

## Ernie Beffel

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**From:** Wiley, David [David.Wiley@USPTO.GOV]  
**Sent:** Friday, April 30, 2010 5:31 AM  
**To:** Ernie Beffel  
**Cc:** Kramer, James; Nicole A. Pannoni; Coggins, Wynn; Schmidt, Frederick; Stoll, Robert; Focarino, Margaret (Peggy); Hirshfeld, Andrew; Sigda, Michael  
**Subject:** RE: SPE happy to help with enhanced examiner interview best practices

Hello Ernie,

Glad to hear you are getting good results with using Adobe Connect with your interviews. We are not in any position right now to be implementing corps wide surveys. The office is currently in the process of looking at updating our collaboration tools and all the features you have asked for and used in the past will be part of the requirements for the new system. I ask for your patience as we go through this process and hope that you continue to use the Adobe Connect software until we acquire our new suite of tools.

As far as allowing other practitioners to use Adobe Connect, to my knowledge we have never discouraged or restricted any others from using the program, if other practitioners and patent examiners want to use the program then they can, we can not force either party to use them, but again they can if they wish.

Thanks  
Dave

-----Original Message-----

**From:** Ernie Beffel [mailto:ebeffel@hmbay.com]  
**Sent:** Thursday, April 22, 2010 12:31 PM  
**To:** Wiley, David  
**Cc:** Kramer, James; Nicole A. Pannoni  
**Subject:** RE: SPE happy to help with enhanced examiner interview best practices

Dear Dave:

Just a quick report on how this is going and the next step.

- 1) We've conducted nearly a dozen interviews and received informal encouragement from the examiners involved, including union rep Jeffrey Swearingen.
- 2) Jay and I developed the attached instructions and draft survey last fall. However, the survey hasn't been approved for distribution, so we do not have any formal feedback.
- 3) The survey has been forwarded to POPA leadership for comment and endorsement. I asked former union rep Bill Deane for help, waited, then asked Jeff for additional help. Both Bill and Jeff support use of the tool based on their personal experience. They forwarded materials to Robert Budens and Howard Locker. A month has passed with low intensity reminders, without hearing anything back from POPA. Perhaps no news is good news. Or, ongoing negotiations have captured POPA's full attention.
- 4) Last time I saw Director Kappos, after a talk 60 days ago, he remembered the Adobe Connect effort and asked how it is going.
- 5) Next Wednesday, Director Kappos will be here again. I'm writing to him today to see if he could fit in 10 minutes to discuss giving all patent practitioners permission to use Adobe Connect to enhance examiner interviews.
- 6) Would you please consider discussing use of this tool this with Jay and passing on a good word to Director Kappos? I'm sure that your support would mean a lot. Just a few words would be helpful.
- 7) Are there any typical steps that lead to sending out an office wide memo approving use of this type of tool?

Thank you for considering this request.

Best regards, Ernie

-----Original Message-----

From: Ernie Beffel  
Sent: Monday, October 05, 2009 1:46 PM  
To: 'Wiley, David'  
Cc: Jay Karmar (SPE AU 3693)  
Subject: RE: SPE happy to help with enhanced examiner interview best practices  
Importance: High

Dear Mr. Wiley,

That's great news. Thank you very much for the update.

1) Thank you very much. Adobe's ConnectNow service is even free for one-to-one conferences with examiners!

2) Using your name will help, particularly with TC 3600, where Director Wynn Coggins heard from OCIO that WebEx was off limits. I'm copying Jay on this e-mail, because he works with Wynn. When I set up interviews with examiners in Business Methods, I'll give them your name (and, if they are in 3600 copy Jay, so he knows what's going on.) This will help greatly.

(I've stayed away from proposing WebEx conferences for several months, waiting to see what would break with OCIO. Now, I'm back in business and will report results as we begin using Adobe Connect for interviews. The results were very positive with WebEx, so the same is expected with Adobe Connect.)

3) Does it make sense for Jay and I to work up some best practices? To whom would we submit what we develop? Is there anyone else who would be interested in working on this?

