

## Appendix II List of Decisions Cited

	Sec. No.		Sec. No.
Abbot v. Coe, 1940 C.D. 13; 512 O.G. 3	716	Burke, Ex parte, 1934 C.D. 5; 441 O.G. 509	706.03(y)
Adams, Ex parte, Pat. No. 1,789,921	608.04(b)	Burrowes, Ex parte, 1904 C.D. 155; 110 O.G. 599	1214.01
Andrews v. Wickenden, 1952 C.D. 176, 659 O.G. 305	1101.02(f)	Campbell, In re, 1954 C.D. 191; 101 USPQ 406	201.06, 1503.01
Appeal No. 194-38, 1966 C.D. 31; 152 USPQ 70	901.05(b)	Card and Card, Ex parte, 1904 C.D. 383; 112 O.G. 499	1101.02
Application Filed Nov. 16, 1945, In re, 1951 C.D. 1; 646 O.G. 5	904.01(a)	Carey v. The New Home Sewing Machine Co., 1901 C.D. 165; 97 O.G. 1171	1309.02
Application Papers Filed July 13, 1950, 693 O.G. 136; 1955 C.D. 3	1214.01	Carlson et al., In re, 1936 C.D. 95; 462 O.G. 479	715.04
Application Papers Filed Jan. 20, 1956, In re, 706 O.G. 4	714.07	Chevenard, In re, 1944 C.D. 141; 560 O.G. 196	706.02(a)
Application Papers Filed Sept. 10, 1954, In re, 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. 843	706.03(c)	Christie v. Seybold, 1893 C.D. 515; 64 O.G. 1650	715.07(a)
Armstrong, In re, 1960 C.D. 422; 759 O.G. 4	716	Clifford, Ex parte, 49 U.S.P.Q. 152	901.02
Arzberger, In re, 1940 C.D. 653; 521 O.G. 272	1601	Comstock, Ex parte, 1923 C.D. 82; 317 O.G. 4	1214.01
Attwood, In re, 1958 C.D. 204; 730 O.G. 790	716	Crecelius, In re, 1937 C.D. 112; 474 O.G. 465	716
Automatic Weighing Mach. Co. v. Pneumatic Scale Corp., Limited, 1909 C.D. 498; 139 O.G. 991	715.07	Crosby, In re, 1947 C.D. 35; 595 O.G. 5	716
Ayers et al., Ex parte, 108 U.S.P.Q. 444	608.04(a)	Crowell, In re, 1930 C.D. 360; 397 O.G. 3	1214.01
Badger, Ex parte, 1901 C.D. 195; 97 O.G. 1596	608.02(f)	Cutter Co. v. Metropolitan Electric Mfg. Co., 275 Fed. 158	603.01
Ball et al., Ex parte, 1953 C.D. 4; 675 O.G. 5	706.03(c)	Delavoie, Ex parte, 1906 C.D. 320; 124 O.G. 626	604.02
Barber, In re, 1936 C.D. 184; 465 O.G. 724	1504	Den Beste v. Martin, 1958 C.D. 178, 729 O.G. 724	1105.04
Beck et al., In re, 1946 C.D. 398; 590 O.G. 357	715.01(b)	Des Granges, Ex parte, 864 O.G. 712	707.07(d)
Benke, Ex parte, 1904 C.D. 63; 108 O.G. 1588	811.02	Donnell, Ex parte, 1923 C.D. 54; 315 O.G. 398	806.05(b)
Benson, In re, 1959 C.D. 5; 744 O.G. 353	608.01, 714.07	Donovan, Ex parte, 1890 C.D. 109; 52 O.G. 309	715.07
Bernard, In re, 748 O.G. 282; 123 USPQ 387	409.03	Dotter, Ex parte, 12 U.S.P.Q. 382	706.03(y)
Berry, In re, 137 U.S.P.Q. 353	716	Dreshfield, In re, 1940 C.D. 351, 518 O.G. 255	706.03(z)
Blanchard v. Ooms, 1946 C.D. 22; 585 O.G. 175	716	Dreyfus and Whitehead, In re, 1935 C.D. 386; 457 O.G. 479	706.03(e)
Blum, In re, 852 O.G. 1045; 153 USPQ 177	1503.02	Earl v. Love, 1909 C.D. 56; 140 O.G. 1209	1102.01(a)
Board of Appeals decision in Plant Patent File No. 412	1610	Eckey v. Watson, 122 USPQ 5; 1959 C.D. 119	1214.03
