



Department of Commerce

**U.S. Patent and Trademark Office—
Trademarks**

2020 Action Plan

Federal Customer Experience

US BY THE PEOPLE
FOR THE PEOPLE
WITH THE PEOPLE

Who are we?

The United States Patent and Trademark Office (USPTO) is the federal agency for granting U.S. patents and registering trademarks. The USPTO's authority to register trademarks is based on the Commerce Clause of the Constitution (Article I, Section 8, Clause 3).

The USPTO provides benefits trademark owners primarily by registering their marks, which facilitates their protection in the marketplace. Through reliance on federally registered trademarks, consumers can identify the source of products and services and rely on the marks as indicators of consistent quality of associated goods and services.

In 2016, USPTO performed a study of its customer experiences with Patents, Trademarks, and other mission support business units. This generated customer journey maps, customer personas, and recommendations for improvements. Subsequently, Trademarks took the following steps to prioritize serving our customers:

- Added "Initiative G. Partner with customers to define and address needs" to USPTO Strategic Plan (Goal II., Objective 3)
- Established the Customer Experience Administrator position
- Established the Trademarks CX Strategic Plan FY2018-2022
- Added CX training to new hire on-boarding
- Implemented CX surveys on: office actions (i.e., official letters) sent during examination, Trademark Assistance Center, and website



How do we deliver value to the public?

Occasion

A small business owner, Brad, is a self-starter and used to doing things on his own. He doubts he will need legal expertise to protect the intellectual property associated with his business because he is usually able to figure things out on his own. Brad is trying to figure out where and how to start his trademark application.

John is a career attorney, but does not specialize in trademark law. He is the one-stop legal shop for his friend's start-up company. He is preoccupied with other pressing "fire drills" around the office and serving other clients. He needs to find quick educational resources on IP law to help his friend and client's company.

Jamie has been in business for years and has applied for IP protections before with minimal assistance. She is looking to protect the name of one of her popular coffee roasts, but she hasn't received an update on her application yet. She needs to know her application status to satisfy her investors and make sure she has done everything she needs to do in order to get her trademark registered.

High-Impact Service

Without a clear understanding of where to go, Brad found www.uspto.gov and searched our website to learn about how to register a trademark. Instructional webpages and videos provide basic education for new customers like Brad. He may also register to attend an in-person or online outreach event through the website.

John came to www.uspto.gov/trademark and went to the Laws and Regulations section quickly for more legal information.

Once he read what he believed he needed to read, he goes to the Apply online webpage to start the initial application form.

Jamie went online to check her filing status. She already knows this information is in the Trademark Status and Document Retrieval (TSDR) system, so she went to www.uspto.gov and used the "Find It Fast" menu to access TSDR. From there, she searched by her serial number and found that her application was in the system, but not yet assigned to an examining attorney.

Offering or Objective

The trademarks portion of www.uspto.gov provides educational resources to help *pro se* applicants understand the registration process and decide whether to proceed with filing on their own or secure legal representation before filing. Once they have learned the basics, customers can access the Trademark Electronic Application System (TEAS) forms through the Apply online webpage or the MyUSPTO platform.

The trademarks portion of www.uspto.gov provides educational resources to help practitioners find the latest exam guides and the Trademark Examination Procedure (TMEP).

TEAS allows customers to file their application, response, petition, maintenance, and other types of forms online. It is accessed through the Apply online webpage and the MyUSPTO platform.

TSDR provides customers with access to their filing status and documents, so they can find out where they are in the process and can view the record of office actions and their filed responses to the USPTO.

When there are questions, customers can find contact information for the relevant parties in TSDR.

How do we deliver value to the public?

Occasion

Clarke is an IP paralegal at a law firm in NYC. He supports a large docket of filings and cannot afford to spend too much time on an individual case. Clarke knows how systems work, so time spent on system updates or outages is costly. He is frustrated because a new security feature boots him out of systems after 30 min. He needs to figure out a way to manage his caseload within the new time constraints.

Laura recently joined a leading law firm. Graduating near the top of her class from a top law school, Laura is passionate about IP and her career. Since she is new and wants to advance, she needs to quickly get up to speed on how to use the systems, while also building her network and resources to move applications through USPTO systems smoothly.

Kim is a partner at a law firm with over 30 years of IP experience and has been involved in IP professional organizations. She spends a lot of time reviewing junior staff's work, so she wants them to have efficient touchpoints with USPTO to focus on their clients' needs. Increasingly, Kim is dedicating costly employee time responding to complex office actions.