A few words of follow-up advice would be appreciated.

Best regards, Ernie

-----Original Message-----

From: Wiley, David [mailto:David.Wiley@USPTO.GOV]  
Sent: Monday, October 05, 2009 4:56 AM  
To: Ernie Beffel  
Subject: RE: SPE happy to help with enhanced examiner interview best practices

Hello Mr. Beffel,

Sorry I have been ignoring you but we have made some progress and changing the count system has been taking up a lot of my time lately. I have heard from our CIO friends and security folks that Adobe connect is ok to use, although we are not going out with an office wide memo at this time feel free to use it with any examiner you wish and if you have any problems with the examiners reluctance to use the product just give them my name and number an I will speak with the examiner personally and assure him/her that the product is safe to use.

Please keep me informed of the progress of this with the examiners, I would be interested to know if the examiners find it beneficial, as I'm sure they will. Maybe after a few months of using the product we can talk about it with some of the examiners you used it with and from there we may be able to publicize it more.

Thanks  
Dave

-----Original Message-----

From: Ernie Beffel [mailto:ebeffel@hmbay.com]

Sent: Wednesday, September 16, 2009 9:50 AM  
To: Doll, John  
Cc: Wiley, David; Kramer, James  
Subject: RE: SPE happy to help with enhanced examiner interview best practices

Good morning John,

Congratulations on your retirement. With twins entering college next year, I don't see retirement very soon at this end.

Thank you very much for closing the loop with me and updating me on Dave's progress. I'll get ahold of him and make sure that he has all of the materials that I've sent you.

I really appreciate your expression of belief in the project and will take it as encouragement to remain engaged with this effort. It has been a pleasure working with you.

Enjoy what comes next. If you are ever in the San Francisco / Silicon Valley area, please look us up in Half Moon Bay, 20 miles west of SFO airport. We buy lunch for anyone who drives over the hill. It's a pretty little town with a well-preserved historic Main Street.

Best regards, Ernie Beffel

-----Original Message-----

From: Doll, John [mailto:John.Doll@USPTO.GOV]  
Sent: Wed 9/16/2009 5:48 AM  
To: Ernie Beffel  
Subject: RE: SPE happy to help with enhanced examiner interview best practices

Hi Ernie - I am not sure if you know but I am retiring October 2nd so I won't be able to help in this effort much longer. I believe in the idea and hope we can make this work for the examiners, attorneys and applicants.

But I did want to close the loop on this issue with you. Dave Wiley has been working the issue, has made some significant progress and is arranging meetings to see how best to proceed. If you have any further questions or suggestions, please email Dave.

Enjoy !!!

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From: Ernie Beffel [mailto:ebeffel@hmbay.com]  
Sent: Tuesday, September 01, 2009 6:34 PM  
To: Doll, John  
Subject: RE: SPE happy to help with enhanced examiner interview best practices

Dear John:

Thank you. I think that the results will be well worth the trouble.

As always, let me know if I can help.

Best regards, Ernie

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From: Doll, John [mailto:John.Doll@USPTO.GOV]  
Sent: Tuesday, September 01, 2009 2:21 PM  
To: Ernie Beffel  
Subject: RE: SPE happy to help with enhanced examiner interview best practices Hi Ernie - I am having the issues discussed asap.

Thanks

From: Ernie Beffel [mailto:ebeffel@hmbay.com]  
Sent: Tuesday, September 01, 2009 1:01 PM  
To: Doll, John  
Cc: Kramer, James  
Subject: SPE happy to help with enhanced examiner interview best practices

Dear John:

SPE Jay Kramer (AU 3693) just confirmed that he would be happy to work on the project that I proposed in my e-mail last week.

I advanced Jay's name because of his enthusiasm and support for the Interviews for Compact Prosecution talk to the Business Methods Partnership meeting last month. While Jeff Smith led the program, Jay pitched in to help with the AV set-up. Jay also noticed PTO's use of Adobe Connect for some recent in house training.

Since Jay has a couple of our active cases in his AU, we can test out the best practices that we write up.

Best regards, Ernie Beffel

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