Bonine, v. Bliss, 1919 C.D. 75; 265 O.G. 306	1101.02	Eggan, Ex parte, 1911 C.D. 213; 172 O.G. 1091	403.01, 403.02
Bonnie-B Co. Inc., Ex parte, 1923 C.D. 42; 313 O.G. 453	104	Ekenstam, In re, 1958 C.D. 402; 118 USPQ 349	901.05(b)
Bowditch v. Todd, 1902 C.D. 27; 98 O.G. 792	1105.02	Elliott, Ex parte, 1904 C.D. 103; 109 O.G. 1337	608.02(g)
Bowyer, Ex parte, 1939 C.D. 5; 505 O.G. 759	715.07(b), 715.09, 1212	Emerson v. Beach, 103 U.S.P.Q. 45; 691 O.G. 170; 1955 C.D. 34	1101.02(f)
Brenner v. Ebbert et al., 157 USPQ 609, 398 F. 2d 762	712	Ferris v. Tuttle, 1940 C.D. 5; 521 O.G. 523	715.06, 1101.03
Brenner v. State of Israel, 862 O.G. 661; 158 USPQ 584	201.14, 1401	Finley, In re, 1949 C.D. 234; 624 O.G. 262	716
Buchenberg, Ex parte, 1924 C.D. 55; 327 O.G. 216	1214.06	Fischer, In re, 1942 C.D. 295; 538 O.G. 503	706.02(a)
Buchli v. Rasmussen, 1925 C.D. 75; 339 O.G. 223	1105.02	Forsyth v. Richards, 1905 C.D. 115; 115 O.G. 1327	1105.02
Buck v. Ooms, 1947 C.D. 33; 602 O.G. 177	716	Foster, Ex parte, 1903 C.D. 213; 105 O.G. 261	715.04
Budde, Ex parte, 150 U.S.P.Q. 469; 828 O.G. 409	706.03(w)	Fox, Ex parte, 1960 C.D. 23; 761 O.G. 906	608.04(a)
Bullard & Co. v. Coe, 1945 C.D. 13; 573 O.G. 547	716	Frey, In re, 1950 C.D. 362; 639 O.G. 5	1101.02(f)
Bullock, Ex parte, 1907 C.D. 93; 127 O.G. 1580	706.03(c)	Fried et al, In re, 141 USPQ 27; 51 CCPA 1118	608.01(p)

MANUAL OF PATENT EXAMINING PROCEDURE

	Sec. No.		Sec. No.
Fried et al. v. Murray et al., 1959 C.D. 311;		Jones, Ex parte, 1924 C.D. 59; 327 O.G. 681	709.01
746 O.G. 563	1105.04	Joyce, In re, 1958 C.D. 2; 727 O.G. 4	706.03(k)
Fuller, In re, 1929 C.D. 172; 388 O.G. 279	706.03(c)	Kellogg Switchboard & Supply Co., The, In re,	
Gelder v. Henry, 77 U.S.P.Q. 223	1105.02	1906 C.D. 274	106
General Electric Company v. Brenner, 159 USPQ		Klein, In re, 1930 C.D. 2; 393 O.G. 519	201.08
335; 407 F. 2d 1258	608.01(p)	Kluis et al., Ex parte, Board of Appeals decision	
Good, Ex parte, 1911 C.D. 43; 164 O.G. 739	608.02(d)	in Plant Patent File 707	1604
Gourtoff, Ex parte, 1924 C.D. 153; 329 O.G.		Knohl, In re, 155 USPQ 586	804.02
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,	
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	Kulieke, In re, 1960 C.D. 281; 756 O.G. 288	716
Grier, Ex parte, 1923 C.D. 27; 309 O.G.		Lantzke, Ex parte, 1910 C.D. 100; 156 O.G.	
223	706.04, 820	257	810.01
Griswold, In re, 150 USPQ 804	804.02	Larsen, In re, 49 CCPA 711; 130 USPQ 209	706.03(q)
Gruschwitz et al., Ex parte, 1963 C.D. 859; 138		Lasscell, Ex parte, 1884 C.D. 66; 29 O.G. 861	711.01
U.S.P.Q. 505	706.03(s), 901.05(b)	Lawrence, Ex parte, 1946 C.D. 1; 70 USPQ 326	1505
Gunther, In re, 1942 C.D. 332; 538 O.G. 744	706.02(a)	Leishman, Ex parte, 137 Ms 336, Pat. No.	
