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Patent Examiner 14-2

GS-1224-14

PD 40-15--

Partial Signatory Authority
Bachelor of Arts Level with Designated Complexities
Generalist

FACTOR I. Nature and Extent of Performance of Examining Functions:

Incumbent independently performs "Basic", "Advanced" and "Legal" patent examining functions (e.g., the application of legal precedents, the determination of double-patenting situations, the evaluation of petitions to the Commissioner and affidavits of patentable equivalence, etc.) with no preliminary instructions from the supervisor. References used to determine whether or not the claimed invention is new and patentable are rarely, if ever, reviewed. All official Patent Office actions, including the substantive evaluation in terms of both statutory and precedent law of the legal sufficiency of evidence submitted by the applicant, are presented to the supervisor in final form for approval, except as modified in Factor II below.

Incumbent's determinations are reviewed, if at all, for conformance with Patent Office policy only upon final allowance or rejection of an application. This review normally is restricted to such matters as may determine (1) the extent to which the Patent Office will assist or advise inventors, or (2) the nature and extent of evidence required to warrant reopening the examination of a case which has been previously rejected.

FACTOR II. Contact and Commitment Authority:

Incumbent, having been officially delegated PARTIAL SIGNATORY AUTHORITY, makes and effects wholly independent determinations with respect to any Patent Office action -- either his/her own or that of another -- which does not result in the final allowance or rejection of an application.

FACTOR III. Technological Complexity of Art:

Bachelor of Arts Level with designated complexities. Incumbent is recognized as examining in art of considerable technical difficulty. This difficulty arises, and is indicated below, either from the nature of the systems examined or from the requirements of the examination has been found to be complicated by either of the following:

- () A. Multiple systems: The system for which a patent is sought is composed of two or more sub-systems, each of which is based on the fundamentals of different technological disciplines.
- () B. Complex systems: The system is substantially dynamic rather than static in nature and is composed of a network of components, the voluminous interrelationships of which are expressed in concepts involving either a very high level of abstraction or requiring such detail that numerous pages of drawing and specifications become necessary.

--OR by two or more of the elements below:

- () A. Highly competitive art: The art is a very active one in which, owing to the commercial importance of the subject matter, the cases are vigorously contested by

eminent counsel -- both as to ex parte and inter partes matters -- resulting in extended prosecution and the consideration of numerous special scientific and legal papers.

() B. Very broad fields of search: The art requires fields of search which are widely divergent and which present numerous problems in the consideration of analogous art, the necessity of evaluating extremely fine technical distinctions, the great number of permutations and combinations, and the practical requirement of limiting the areas searched to those likely to produce the best results.

() C. Variety of subject matter: The art embraces subject matter which requires for its comprehension and application a mastery of the scientific or technical concepts basic to more than one discipline.

ADDITIONAL CREDIT, GENERALIST:

The incumbent has been granted official recognition as Generalist on the basis of evidence which demonstrates that: (a) He/she possesses clearly unique and extraordinary personal qualifications, capacities and recognized professional stature in his/her assigned area of technology; (b) the subject-matter area upon which the incumbent's recognition rests normally equates in terms of technological complexity to no less than Level B of Factor III and normally embraces all arts (i.e., from 10 to 15 full man-year dockets) over which his/her organizational unit has jurisdiction; (c) the incumbent is, on a regular and recurring basis, utilized as an acknowledged "troubleshooter" both within his/her assigned organizational unit as well as outside that unit; and (d) the incumbent has demonstrated a foundation in patent examining functions at least the equivalent of that described at Level B of Factor I.

FACTOR LEVELS AND POINTS CREDITED:

Factor 1: Level: A: Points: 45

Factor 2: Level: A: Points: 10

Factor 3: Level: B: Points: 05

EXTRA CREDIT ITEM: G: Points: 05

Total Points: 65

Grade: 14

This position is exempt from coverage under the Fair Labor Standards Act.

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