

Statement of Vickers Meadows  
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Testimony before the House Committee on Oversight and Government Reform  
Subcommittee on Federal Workforce, Postal Service, and the District of Columbia  
Hearing on Achieving Diversity in the SES Workforce  
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Mr. Chairman, Ranking Member Marchant, and Members of the Subcommittee,

I appreciate this opportunity to testify on diversity of senior management at the United States Patent and Trademark Office-- the USPTO.

The USPTO mission is to foster innovation and competitiveness by providing high-quality and timely examination of patent and trademark applications, guide domestic and international intellectual property policy, and deliver intellectual property information and education worldwide.

Fiscal Year 2006 was a record-breaking year for the USPTO. Our Patent organization broke virtually every record tracked by the *Government Performance and Results Act of 1993* (GPRA) – by improving quality, efficiency, e-filing, hiring, training, and hoteling. Improvements in quality were particularly noteworthy. USPTO received an historic high watermark of 419,760 utility, plant and reissue patent applications which achieved a 96.5% allowance compliance rate, the best in 20 years. The Trademark organization also broke records in quality while increasing production. With more than 354,000 trademark

application classes filed, the final compliance rate was 96.4%. In fact, the Trademark organization exceeded all of its agency performance targets for the first time since the GPRA mandated established performance goals.

With more than 9,000 employees projected by the end of this fiscal year at the USPTO, and plans to hire an additional 8,400 patent examiners over the next six years, we expect our history of expanding diversity to continue. Currently, there are 49 Senior Executive Service members— 16 are women, 4 are Black and 2 are Asian.

The USPTO's SES diversity profile compares favorably with that of the Federal Government as a whole. The most recent government-wide SES demographics issued by the Office of Personnel Management in 2005 indicate that, government-wide, 26.7% of SES members are women and nearly 12% of all SES appointments are held by minorities. At the USPTO, 33% of SES members are women and 10% are held by minorities.

Of the more than 8,000 employees, 577 are attorneys and 5,846 are engineers or scientists, making the vast majority of our SES and top level management positions highly specialized. Our executive members in the patent business area manage a workforce composed largely of scientists and engineers. Those in the trademark area direct a staff of trademark attorneys. In addition to skills normally required for upper level management, our executives must possess both the technical knowledge required to direct a professional workforce, and a high degree of specialized knowledge about

intricate, often complex examination rules, regulations, and procedures. Much of this specialized knowledge can only be acquired through years of experience at the USPTO. As a result, virtually all of our patent and trademark management positions are filled from within the USPTO ranks. However, there are a few SES positions---like my own---that are in the financial, administrative, or information technology field.

There is also a special corps of senior employees who are also part of the management and leadership structure of the USPTO. The Administrative Patent and Administrative Trademark Judges and Senior Level employees are among this group. With 94 members, their expertise in patent and trademark laws is critical to the USPTO operation and policy development. With 26 women, 7 Blacks, and 6 Asians, these members also reflect expanding diversity at the USPTO.

Diversity is likely to increase in the USPTO's SES ranks because of the underlying diversity of the pool of patent and trademark professionals from which many of our future senior executives are likely to be drawn. Our current workforce presents a recruitment pool of 2,268 professionals at the GS-14 and 15 levels, most of whom occupy supervisory or managerial positions. Of this total, 963 are women, 387 are Black, 817 are Asian, 85 are Hispanic, and 16 are Native-American.

As we replace retiring members of our existing SES corps over the next few years, we expect a more diverse pool of internal applicants from which to select, in addition to

outside applicants. Twenty-two percent of the current SES members are now retirement-eligible or will become eligible over the course of the next two years.

In order to enhance their qualifications for SES membership, many patent and trademark professionals have taken advantage of managerial, supervisory, leadership, and executive management training and developmental assignments offered or funded by the USPTO. We have put in place, and constantly seek to improve upon, developmental opportunities that have included managerial training provided by the Office of Personnel Management at the Federal Executive Institute and other facilities, a managerial certificate program designed especially for the USPTO by Syracuse University's Maxwell School of Citizenship and Public Affairs, in-house technical and managerial training, and opportunities for numerous career development details throughout the USPTO. The USPTO is also pursuing the establishment of an SES candidate development program.

The USPTO has a robust recruitment program. We participated in 27 events in 2006, where recruitment of minorities and women was the focus. For example, we visited Howard University, Morgan State University, Ohio State University, MIT, and Florida State University. In many cases, organizations like the National Society for Black Engineers, Society for Women Engineers, Society of Hispanic Professional Engineers, and the American Indian Science and Engineering Society were our host. These events allow us to highlight our mission and the great opportunities available at the USPTO. In addition, the USPTO's Post Secondary Internship Program provides approximately 50 internship opportunities for students each summer. Through a grant from the Department

of Commerce, several non-profit organizations screen and recommend students for internship positions. These non-profit organizations, which have demonstrated a commitment to equal opportunity in education and employment, provide the USPTO with a wellspring of talent from all parts of the country. Each year many of these interns become permanent members of the USPTO family.

Our priority is always to select the best-qualified person regardless of race, national origin, sex, or religion for each position that we fill. Because we have so many talented women and minorities in our senior supervisory and managerial ranks, we are confident that many of them will rise to the SES level. In addition, we will continue to conduct the broadest possible searches for our financial, administrative, and information technology SES vacancies.

I appreciate this opportunity to share information with the Subcommittee regarding the USPTO's commitment to promote diversity in its executive workforce. If you have any questions, I would be pleased to answer them.