

## Productivity Goal Achievement Addendum

For the period beginning February 14, 2010, and ending on September 30, 2010, with respect to Element II., Item 3, Criteria for Evaluation, the supplemental performance standards for evaluation of productivity goal achievement are follows:

Achievement shall be recognized in terms of percentage achievement of expected Balanced Disposals (Hours of assigned examining time divided by the assigned goal of H/B.D.). When calculating the percentage achievement, the higher of the following two calculations shall be used:

- Option 1)  $BD = (N+D)/2$   
 where N is the number of First Actions on the Merits and D is the number of Disposals  
 or  
 Option 2)  $BD = \text{counts}/2$   
 where the number of counts is the sum of the counts earned for actions as shown in the following table:

|   | Action by same examiner as previous action  |             |   |             |   |             | Initial action by different examiner than previous action                                |  |  |
|---|---|-------------|---|-------------|---|-------------|--|--|--|
|   | Regular new case: an original, CON, DIV, CIP, or reissue in which no RCE has been filed |             | 1st RCE: an original, CON, DIV, CIP, or reissue in which one RCE has been filed |             | 2nd or subsequent RCE: an original, CON, DIV, CIP, or reissue in which two or more RCEs have been filed |             | Regular new case: an original, CON, DIV, CIP, or reissue in which no RCE has been filed. | 1st RCE: an original, CON, DIV, CIP, or reissue in which one RCE has been filed. | 2nd or subsequent RCE: an original, CON, DIV, CIP, or reissue in which two or more RCEs have been filed. |
|   | Before Final  | After Final | Before Final  | After Final | Before Final  | After Final | Total credit available for new examiner =1.5 counts                                      | Total credit available for new examiner =1.75 counts                             | Total credit available for new examiner =1.75 counts   |
| <b>Action:</b>                                  | <b>Counts:</b>  |             |   |             |   |             | <b>Counts:</b>   |  |  |
| <b>Express Abandonment</b>                      | 0.75  | 0.50        | 0.75  | 0.50        | 0.75  | 0.50        | N/A  | N/A  | N/A  |
| <b>Restriction</b>                              | 0.00  | 0.00        | 0.00  | 0.00        | 0.00  | 0.00        | 0.00   | 0.00   | 0.00   |
| <b>FAOM Non-final Rejection</b>                 | 1.25  | N/A         | 1.00  | N/A         | 0.75  | N/A         | N/A  | 1.00   | 1.00   |
| <b>FAOM Allowance</b>                           | 2.00  | N/A         | 1.75  | N/A         | 1.50  | N/A         | 1.50   | 1.75   | 1.75   |
| <b>FAOM ex parte Quayle</b>                     | 1.50  | N/A         | 1.25  | N/A         | 1.00  | N/A         | 1.00   | 1.25   | 1.25   |
| <b>Ex parte Quayle (not FAOM)</b>               | 0.25  | 0.00        | 0.25  | 0.00        | 0.25  | 0.00        | 1.00   | 1.25   | 1.25   |
| <b>FAOM Final Rejection</b>                     | 1.50  | N/A         | 1.25  | N/A         | 1.00  | N/A         | 1.00   | 1.25   | 1.25   |
| <b>Non-Final Rejection (not FAOM)</b>           | 0.00  | 0.00        | 0.00  | 0.00        | 0.00  | 0.00        | 0.75   | 1.00   | 1.00   |
| <b>Final Rejection</b>                          | 0.25  | 0.00        | 0.25  | 0.00        | 0.25  | 0.00        | 1.00   | 1.25   | 1.25   |
| <b>Advisory Action</b>                          | N/A   | 0.00        | N/A   | 0.00        | N/A   | 0.00        | 0.75   | 1.00   | 1.00   |
| <b>Allowance</b>                                | 0.75  | 0.50        | 0.75  | 0.50        | 0.75  | 0.50        | 1.50   | 1.75   | 1.75   |
| <b>Abandonment for failure to respond</b>       | 0.75  | 0.50        | 0.75  | 0.50        | 0.75  | 0.50        | N/A  | N/A  | N/A  |
| <b>RCE Disposal Credit</b>                      | 0.75  | 0.50        | 0.75  | 0.50        | 0.75  | 0.50        | N/A  | N/A  | N/A  |
| <b>Examiner's Answer, Interference, SIR</b>     | 0.75  | 0.50        | 0.75  | 0.50        | 0.75  | 0.50        | 1.50   | 1.75   | 1.75   |
| <b>Interview Summary</b>                        | 0.00  | 0.00        | 0.00  | 0.00        | 0.00  | 0.00        | 0.00   | 0.00   | 0.00   |
| <b>Rule 1.05 Request</b>                        | 0.00  | 0.00        | 0.00  | 0.00        | 0.00  | 0.00        | 0.00   | 0.00   | 0.00   |
| <b>Non-compliant and Non-responsive notices</b> | 0.00  | 0.00        | 0.00  | 0.00        | 0.00  | 0.00        | 0.00   | 0.00   | 0.00   |

First Actions on the Merits shall not include first action restriction requirements. However, an examiner will be assigned an appropriate amount of non-examining time for drafting all restriction requirements which do not include an action on the merits and are in compliance with current Office policy.

An examiner shall be assigned a rating with respect to Production Goal Achievement as follows:

|                |                  |
|----------------|------------------|
| 110% and above | Outstanding      |
| 105% to 109%   | Commendable      |
| 95% to 104%    | Fully Successful |
| 90% to 94%     | Marginal*        |
| Below 90%      | Unacceptable     |

\* Note: Continued or repetitive performance at this level adversely impacts upon the efficiency of the service under the performance element.

All percentages shall be rounded off to the nearest whole number.

With respect to this element your goal in the docket to which you have been assigned is listed on the Productivity Attachment.

If Option 1) is used, your goal is the “Actual Expectancy (Exp/PF)”

If Option 2) is used, your goal is the “Adjusted Actual Expectancy (Exp./PF + Adj.)”

If your GS grade factor changes during the fiscal year your evaluation will be based on a composite goal pro-rated for the periods in each GS grade factor.

Employee Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Initials: \_\_\_\_\_ Date: \_\_\_\_\_