 1. Consultation. <i>I have reviewed this plan and have been consulted on its development.</i>						
Executive's Name (Last, First, MI): Harris, Sarah T.				Appraisal Pd. 10/1/18 – 9/30/19		
Executive's Signature: (b)(6)				Date: 4/25/18		
Title: General Counsel				Organization:		
Rating Official's Name (Last, First, MI): Scardino, Anthony P.				CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>		
Rating Official's Signature: (b)(6)				Date: 9.28.18		
Part 2. Progress Review						
Executive's Signature: (b)(6)				Date: 5.6.19		
Rating Official's Signature: (b)(6)				Date:		
Reviewing Official's Signature (Optional):				Date:		
Part 3. Summary Rating						
Initial Summary Rating (b)(6)						
Rating Official's Name (Last, First, MI): PETER, LAWRENCE A						
Rating Official's Signature: (b)(6)				Date: 10/28/2019		
Executive's Signature: (b)(6)				Date: 10/28/2019		
Reviewing Official's Signature (Optional):				Date:		
Higher Level Review (if applicable)						
<input type="checkbox"/> I request a higher level review. Executive's Initials:				Date:		
Higher Level Review Completed <input type="checkbox"/>				Date:		
Higher Level Reviewer Signature:						
Performance Review Board Recommendation						
		<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
PRB Chair Signature:				Date:		
Annual Summary Rating						
		<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1
Appointing Authority Signature:				Date:		
Part 4. Derivation Formula and Calculation of Annual Summary Rating						
Critical Element	Element Rating		Weight	Score		Summary Level Ranges
	Initial	Final (if changed)		Initial	Final (if changed)	
1. Leading Change	(b)(6)		(b)(6)			475-500 = Level 5 400-474 = Level 4 300-399 = Level 3 200-299 = Level 2 Any CE rated Level 1 = Level 1
2. Leading People	(b)(6)		(b)(6)			
3. Business Acumen	(b)(6)		(b)(6)			
4. Building Coalitions	(b)(6)		(b)(6)			
5. Results Driven	(b)(6)		(b)(6)			
Total			100 points	(b)(6)		

Part 5. Performance Standards and Critical Elements

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

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

Element Rating Level Points

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

Critical Element 1. Leading Change		(Minimum weight 5 points)	Weight 10%
<p>Mandatory Performance Requirement: Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.</p>			
<p>Agency-Specific Performance Requirements</p>			
<p>Rating Official Narrative: <i>(Optional)</i></p>			
<i>Critical Element Rating – Leading Change</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3
	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1	

Critical Element 2. Leading People		(Minimum weight 5 points)	Weight 10%
<p>Mandatory Performance Requirement: Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.</p>			
<p>Agency-Specific Performance Requirements</p> <p>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.</p> <p>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.</p>			
<p>Rating Official Narrative: <i>(Optional)</i></p>			
<i>Critical Element Rating – Leading People</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3
	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1	

Critical Element 3. Business Acumen	(Minimum weight 5 points)	Weight 10%
<p>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.</p>		
<p>Agency-Specific Performance Requirements</p>		
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<i>Critical Element Rating – Business Acumen</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4
	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2
		<input type="checkbox"/> Level 1
Critical Element 4. Building Coalitions	(Minimum weight 5 points)	Weight 10%
<p>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.</p>		
<p>Agency-Specific Performance Requirements</p>		
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<i>Critical Element Rating – Building Coalitions</i>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4
	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2
		<input type="checkbox"/> Level 1

Critical Element 5. Results Driven	(Minimum Weight 20 points)	Weight 60%			
<p>This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency should specify if it sets a maximum number).</p>					
<p>This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable results from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance requirements must contain measurable results and their quality indicators describing the range of performance at Level 3 for each result specified. In addition to the quality indicators, applicable measures of quantity, timelines, and/or cost-effectiveness may be included as appropriate. It is recommended to also establish the threshold quality indicators and measures for Levels 5 and 2. Indicators must reflect the same level of performance as the respective performance standard contained in Part 5.</p>					
<p>Strategic Alignment—identify clear, transparent alignment to agency strategic planning initiatives (e.g., relevant agency or organizational goals/objectives with cited page numbers from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document) in the designated section for each performance requirement.</p>					
<p>Note: Performance requirements must contain results and quality indicators that are clearly and differentially identified (e.g., highlighted, bold, underlined) so that it is readily evident on what the senior executive will be rated and what is expected for success.</p>					
<p>Performance Requirement 1: 35% Fosters effective working relationships with the Director and the clients by providing sound legal advice that is consistent with applicable laws, regulations, and policies, and effectively address client’s legal issues and objectives.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>				
<p>Performance Requirement 2: 35% Provides timely and accurate legal strategies that responds to the needs of the agency in order to minimize potential risks and advance the agency’s mission. Strategies on legal issues and deadlines affecting clients are consistent with Service Legal Agreements.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>				
<p>Performance Requirement 3: 30% In accordance with legal and policy guidance, advocate and educate government and private sector external stakeholders on USPTO’s positions and/or policy standpoints in order to reach compatible outcome that promote USPTO’s objectives.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>				
<p>Rating Official Narrative: <i>(Optional)</i></p>					
<p>Critical Element Rating – Results Driven</p>	<input type="checkbox"/> Level 5	<input type="checkbox"/> Level 4	<input type="checkbox"/> Level 3	<input type="checkbox"/> Level 2	<input type="checkbox"/> Level 1

Part 6: Summary Rating Narrative (Mandatory)

Part 7: Executive's Accomplishment Narrative (Optional)

Part 8: Agency Use

Executive Name Sarah T. Harris

Rating Period: 10/01/18 - 9/30/19

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

Example of Results Driven Element Being Rated Level 4

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

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

FY 2019 Year End Review – Sarah Harris

Leading Change

(b)(6)



Leading People

(b)(6)



(b)(6)



Business Acumen

(b)(6)



(b)(6)



ECQ 4 – Building Coalitions (10%)

(b)(6)



(b)(6)



Results Driven

(b)(6)



- OED.

(b)(6)



- Solicitor's Office.

(b)(6)

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- QGL.

(b)(6)

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Leading Change

(b)(6)



Leading People

(b)(6)



(b)(6)



Business Acumen

(b)(6)



ECQ 4 – Building Coalitions (10%)

(b)(6)



(b)(6)



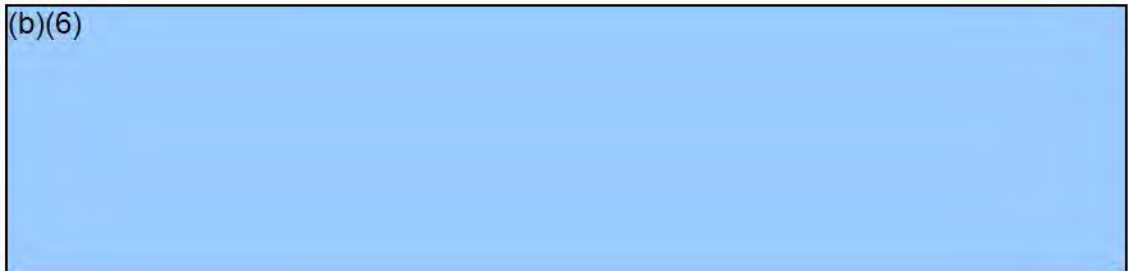
Results Driven

(b)(6)



- OED.

