

Appendix II List of Decisions Cited

	Sec. No.		Sec. No.
Abbot v. Coe, 1940 C.D. 13; 512 O.G. 3	716	Bullard & Co. v. Coe, 1945 C.D. 13; 573 O.G. 547	716
Adams, Ex parte, Pat. No. 1,789,921	608.04(b)	Bullock, Ex parte, 1907 C.D. 93; 127 O.G.	
Andrews v. Wickenden, 1952 C.D. 176, 659 O.G.		1580	706.03(c)
305	1101.02(f)	Burke, Ex parte, 1934 C.D. 5; 441 O.G. 509	706.03(y)
Appeal No. 194-38, 1966 C.D. 31; 152 USPQ		Burrows, Ex parte, 1904 C.D. 155; 110 O.G.	
70	901.05(b)	599	1214.01
Application Filed Nov. 16, 1945, In re, 1951 C.D. 1;		Campbell, In re, 1954 C.D. 191; 685 O.G. 470	201.06
646 O.G. 5	904.01(a)	Card and Card, Ex parte, 1904 C.D. 383; 112	
Application Papers Filed July 13, 1950, 693 O.G.		O.G. 499	1101.02
136; 1955 C.D. 3	1214.01	Carlson et al., In re, 1936 C.D. 95; 462 O.G.	
Application Papers Filed Jan. 20, 1956, In re,		479	715.04
706 O.G. 4	714.07	Chevenard, In re, 1944 C.D. 141; 560 O.G.	
Application Papers Filed Sept. 10, 1954, In re,		196	706.02(a)
703 O.G. 434	409.03	Chilowsky, In re, 1956 C.D. 155; 704 O.G. 213	716
Arbeit et al., In re, 1953 C.D. 409; 677 O.G.		Christie v. Seybold, 1893 C.D. 515; 64 O.G.	
843	706.03(c)	1650	715.07(a)
Arkless, Ex parte, 1958 C.D. 19; 726 O.G.		Clifford, Ex parte, 49 U.S.P.Q. 152	901.02
635	201.14, 1401	Comstock, Ex parte, 1923 C.D. 82; 317 O.G. 4	1214.01
Armstrong, In re, 1960 C.D. 422; 759 O.G. 4	716	Crecelius, In re, 1937 C.D. 112; 474 O.G. 465	716
Arzberger, In re, 1940 C.D. 653; 521 O.G. 272	1601	Crosby, In re, 1947 C.D. 35; 595 O.G. 5	716
Attwood, In re, 1958 C.D. 204; 730 O.G. 790	716	Crowell, In re, 1930 C.D. 360; 397 O.G. 3	1214.01
Automatic Weighing Mach. Co. v. Pneumatic		Cutter Co. v. Metropolitan Electric Mfg. Co.,	
Scale Corp., Limited, 1909 C.D. 498; 139 O.G.		275 Fed. 158	603.01
991	715.07	Delavoje, Ex parte, 1906 C.D. 320; 124 O.G.	
Ayers et al., Ex parte, 105 U.S.P.Q. 444	608.04(a)	626	604.02
Badger, Ex parte, 1901 C.D. 195; 97 O.G.		Den Beste v. Martin, 1958 C.D. 178, 729 O.G.	
1596	608.02(f)	724	1105.04
Ball et al., Ex parte, 1953 C.D. 4; 675 O.G. 5	706.03(c)	Donnell, Ex parte, 1923 C.D. 54; 315 O.G.	
