

USPTO Cancels Sensitive Application Warning System (SAWS)

by Dennis Crouch

USPTO management has announced the cancellation of its Sensitive Application Warning System (SAWS). Writing in an internal email, Commissioner Focarino indicated that “the USPTO has decided to retire this program.” This announcement is effective immediately and “applications currently in this program will now proceed through prosecution absent any additional SAWS-related processing.”

Focarino also promised that any future quality-enhancing initiatives on par with SAWS “will be disclosed to the public before implementation.”

As I wrote earlier, some ideas behind the SAWS Program offer potential benefits of better focusing resources. However, the downfall of the program was the lack of public accountability. Congratulations to the USPTO for recognizing this issue and promising a more transparent future.

Focarino’s email alludes to the fact that the SAWS program began in 1994 – a time when pending applications were still kept secret. “Today, unlike when the SAWS program was created, most applications are published eighteen months after submission, exposing them to public scrutiny and the potential for third-party submissions of prior art.” Likewise, the public access has also pushed the USPTO further towards accountability in its operations.

[Update: [Information has now been added to the USPTO website](#)]

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