(b)(6)



(b)(6)

- Solicitor's Office.

(b)(6)

- OGL.

(b)(6)

**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): Harris, Sarah T.	Appraisal Pd. 10/1/17 – 9/30/18
Executive's Signature: (b)(6)	Date: 11/2/17
Title: General Counsel	Organization:
Rating Official's Name (Last, First, MI): Scardino, Anthony P.	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 11/2/17

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 4/26/18
Rating Official's Signature: (b)(6)	Date: 4/26/18
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

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

Higher Level Review (if applicable)

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

Performance Review Board Recommendation

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

Appointing Authority Signature:	Date:
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Part 4. Derivation Formula and Calculation of Annual Summary Rating

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

Part 5. Performance Standards and Critical Elements

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

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

Element Rating Level Points

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

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

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

Agency-Specific Performance Requirements

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.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading People

(b)(6)

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

Rating Official Narrative: *(Optional)*

Critical Element Rating – Business Acumen

(b)(6)

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

Rating Official Narrative: *(Optional)*

Critical Element Rating – Building Coalitions

(b)(6)

Critical Element 5. Results Driven	(Minimum Weight 20 points)	Weight 60%
<p>This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency should specify if it sets a maximum number).</p>		
<p>This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable results from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance requirements must contain measurable results and their quality indicators describing the range of performance at Level 3 for each result specified. In addition to the quality indicators, applicable measures of quantity, timelines, and/or cost-effectiveness may be included as appropriate. It is recommended to also establish the threshold quality indicators and measures for Levels 5 and 2. Indicators must reflect the same level of performance as the respective performance standard contained in Part 5.</p>		
<p>Strategic Alignment—identify clear, transparent alignment to agency strategic planning initiatives (e.g., relevant agency or organizational goals/objectives with cited page numbers from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document) in the designated section for each performance requirement.</p>		
<p>Note: Performance requirements must contain results and quality indicators that are clearly and differentially identified (e.g., highlighted, bold, underlined) so that it is readily evident on what the senior executive will be rated and what is expected for success.</p>		
<p>Performance Requirement 1: 35% Fosters effective working relationships with the Director and the clients by providing sound legal advice that is consistent with applicable laws, regulations, and policies, and effectively address client’s legal issues and objectives.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Performance Requirement 2: 35% Provides timely and accurate legal strategies that responds to the needs of the agency in order to minimize potential risks and advance the agency’s mission. Strategies on legal issues and deadlines affecting clients are consistent with Service Legal Agreements.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Performance Requirement 3: 30% In accordance with legal and policy guidance, advocate and educate government and private sector external stakeholders on USPTO’s positions and/or policy standpoints in order to reach compatible outcome that promote USPTO’s objectives.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<p>Critical Element Rating – Results Driven</p>		<p>(b)(6)</p>

Part 6: Summary Rating Narrative *(Mandatory)*

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

Part 8: Agency Use

Deriving the Results Driven Rating Worksheet

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

Example of Results Driven Element Being Rated Level 4

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

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

FY 2018 Mid-Year Review – Sarah Harris

Leading Change

(b)(6)



Leading People

(b)(6)



(b)(6)



Business Acumen

(b)(6)



(b)(6)



ECQ 4 – Building Coalitions (10%)

(b)(6)



(b)(6)

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Results Driven

(b)(6)

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FY 2018 Year End Review – Sarah Harris

Leading Change

(b)(6)



Leading People

(b)(6)



(b)(6)



Business Acumen

(b)(6)

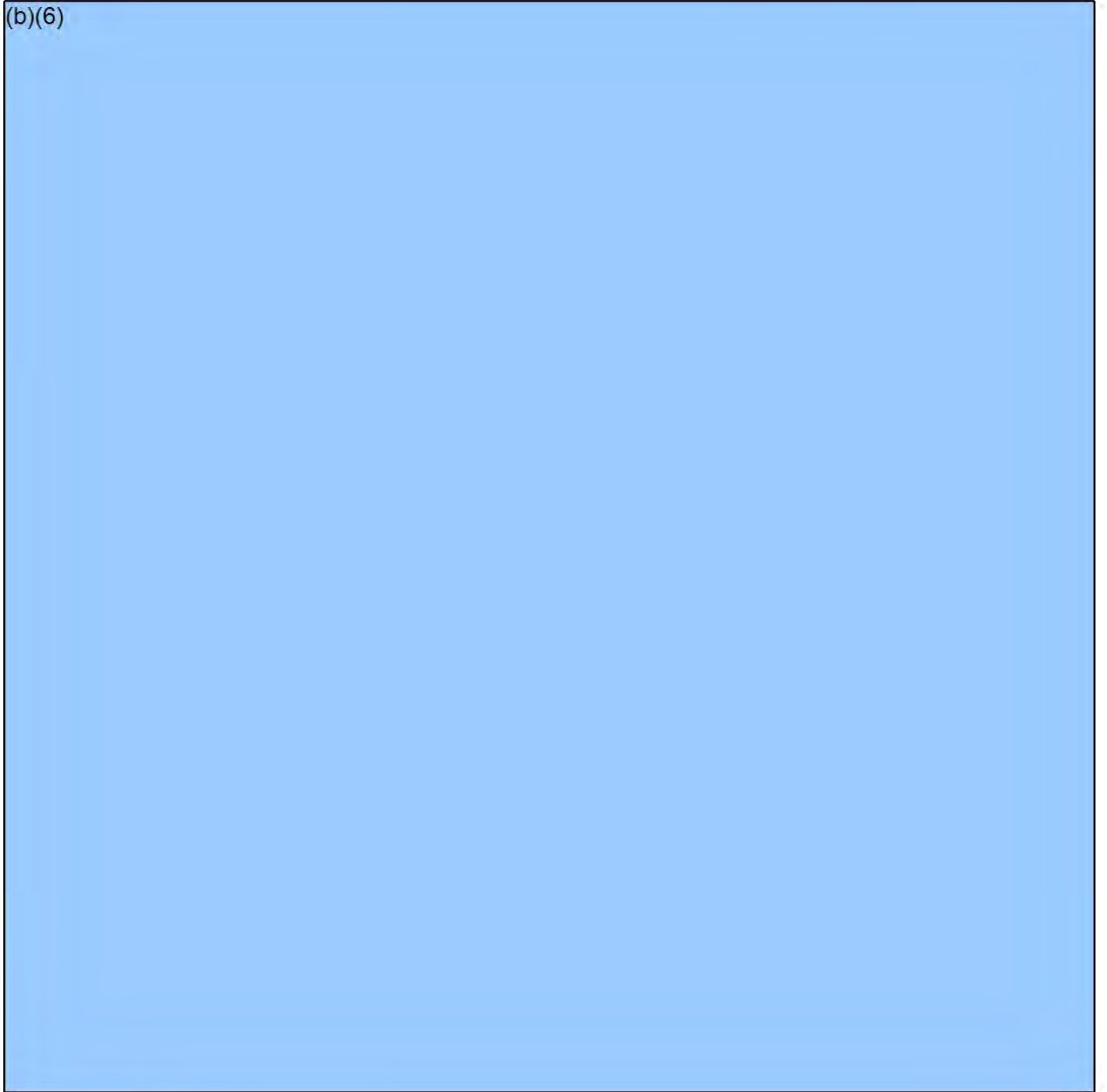


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ECQ 4 – Building Coalitions (10%)

