

INDEX

A

| | Sec. No. |
|--|---|
| A4 size paper | 608.02, 1825 |
| A.I. series of patents | 901.04 |
| Abandoned Application. (See also Abandonment.) | |
| Accessibility to public | 103 |
| Counting | 711.04 (a) |
| Definition | 203.05 |
| Destruction of | 711.04 |
| Disposal | 103, 711.04 |
| Fee on petition to revive | 711.03(c) |
| Issue fee, failure to pay | 203.07, 712 |
| Listed | 1302.04 |
| Matter reproduced in substitute | 201.09 |
| Ordering | 711.04(b), 905.03 |
| Papers received, handling | 508.02 |
| Petition, Period for response after | 1002 |
| Reference use | 901.02 |
| Referred to in issued patent | 103, 1302.04 |
| Retention label | 1302.07 |
| Revival | 711.03(c), 1893.02 |
| Storage | 711.04(b) |
| When open to the public | 103 |
| Abandoned file. (See Abandoned Application; Abandonment.) | 1302.05 |
| Abandoned Files Repository | 608.02(c), 707.13, 711.01, 711.03(c), 711.04(a), 711.04(b), 1302.07 |
| Abandonment (see also Abandoned application) | 711 |
| After allowance | 711.05 |
| Amendment late | 711.02, 714.17, 2305.03 |
| Appeal dismissal | 1215.04 |
| Appeal withdrawal | 1215.01 to 1215.03 |
| Assignee must consent | 711 |
| Change of address | 711.03(c) |
| Court case | 1216 |
| Date of | 711.04(a) |
| Destroys continuity | 201.11 |
| Express | 711, 711.01 |
| Counted as action | 1705 |
| File wrapper continuation (FWC) | |
| Rule 1.62 | 201.06(b) |
| Issue fee not paid | 712 |
| Issue fee paid. | 711.05 |
| Failure to file property rights statement | 150 |
| Failure to pay Issue fee | 712 |
| Failure to prosecute | 711.02 |
| Formal | 711, 711.01 |
| Forwarding | 711.04(a) |
| Incomplete response | 711.03(a) |

Abandonment—Continued

| | |
|--|-----------------------------|
| Incomplete response, Review by Primary | 1004 |
| Invention abandoned | 706.03(s) |
| No response | 711, 711.02 |
| Notification of | 711.02, 711.04(c) |
| Of appeal | 1210 |
| Of Invention | 706.03(s) |
| Papers received after | 508.02 |
| Petition to revive | 711.03(c), 711.04(c) |
| Petition to withdraw holding of | |
| Examiner's statement. | 711.03(c), 711.03(d) |
| Prior application | 201.06(a) |
| Pulling | 711.04(a) |
| Reconsideration | 711.03, 711.03(c) |
| Failure to respond | 711.03(b) |
| Insufficiency of response | 711.03(a) |
| Reissue | 1416 |
| Revival | 711.03, 711.03(c), 712 |
| Rule 1.60 | 201.06(a) |
| Shortened statutory period expired. 710.02(d), 711.04(a) | |
| Special situations | 711.02(b) |
| Termination of proceedings | 201.11, 711.02(c), 712 |
| Undelivered action | 707.13 |
| Unintentional | 711.03(c) |
| Withdrawal of holding | 711.03(c), 711.04(c) |
| Abbreviation, Periodical citation | 707.05(e) |
| Abbreviature and Abstract publication | 711.06 |
| Citation | 711.06(a) |
| Publication opens file to inspection | 103 |
| Abstract for Defensive Publication | 711.06 |
| Abstract of international application | 1826 |
| Abstract of the disclosure | 608.01(b), 1302.01, 1302.04 |
| Abstract publication | 711.06 |
| Accelerated Examination | 708.02 |
| Access (see also Inspection; Power of attorney): | |
| Attorney not of record | 402, 405 |
| Authorized by Commissioner | 104 |
| Disbarred attorney | 105 |
| International application | 110 |
| Pending application | 101, 103, 104, 106 |
| Petition | 103 |
| Protested application | 1901.07 |
| Accident or inadvertence | |
| (see also Reissue application) | 1401, 1414 |
| Accounts, Deposit | 509.01 |
| Acknowledgment of protest | 1901.05 |
| Act. (See Statutes; Statutes, revised.) | |
| Action (see also Letter, Examiner's): | |
| Advisory action | 706.07(f), 714.13 |
| After another examiner's action | 706.04 |

MANUAL OF PATENT EXAMINING PROCEDURE

Action—Continued

After Board decision 1214.01 to 1214.07
 After Board decision reversing Examiner ... 1214.04
 After Board decision sustaining Examiner .. 1214.06
 After interference 1109(a) to 1109.02, 2363
 Amendment after final rejection 714.12, 714.13
 Citation of references 705.05, 710.06
 Claim summary 707.07(i)
 Claims in excess of filing fee 714.10
 Completeness 707.07, 707.07(a)
 Copy to applicant 707.12
 Copies of references 707.05(a)
 Correctness, Period for response 710.06
 Counted 1705
 Crosses amendment 714.05
 Date 707.11
 Examiner's 707
 File wrapper endorsement 707.10, 717.01
 File wrapper entry 707.10
 Final rejection 706.07, 706.07(f), 713.09
 Foreign priority determination 201.13 to 201.16
 Formal matter ... 707.07(a), 707.07(e), 707.07(j), 714.02
 Forms used 707
 Incorrect citation of references 710.06
 Informal Application 702.01
 Initial sentence 707.04
 Mailing 707.12
 Original in file wrapper 707.10, 707.12
 Patentability report 705, 705.01(c)
 Piecemeal examination 707.07(a), 707.07(g)
 Primary Examiner's personal attention . . 707.01, 1004
 Priority determination, foreign 201.13-201.16
 Reopening prosecution 1003
 Response time computation 710.01(a), 710.05
 Restriction requirement Chapter 800
 Returned 707.13
 Review Introduction
 Shortened statutory period 710.02
 SPE's personal attention 707.02(a)
 Supplemental 710.06, 714.05
 Suspension 709
 Suspension, Primary's Attention 1004
 Suspension, Group Director's attention 1003
 Third, SPE reviews 707.02(a)
 Time limit 710.02
 Additional Improvement series of patents 901.04
 Address, Change of Correspondence ... 601.03, 711.03(c)
 Address, Correspondence 403
 Address of applicant 605.03
 Address of Patent and Trademark Office. 501, 502