Barber, In re, 1936 C.D. 184; 465 O.G. 724	1504	398	806.05(b)
Beck et al., In re, 1946 C.D. 398; 590 O.G. 357	715.01(b)	Donovan, Ex parte, 1890 C.D. 109; 52 O.G. 309	715.07
Benke, Ex parte, 1904 C.D. 63; 108 O.G. 1588	811.02	Dotter, Ex parte, 12 U.S.P.Q. 382	706.03(y)
Benson, In re, 1959 C.D. 5; 744 O.G. 353	608.01.	Dreshfield, In re, 1940 C.D. 351, 518 O.G. 255	706.03(z)
	714.07, 714.19	Dreyfus and Whitehead, In re, 1935 C.D. 386;	
Berg, Ex parte, 1906 C.D. 36, 120 O.G. 903	715.09	457 O.G. 479	706.03(e)
Berry, In re, 137 U.S.P.Q. 353	716	Earl v. Love, 1909 C.D. 56; 140 O.G. 1200	1102.01(a)
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Board of Appeals decision in Plant Patent File		1091	403.01, 403.02
No. 412	1610	Ekenstam, In re, 1958 C.D. 402; 118 USPQ	
Bonine, v. Bliss, 1919 C.D. 75; 265 O.G. 306	1101.02	349	901.05(b)
Bonnie-B Co. Inc., Ex parte, 1923 C.D. 42; 313		Elliott, Ex parte, 1904 C.D. 103; 109 O.G.	
O.G. 453	104	1337	608.02(g)
Bowditch v. Todd, 1902 C.D. 27; 98 O.G. 792	1105.02	Emerson v. Beach, 103 U.S.P.Q. 45; 691 O.G.	
Bowyer, Ex parte, 1939 C.D. 5; 505 O.G. 759	715.07(b),	170; 1955 C.D. 34	1101.02(f)
	715.09, 1212	Ferris v. Tuttle, 1940 C.D. 5; 521 O.G. 523	715.06,
Buchenberg, Ex parte, 1924 C.D. 55; 327 O.G.			1101.03
216	1214.06	Finley, In re, 1949 C.D. 284; 624 O.G. 262	716
Buchli v. Rasmussen, 1925 C.D. 75; 339 O.G.		Fischer, In re, 1942 C.D. 295; 538 O.G. 503	706.02(a)
223	1105.02	Forsyth v. Richards, 1905 C.D. 115; 115 O.G.	
Buck v. Ooms, 1947 C.D. 33; 602 O.G. 177	716	1327	1105.02
Budde, Ex parte, 150 U.S.P.Q. 469; 828 O.G.		Foster, Ex parte, 1903 C.D. 213; 105 O.G. 261	715.04
409	706.03(w)	Fox, Ex parte, 1960 C.D. 28; 761 O.G. 906	608.04(a)

MANUAL OF PATENT EXAMINING PROCEDURE

	Sec. No.		Sec. No.
Frey, In re, 1950 C.D. 362; 639 O.G. 5	1101.02(f)	Jewett et al., In re, 1957 C.D. 420; 724 O.G.	
Fried et al. v. Murray et al., 1959 C.D. 311;		225	716
746 O.G. 563	1105.04	Johnson, Ex parte, 1958 C.D. 22; 731 O.G. 6	1401
Fuller, In re, 1929 C.D. 172; 388 O.G. 279	706.03(c)	Jones, Ex parte, 1924 C.D. 59; 327 O.G. 681	709.01
Gardner et al., In re, 42 CCPA 1022; 106 USPQ		Joyce, In re, 1956 C.D. 2; 727 O.G. 4	706.03(k)
273	706.03(r)	Kay, In re, 1964 C.D. 630; 141 USPQ 829	804.02
Gelder v. Henry, 77 U.S.P.Q. 223	1105.02	Klein, In re, 1930 C.D. 2; 393 O.G. 519	201.08
Good, Ex parte, 1911 C.D. 43; 164 O.G. 739	608.02(d)	Kluis et al., Ex parte, Board of Appeals decision	
Gourtoff, Ex parte, 1924 C.D. 153; 329 O.G.		In Plant Patent File 707	1604
536	707.13, 710.06	Komenak, Ex parte, 1940 C.D. 1; 512 O.G. 739	201.09
Grayson, Ex parte, 51 U.S.P.Q. 413	706.03(a)	Kopf et al., In re Application Papers of, 779	
Greenawalt v. Mark, 1904 C.D. 352; 111 O.G.		O.G. 290	201.06
2224	1105.04	Kotler, Ex parte, 1901 C.D. 62; 95 O.G.	