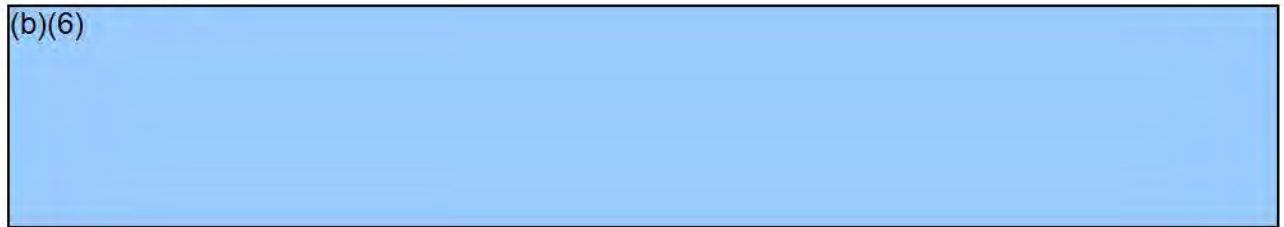
(b)(6)

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Results Driven

(b)(6)



(b)(6)



**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): Harris, Sarah T.	Appraisal Pd. 10/1/17 – 9/30/18
Executive's Signature: (b)(6)	Date: 11/2/17
Title: General Counsel	Organization:
Rating Official's Name (Last, First, MI): Scardino, Anthony P.	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 11/2/17

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 4/26/18
Rating Official's Signature: (b)(6)	Date: 4/26/18
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

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

Higher Level Review (if applicable)

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

Performance Review Board Recommendation (b)(6)

PRB Chair Signature:	Date:
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Annual Summary Rating (b)(6)

Appointing Authority Signature:	Date:
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Part 4. Derivation Formula and Calculation of Annual Summary Rating

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

Part 5. Performance Standards and Critical Elements

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

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

Element Rating Level Points

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

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

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

Agency-Specific Performance Requirements

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.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading People

(b)(6)

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

Rating Official Narrative: *(Optional)*

Critical Element Rating – Business Acumen

(b)(6)

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

Rating Official Narrative: *(Optional)*

Critical Element Rating – Building Coalitions

(b)(6)

Critical Element 5. Results Driven	(Minimum Weight 20 points)	Weight 60%
<p>This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency should specify if it sets a maximum number).</p>		
<p>This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable results from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance requirements must contain measurable results and their quality indicators describing the range of performance at Level 3 for each result specified. In addition to the quality indicators, applicable measures of quantity, timelines, and/or cost-effectiveness may be included as appropriate. It is recommended to also establish the threshold quality indicators and measures for Levels 5 and 2. Indicators must reflect the same level of performance as the respective performance standard contained in Part 5.</p>		
<p>Strategic Alignment—identify clear, transparent alignment to agency strategic planning initiatives (e.g., relevant agency or organizational goals/objectives with cited page numbers from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document) in the designated section for each performance requirement.</p>		
<p>Note: Performance requirements must contain results and quality indicators that are clearly and differentially identified (e.g., highlighted, bold, underlined) so that it is readily evident on what the senior executive will be rated and what is expected for success.</p>		
<p>Performance Requirement 1: 35% Fosters effective working relationships with the Director and the clients by providing sound legal advice that is consistent with applicable laws, regulations, and policies, and effectively address client’s legal issues and objectives.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Performance Requirement 2: 35% Provides timely and accurate legal strategies that responds to the needs of the agency in order to minimize potential risks and advance the agency’s mission. Strategies on legal issues and deadlines affecting clients are consistent with Service Legal Agreements.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Performance Requirement 3: 30% In accordance with legal and policy guidance, advocate and educate government and private sector external stakeholders on USPTO’s positions and/or policy standpoints in order to reach compatible outcome that promote USPTO’s objectives.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<p>Critical Element Rating – Results Driven</p>	<p>(b)(6)</p>	

Part 6: Summary Rating Narrative *(Mandatory)*

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

Part 8: Agency Use

Deriving the Results Driven Rating Worksheet

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

Example of Results Driven Element Being Rated Level 4

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

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

FY 2018 Mid-Year Review – Sarah Harris

Leading Change

(b)(6)



Leading People

(b)(6)



(b)(6)



Business Acumen

(b)(6)



(b)(6)



ECQ 4 – Building Coalitions (10%)

(b)(6)



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Results Driven

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FY 2018 Year End Review – Sarah Harris

Leading Change

(b)(6)