Address of patent owner 2222
 Address of unavailable inventor 409.03(e)
 Address to file reexamination 2224
 Administration, Letters of . 409.01(b), 409.01(c), 409.01(e)
 Administration of oath 604
 Administrative Instructions, PCT App. AI
 Administrator or executor 409.01
 Allowance and Issue 409.01(f)
 Application by, After discharge 409.01(c)
 Assigned application, Inventor dies 409.01(e)
 Authority 409.01(b)
 Consular certificate 409.01(d)
 Foreign country 409.01(d)
 Heir 409.01, 409.01(a), 409.01(d)
 Prosecution by 409.01(a)
 Intervention not required 409.01(f)
 Refuses to sign 409.03(c)
 Specification form 605.05
 Admissions by applicant 706.02(b)
 Admissions in Reexamination 2217, 2258
 Advantages over prior art 707.07(f), 1302.14
 Adverse recommendation under
 37 CFR 1.312 714.16(d), 714.16(e), 714.19
 Advisory action 706.07(f), 714.13
 Affidavit. (See Oath.)
 Affidavit, Antedating reference 37 CFR 1.131 715
 Acts in this country 715.07(c)
 After appeal 1212
 Assignee 715.04
 Chemical case 715.03
 Completion 715.07
 Conception 715.07
 Constructive reduction 715.07
 Copies from prior applications 201.06(a)
 Dates to overcome 715, 715.01
 Diligence 715.07, 715.07(a)
 Exhibit 715, 715.07
 Exhibit, Disposition 608.03(a), 715.07(d)
 Facts and evidence 715.07
 Foreign filing date 715.01
 Generic claim 715.02
 Generic claim, Chemical case 715.03
 Interference testimony equivalent to 715.07(b)
 Joint inventor makes 715.04
 Misrepresentation 2011
 New matter in reference 715
 Patent claims same invention 715.05, 2308.01
 Patent shows single species 715.03
 Primary decides sufficiency 715.08, 1004
 Reduction to practice 715.07

- Affidavit, Antedating reference 37 CFR 1.131—Continued
 Seasonable presentation 715.09
 When used 715
 Who may make 715.04
- Affidavit, Traversing rejection, 37 CFR 1.132 716
 Computer Programming Cases 2106.02
- Affidavits in prior art citations 2205
- After final practice in reexamination 2272
- Affirmation. (See Oath.)
- Affirmative fraud 2010.01
- After final practice 706.07(f)
 In reexamination 2272
- Agent. (See Attorney; Power of attorney.)
- Agent for international application 1807, 1864.04
- Aggregation 706.03(i)
- Aggregation, Design application 1504
- Aggregation and old combination 706.03(j), 806.05(b)
- Agriculture, Department of, Plant patents 1608
- Agriculture Research Service 1609
- Algorithms 706.03(b), 2110
- Alien Property Custodian publication 901.06(c)
- Allowance and issue (see also Allowed application) . 1300
 Abandonment after 711.05
 All claims allowed, Shortened period 710.02(b)
 Amendment, Examiner's 1302.04
 Amendment, Examiner's, Case in issue,
 Rule 312 714.06, 1305
 Amendment, Examiner's, Printer Waiting .. 1309.01,
 1302.04
- Amendment after.
 (See Amendment: After allowance.)
- Amendment after allowance
 of all claims 714.14, 1303.01
 Amendment after D-10 notice 107.02, 1304.01
 Amendment at time of 714.15
 Amendment crossing 714.15
 Assigned application 307
 Assignment Division 409.01(b), 1302.11
 Blue Slip 903.07, 903.07(b)
 Cancellation of claims after appeal 1302.04(e)
 Cancellation of claim lost in interference . 1302.04(d)
 Cancellation on nonelected claim by
 Examiner's amendment 821.01, 821.02
 Cancellation of non-statutory claim 1302.04(b)
 Claim copied from patent 2307.03
 Claim for Official Gazette 1203.10, 1302.09
 Claim renumbering . . . 608.01(j), 1302.01, 1302.04(g)
 Claim renumbering, Dependent claim 608.01(n),
 1302.01
 Classification 903.07, 903.07(b)
- Allowance and issue—Continued
 Classification change after allowance 903.07
 Classification in other Group 903.07(b)
 Classification slip notation 1302.10
 Companion application referred to . 1302.04, 1302.07
 Copending Application:
 File wrapper notations 202.02, 1302.09
 Parent case data 1302.04(f)
 Retention label 1302.07
 Correction of error after allowance 714.16
 Cross-reference 903.07(a)
 D-10 notice 130, 1304
 D-10 notice, Amendment after 1304.01
 Deceased inventor, Notice of allowance 1303.03
 Definition 203.04
 Design application 1505
 Disclosure restriction 1302.01
 Drawing, class & subclass notation 903.07
 Drawing, Draftsman's stamp 608.02(o)
 Drawing correction 608.02(z), 1302.04
 Drawing in patented file 608.02(i), 905.03
 Drawing notations 1302.10
 Erasure of markings 1302.01
 Examiner's amendment. (See Examiner's amendment.)
 File wrapper notation 1302.09
 Final review 1302
 First action—cite pertinent art 1302.12
 Foreign application 1302.06
 Forfeited application 712
 Formal matters 714.16, 1302.01
 Formal matters, Examiner's amendment
 and changes 714.16, 1302.04
 Formal matters, Specification rewritten 1302.02
 Fraud issue present 2022.02
 Full first or middle name required 605.04(b)
 General review 1302.01
 Interference 2305.04, 2307.03
 Interference, Notation 2301.01(b), 2305.04
 Interference search 1302.08
 International classification 903.09
 Intervention by executor 409.01(f)
 Issue Division 1309
 Issue Division, Jurisdiction of case 1305
 Issue in another Group without transfer .. 903.07(b)
 Jurisdiction of case 1305
 Letter of allowability 714.13
 Listing of references 1302.12
 Nonelected claims, Canceled by
 Examiner's amendment 821.01, 821.02

Allowance and issue—Continued

Notice of allowance (see also Notice of allowance) 1303

Patentability report,
Print disposal 608.02(n), 705.01(d)

Plant application 1611

“Printer Waiting” 1302.04, 1309.01

Pro se 707.07(j)

Protest against issue 1901

Record room 905.03

Reference listing 1302.12

Reissue application 1455

Rejection after allowance 706.04, 1308.01

Related applications File wrapper notations ... 202.02,
1302.09

Related applications, Parent case data 1302.04(f)

Related applications, retention label 1302.07

Reopening prosecution 1303.01, 1308.01

Retention labels 1302.07

Review by Examiner 1302.01, 1302.13

Review by Primary 903.07

Rewritten specification requirement 1302.02

Secret case 130, 1304

Signature inconsistent 605.04(b)

Signing file wrapper 1302.13

Slip 903.07

Special 908.01, 710.02(b), 1301

Specification, Clean copy required 1302.02

Statement of invention 1302.01

Status letter of allowability 1302.03

Suggestion of claims 2305.04

Supplemental oath after 603.01

Terminology correspondence of
specification and claims 1302.01

Title of invention 1302.01, 1302.04(a)

Title change by Examiner 606.01, 1302.04(a)

Title search, Continuing application 306

Transfer 903.08

Undelivered notice of allowance 1303.02

Withdrawal from issue. (See Withdrawal from issue.)

