

**SETTLEMENT AGREEMENT BETWEEN  
THE PATENT OFFICE PROFESSIONAL ASSOCIATION  
AND  
THE UNITED STATES PATENT AND TRADEMARK OFFICE**

The parties to this agreement, the Patent Office Professional Association (POPA) and the United States Patent and Trademark Office (USPTO or Agency), agree to the following terms in settlement of U.S. Patent and Trademark Office and Patent Office Professional Association, FLRA Case No. WA-RP-10-0072.

1. The parties agree that, absent a significant change in law or duties, employees in the following positions are properly included within the POPA bargaining unit:
  - a. Patent Attorneys at the Board of Patent Appeals and Interferences (BPAI);
  - b. Non-supervisory attorneys and Congressional Affairs Specialists in the Office of External Affairs;
  - c. All petitions examiners in the Office of Petitions; and
  - d. Review Quality Assurance Specialists (rQAS) in the Office of Patent Quality Assurance.
2. The parties agree that, absent a significant change in law or duties, employees in the following positions are properly excluded from the POPA bargaining unit:
  - a. Attorneys in the Solicitor's Office;
  - b. Attorneys in the Office of General Law;
  - c. Attorneys in the Office of Enrollment and Discipline;
  - d. Attorneys performing supervisory functions in the Office of External Affairs; and
  - e. International Technical Projects Specialists and Patent Classifiers on the International Liaison Staff.
3. In the event that another labor organization files a petition with the Authority claiming that it represents or should represent any employees in these offices, POPA may seek to intervene in that proceeding. POPA may claim that these employees are within its bargaining unit and taking such a position before the Authority will not be interpreted by the Agency as inconsistent with the terms of this Agreement.
4. The parties agree that, absent a significant change in law or duties, Training Quality Assurance Specialists (tQAS) will be classified as follows:
  - a. The Agency may designate a total of 24 tQASs as non-bargaining unit employees. All other tQASs will be classified as bargaining unit employees;
  - b. On or before January 3, 2011, the Agency will provide POPA with a list identifying the tQASs designated as non-bargaining unit employees and the tQASs who will be reclassified as bargaining unit employees;
  - c. The Agency may periodically revise or update its list of non-bargaining unit tQASs. Any such revision or update must first be communicated in writing to POPA; and



Corps summary	1/3/2011 status	1/13/2011 update
off the list	7	6
BU tQAS	31	33
Non-BU tQAS	<u>22</u>	<u>22</u>
	60	61

TCs summary				1/3/2011 status	1/13/2011 update
firstname	lastname	orgcode		summary	summary
1	KATHLEEN	BRAGDON	1600	Non-BU tQAS	
2	JULIE	BURKE	1600	BU tQAS	
3	BENNETT	CELSA	1600	BU tQAS	off list 0
4	MARIANNE	SEIDEL	1600	BU tQAS	BU 4
5	JEAN	VOLLANO	1600	BU tQAS	non-BU 2
6	JEAN	WITZ	1600	Non-BU tQAS	TC 1600= 6
7	BLAINE	COPENHEAVER	1700	BU tQAS	
8	THOMAS	DUNN	1700	BU tQAS	
9	CHRISTOPHER	FIORILLA	1700	Non-BU tQAS	off list 0
10	WILLIAM	KRYNSKI	1700	Non-BU tQAS	BU 3
11	GREGORY	MILLS	1700	Non-BU tQAS	non-BU 3
12	CHRISTINE	TIERNEY	1700	BU tQAS	TC 1700= 6
13	KAKALI	CHAKI	2100	BU tQAS	
14	GAIL	HAYES	2100	Non-BU tQAS	
15	BRIAN	JOHNSON	2100	Non-BU tQAS	
16	<b>EDDIE</b>	<b>LEE</b>	<b>2100</b>	will lateral to an SPE/assign to AU effective on or before Jan 16, 2011.	off list 2
17	MANO	PADMANABHAN	2100	BU tQAS	BU 2
18	REHANA	PERVEEN	2100	will lateral to an SPE/assign to AU effective on or before Jan 16, 2011	non-BU 3
19	VINCENT	TRANS	2100	Non-BU tQAS	TC 2100= 7
20	CHRISTOPHER	GRANT	2400	BU tQAS	
21	KIM NGOC	HUYNH	2400	Non-BU tQAS	
22	TOD	SWANN	2400	Non-BU tQAS	off list 1
23	HASSAN	KIZOU	2400	will lateral to an SPE/assign to AU effective on or before Jan 16, 2011	BU 2
24	CHAU	NGUYEN	2400	Non-BU tQAS	non-BU 3
25	BEATRIZ	PRIETO	2400	BU tQAS	TC 2400= 6
26	WELLINGTON	CHIN	2600	Non-BU tQAS	
27	ANDREW	CHRISTENSEN	2600	Non-BU tQAS	
28	MICHAEL	HORABIK	2600	BU tQAS	
29	JOHN	PENG	2600	Non-BU tQAS	off list 0
30	DANIEL	SWERDLOW	2600	BU tQAS	BU 4
31	DORIS	TO	2600	BU tQAS	non-BU 3
32	KENNETH	WIEDER	2600	BU tQAS	TC 2600= 7
33	MICHAEL	DAY	2800	BU tQAS	
34	JOSE	DEES	2800	BU tQAS	
35	DIANE	LEE	2800	will lateral to an SPE/assign to AU effective on or before Jan 16, 2011	
36	HIEN	PHAN	2800	BU tQAS	
37	DEAN	REICHARD	2800	BU tQAS	
38	DARREN	SCHUBERG	2800	BU tQAS	off list 2
39	BRIAN	SIRCUS	2800	Non-BU tQAS	BU 5
40	TOM	THOMAS	2800	Currently an SPE with an Art Unit, on Fy2011 SPE PAP. Off tQAS list	non-BU 2
41	LEE	YOUNG	2800	Non-BU tQAS	TC 2800= 9
42	JOHN	NGUYEN	3600	will lateral to an SPE/assign to AU effective on or before Jan 16, 2011	
43	MIKADO	BUIZ	3600	BU tQAS	
44	MARC	JIMENEZ	3600	Non-BU tQAS	
45	TUYET PHUONG	LUU	3600	Non-BU tQAS	
46	LANNA	MAI	3600	BU tQAS	
47	TERRY	MELIUS	3600	BU tQAS	off list 1
48	STEVEN	MEYERS	3600	BU tQAS	BU 6
49	VINCENT	MILLIN	3600	BU tQAS	non-BU 2
50	ROBERT	WEINHARDT	3600	BU tQAS	TC 3600= 9
51	ROBIN	EVANS	3700	Non-BU tQAS	
52	JOSIE	BALLATO	3700	BU tQAS	
53	JANET	BAXTER	3700	Non-BU tQAS	
54	MICHAEL	HAYES	3700	BU tQAS	
55	SAMUEL	HUGHES	3700	Non-BU tQAS	
56	LINDA	SHOLL	3700	BU tQAS	off list 1
57	GREGORY	VIDOVICH	3700	In SIRA at the beginning of FY 11. Off tQAS list, on a SIRA supervisory PAP.	BU 4
58	HENRY	YUEN	3700	BU tQAS	non-BU 3
59	<b>COLLEEN</b>	<b>DUNN</b>	<b>3700</b>		TC 3700= 8
60	KATHRYN	GORGOS	4100	BU tQAS	BU 1
61	CHRISTINE	ODA	4100	Non-BU tQAS	non-BU 1
				TC 4100= 2	TC 4100= 2