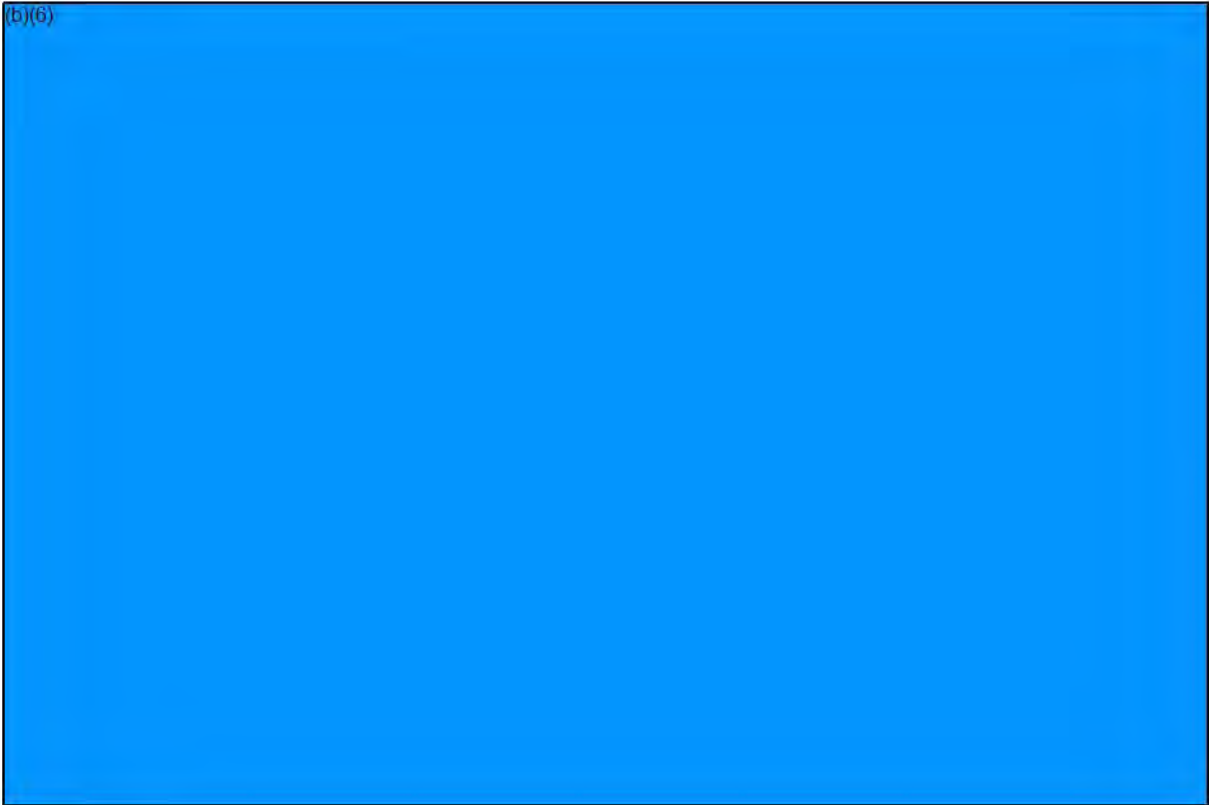


Leading People

(b)(6)



(b)(6)



Business Acumen

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ECQ 4 – Building Coalitions (10%)

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Results Driven

(b)(6)



Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

**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): Harris, Sarah T.	Appraisal Pd. 10/1/17 – 9/30/18
Executive's Signature: (b)(6)	Date: 11/2/17
Title: General Counsel	Organization:
Rating Official's Name (Last, First, MI): Scardino, Anthony P.	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 11/2/17

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 4/26/18
Rating Official's Signature: (b)(6)	Date: 4/26/18
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

(b)(6)					
Initial Summary Rating	Outstanding	Exceeds Fully Successful	Fully Successful	Minimally Satisfactory	Unsatisfactory
Rating Official's Name (Last, First, MI): Scardino, Anthony P.					
Rating Official's Signature: (b)(6)				Date: 11/6/18	
Executive's Signature: (b)(6)				Date: 11/6/18	
Reviewing Official's Signature (Optional):				Date:	

Higher Level Review (if applicable)

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

Performance Review Board Recommendation (b)(6)

PRB Chair Signature:	Date:
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Annual Summary Rating (b)(6)

Appointing Authority Signature:	Date:
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Part 4. Derivation Formula and Calculation of Annual Summary Rating

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

Part 5. Performance Standards and Critical Elements

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

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

Element Rating Level Points

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

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

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

Agency-Specific Performance Requirements

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.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading People

(b)(6)

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

Rating Official Narrative: *(Optional)*

Critical Element Rating – Business Acumen

(b)(6)

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

Rating Official Narrative: *(Optional)*

Critical Element Rating – Building Coalitions

(b)(6)

Critical Element 5. Results Driven	(Minimum Weight 20 points)	Weight 60%
<p>This critical element must have at least 1 performance requirement (there is no maximum number of requirements, agency should specify if it sets a maximum number).</p>		
<p>This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable results from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance requirements must contain measurable results and their quality indicators describing the range of performance at Level 3 for each result specified. In addition to the quality indicators, applicable measures of quantity, timelines, and/or cost-effectiveness may be included as appropriate. It is recommended to also establish the threshold quality indicators and measures for Levels 5 and 2. Indicators must reflect the same level of performance as the respective performance standard contained in Part 5.</p>		
<p>Strategic Alignment—identify clear, transparent alignment to agency strategic planning initiatives (e.g., relevant agency or organizational goals/objectives with cited page numbers from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document) in the designated section for each performance requirement.</p>		
<p>Note: Performance requirements must contain results and quality indicators that are clearly and differentially identified (e.g., highlighted, bold, underlined) so that it is readily evident on what the senior executive will be rated and what is expected for success.</p>		
<p>Performance Requirement 1: 35% Fosters effective working relationships with the Director and the clients by providing sound legal advice that is consistent with applicable laws, regulations, and policies, and effectively address client’s legal issues and objectives.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Performance Requirement 2: 35% Provides timely and accurate legal strategies that responds to the needs of the agency in order to minimize potential risks and advance the agency’s mission. Strategies on legal issues and deadlines affecting clients are consistent with Service Legal Agreements.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Performance Requirement 3: 30% In accordance with legal and policy guidance, advocate and educate government and private sector external stakeholders on USPTO’s positions and/or policy standpoints in order to reach compatible outcome that promote USPTO’s objectives.</p>	<p>Strategic Alignment: Strategic Goal #4/Objective #3</p>	
<p>Rating Official Narrative: <i>(Optional)</i></p>		
<p>Critical Element Rating – Results Driven</p>	<p>(b)(6)</p>	