Withholding from issue, Secrecy order case ... 1304

Allowance, Reasons for 1302.14

Allowed application (see also Allowance and issue):

Custody of Patent Issue Division 203.04

Definition 203.04

File wrapper data 1302.09, 1303

Rejection 1101.01(i), 1308.01

Suggesting claim for reference 1003, 2305.04

Allowed claim, rejection 706.04

By Board of Patent Appeals and Interferences . 1213.02

Alpha subclass 903.02(c)

Alteration of application after execution 605.04

Alteration of application before execution 506, 601.01,
608.01

Alteration of patent application 506

Alternative phrase in claim 706.03(d)

Amended application (definition) 203.03

Amended application, Inspection for transfer . . . 903.08(c)

Amendment (see also Response) 714

Accidental entry 714.21

Adding excess claims 714.10

After abandonment 711.02, 714.17

After all claims allowed 714.14

After allowance:

Approval 714.16

Canceling claim 714.16

Claim copied from patent 714.16(a), 2307.03

Entry in part 714.16(e)

Examiner’s action . . . 714.16, 714.16(d), 714.16(e)

Excess claims 714.16(c)

Formal matters 714.16, 714.16(d)

Handling 714.16(d)

Mailed before allowance 714.15

Motion under § 1.633(c)(2) 714.16(b), 1105.03

Order 3311 714.16(d)

Patentability pointed out 714.16

Petition as to refusal 1102.02(c)

Reason for adverse action 714.16, 714.16(d)

Renumbering claims 714.16(e)

“Secrecy order” case 130

Supplemental oath 603.01, 714.16

After Examiner’s answer 1210

After appeal, Before Examiner’s answer 1207

After Board decision 1204.01–1214.07

After death of attorney 406

After final rejection 706.07(f), 714.12, 714.13

After final rejection, Entered in part 714.20

Amendment of 714.24

Appeal, After Examiner’s answer 1210

Appeal before or with 1207

Applicants must sign 714.01(a)

At allowance 714.15

Attorney not of record 405

Basis in disclosure 608

Before first action 608.04(b), 707.04, 714.09

Board rejection avoided 1214.01

Brackets required 714.22

Canceled matter restored 608.01(s)

Canceling all claims 711.01, 714.19

Canceling appealed claims 1215.01 to 1215.03

INDEX

Amendment—Continued

Claim added, Terminology basis 608.01(o)
 Claim numbering 608.01(j), 1302.01, 1302.04(g)
 Claims added in excess of filing fee . 714.10, 714.16(c)
 Complete response required 714.02, 714.04
 Conditional 1302.04
 "Copier" copies 714.07
 Copying patent claim. (See Claim copied from patent.)
 Crossing allowance 714.15
 D-10 notice preceding 130, 1304
 Date of receipt 505, 710.01(a), 714.18
 Date stamp:
 Group receipt 714.18
 Office date 505, 710.01(a), 714.18
 Declaration 602.01
 Defective directions for entry 714.20, 714.23
 Delivered to wrong group 508.01
 Depositing 502
 Directions for entry 714.22, 714.23
 Discharged attorney 714.19
 Discourteous 714.19, 714.25
 Drawing 608.02(p), 608.02(q), 1302.05
 Drawing, Disposition 608.02(x)
 Drawing, New matter 608.04, 714.19
 Duplicate 717.01(a)
 Easily erasable paper forbidden 714.07, 714.19
 Entered in part 714.20
 Entered in part, After allowance,
 37 CFR 1.312 714.16(e)
 Entry 714.18, 717.01(a), 1303.01
 Entry denied 714.17, 714.19, 714.21
 Appeal case 1207, 1214.07
 Defective directions 714.23
 Drawing correction 608.02(x)
 Drawing new matter 608.04
 List 714.19
 Paper number 714.21
 Period for response expired 714.17
 Substitute specification
 unnecessary 714.19, 714.20
 Entry directions 714.22, 714.23
 Entry inadvertent 714.21
 Entry in reexamination 2234
 Entry of amendment filed in connection
 with motions in interference 1108, 2364
 Examiner's (see also
 Examiner's amendment) 706.07(f), 1302.04
 Excess claims added 714.10, 714.16(c)
 Fees, additional 710.02(c)
 File wrapper endorsement 714.18, 717.01

Amendment—Continued

Formal matters, compliance with 714.02
 Fully responsive 714.02
 Heading 502
 Immediate inspection 714.05
 Improper signature 714.01(a) to 714.01(d)
 Ratification 714.01(a), 714.08
 Inaccurate 707.07(h), 714.23
 Incomplete response 711.02(a), 711.03(a),
 714.02 to 714.04
 Time for completing 710.02(c), 714.03
 Increasing claims in excess of fee
 under 37 CFR 1.312 714.10, 714.16(c)
 Ink, Not permanent 714.07
 Inspection by examiner 714.05
 Interference 1111.05, 2364.01
 Inventorship (See Inventor-Change of)
 Joint to sole, Interference 1111.07, 2334
 Jurisdiction of case not with Examiner 714.16,
 714.19, 1305
 Late 710.02(d), 711, 714.17
 Literature citation in specification 608.01(p)
 Motion under 37 CFR 1.633(c)(2),
 Case in issue 714.16(b)
 Name change on file wrapper .. 605.04(c), 717.02(b)
 New matter 608.04
 Nonentry (see also Amendment,
 entry denied) 607, 714.19
 Nonresponsive 714.02 to 714.04
 Nonresponsive, Time to
 perfect response 710.02(c), 714.03
 "Not entered" 714.19, 714.21
 Oath, Original 602.01
 Objectionable remarks 714.19, 714.25
 Office date stamp 505, 710.01(a), 714.18, 1303
 Paper number 714.18
 Patentability pointed out 714.02, 714.04
 Period for response ends Sunday
 or holiday 505, 710.01(a), 710.05
 Permanent ink required 714.07, 714.19
 Plant application 1610
 Post Office address, Applicant 605.03
 Preliminary 506, 714.09
 Excess claims 506, 714.10
 New matter 608.04(b)
 Ratification:
 Signature defective 714.01(a)
 Telegram 714.08
 Receipt 501 to 505, 511, 512
 Received after allowance 714.15, 1303.01