Greenfield, In re, 1930 C.D. 531; 400 O.G. 226	1214.01	2684	608.01(o)
Gresselin, Ex parte, 1896 C.D. 39; 76 O.G. 1573	716	Kulleke, In re, 1960 C.D. 281; 756 O.G. 288	716
Grier, Ex parte, 1923 C.D. 27; 309 O.G.		Lantze, Ex parte, 1910 C.D. 100; 156 O.G.	
223	706.04, 820	257	810.01
Gruschwitz et al., Ex parte, 1963 C.D. 859; 138		Larsen, In re, 49 CCPA 711; 130 USPQ 209	706.03(q)
U.S.P.Q. 505	706.03(s), 901.05(b)	Lasscell, Ex parte, 1884 C.D. 66; 29 O.G. 861	711.01
Gunther, In re, 1942 C.D. 332; 538 O.G. 744	706.02(a)	Leishman, Ex parte, 137 Ms 336, Pat. No.	
Hale, Ex parte, 49 U.S.P.Q. 209	715.09	1,581,937	608.04(b)
Hall, In re, 41 CCPA 759; 100 USPQ 46	706.03(j)	Lemieux, Ex parte, 1957 C.D. 47; 725	
Harpignies, 167 Ms. D. 329, in Patent File of		O.G. 4	715.01(c)
Des. Pat. D. 136,550 Oct. 26, 1943	1504	Lily et al. v. Brenner, 153 USPQ 95; 375 F. 2d	
Harris et al., Ex parte, 79 U.S.P.Q. 489	707.05(f)	599	715.01
Hay, Ex parte, 1909 C.D. 18; 139 O.G. 197	706.04	Ljungstrom, Ex parte, 1905 C.D. 541; 119 O.G.	
Hazeltine Research, Inc., et al. v. Brenner, 147		2335	814
U.S.P.Q. 429 (1965)	706.02, 715.01	Loewenbach, Ex parte, 1904 C.D. 170; 110 O.G.	
Healy, Ex parte, 1898 C.D. 157; 84 O.G.		857	819
1281	806.04(b)	Lohman, Ex parte, 1912 C.D. 336; 184 O.G.	
Heinz, In re, 1910 C.D. 292; 151 O.G. 1014	1214.01	287	1503.02
Heinze, Ex parte, 1919 C.D. 67; 265 O.G. 145	602.05	Ludwick, In re, 1925 C.D. 306; 339 O.G. 393	706.03(g)
Henrich, In re, 1959 C.D. 353; 747 O.G. 793	716	Lulle Guld. In re, 1953 C.D. 310; 677 O.G. 5	716
Henriksen, In re, 1958 USPQ 224; 853 O.G. 17	201.11	Malcolm, In re, 1942 C.D. 589; 543 O.G.	
Heritage, In re, 1950 C.D. 419; 639 O.G. 638	901.02	440	706.02(a)
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Herrick et al., In re, 1958 C.D. 1; 727		Martin, In re, 1946 C.D. 180; 586 O.G. 347	1212
O.G. 4	706.03(k)	Mattullath, In re, 1912 C.D. 490; 179 O.G. 853	409.01
Herrmann et al., In re, 1959 C.D. 159; 739		McCormick, Ex parte, 1904 C.D. 575; 113 O.G.	
O.G. 549	707.07(f)	2508	709.01
Hilmer, In re, 833 O.G. 13; 149 USPQ 480	715.01	McBurney v. Jones, 104 U.S.P.Q. 115	1105.04
Hirschler, Ex parte, 110 U.S.P.Q. 384	715.01(c)	McKenna et al., In re, 1953 C.D. 251; 674 O.G. 9	716
Hollingsworth, In re, 1958 C.D. 210; 730 O.G.		Meden v. Curtis, 1905 C.D. 272; 117 O.G. 1795	819.01
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365	1109.01	Messick, Ex parte, 1930 C.D. 6; 400 O.G. 3	710.01(a)
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747	201.11	C.D. 303; 344 O.G. 817	706.02
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733	715.07(a)	132	710.04(a)
Iagan, Ex parte, 1911 C.D. 10; 162 O.G. 538	706.03(g)	Moeller, In re, 1941 C.D. 316; 527 O.G. 559	706.03(e)
Incomplete Application, In re, 659 O.G. 917	606.01	Monaco v. Watson, 106 U.S. App. D.C. 142;	
Irwin, Ex parte, 1928 C.D. 13; 367 O.G. 701	604.02	270 F. 2d 335; 122 U.S.P.Q. 564	1109.01
		Monsanto v. Kamp et al., 146 U.S.P.Q. 431	1109.01

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	Sec. No.		Sec. No.