Part 6: Summary Rating Narrative *(Mandatory)*

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

Part 8: Agency Use

Deriving the Results Driven Rating Worksheet

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

Example of Results Driven Element Being Rated Level 4

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

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

FY 2018 Mid-Year Review – Sarah Harris

Leading Change

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Leading People

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Business Acumen

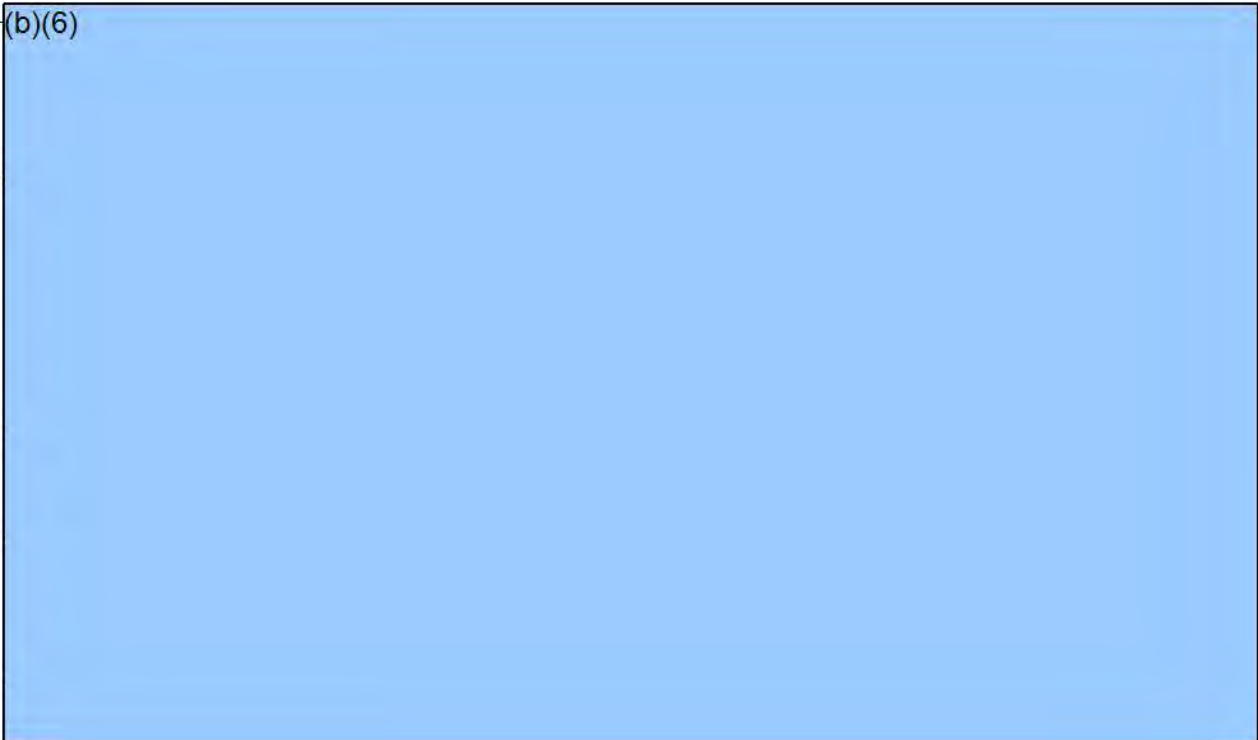
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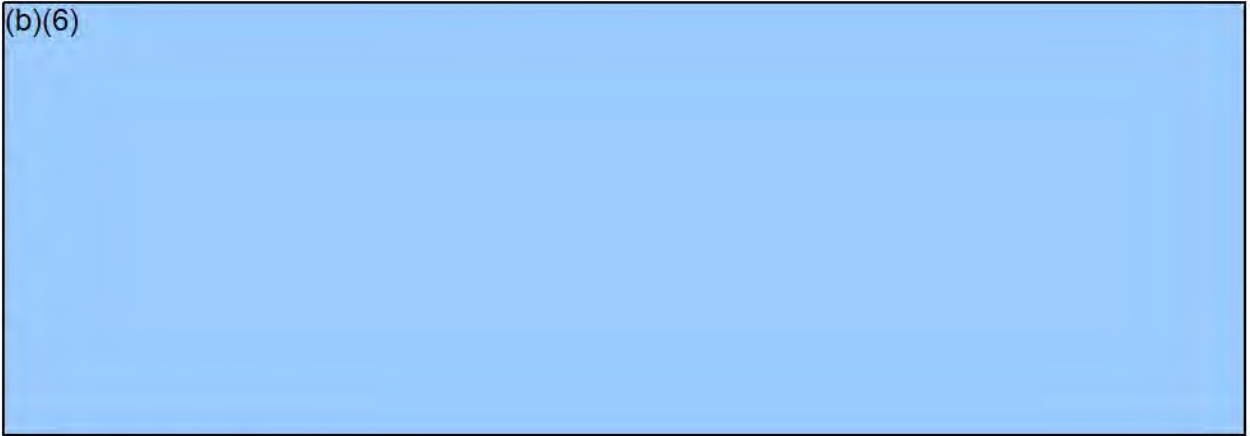
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ECQ 4 – Building Coalitions (10%)

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Results Driven

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FY 2018 Year End Review – Sarah Harris

Leading Change

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Leading People

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Business Acumen

➤ (b)(6)

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ECQ 4 – Building Coalitions (10%)

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Results Driven

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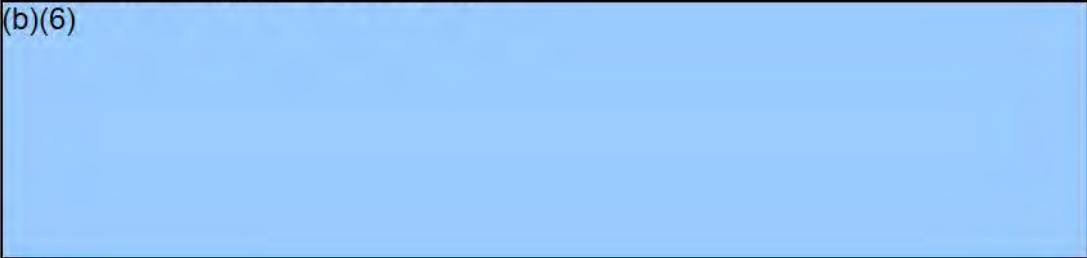
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- Solicitor's Office litigation numbers FY18:


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**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): Harris, Sarah	Appraisal Pd. 10/01/16 - 9/30/17
Executive's Signature: (b)(6)	Date: 10/1/16
Title: General Counsel	Organization:
Rating Official's Name (Last, First, MI): Slifer, Russell D.	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 10/26/16

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 4/25/17
Rating Official's Signature: (b)(6)	Date: 10/26/16 4/25/17
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

Initial Summary Rating: (b)(6)	
Rating Official's Name (Last, First, MI): Slifer, Russell D. Scardino, Anthony, P.	
Rating Official's Signature: (b)(6)	Date: 11/2/17
Executive's Signature: (b)(6)	Date: 11/2/17
Reviewing Official's Signature (Optional):	Date:

Higher Level Review (if applicable)

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

Performance Review Board Recommendation (b)(6)

PRB Chair Signature: (b)(6)	Date:
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Annual Summary Rating (b)(6)

Appointing Authority Signature: (b)(6)	Date:
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Part 4. Derivation Formula and Calculation of Annual Summary Rating

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

Part 5. Performance Standards and Critical Elements

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

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

Element Rating Level Points

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

Critical Element 1. Leading Change	(Minimum weight 5%)	Weight
<p>Mandatory Performance Requirement: Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.</p>		
Agency-Specific Performance Requirements		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Leading Change	(b)(6)	
Critical Element 2. Leading People	(Minimum weight 5%)	Weight
<p>Mandatory Performance Requirement: Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.</p>		
Agency-Specific Performance Requirements		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Leading People	(b)(6)	

Critical Element 3. Business Acumen	(Minimum weight 5%)	Weight
Mandatory Performance Requirement: Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.		
Agency-Specific Performance Requirements		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Business Acumen	(b)(6)	
Critical Element 4. Building Coalitions	(Minimum weight 5%)	Weight
Mandatory Performance Requirement: Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.		
Agency-Specific Performance Requirements		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Building Coalitions	(b)(6)	

Executive Name and ID:

Sarah Harris

Appraisal Period: 10/01/16 - 9/30/17

Critical Element 5. Results Driven

(Minimum Weight 20%)

Weight

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: 100% Weight

Results – Legal Advice

The executive leads the Office of the General Counsel by overseeing the operations of the three legal offices: Solicitor’s Office, Office of General Law, and Office of Enrollment and Discipline. She effectively identifies and analyzes potential legal issues when provided with relevant information. Moreover, she ensures that OGC provides sound and accurate advice consistent with Service Legal Agreements. Suggests legal alternatives that will promote the agency’s objectives. Exercises sound professional judgment in making decisions and recommendations. Provides accurate written analysis in a timely fashion. Communicates effectively with the Senior Leadership to ensure their understanding of the legal or policy positions. The executive effectively represents the USPTO to outside stakeholders and advocates the agency’s views.