MANUAL OF PATENT EXAMINING PROCEDURE

Amendment—Continued

Recommendation by Board 1213.01
 Reexamination 2250
 Reinstatement of canceled matter 714.24
 Reissue 1453
 Request by patent owner 2221
 Requirements of 714.02
 Residence change 717.02(b)
 Responsive 714.02, 714.04
 Return, After entry on file wrapper 717.01
 Ribbon copy 717.01(a)
 Rule 1.312 (see also Amendment
 after allowance) 714.16
 Several same day 714.18
 Signature improper 714.01(a) to 714.01(d)
 Signature missing 714.01(a)
 Signature required 605.04 to 605.05, 714.01
 Signed by applicant, Not by attorney
 of record 714.01(d)
 Signed by attorney not of record 405, 714.01(c)
 Supervisory primary examiner . 714.13, 714.16, 714.18
 Support by original claim 608.01(l)
 Telegram 714.08
 Telephone number 713.01, 714.01
 Unsigned 714.01(a)
 Ratification of 710.02(c), 714.01(a)
 Wrong Group 508.01
 Analogous art 904.01(c), 1302.14
 Analysis of claims 904.01
 Answer all matters traversed 707.07(f)
 Answer on remand 1212
 Antecedent lacking 706.03(d), 1302.01
 Apostille 602.04(a)
 Apparatus, Process or product and . 806.05(e) to 806.05(g)
 Appeal Chapter 1200
 Abandonment 1210
 Actions subsequent to Examiner's answer 1210
 Administrative handling 1204
 Affidavit after appeal 1212
 Affidavit after Board decision 1214.01, 1214.07
 Amendment after Examiner's answer 1210,
 1211,1211.01
 Amendment before Examiner's answer 1207
 Amendment for purpose of 714.12, 714.13
 Amendment makes case allowable 1207
 Answer, Examiner's 1208
 Better reference before brief 1208.01
 Board remands case to Examiner 1200, 1210,
 1211, 1212, 1302.14
 Brief 1206

Appeal—Continued

Brief in reexamination 2274
 Cancellation of withdrawn claims 1214.05
 Civil Suits 1216.02
 Claims copied from patent, Time limit 710.02(c)
 Claims included 1205
 Clerk, Group 1204
 Concurrently with Interference 1210, 2315
 Concurrently with prosecution before Examiner . 1210
 Conference 1208, 1302.14
 Constitution of the Board 1203
 Court 1216
 Court, C.A.F.C 1216.01
 Decision by Board 1213
 Dismissal 1215.04
 Examiner reversed 1214.04
 Examiner sustained 1214.06
 Examiner's answer 1208
 Failure to prosecute appeal 1215.04
 Fee 1205
 From Board Decision 1216 to 1216.02
 Hearing 1209
 Introduction 1201
 Jurisdiction 1210
 Matter subject to Introduction, 706.01
 Multiplicity rejection 706.03(l)
 New ground of rejection by Board 1214.01
 New ground of rejection by Examiner
 in Examiner's answer 1207, 1208.01
 New matter affecting claim 608.04(c)
 New rejection by Board 1214.01
 Notice of 1205
 Oral hearing 1209
 Reexam 2276
 Patentability report case 705.01(a)
 Prerequisite 1205
 Primary Examiner's attention 1004
 Procedure after decision 1214.01
 Protestor participation 1904
 Publication of decision 1213.03
 Recommendation of Board 1213.01
 Reconsideration by Board 1212, 1214.01, 1214.03
 Reexamination 2273
 Remand by Board 1208, 1210, 1211,
 1211.01, 1212, 1302.14
 Remand by C.A.F.C 1216.01
 Remanded case special 708.01
 Reopening of prosecution 1214.07
 Reply brief to Examiner's answer 1208.03
 "Secrecy order" case 130

INDEX

Appeal—Continued

- Supplemental examiner's answer 1208.04
- Suspension pending civil action or CAFC appeal
 - in related case 1213
- Suspension pursuant to 37 CFR 1.56(d) 1213
- Time for filing brief 512, 1206
- Withdrawal 711.02(b), 1215.01, 1215.02
- Withdrawal of final rejection 1208.02
- Withdrawal, Partial 1214.05, 1215.03
- Appealable matter not petitionable 1002, 1201
- Appendix, computer program listing 608.05
- Applicant (see also Inventor) 605
 - Abandonment notification 711.04(c)
 - Administrator or executor 409-409.01(f), 605.05
 - Age, Special Status 708.02
 - Citizenship 605.01
 - Common, at least one 201.06
 - Discourtesy 714.19, 714.25
 - Health, Special Status 708.02
 - Heir 409.01(a), 409.01(d)
 - International application ... 1820.02, 1820.09, 1820.10
 - Joint 201.02, 201.03, 605
 - Name change 605.04(c), 717.02(b)
 - Other than inventor 409-409.01(f), 409.03(b)
 - Post Office address 605.03
 - Power to inspect 104, 106
 - Reply. (See Amendment, Response)
 - Residence 605.02
 - Self prosecuted case 707.07(j), 713.01
 - Signature 605.04
 - Small entity 509.02
 - Sole 201.01

Application:

- Abandoned. (See Abandoned application.)
- Abstract of the disclosure 608.01(b)
- Acceptance of § 1.47 409.03(h)
- Allowable except as to form 710.02(b)
- Allowed:
 - Custody of Patent Issue Division 203.04
 - Definition 203.04
 - File wrapper data 1302.09
 - Rejection 1308
 - Suggesting claim for interference 2305.04
- Amended (definition) 203.03
- APS 902.03(e)
- Arrangement 608.01(a)
- Assigned. (see also Assignee; Assignment.)
 - Access 106
 - Allowance 308

Application: Assigned. (see also Assignee;

- Assignment.)—Continued
 - Conflicting subject matter 305, 706.03(k), 822, 2302
 - Inventor applies for 605
 - Inventor deceased 409.01(e)
- Assignment for Examination,
 - Application Division 504
- Assignment to Examiner for examination .. 903.08(b)
- Assignment to Group
 - for examination 504, 903.08, 903.08(e)
- Background of the invention 608.01(c)
- Best mode 608.01(h)
- Brief description of the drawings 608.01(f)
- Brief summary of the invention 608.01(d)
- Claim terminology 608.01(o)
- Claims 608.01(i)–608.01(n)
- Clarity and completeness, Examiner's action . 707.07
- Classification in examining Group 903.08(b)
- Common ownership 305, 706.02, 706.02(c), 706.03(k), 709.01, 822, 2302
- Completeness 201.03, 506, 601.01, 608.01(p), 608.01, 608.02
- Conflicting, same applicant 706.02, 706.02(c), 706.03(k), 709.01, 804, 822, 822.01
- Content 601
- Continuation (see also Continuation) 201.07
- Continuation-in-part
 - (see also Continuation-in-part) 201.08
- Continuity between applications 201.11
- Control of access 101, 103, 106
- Copendency 201.11
- Copending, Design 1504
- Correction of inventorship 201.03
- Cross-noting:
 - Data of parent application
 - on file wrapper 202.02, 1302.09
 - Data of related application
 - brought up to date 1302.04(f)
 - Data of related application
 - in specification 201.11, 202.01
 - Foreign application, Application oath 202.04
 - Foreign application, File wrapper 202.05
- Depositing 502
- Description of the related art 608.01(c)
- Design (see also Design application) 201, 1503
- Detailed description 608.01(g)
- Distribution 508
- Division (see also Divisional application) 201.06

