

IP'Tech Insight Report for Examiner Filip Zec

Examiner Index Score--Interview?

The Examiner Index Score identifies examiners who respond to interviews and those who respond to written advocacy. Positive Examiner Index Scores identify Examiners for whom oral advocacy with interviews produces better resolution of issues. Negative scores indicate Examiners for whom written advocacy, particularly via ex parte appeals, is the optimum prosecution path.

Examiner Zec's Examiner Index Score is: **-0.401**

Examiner Zec's negative index score means it will be more difficult to reach agreement on any issue in an interview. Prosecution is more likely to be advanced using appeals than RCEs. Arguments presented to a combined audience of the Examiner and supervisory Examiner(s) via a pre-appeal brief or appeal brief are statistically more effective at advancing prosecution/resolving issues.

What Next?

The percentages of filed appeals before Examiner Zec resolved at each stage of the appeal process below show whether filing a pre-appeal brief first or filing an appeal brief is the fastest way to advance your case (and the odds the Examiner will send the case to the Board).

Percent of appeals resolved:

| | |
|----------------------|--------------|
| At pre-appeal brief: | 15.9% |
| At appeal brief: | 27% |
| At the Board: | 42.9% |

Since Examiner Zec is more likely to allow or reopen prosecution at the appeal brief stage, leading with an appeal brief is statistically the most favorable approach. Use of the appeal brief will also allow for actual substantive feedback from this examiner if the examiner chooses to send your case to the Board for decision via an Examiner's Answer.

Recommendations:

For Examiner Zec, the Examiner Index Score indicates an interview is not advised. Negotiating with an appeal as the prior art allows is recommended.

If you choose to negotiate using an appeal, leading with an appeal brief statistically provides the best route to allowance or reopening of prosecution.