Strategic Alignment:

Strategic Goal #4 / Objective #3

Rating Official Narrative: *(Optional)*

Critical Element Rating – Results Driven

(b)(6)

Part 6: Summary Rating Narrative *(Mandatory)*

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

Part 8: Agency Use

2017 List of Accomplishments – Sarah Harris

Leading Change

(b)(6)



(b)(6)

Leading People

(b)(6)

Business Acumen

(b)(6)

(b)(6)

Building Coalitions

(b)(6)

(b)(6)

Results

(b)(6)

(b)(6)



(b)(6)



(b)(6)



**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): Harris, Sarah	Appraisal Pd. 10/01/16 - 9/30/17
Executive's Signature: (b)(6)	Date: 10/1/16
Title: General Counsel	Organization:
Rating Official's Name (Last, First, MI): Slifer, Russell D.	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 10/26/16

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 4/25/17
Rating Official's Signature: (b)(6)	Date: 10/26/16 4/25/17
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

(b)(6)	Outstanding	Exceeds Fully Successful	Fully Successful	Minimally Satisfactory	Unsatisfactory
Initial Summary Rating					
Rating Official's Name (Last, First, MI): Slifer, Russell D. <i>Scardina, Anthony, P.</i>					
Rating Official's Signature: (b)(6)					Date: 11/2/17
Executive's Signature: (b)(6)					Date: 11/2/17
Reviewing Official's Signature (Optional):					Date:

Higher Level Review (if applicable)

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

Performance Review Board Recommendation (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

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

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.
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- **Level 1:** In repeated instances, the executive demonstrates performance deficiencies that detract from mission goals and objectives. The executive generally is viewed as ineffectual by agency leadership, peers, or employees. The executive routinely does not meet established performance expectations/timelines/targets and fails to produce – or produces unacceptable – work products, services, or outcomes.

Element Rating Level Points

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

Critical Element 1. Leading Change	(Minimum weight 5%)	Weight
<p>Mandatory Performance Requirement: Develops and implements an organizational vision that integrates key organizational and program goals, priorities, values, and other factors. Assesses and adjusts to changing situations, implementing innovative solutions to make organizational improvements, ranging from incremental improvements to major shifts in direction or approach, as appropriate. Balances change and continuity; continually strives to improve service and program performance; creates a work environment that encourages creative thinking, collaboration, and transparency; and maintains program focus, even under adversity.</p>		
Agency-Specific Performance Requirements		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Leading Change	(b)(6)	
Critical Element 2. Leading People	(Minimum weight 5%)	Weight
<p>Mandatory Performance Requirement: Designs and implements strategies that maximize employee potential, connects the organization horizontally and vertically, and fosters high ethical standards in meeting the organization's vision, mission, and goals. Provides an inclusive workplace that fosters the development of others to their full potential; allows for full participation by all employees; facilitates collaboration, cooperation, and teamwork, and supports constructive resolution of conflicts. Ensures employee performance plans are aligned with the organization's mission and goals, that employees receive constructive feedback, and that employees are realistically appraised against clearly defined and communicated performance standards. Holds employees accountable for appropriate levels of performance and conduct. Seeks and considers employee input. Recruits, retains, and develops the talent needed to achieve a high quality, diverse workforce that reflects the nation, with the skills needed to accomplish organizational performance objectives while supporting workforce diversity, workplace inclusion, and equal employment policies and programs.</p>		
Agency-Specific Performance Requirements		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Leading People	(b)(6)	

Critical Element 3. Business Acumen	(Minimum weight 5%)	Weight
Mandatory Performance Requirement: Assesses, analyzes, acquires, and administers human, financial, material, and information resources in a manner that instills public trust and accomplishes the organization's mission. Uses technology to enhance processes and decision making. Executes the operating budget; prepares budget requests with justifications; and manages resources.		
Agency-Specific Performance Requirements		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Business Acumen	(b)(6)	
Critical Element 4. Building Coalitions	(Minimum weight 5%)	Weight
Mandatory Performance Requirement: Solicits and considers feedback from internal and external stakeholders or customers. Coordinates with appropriate parties to maximize input from the widest range of appropriate stakeholders to facilitate an open exchange of opinion from diverse groups and strengthen internal and external support. Explains, advocates, and expresses facts and ideas in a convincing manner and negotiates with individuals and groups internally and externally, as appropriate. Develops a professional network with other organizations and identifies the internal and external politics that affect the work of the organization.		
Agency-Specific Performance Requirements		
Rating Official Narrative: <i>(Optional)</i>		
Critical Element Rating – Building Coalitions	(b)(6)	

Executive Name and ID:

Sarah Harris

Appraisal Period: 10/01/16 - 9/30/17

Critical Element 5. Results Driven

(Minimum Weight 20%)

Weight

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: 100% Weight

Results – Legal Advice

The executive leads the Office of the General Counsel by overseeing the operations of the three legal offices: Solicitor’s Office, Office of General Law, and Office of Enrollment and Discipline. She effectively identifies and analyzes potential legal issues when provided with relevant information. Moreover, she ensures that OGC provides sound and accurate advice consistent with Service Legal Agreements. Suggests legal alternatives that will promote the agency’s objectives. Exercises sound professional judgment in making decisions and recommendations. Provides accurate written analysis in a timely fashion. Communicates effectively with the Senior Leadership to ensure their understanding of the legal or policy positions. The executive effectively represents the USPTO to outside stakeholders and advocates the agency’s views.

Strategic Alignment:

Strategic Goal #4 / Objective #3

Rating Official Narrative: *(Optional)*

Critical Element Rating – Results Driven

(b)(6)

Part 6: Summary Rating Narrative *(Mandatory)*

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

Part 8: Agency Use

2017 List of Accomplishments – Sarah Harris

Leading Change

1. (b)(6)

2.

3.