MANUAL OF PATENT EXAMINING PROCEDURE

Application—Continued

| | |
|---|---|
| Drawings, necessary | 608.02 |
| Missing figures | 608.02 |
| English language | 608.01 |
| Examples | 707.07(l) |
| Facsimile | 605.04 |
| Fee, filing | 607 |
| Field of the invention | 608.01(c) |
| File wrapper continuing (FWC) | 201.06(b) |
| Filing date | 201.11, 503, 505, 511 |
| Filing receipt | 503 |
| Five year pendency | 707.02(a), 708.01 |
| Foreign (see also Foreign application) | 201.13–201.15 |
| Form | 601 |
| Government-owned: | |
| Completed | 506.01 |
| Drawing | 507 |
| Return | 506.01 |
| Return of filing fee | 506.01 |
| Special | 708.01 |
| Incomplete | 203.06, 506, 608.01, 608.01(u) |
| Definition | 203.06, 506 |
| Informal | 506, 702.01 |
| Definition | 203.06, 506 |
| Primary's attention required | 1004 |
| Search | 702.01, 704 |
| Special | 708.01 |
| Inspection | 103 |
| International. (See International application.) | |
| International Convention (35 U.S.C. 119) | 201.13 |
| Invalid oath | 604.06 |
| Issue, Definition | 203.04 |
| Issue fee not paid (abandoned) | 203.07, 712 |
| Issue simultaneously with another application | 1306.02 |
| Joint | 201.02 |
| Joint to sole | 201.03 |
| Joint to sole, Interference | 1111.07, 2334 |
| Jurisdiction | 1305 |
| Mode of operation | 608.01(h) |
| National application | 201 |
| National stage application | 201 |
| New definition | 203.01 |
| Old (definition) | 203.03 |
| Ordered examination | 707.02, 708, 708.01 |
| Original | 201.04(a), 506 |
| Overlapping, | |
| Common ownership | 706.02, 706.02(c), 706.03(k), 706.03(t), 709.01, 804.03, 822, 2302, 2315.01 |

Application—Continued

| | |
|---|---|
| Overlapping, | |
| Same applicant | 706.02, 706.03(k), 709.01, 804, 822, 822.01, 2315.01 |
| Pages missing | 608.01 |
| Papers, Arrangement | 717.01(a) |
| Parent | 904 |
| Parts | Chapter 600 |
| Pending five years | 707.02(a) |
| Plant (see also Plant application) | 201, Chapter 1600 |
| Prior art | 706.03(s) |
| Priority | |
| Foreign application | 201.13 |
| US application | 201.11 |
| Protest | 1901 |
| Public inspection | 103 |
| Publication of abstract | 711.06, 711.06(a) |
| Receipt and handling | Chapter 500 |
| Recording in examining Group | 1704 |
| Referred to in Patent, Information as to status | 102 |
| Refile | 201.10 |
| Reissue (see also Reissue application) | Chapter 1400 |
| Rejected definition | 203.02 |
| Relating to atomic energy | 115, 150, 151 |
| Requisites | 702 |
| Returning papers | 506.01, 601 |
| Review | 506 |
| Right to inspect | 103 |
| Righted priority, foreign application | 201.13 |
| Rule 1.60 | 201.06(a) |
| Rule 1.62 | 201.06(b) |
| "Secrecy order" | 120, 130 |
| Serial number | 503 |
| Signed in blank | 2006 |
| Sole | 201.01 |
| Sole to joint | 201.03 |
| Special | 707.02(a), 708 to 708.03 |
| List | 708.01 |
| Status | 102, 203 |
| Inquiries | 203.08 |
| Substitute: | |
| Definition | 202.02 |
| Does not carry ownership | |
| from parent | 201.12, 306 |
| File wrapper notation | 202.02 |
| Reference to parent application | 201.11 |
| Refile | 201.10 |
| Terminology, Claim | 608.01(o) |

INDEX

Application—Continued

Title of invention 606
 Title of invention, Change . 606.01, 1302.01, 1302.04
 Types 201
 Utility 201
 Wrong Group 508.01
 Application Division 201.03, 201.06(a), 402,
 402.01, 409.03, 409.03(h),
 502-506.01, 508.03, 601.01,
 605.04(b), 605.04(c), 605.04(g),
 607, 608.01(f), 608.02,
 608.02(h), 608.02(i),
 702.01, 707.07(a), 717.02,
 717.02(b), 903.08(a), 1111.08, 1431
 Status inquiries 203.08
 Arbitration awards notice 311
 Arbitration, interference 2390
 Argument for allowability lacking in amendment .. 714.04
 Arrangement of application 608.01(a)
 Arrangement of art in examining groups 901.07
 Arrangement, Papers in file wrapper 717.01(a)
 Art Unit number on papers 502
 Asexual Plants Chapter 1600
 Assigned application:
 Access 104, 106
 Allowance 307
 Conflicting subject matter 706.03(k), 822,
 2302, 2315.01
 Endorsing assignments 303
 Inventor applies for 605
 Inventor deceased 409.01(e)
 Assignee. (See also Assigned application, Assignment.)
 Address 302.05
 Affidavits under 37 CFR 1.131 715.04
 Certificate of correction 307, 1480
 Change of inventorship, consent 201.03
 Common 702.02(c), 706.02,
 706.03(k), 706.03(t),
 709.01, 822, 2302, 2315.01
 Double patenting, Same assignee . 706.03(k), 804, 822
 Duty of disclosure 2001.01
 Entire interest, Control 106, 324, 402.07
 Foreign 302.04
 Interfering cases,
 Same assignee 709.01, 2302, 2315.01
 Intervention 106, 324, 402.07
 Part interest 106.01
 Patent issues to 307
 Power to inspect 104

Assignee—Continued

Reissue application 1420
 Revocation of power of attorney 324, 402.07
 Small entity 509.02
 Assignment Chapter 300
 Access 301.01
 Allowance of application 307
 Assignment identification requirements 302.03
 Change of name 314
 Continuing application 201.12, 306
 Copy 302.01
 Corrections in recorded assignment 323
 Cover sheet 302.07
 Corrections 317.02, 323.01
 Date of recording 317.01
 Effect of recording 317.03
 File wrapper endorsement 303, 318
 Foreign language translation 302.02
 Indexing 315
 International application 301
 Licenses 313
 Mailing address 302.08
 Mergers 314
 One of several overlapping
 applications 706.02, 706.02(c),
 706.03(k), 706.03(t), 709.01, 715.01(b)
 Parent application 201.12, 306
 Part interest 106.01
 Patent 301, 302.03
 Pending applications 301, 302.03
 Plural items 301.01
 Printing on patent 307, 1309
 Recording 302, 313, 314
 Recording fee 302.06
 Security Interests 313
 Transfer of rights
 from/to small entity 509.02
 Translation 302.02
 Assignment Division 201.10, 605.04(c), 717.02
 Administrator and executor authority
 checked 409.01(b)
 Allowance and issue 307, 1302.11
 File wrapper endorsement 303
 Title search 319, 320
 Assignment of Application for Examination,
 Application Division 504
 Assignment of reexamination 2236
 Assignment to Examiner for examination 903.08(b)