Hall, In re, 41 CCPA 759; 100 USPQ 46	706.03(j)	1,581,937	608.04(b)
Harris et al., Ex parte, 79 U.S.P.Q. 439	707.05(f)	Lemieux, Ex parte, 1957 C.D. 47; 725	
Hay, Ex parte, 1909 C.D. 18; 139 O.G. 197	706.04	O.G. 4	715.01(c)
Hazeltine Research, Inc., et al. v. Brenner, 147		Lily et al. v. Brenner, 153 USPQ 95; 375 F. 2d	
U.S.P.Q. 429 (1965)	706.02, 715.01	599	715.01
Healy, Ex parte, 1898 C.D. 157; 84 O.G.		Ljungstrom, Ex parte, 1905 C.D. 541; 119 O.G.	
1281	806.04(b)	2335	814
Heinz, In re, 1910 C.D. 292; 151 O.G. 1014	1214.01	Loewenbach, Ex parte, 1904 C.D. 170; 110 O.G.	
Heinze, Ex parte, 1919 C.D. 67; 265 O.G. 145	602.05	857	819
Henrich, In re, 1959 C.D. 353; 747 O.G. 793	716	Lohman, Ex parte, 1912 C.D. 336; 184 O.G.	
Henriksen, In re, 1958 USPQ 224; 853 O.G. 17	201.11	287	1503.02
Heritage, In re, 1950 C.D. 419; 639 O.G. 638	901.02	Ludwick, In re, 1925 C.D. 306; 339 O.G. 393	706.03(g)
Heritage Pat. No. 2,375,414; Ex parte, decided		Lund et al, In re, 153 USPQ 625; 54 CCPA	
Jan. 26, 1944	819.01	1361	901.02
Herrick et al., In re, 1958 C.D. 1; 727		Lurette Guild, In re, 1953 C.D. 310; 677 O.G. 5	716
O.G. 4	706.03(k)	Malcolm, In re, 1942 C.D. 589; 543 O.G.	
Herrmann et al., In re, 1959 C.D. 159; 739		440	706.02(a)
O.G. 549	707.07(f)	Markush, Ex parte, 1925 C.D. 126; 340 O.G.	
Hilmer, In re, 833 O.G. 13; 149 USPQ 480	715.01	839	706.03(y)
Hirschler, Ex parte, 110 U.S.P.Q. 384	715.01(c)	Martin, In re, 1946 C.D. 180; 586 O.G. 347	1212
Hollingsworth, In re, 1958 C.D. 210; 730 O.G.		Mattullath, In re, 1912 C.D. 490; 179 O.G. 853	409.01
282	716	McCormick, Ex parte, 1904 C.D. 575; 113 O.G.	
Hoogendam, Ex parte, 1939 C.D. 3; 499 O.G. 3	706.07	2508	709.01
Hoover Co., etc., In re, 1943 C.D. 338; 553 O.G.		McBurney v. Jones, 104 U.S.P.Q. 115	1105.04
365	1109.01	McKenna et al., In re, 1953 C.D. 251; 674 O.G. 9	716
Hotel Security Checking Co. v. Lorraine Co.,		Meden v. Curtis, 1905 C.D. 272; 117 O.G. 1795	819.01