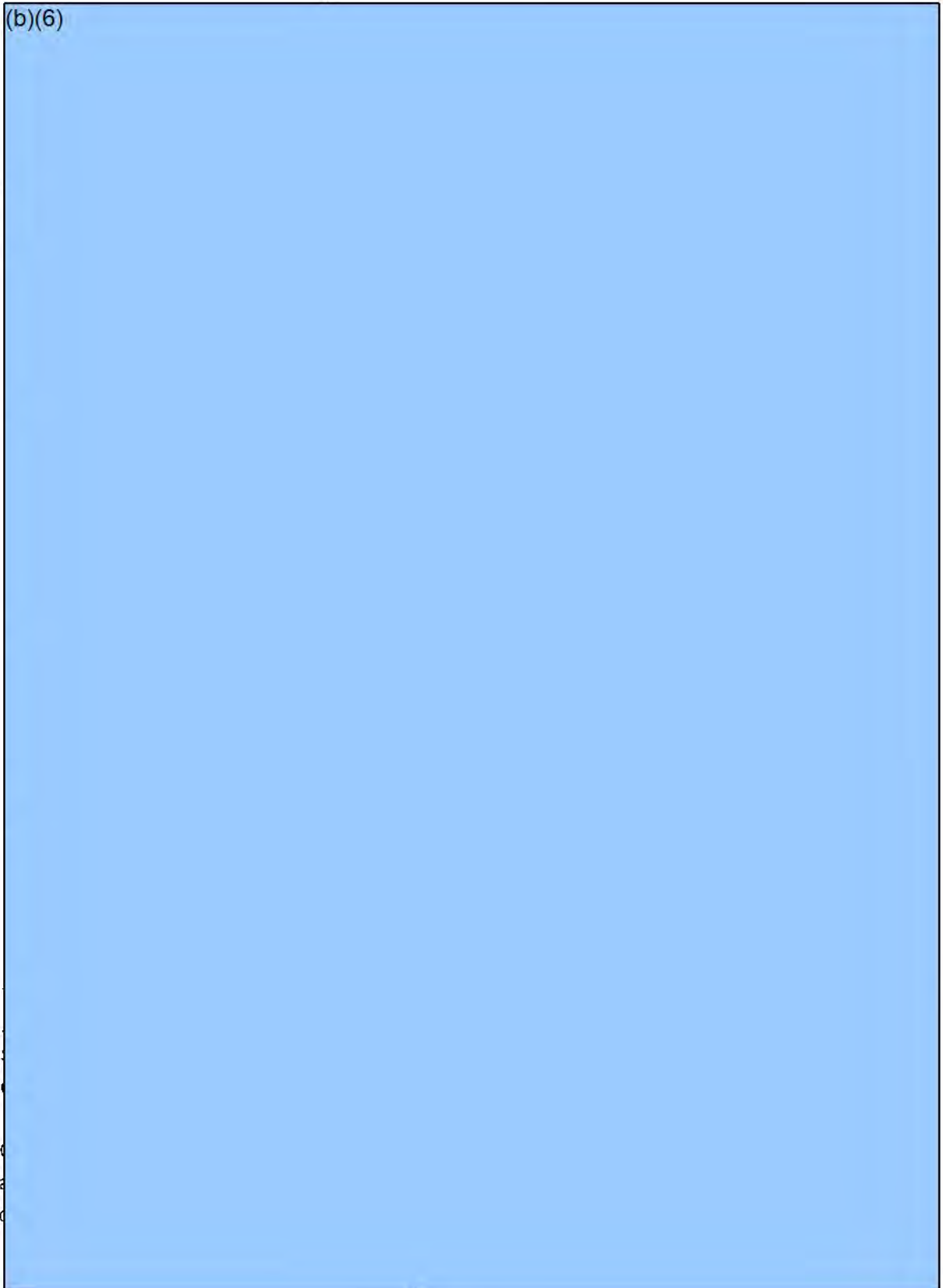
4.

5.

6.

7.

8.



(b)(6)

Leading People

1. (b)(6)
- 2.
- 3.
- 4.

Business Acumen

1. (b)(6)
- 2.
- 3.
- 4.

5. (b)(6)

6.

A large rectangular area is redacted with a solid blue fill, covering the content of items 5 and 6.

Building Coalitions

1. (b)(6)

2.

3.

4.

A large rectangular area is redacted with a solid blue fill, covering the content of items 1 through 4.

5. (b)(6)

A rectangular area is redacted with a solid blue fill, covering the content of item 5.

6. (b)(6)

Results

1. (b)(6)

2.

3. (b)(6)

4.

5.

6.

(b)(6)

- 7. (b)(6)
- 8.
- 9.
- 10.

11. Enhanced the Patent Pro Bono program by:

- a. (b)(6)
- b.
- c.
- d.

12. Enhanced the Law School Clinic Certification program by:

- e. (b)(6)
- f.
- g.

h. (b)(6)



13. (b)(6)





SES Performance Management System Executive Performance Agreement



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

Executive's Name (Last, First, MI): Harris, Sarah T.	Appraisal Pd. October 1, 2015 - September 30, 2016
Executive's Signature: (b)(6)	Date: 1/14/16
Title: General Counsel	Organization: OGC
Rating Official's Name (Last, First, MI): Slifer, Russell D.	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 1/14/16

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 6/17/16
Rating Official's Signature: (b)(6)	Date: 6/17/16
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

Initial Summary Rating	(b)(6)		
Rating Official's Name (Last, First, MI): Slifer, Russell D.			
Rating Official's Signature: (b)(6)	Date: 10/26/16		
Executive's Signature: (b)(6)	Date: 10/26/16		
Reviewing Official's Signature (Optional):	Date:		

Higher Level Review (if applicable)

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

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

Part 4. Derivation Formula and Calculation of Annual Summary Rating

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

Part 5. Critical Elements

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

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

Element Rating Level Points

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

Critical Element 1. Leading Change

Weight 10%

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

Agency-Specific Performance Requirements

Ensure early identification of USPTO policy goals in connection with en banc/Supreme Court cases, and early engagement with DOJ and industry stakeholders

Integrate the Pro Bono program into OGC

Maintain regular office/all hands meetings to pro-actively promote two-way communication with the staff

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading Change

(b)(6)

Critical Element 2. Leading People

Weight 10%

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

Agency-Specific Performance Requirements

Maintain OGC focus group comprised of employees at all levels to identify and address issues (including those raise office survey results, e.g., EVS) to further enhance the performance of the office

Provide growth opportunities for OGC employees to further the 2016 theme "Everyone is a Leader"

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 Employees Viewpoint Survey, focus groups and other initiatives.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading People

(b)(6)

Executive Name and ID: Harris, Sarah T.

Appraisal Period: October 1, 2015 – September 30, 2016

Critical Element 3. Business Acumen

Weight 10%

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

Agency-Specific Performance Requirements

Assess workload to determine appropriate staffing levels and secures necessary funding and FTEs

Implement training options for both OGC personnel and clients

Rating Official Narrative: *(Optional)*

Critical Element Rating – Business Acumen

(b)(6)

Critical Element 4. Building Coalitions

(Minimum weight 5%)

Weight 10%

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

Agency-Specific Performance Requirements

Manage the DOC/OGC & PTO/OGC relationship

Manage the PTO/OIG investigations relationship

Influence the development of IT tools with OGC, OCCO and OCFO to efficiently and accurately communicate the status of
OIG investigation matters.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Building Coalitions

(b)(6)

Executive Name and ID: Harris, Sarah T.

Appraisal Period: October 1, 2015 – September 30, 2016

Critical Element 5. Results Driven

Weight 60%

Agency Goals/Objectives for current FY: Must have at least 1 result (may have up to 4)

This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable outcomes from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance plan will include performance requirements (including measures, targets, timelines, or quality descriptors, as appropriate) describing the range of performance at Level 3 for each result specified. It is recommended to also establish the threshold measures/targets for Levels 5 and 2.

Alignment--cite relevant goals/objectives, page numbers, from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document in the designated section for each performance requirement specified.

Performance Requirement 1: 100% Weight
Results – Legal Advice

Strategic Alignment:
Strategic Goal #4 / Objective #3

The executive leads the Office of the General Counsel by overseeing the operations of the three legal offices: Solicitor's Office, Office of General Law, and Office of Enrollment and Discipline. She effectively identifies and analyzes potential legal issues when provided with relevant information. Moreover, she ensures that OGC provides sound and accurate advice consistent with Service Legal Agreements. Suggests legal alternatives that will promote the agency's objectives. Exercises sound professional judgment in making decisions and recommendations. Provides accurate written analysis in a timely fashion. Communicates effectively with the Senior Leadership to ensure their understanding of the legal or policy positions. The executive effectively represents the USPTO to outside stakeholders and advocates the agency's views.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Results Driven

(b)(6)

Executive Name and ID: Harris, Sarah T.