MANUAL OF PATENT EXAMINING PROCEDURE

Assistant Commissioner for Patents (see also Office of
Assistant Commissioner for Patents 201.06(a),
409.01(b), 409.03, 409.03(h), 409.03(i), 409.03(j),
506.02, 708.01, 720.01, 720.02, 720.03, 1002.02
Petitions decided by 1002.02(a)
Assistant Commissioner for Trademarks,
Petition decided by 1002.02(i)
Associate attorney 402.02, 406
Associate attorney, Correspondence with 403.01
Associate of unregistered attorney 402
Atomic Energy Act of 1954 120, 706.03(a) and (b)
Atomic energy application 150
Attorney:
Appointment by assignee of entire interest 106
Associate 402, 402.02, 406
Associate of unregistered 402
Changed, Drawing unchanged 608.02(u)
Conduct in fraud case 2052
Conflicting parties have same 404
Correspondence with 402, 403, 403.1
Correspondence with associate 403.01
Death 406
Disbarred 105, 407, 714.01(a)
Disbarred, Inspection by 105
Disbarred, Interview 105, 713.05
Discourtesy 714.25
Duty of disclosure 2001.01
Excluded from practice 105
Inspection 104
Interfering cases 402.08, 1101.01(k),
2305, 2309.02, 2313
International Application 402.09, 1820.04
Interview 408, 713 to 713.10, 1302.14
Limited recognition 402.01
More than one for same applicant 403.02
Name on patent 1309
Name on reexamination certificate 2287
Not of record 402, 405
Notarizing oath 604.06
Office cannot aid in selection 401
Post Office address 601.02
Power (see also Power of attorney) 402, 406
Reexamination 2222
Registration 401, 402
Roster of attorneys 406, 408, 601.03, 2205
Same in conflicting cases ... 1101.01(k), 2305, 2309.02
Selection 401
Signature of 402
Suggested 401

Attorney:—Continued
Suspended 105
Telephone number on letters 713.01, 714.01
Telephoned by Examiner 408, 713.01, 1302.14
Unregistered 402
Washington representative 408
Withdrawal 402.06
Withdrawal in patent 2223
Authentication of oath 604.04(a)
Authority of Administrator or Executor 409.01(b)
Authority of Commissioner, Delegation 1001.01
Authority of Commissioner, Statutory 1001
Authority to inspect pending application 103
Authorization 402
Authorization, Deposit Accounts 509.01
Authorship 715.01(c)

B

Background of the invention 608.01(c)
Bacteria 1601
Bar, Statutory 201.13, 706.03(s)
Base claim canceled 608.01(n)
Base claim rejected 608.01(n)
Batch Number, Issue 203.04, 502, 1303.01
Benefit of foreign priority (see Foreign application) . . 201.13
Benelux Designs Convention 201.13
Best mode 608.01(h)
Computer Cases 2106.01
Biological material 2402, 2403
Biotechnology 2400
Blue slip 903.07, 1302.10
Blue slip, Digests on 903.07
Blue slip, Signatures 903.07(b)
Board of Patent Appeals and Interferences
(see also Appeal, Interference) 706.03(v),
706.03(w), 707.07(f), 707.06, 708.01,
711.02(b), 2284, 2300.01
Allowed claim rejection statement 1213.02
Appeal from 1216 to 1216.02
Constitution and duties 1203
Decision, Appeal 1213
Duty of disclosure to 2001.03
Hearing 1209, 2354
Interference 2355, 2358
Jurisdiction 706.01, 706.03(1), 706.07(c),
1210, 2300.02
New ground of rejection by 1214.01
Petitions 1002(f), 1002.02(j), 2344
Protestor participation 1904

INDEX

Board of Patent Appeals and Interferences—Continued
 Recommendation by 1213.01, 2359
 Reconsideration and rehearing by .. 1214.01, 1214.03,
 2358
 Service Branch 103, 104
 Books in library 901.06(a)
 Borderline classification 903.08(a)
 Borrowed publications 901.06(a), 901.06(b)
 Borrowing references from Examining Group 901.08
 Box at Office for depositing papers 502
 Box FWC 201.06(b), 501
 Box Interference 501
 Box M. Fee 501
 Box Patent Ext. 501
 Box PCT 501, 1845
 Box Reexam 501, 2225
 Box 7 1404, 1901.03
 Box 8 501
 Breadth, Undue 706.03(n), 706.03(z)
 Brief, Filed on appeal 1206
 Extension of time 1215.04
 Reexamination 2274
 Brief description of the drawings 608.01(f)
 Brief on motion 1105.01
 Brief summary of invention 608.01(d), 1302.01
 Briefs for final hearing 2356
 British patent with exponent, Citing 901.05(b)
 British specification, Provisional, Complete 201.15
 Broadening claims in reissue 1412.03
 Budapest Treaty depositories 2405
 Bulletin, Classification 902.04
 Business, Method of doing 706.03(a)
 Business hours 510

C

C.A.F.C., Appeal to 1216, 1216.01
 Canadian patent agent 402
 Canceled matter, Before papers executed 608.01
 Canceled matter, cannot be recaptured in reissue . 1412.02
 Canceled matter, Restoring 608.01(s), 714.24
 Canceled matter in patented file 901.01
 Canceling claim after issue 714.16, 1302.04(b)
 Canceling claim withdrawn after appeal 1214.05
 Canceling drawing 608.02(t)
 Cancellation of drawing figures 608.02(t)
 Candor, Duty of 2000, 2001
 Carbon copy, Application papers 608.01, 1302.10
 Carbon copy of amendment 714.07
 Card catalog in library 901.06(a)