160 Fed. 467	706.03(a)	Mergenthaler v. Scudder, 1897 C.D. 724; 81 O.G.	
Hough et al., In re, 703 O.G. 200	409.03	1417	715.07
Hovlid v. Asari et al., 134 USPQ 162; 305 F.2d		Merz, Ex parte, 75 U.S.P.Q. 296	715.07(a)
747	201.11	Messick, Ex parte, 1930 C.D. 6; 400 O.G. 3	710.01(a)
Hunt Co. v. Mallinckrodt, 83 U.S.P.Q. 277	201.11	Metcalfe and Lowe, In re, 161 USPQ 789; 869	
Hunter, Ex parte, 1889 C.D. 218; 49 O.G.		O.G. 691	608.01(v)
733	715.07(a)	Metropolitan Eng. Co. v. Coe, 1935 C.D. 54;	
Iagan, Ex parte, 1911 C.D. 10; 162 O.G. 538	706.03(g)	455 O.G. 3	716
Incomplete Application, In re, 659 O.G. 917	608.01	Michalek, In re, 1947 C.D. 458; 604 O.G. 223	716
Irwin, Ex parte, 1928 C.D. 13; 367 O.G. 701	604.02	Milburn Co. v. Davis-Bournonville Co., 1926	
Jewett et al., In re, 1957 C.D. 420; 724 O.G.		C.D. 303; 344 O.G. 817	706.02
225	716	Miller, Ex parte, 1922 C.D. 36; 305 O.G. 419	714.15
Johnson, Ex parte, 1958 C.D. 22; 731 O.G. 6	1401	Milton, Ex parte, 164 Ms D. 1; 63 U.S.P.Q.	
		132	710.04(a)

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	Sec. No.		Sec. No.
Moeller, In re, 1941 C.D. 316; 527 O.G. 559	706.03 (e)	Silverstein, Ex parte, 125 USPQ 238	706.03 (j)
Monaco v. Watson, 106 U.S. App. D.C. 142; 270 F. 2d 335; 122 U.S.P.Q. 564	1109.01	Simons v. Dunlop, 103 U.S.P.Q. 237	1105.02
Monsanto v. Kamp et al., 146 U.S.P.Q. 431	1109.01	Smith, Ex parte, 1888 C.D. 131; 44 O.G. 1183	806.04 (c)
Mosher, In re, 45 CCPA 701; 115 USPQ 140	1216.01	Smyth, In re, 1951 C.D. 449; 651 O.G. 5	716
Myers, In re, 1959 C.D. 2; 738 O.G. 947	608.02	Snyder, Ex parte, 1904 C.D. 242; 110 O.G. 2636	810.02
Nelson, Ex parte, 164 Ms. D. 361; 26 J.P. O.S. 564	710.04 (a)	Sol, In re, 1938 C.D. 723; 497 O.G. 546	706.03 (z)
Norlund, Ex parte, 1913 C.D. 161; 192 O.G. 989	1213.01	Stalego, Ex parte, 154 USPQ 52	901.01
Noxon v. Halpert, 128 U.S.P.Q. 481	1101.02 (f), 1105.05	Stalego et al. v. Haymes et al., 120 U.S.P.Q. 473	1101.02 (f)
Oppenauer, In re, 1944 C.D. 587; 568 O.G. 393	716	Stanley, Ex parte, 121 U.S.P.Q. 621	706.03 (c)
O'Reilly v. Morse, 15 Howard 62	706.03 (a)	Stanley et al., In re, 102 U.S.P.Q. 234	305
Osborne, Ex parte, 1900 C.D. 137; 92 O.G. 1797	706.03 (d)	Steenbock, In re, 1936 C.D. 594; 473 O.G. 495	715.03
Payne, Ex parte, 1904 C.D. 42; 108 O.G. 1049	707.07 (g)	Stempel, In re, 1957 C.D. 200; 717 O.G. 886	715.03
Peck, Ex parte, 1901 C.D. 136; 96 O.G. 2409	608.02 (f)	Sticker Industrial Supply Corp. v. Blaw-Knox Co. et al., 160 USPQ 177	201.11
Perrigo, In re, 1931 C.D. 512; 411 O.G. 544	716	Strain, In re, 1951 C.D. 252; 648 O.G. 5	715.01 (a)
Perrine, In re, 1940 C.D. 465; 519 O.G. 520	716	Swanberg, In re, 129 U.S.P.Q. 364	608.01
Peterson, Ex parte, 63 U.S.P.Q. 99	901.02	Sweet, In re, 1943 C.D. 535; 556 O.G. 726	1211
Peterson, Ex parte, 1941 C.D. 8; 525 O.G. 3	710.02 (b), 1109, 1109.01	Switzer et al., In re, 612 O.G. 11; 77 USPQ 156	901.02