High-Impact Service

Clarke's law firm has an internal docketing system for most of his filing status needs. He exclusively uses the Find It Fast menu to get into the TEAS forms and check system status when he's having issues filing, logging in, or their internal docketing system is missing recent data that should be pulled in from TSDR.

Laura is having a difficult time figuring out how to use Trademarks' different systems. She has tried reading webpages, but there is so much information and the videos are long. To get immediate help, she calls the Trademark Assistance Center (TAC) with specific questions about Boolean logic and how to get search results in the Trademark Electronic Search System (TESS).

Kim needs Trademarks' systems to be up and running without any down time that could delay her staff and risk upsetting clients. She provides assistance and coaching on how to understand office actions and devise legal tactics for responding.

Offering or Objective

TEAS allows customers to file their application, maintenance, and other types of forms online. The TEAS and TEASi maintenance webpage describes future enhancements and changes for customers.

TSDR provides status, documents, and allows customers to retrieve the data using an application programming interface (API).

TAC supports all customers, from first-time filers to legal professionals and experienced trademark applicants. It provides general information and answers case-specific questions about an application or registration. However, TAC cannot give legal advice or conduct clearance searches for customers.

USPTO's IT infrastructure is supported by OCIO, who implements plans to prevent outages and rapidly assigns teams to address technical issues that occur. USPTO Systems Status and Availability page provides operating status, maintenance, and outage information.

Trademarks integrates legal subject matter experts with plain language writers to write and edit "form paragraphs", which are standardized building blocks examiners use to write a full office action to a customer.

Where could we improve?

John, counsel to a small start-up
*Wants concise information, ability to save his work,
 and to finish this application quickly*

Steps

Customer Steps

Name and describe the main steps that a person takes to use the service, left to right, start to finish.

Service System

Describe the channels, roles, and tools from your agency or partners.

Pain Points

Describe the highest priority problems to solve

1: Tries to get started

John has a lot on his plate, so he comes to uspto.gov to finish the application today. After scanning a few webpages about filing, he gets to the [Apply online](#) page and sees the initial application. After scanning the differences between filing options, he hopes to use the less expensive one since the start-up is financially lean. After clicking “Start your application in TEAS”, he is routed to create an account and subsequently routed to the initial application.

Channels: www.uspto.gov and www.my.uspto.gov. In coordination with OCCO and OCIO, Trademarks publishes instructional information on the main website. Links to TEAS are provided in both platforms.

The website, login platform, and TEAS forms all use different user interfaces, design, labeling, and workflows making it difficult for a customer to establish expectations.

2: Filling out the application

John fills out the first form page quickly and continues. He sees he’ll need specific company and owner info, not all of which he has. He enters information he has and enters dummy data in other required fields to continue to the next page. He reaches the form page about goods and services and realizes he’s going to need more time on this. He leaves his browser tab open while he schedules a call with his client.

Channel: <https://teas.uspto.gov/forms/bas>
 TEAS is ~50 distinct forms. There is a single trademark initial application form, which all customers use to begin the trademark application filing process. Trademarks and OCIO provide these services to customers.

TEAS forms are difficult to read and navigate. The forms do not allow you to see all the questions ahead of time or save your work until completing the form, downloading a file from the web browser, then uploading that file into the browser later.

3: Submitting and status

After a couple weeks of meetings with the client, other attorneys, and reading parts of the ID Manual and TMEP, John finishes the application. After submitting, he returns to the website to go to TSDR to see the status. He learns that it’ll be a couple months until someone starts looking at it, so he prepares to explain that to his client who expected to put the registration symbol on his packaging by now.

Channels: <https://teas.uspto.gov/forms/bas> and <https://tsdr.uspto.gov/>. TSDR provides filing status and documents. Trademarks and OCIO provide these services to customers.

He lost his work a couple times not having found a way to save the TEAS form. He gave up and started tracking the information in a separate document, then copied and pasted (with formatting issues) into the form. After submitting, he needs to go to a different system to find their filing status and documents.

What will we do?

Redesigning the platform for customers to complete the trademark filing process

Purpose

What is the problem?

TEAS is a set of over 50 filing forms without a consistent user interface or unifying system for managing customers' docket of trademark filings. Customers experience difficulties finding the correct forms to use. Links to the forms are available on over 10 separate webpages that are not in the TEAS system but rather on the www.uspto.gov website. Customers have difficulty understanding and navigating the current forms, and there are system stability issues.