Myers, In re, 1959 C.D. 2; 738 O.G. 947	608.02	Silverstein, Ex parte, 125 USPQ 238	706.03(j)
Nelson, Ex parte, 164 Ms. D. 361; 26 J.P. O.S. 564	710.04(a)	Simons v. Dunlop, 103 U.S.P.Q. 237	1105.02
Norlund, Ex parte, 1913 C.D. 181; 192 O.G. 989	1213.01	Smith, Ex parte, 1898 C.D. 131; 44 O.G. 1183	806.04(c)
Noxon v. Halpert, 128 U.S.P.Q. 481	1101.02(f), 1105.05	Smyth, In re, 1951 C.D. 449; 651 O.G. 5	716
Oppenauer, In re, 1944 C.D. 587; 568 O.G. 393	716	Snyder, Ex parte, 1904 C.D. 242; 110 O.G. 2636	810.02
O'Reilly v. Morse, 15 Howard 62	706.03(a)	Sol, In re, 1938 C.D. 723; 497 O.G. 546	706.03(z)
Osborne, Ex parte, 1900 C.D. 137; 92 O.G. 1797	706.03(d)	Stalego, Ex parte, 154 USPQ 52	901.01
Payne, Ex parte, 1904 C.D. 42; 108 O.G. 1049	707.07(g)	Stalego et al. v. Haymes et al., 120 U.S.P.Q. 473	1101.02(f)
Peck, Ex parte, 1901 C.D. 136; 96 O.G. 2409	608.02(f)	Stanley, Ex parte, 121 U.S.P.Q. 621	706.03(c)
Perrigo, In re, 1931 C.D. 512; 411 O.G. 544	716	Stanley et al., In re, 102 U.S.P.Q. 234	305
Perrine, In re, 1940 C.D. 465; 519 O.G. 520	716	Steenbock, In re, 1936 C.D. 594; 473 O.G. 495	715.03
Peterson, Ex parte, 63 U.S.P.Q. 99	901.02	Stempel, In re, 1957 C.D. 200; 717 O.G. 886	715.03
Peterson, Ex parte, 1941 C.D. 8; 525 O.G. 3	710.02(b), 1109, 1109.01	Strain, In re, 1951 C.D. 252; 648 O.G. 5	715.01(a)
Pickles, Ex parte, 1904 C.D. 126; 109 O.G. 1888	810.02	Swanberg, In re, 129 U.S.P.Q. 364	608.01
Pierce, In re, 1930 C.D. 34; 390 O.G. 265	716	Sweet, In re, 1943 C.D. 535; 556 O.G. 726	1211
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Romunder, Ex parte, 1910 C.D. 121; 157 O.G. 209	715.09	Waugh, In re, 1943 C.D. 411; 553 O.G. 3 (CCPA)	819
Rosenberg, Ex parte, 46 U.S.P.Q. 393	1610	Weston, Ex parte, 1911 C.D. 218; 173 O.G. 285	810.02
Rossi, In re, 1957 C.D. 130; 717 O.G. 214	716	Wheary, Ex parte, 1913 C.D. 253; 197 O.G. 534	714.08
Rothermel et al., In re, 1960 C.D. 204; 755 O.G. 621	716	Whitelaw, Ex parte, 1915 C.D. 18; 219 O.G. 1237	706.03(k)
Rubinfeld, In re, 1959 C.D. 412; 749 O.G. 274	1503.01, 1504	Willien et al., In re, 1935 C.D. 229; 454 O.G. 535	715
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Schmi, In re, 1946 C.D. 525; 591 O.G. 160	706.02(a)		
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