Pickles, Ex parte, 1904 C.D. 126; 109 O.G. 1888	810.02	Taggart et al., In re, 1957 C.D. 6; 725 O.G. 397	608.02
Pierce, In re, 1930 C.D. 34; 390 O.G. 265	716	Tanke et al., In re, 102 U.S.P.Q. 83; 687 O.G. 677; 1954 C.D. 212	1101.02 (f)
Pierce V. Tripp v. Powers, 1923 C.D. 69; 316 O.G. 3	1105.02	Tarczy-Hornoch, In re, 158 USPQ 141	706.03 (r)
Pierce v. Watson, 124 U.S.P.Q. 356	715.01 (b)	Tatincloux, In re, 1956 C.D. 102; 702 O.G. 964	716
Pike et al., In re, 1950 C.D. 105; 633 O.G. 680	716	Tilden v. Snodgrass, 1923 C.D. 30; 309 O.G. 477	1105.02
Pio, In re, 1955 C.D. 59; 691 O.G. 454	716	Thompson v. Hamilton, 1946 C.D. 70; 585 O.G. 177	1101.02 (f)
Powell et al., Ex parte, 1938 C.D. 15; 489 O.G. 231	715.01 (c)	Trevette, Ex parte, 1901 C.D. 170; 97 O.G. 1173	820
Quattlebaum, In re, 84 U.S.P.Q. 383	716	Troutman, In re, 1960 C.D. 308; 757 O.G. 556	716
Quayle, Ex parte, 1935 C.D. 11; 453 O.G. 213	710.02 (b), 713.04, 714.14, 714.15, 1108	United States Industrial Chemicals Inc. v. Car- bide and Carbon Chemicals Corp., 1942 C.D. 751; 538 O.G. 741	1401.07
Redeclaration of Interferences, In re, Nos. 49,635; 49,636; 49,866; 1926 C.D. 75; 350 O.G. 3	1102.01, 1105.04	Vander Wal et al., Ex parte, 1956 C.D. 11; 705 O.G. 5	608.04 (a)
Reid, In re, 1950 C.D. 194; 635 O.G. 694	716	Van Otteren v. Hafner et al., 757 O.G. 1026; 126 U.S.P.Q. 151	201.03
Renstrom, In re, 1949 C.D. 306; 624 O.G. 5	716	Vickers et al., In re, 1944 C.D. 324; 564 O.G. 174	706.03 (z)
Reuge, Ex parte, 115 USPQ 51	901.05 (b)	Vossen, Ex parte, 1967 C.D. 29; 155 USPQ 109	1216.01
Riegger v. Beierl, 1910 C.D. 12; 150 O.G. 826	604.06	Votey v. Wuest v. Doman, 1904 C.D. 323; 111 O.G. 1627	1102.01 (a)
Rieser v. Williams, 118 U.S.P.Q. 96	1101.02 (f)	Wagner, In re, 1939 C.D. 581; 507 O.G. 1041	716
Risse et al., In re, 154 USPQ 1; 54 CCPA 1495	1109.02	Waugh, In re, 1943 C.D. 411; 553 O.G. 3 (CCPA)	819
Rosenberg, Ex parte, 46 U.S.P.Q. 393	1610	Weiss, Ex parte, 852 O.G. 255; 159 USPQ 122	1506
Rossi, In re, 1957 C.D. 130; 717 O.G. 214	716	Weston, Ex parte, 1911 C.D. 218; 173 O.G. 285	810.02
Rothermel et al., In re, 1960 C.D. 204; 755 O.G. 621	716	Wheary, Ex parte, 1913 C.D. 253; 197 O.G. 534	714.08
Rubinfield, In re, 1959 C.D. 412; 123 USPQ 210	1503.01, 1504	Whitelaw, Ex parte, 1915 C.D. 18; 219 O.G. 1237	706.03 (k)
Saunders, Ex parte, 1883 C.D. 23; 23 O.G. 1224	715.07	Willien et al., In re, 1935 C.D. 229; 454 O.G. 535	715
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Schwarz and Paul, In re, 147 USPQ 394	409.03	Young, Ex parte, 18 Gour. 24:31	1213.01
Searles, In re, 164 USPQ 623	602.03		
Seebach, In re, 1937 C.D. 495; 484 O.G. 503	709.01		
Selmi, In re, 1946 C.D. 525; 591 O.G. 160	706.02 (a)		
Sharp et al., Ex parte, Pat. No. 2,282,739	820		
Shohan, Ex parte, 1941 C.D. 1; 522 O.G. 501	1101.02 (g)		