Desired future state?

Trademark Center—a redesigned, modern platform for customers to complete the trademark filing process from beginning to end.

This begins with a focus on the initial application form because all customers must start there.

Any measurable indicators and targets?

Conduct a customer satisfaction survey on the current TEAS initial application form. Establish baseline, then compare scores after launch of redesigned initial application form. Target will be established after baseline is set.

Approach

Process, methods, and expertise?

USPTO is shifting to an agile development lifecycle focused on products for customers rather than a project-based, waterfall development lifecycle.

Trademark Center is one of six products under the Trademark product line, which integrates IT development services with business needs and expertise. We will use data analytics and user experience (UX) research to inform our approach to development.

Timeline, stage gates and dates?

- FY2020 – Trademarks is retraining the workforce for agile, establishing its product lines and teams, product line plans, and budgeting. Begin clearance for discovery methods of user experience (UX) feedback.
- FY2021 – Launch customer satisfaction survey on TEAS. Conduct exploratory methods of UX research, including prototype testing on a TEAS initial application form.
- FY2022 – Improve the TEAS initial application form prototype using UX research results and launch TEAS Plus short form initial application

Deliverables being produced?

TEAS initial application form prototype

Resources

Who is responsible?

Office of the Deputy Commissioner for Trademark Administration:

- Trademark Product Line Lead – Glen Brown
- Lead Product Owner for Trademark Center – Stephen Aquila

Office of the Deputy Commissioner for Trademark Examination Policy:

- Acting CX Administrator – Charles Thomas

Who is contributing to the project?

In addition to the offices responsible for this effort, staff in the following offices will contribute to this project:

- Office of the Chief Information Officer (OCIO)

Estimated budget allocated to the work? (optional)

This project is budgeted for as a component of the Trademark Investment Line within the FY2021 President's Budget. However, funding may be affected by current economic impacts and reduced fee revenue.

What are we proud of this year?

Service Improvement

Who is the user and what was the problem?

The main Trademarks landing page was not organized based on customers' top tasks, and its design was inconsistent from the www.uspto.gov homepage. Customers had difficulty finding specific information, news, and access to transactional systems they needed.

What did you build / improve? What does it do for the public or how you deliver your mission? What was the resulting impact?

In collaboration with several USPTO units, we redesigned the Trademarks landing page using customer personas, website satisfaction survey research, and top task data analytics (e.g., search queries and pageviews). In less than one month, we developed low-fidelity prototypes, tested with staff, and presented the redesign to agency leadership.

After initial launch, we wrote scenarios our customers often complete on www.uspto.gov and used these to conduct moderated usability testing with a representative sampling of trademarks customers to evaluate how well the landing page performed. These results are directly informing iterative website enhancements during FY2020, including an improved search engine, design and layout enhancements, content and link updates, and website taxonomy fixes.

Any lessons for other agencies emulating this work?

Allow for more time prior to launch to conduct more thorough testing with customers.

Sum up what happened in two sentences.

We redesigned www.uspto.gov/trademark based on our customer top tasks under a short deadline, then conducted usability testing to drive iterative improvements.

Capacity Building

Was this a governance, measurement, organizational, customer understanding, service development, or service delivery capability?

Customer research and understanding

What was the new action taken capability and its goal or purpose?

We completed Action 2 of the Trademarks 2019 CX Action Plan—"Build a more robust and flexible customer research capability to enable co-creation in areas such as content development, navigational design, system/service design, official correspondence, and information clarity/comprehension." In compliance with the Paperwork Reduction Act and Privacy Act, we built a meaningful and workable customer list representing all major customer segments, which is used to reach out to customers for critical customer research efforts.

What was the resulting impact? Include numbers whenever possible.

We had a list of 168 customers who volunteered to provide feedback and testing. From this, we had a representative sampling who tested the Trademarks landing page redesign, which we had never been conducted on this webpage before. This represents a significant shift in practice, and it created a resource for future service improvements that was not possible before.

Any lessons for other agencies emulating this work?

Although the Paperwork Reduction Act (PRA) clearance process can be time-consuming, it is worth the effort to build a representative customer list of volunteers and conduct surveys to provide valuable insight and feedback on our agency's services.

Can you sum up what happened in two sentences?

We built a representative customer list to enable co-creating of content and services. We used this list to conduct usability testing on a redesigned website landing page.