Caricatures, Offensive 608, 1504
 Case action record worksheets 1705
 Cashier's window 502
 CASSIS 902.03(d)
 Catalog and circulars 901.06(a)
 CCMSS 717.05
 Certificate, Reexamination 2288
 Certificate format in reexamination 2290
 Certificate of correction 1480
 Applicant's mistake 1481
 Copy required in reexamination 2214
 Foreign priority 201.16
 Form 1485
 Handling 1485
 Reissue 1411.01, 1480, 1481, 1485
 Report by Examiner 1485
 Certificate of Mailing (Rule 1.8) 512, 513, 711.03(c)
 Certificate of Mailing by Express Mail 513
 Certificate of Mailing in reexamination 2224
 Certificate of service 2220
 Certified copies of assignment documents 303
 Certified copy of foreign application 201.14
 Certiorari 1202
 Change from small entity status 509.03
 Change of Correspondence Address 601.03, 711.03(c)
 Changing joint to sole 201.03
 In interference 1111.07, 2334
 Reissue 1402
 Changing sole to joint 201.03
 Charge for pending applications (PALM) 101, 905.05
 Check, accompanying hand-delivered paper 502
 Chemical abstracts 708.02
 Chemical compound 608.01(p)
 Chemical practice:
 Markush 706.03(y)
 Non-chemical 706.03(d)
 Rule 131 715.03
 Undue breadth 706.03(z)
 Circulars, Purpose Introduction
 Citation:
 A.P.C. publication 901.06(c)
 Abbreviations 711.06, 711.06(a)
 Abstract 711.06, 711.06(a)
 Allowance, Listing at 1302.12
 Applicant's 707.05(b), 707.05(d), 1302.12
 Complete data 707.05(e)
 Correction 707.05(g)
 Correction, Period for response 710.06
 Cross references 707.05(e)
 Data used 707.05(e)

MANUAL OF PATENT EXAMINING PROCEDURE

Citation—Continued

| | |
|--|------------------------------|
| Decisions, Orders, Notices, Memorandums . . . | 707.06 |
| Defensive publications | 711.06, 711.06(a) |
| Examiner's answer | 1208, 1302.04 |
| Foreign patent data | 707.05(e), 901.05(a) |
| Foreign printed applications | 901.05(b) |
| Form 892 | 707.05 |
| Incorrect | 707.05(g), 710.06, 1302.04 |
| Literature, In specification | 608.01(p) |
| Mailing copy to patent owner | 2202, 2206, 2208 |
| Memorandum | 707.06 |
| Notices | 707.06 |
| Order of listing | 707.05(c) |
| Orders | 707.06 |
| Patents, U.S. | 901.04 |
| Periodical | 707.05(e), 901.06 |
| Prior Art | 1302.12 |
| Handling | 2206 |
| Time for filing | 2204 |
| Prior Art by applicant | 707.05(b) |
| Prior art in patent | 1920 |
| Publications | 707.05(e) |
| References | 707.05 |
| Allowance in first action | 1302.12 |
| By applicant | 707.05(b), 1302.12 |
| Reexamination: | |
| Citation of prior art | 2202 |
| Confidential | 2202, 2203 |
| Handling | 2206 |
| Sample letter | 2205 |
| Service | 2208 |
| Time for handling | 2204 |
| U.S. patent data | 901.04, 1302.04 |
| Citizenship of applicant | 605.01 |
| Civil action under 35 U.S.C. 145 | 1214.01, 1215.05, 1216.02 |
| Civil action under 35 U.S.C. 146 | 1109(b), 1216, 2358 |
| Claim | 608.01(i), 608.01(k) |
| Added by amendment | 608.01(o) |
| Results in change of inventorship | 201.03 |
| Added in excess of filing fee | 714.10 |
| After prosecution closed | 714.16, 714.19 |
| After prosecution closed, Near end of time period | 714.20 |
| Aggregative | 706.03(i) |
| All allowed | 710.02(b) |
| All canceled | 711.01 |
| Allowable except as to form | 707.07(a), 707.07(j) |
| Allowed, Rejection of | 706.04 |
| Allowed, Withdrawn appeal | 1215.02 |

Claim—Continued

| | |
|--|----------------------|
| Alternative phrase | 706.03(d) |
| Analysis | 904.01 |
| Basis in description | 608.01(o) |
| Basis in disclosure | 608 |
| Breadth | 706.03(n), 706.03(z) |
| Cancellation by Examiner after appeal | 1214.05 |
| Cancellation results in change of inventorship | 201.03 |
| Change After Board recommendation | 1213.01 |
| Combination | 706.03(i), 706.03(j) |
| Combination and subcombination | 806.04(c), 806.05(a) |
| Comprising | 706.03(y) |
| Considered in deciding reexamination request | 2243 |
| Consisting of | 706.03(y) |
| Construed in light of specification | 608.01(o) |
| Copied from Patent. (See Claim presented corresponding to claim of patent.) | |
| Correspondence with disclosure | 706.03(n) |
| Dependent | 608.01(n) |
| Dependent, Objected to when improper | 706.01 |
| Dependent on canceled or rejected claim | 706.01, 707.07(j) |
| Design application | 1503.01 |
| Differing only by functional statement | 706.03(c) |
| Diminishing scope | 706.03(y) |
| Disclaimer | 706.03(u), 710.02(d) |
| Duplicate | 706.03(k) |
| Each mentioned in letter | 707.07(i) |
| Excess over fee added by preliminary amendment | 714.10 |
| Excess over fee after notice of allowance | 714.16(c) |
| Fees, dependent | 608.01(n) |
| File wrapper notation | 1302.09 |
| Filing fee insufficient | 506 |
| For priority (see Foreign application) | 201.13, 201.14 |
| Form | 608.01(m) |
| Function of machine | 706.03(r) |
| Functional | 706.03(c) |
| Generic (see also Generic Claim) | 706.03(y), 806.04(d) |
| Illustrated by drawing | 608.02(e), 706.03(n) |
| Inaccurate | 706.03(n) |
| Incomplete | 706.03(f), 707.07(j) |
| Indefinite | 706.03(d) |
| Independent | 608.01(n) |
| Index | 717.04 |
| Indirect limitation | 706.03(d) |
| Informal | 706.02 |
| Interference, Construed | 2301.01 |
| International application | 1824 |

INDEX

Claim—Continued

Linking 809, 809.02, 809.03, 809.04
 Linking, Generic 809.02
 Linking, Traverse of rejection 818.03(d)
 "Markush" 706.03(y)
 "Markush," Generic 803.02
 "Markush," Support 608.01(p)
 Multiple dependent 608.01(n)
 Multiplied 706.03(k), 706.03(l)
 Negative limitation 706.03(d)
 New matter 608.04, 706.03(o)
 Nonelected invention 706.03(m), 809.02(c),
 809.04, 821.01, 821.02
 Nonelected invention, Added 821.03
 Nonstatutory 706.03(h)
 Nonstatutory, Cancellation 1302.4(b)
 Numbering 608.01(j)
 Obvious method 706.03(q)
 "O.G." 1302.09
 Original 608.01(l), 706.03(n)
 Patentability distinct 706.03(k)
 Plant application 1605, 1610
 Plural 706.03(k)
 Priority (see Foreign application) ... 201.13, 201.14(b)
 Product, Functional 706.03(c)
 Product by process 706.03(e)
 Prolix 706.03(g)
 Reference numerals included ... 608.01(m), 706.03(d)
 Reissue application:
 Numbering 1411
 Original claim subject to reexamination 1440
 Printed 1455
 Same invention as original patent 1412.01
 Rejection 706
 Renumbering at issue 608.01(j), 1302.01
 Renumbering dependent 608.01(n), 1302.01
 Single means 706.03(c), 706.03(z)
 Single sentence 608.01(m)
 Species, How recognized 806.04(e), 806.04(f)
 Species (Plural) added 809.02(d), 818.02(b)
 Statutory requirement 608.01(k)
 Subgenus ("Markush" type) 706.03(y)
 Suggested for interference 2305 to 2305.04
 Failure to make 706.03(u)
 Time limit 710.02(c)
 Summary of invention, consistent 608.01(d)
 Terminology basis in description 608.01(o)
 Unsupported 706.03(n)
 Vague 706.03
 Varying scope 608.01(m)