Rating Period: October 1, 2015 – September 30, 2016

Part 6: Summary Rating Narrative (Mandatory)

Part 7: Executive's Accomplishment Narrative (Optional)

Part 8: Agency Use

Deriving the Results Driven Rating Worksheet

Executive Name: **Sarah T. Harris**

Rating Period: **October 1, 2015 – September 30, 2016**

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

Example of Results Driven Element Being Rated Level 4

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

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

2016 1H List of Accomplishments – Sarah Harris

Leading Change.

(b)(6)



(b)(6)

Leading People.

(b)(6)

Business Acumen.

(b)(6)

Building Coalitions.

(b)(6)

(b)(6)

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Results. Managed the following efforts.

(b)(6)

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(b)(6)





SES Performance Management System Executive Performance Agreement



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

Executive's Name (Last, First, MI): Harris, Sarah T.	Appraisal Pd. October 1, 2015 - September 30, 2016
Executive's Signature: (b)(6)	Date: 1/14/16
Title: General Counsel	Organization: OGC
Rating Official's Name (Last, First, MI): Slifer, Russell D.	CA <input checked="" type="checkbox"/> NC <input type="checkbox"/> LT/LE <input type="checkbox"/>
Rating Official's Signature: (b)(6)	Date: 1/14/16

Part 2. Progress Review

Executive's Signature: (b)(6)	Date: 6/17/16
Rating Official's Signature: (b)(6)	Date: 6/17/16
Reviewing Official's Signature (Optional):	Date:

Part 3. Summary Rating

Initial Summary Rating	(b)(6)				
	Outstanding	Commendable	Fully Successful	Minimally Satisfactory	Unsatisfactory
Rating Official's Name (Last, First, MI): Slifer, Russell D.					
Rating Official's Signature: (b)(6)					Date: 10/26/16
Executive's Signature: (b)(6)					Date: 10/26/16
Reviewing Official's Signature (Optional):					Date:

Higher Level Review (if applicable)

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

Performance Review Board Recommendation	(b)(6)	
PRB Chair Signature:	Date:	
Annual Summary Rating	(b)(6)	
Appointing Authority Signature:	Date:	

Part 4. Derivation Formula and Calculation of Annual Summary Rating

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

Part 5. Critical Elements

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

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

Element Rating Level Points

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

Critical Element 1. Leading Change

Weight 10%

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

Agency-Specific Performance Requirements

Ensure early identification of USPTO policy goals in connection with en banc/Supreme Court cases, and early engagement with DOJ and industry stakeholders

Integrate the Pro Bono program into OGC

Maintain regular office/all hands meetings to pro-actively promote two-way communication with the staff

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading Change

(b)(6)

Critical Element 2. Leading People

Weight 10%

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

Agency-Specific Performance Requirements

Maintain OGC focus group comprised of employees at all levels to identify and address issues (including those raise office survey results, e.g., EVS) to further enhance the performance of the office

Provide growth opportunities for OGC employees to further the 2016 theme "Everyone is a Leader"

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 Employees Viewpoint Survey, focus groups and other initiatives.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Leading People

(b)(6)

Executive Name and ID: Harris, Sarah T.

Appraisal Period: October 1, 2015 – September 30, 2016

Critical Element 3. Business Acumen

Weight 10%

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

Agency-Specific Performance Requirements

Assess workload to determine appropriate staffing levels and secures necessary funding and FTEs

Implement training options for both OGC personnel and clients

Rating Official Narrative: *(Optional)*

Critical Element Rating – Business Acumen

(b)(6)

Critical Element 4. Building Coalitions

(Minimum weight 5%)

Weight 10%

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

Agency-Specific Performance Requirements

Manage the DOC/OGC & PTO/OGC relationship

Manage the PTO/OIG investigations relationship

Influence the development of IT tools with OGC, OCCO and OCFO to efficiently and accurately communicate the status of
OIG investigation matters.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Building Coalitions

(b)(6)

Executive Name and ID: Harris, Sarah T.

Appraisal Period: October 1, 2015 – September 30, 2016

Critical Element 5. Results Driven

Weight 60%

Agency Goals/Objectives for current FY: Must have at least 1 result (may have up to 4)

This critical element includes specific performance requirements expected of the executive during the appraisal period, focusing on measurable outcomes from the strategic plan or other measurable outputs and outcomes clearly aligned to organizational goals and objectives. At a minimum, the performance plan will include performance requirements (including measures, targets, timelines, or quality descriptors, as appropriate) describing the range of performance at Level 3 for each result specified. It is recommended to also establish the threshold measures/targets for Levels 5 and 2.

Alignment--cite relevant goals/objectives, page numbers, from the Strategic Plan, Congressional Budget Justification/Annual Performance Plan, or other organizational planning document in the designated section for each performance requirement specified.

Performance Requirement 1: 100% Weight
Results – Legal Advice

Strategic Alignment:

(b)(6)

The executive leads the Office of the General Counsel by overseeing the operations of the three legal offices: Solicitor's Office, Office of General Law, and Office of Enrollment and Discipline. She effectively identifies and analyzes potential legal issues when provided with relevant information. Moreover, she ensures that OGC provides sound and accurate advice consistent with Service Legal Agreements. Suggests legal alternatives that will promote the agency's objectives. Exercises sound professional judgment in making decisions and recommendations. Provides accurate written analysis in a timely fashion. Communicates effectively with the Senior Leadership to ensure their understanding of the legal or policy positions. The executive effectively represents the USPTO to outside stakeholders and advocates the agency's views.

Rating Official Narrative: *(Optional)*

Critical Element Rating – Results Driven

(b)(6)

Executive Name and ID: Harris, Sarah T.

Rating Period: October 1, 2015 – September 30, 2016

Part 6: Summary Rating Narrative (Mandatory)

Part 7: Executive's Accomplishment Narrative (Optional)

Part 8: Agency Use

Deriving the Results Driven Rating Worksheet

Executive Name: **Sarah T. Harris**

Rating Period: **October 1, 2015 – September 30, 2016**

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Performance Requirement 2					
Performance Requirement 3					
Performance Requirement 4					
		= 100%			
Performance Requirement Total Score				___ = Level ___	

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Performance Requirement 4	3	x 30	90		
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Performance Requirement Total Score			415	415= Level 4	4*

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2016 1H List of Accomplishments – Sarah Harris

Leading Change.

1. (b)(6)

a. (b)(6)

(b)(6)

b. (b)(6)

(b)(6)

c. (b)(6)

(b)(6)

2. (b)(6)

(b)(6)

3. (b)(6)

4. (b)(6)
- 5.
- 6.

Leading People.

1. (b)(6)
- 2.
- 3.

Business Acumen.

1. (b)(6)
- 2.

Building Coalitions.

1. (b)(6)

2. (b)(6)
- 3.

Results. (b)(6)

1. (b)(6)
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

(b)(6)

8. (b)(6)

9.

10.