Claim—Continued

With motion granted in part 714.20
 Withdrawal of appealed claim 1214.05, 1215.03
 Claim presented corresponding to claim
 of patent 710.04(a), 2306 to 2308.03
 After allowance 2307.03
 Appeal of rejection 1205, 1210
 Commissioner's approval if outside time limit .. 1003
 Disclaimer rejection 706.03(u)
 Interference pending 1111.05, 2364.01
 Late amendment 714.19
 Not a response to Office action ... 711.02(b), 2307.01
 Origin must be stated 2307.05
 Patent filing date later than that of application .2308.03
 Patent in different Group 2306
 Period for response 710.02(c), 710.04(a)
 Prosecution closed 714.19, 2307.03
 Rejection 2307.02
 Rejection Failure to respond to 706.03(u)
 Rejection, Primary's attention 1004
 Special 708.01
 Time limit for response 710.02(c)
 Claiming same invention 715
 Class, Scope 903.02(b), 1302.14
 Class, Transfer 903.05
 Class definitions 902.02
 Classification:
 Application. (See Classification of application.)
 Basis 903.02
 Bulletin 902.04
 Definitions 902.02, 902.02(a)
 Examiner. (See Classification examiner.)
 Foreign patents 903.03
 Index to U.S. Patent Classification 902.01(a)
 Classification, International 903.09
 Indices 902.03
 Information 902.03(a)
 International 903.09
 Mandatory 903.07
 Manual 902.01
 MCF 902.03(a)
 Non-patent literature 901.06
 Numerical index 902.03(c)
 Orders 902.04
 Patent, Change of 903.05
 Patent Index 902.03(b)
 Principles 903.02
 Revision 903.02(a), 903.02(b)
 Rules governing applications 903.08(e)
 Slip 903.07, 1302.10

MANUAL OF PATENT EXAMINING PROCEDURE

| | |
|--|--|
| Classification—Continued | |
| Statutory authority | 903.01 |
| Subclass lists | 902.03(c) |
| Classification examiner: | |
| Decision on classification | 903.08(d) to 903.08(f) |
| Patentability report | 705.01(a) |
| Classification of application: | |
| Allowed application | 903.07 to 903.07(b), 1004, 1302.10 |
| Amendment affecting | 903.08(c) |
| Borderline | 903.08(a) |
| By applicant | 601 |
| Cross-referencing | 903.07(a) |
| Decision of classification Examiner | 903.08(f) |
| Disputed ... | 903.08(a), 903.08(d), 903.08(f), 903.08(g) |
| File wrapper data | 717.03 |
| Improperly classified | 903.08(a) |
| In another Group at allowance .. | 903.07(b), 903.08(a) |
| New application, By Application Division | 903.08, 903.08(e) |
| New application, By Primary | 903.08(b) |
| Post classifier | 903.10 |
| Preliminary | 601 |
| Rules governing | 903.08(e) |
| Transfer to another Group | 803.08(a), 903.08(d), 803.08(g) |
| Classifier, Post | 903.10 |
| Clean copy | 608.01(q), 1302.02 |
| Clearance for new law interpretation | 1208 |
| Clerk, Duties. (See the Manual of Clerical Procedure.) | |
| Clerk of the Board of Appeals, | |
| Petitions decided | 1002.02(n) |
| Close of prosecution | 130 |
| Closed prosecution | |
| except for formal matters | 710.02(b), 714.14 |
| Prosecution not closed | 707.07(j) |
| Closing of Patent and Trademark Office | 201.13 |
| Code of Federal Regulations | Introduction |
| Title 13 CFR 121.12 | 509.02 |
| Title 15 CFR 4.8 | 103 |
| Title 37. (See Rules of Practice.) | Appendix R |
| Title 41 CFR subpart 101-20.3 cited | 510 |
| Coinventor, Power of attorney | 402.01 |
| Collateral estoppel | 2012.01 |
| Collateral estoppel in reexamination | 2259 |
| Combination, Old (Restriction) | 806.05(b), 820.01 |
| Combination and aggregation | 706.03(i), 706.03(j) |
| Combination and subcombination ... | 806.04(c), 806.05(a) to 806.05(c), 903.02(b) |
| Comments on tests or examples | 707.07(1), 1302.14 |
| Commercial activity as on sale | 2125.03 |
| Commercial exploitation as on sale | 2125.03 |
| Commercial success of invention, | |
| affidavit alleging | 716 |
| Commissioner, action requiring attention of: | |
| Failure to identify claim as copied | |
| from a patent | 2307.05 |
| Petition for access | 103 |
| Reissue application of patent in interference ... | 1449 |
| Commissioner initiates reexamination | 2239 |
| Commissioner's: | |
| Approval of power to inspect | 104 |
| Authority and functions | 706.03(b), 708.01, 709, 711.02, 714, 717.01, 1001, 1002 |
| Decisions | Introduction |
| Notices, Purpose | Introduction, 707.06 |
| Orders, Purpose | Introduction, 707.06 |
| Committee on Enrollment, Petition to ... | 1002.02(m) |
| Common applicants | 715.01(a), 706.02, 706.03(c), 709.01 |
| Common disclosure, Parent and | |
| continuing applications | 201.11 |
| Common ownership | 706.02, 706.02(c) |
| Conflicting applications | 305, 706.03(k), 709.01, 822, 2302 |
| Common Representative for international application . | 1807 |
| Communication with disbarred attorney | 105 |
| Communications, official mailing address for | 501 |
| Companion case, Retention label | 1302.07 |
| Comparative tests | 716 |
| Comparison of new drawings | 608.02(b) |
| Complete application | 201.03, 506, 601.01 |
| "Complete" specification, British | 201.15 |
| "Comprising" in Markush claim | 706.03(y) |
| Computer Programs | 608.05, 706.03(a), 2106, 2106.01, 2106.02 |
| Concealment | 608.01(h) |
| Conception | 715.07 |
| Concordance, International and United States | |
| classification | 903.09 |
| Concurrent Office proceedings | 2282 |
| Conditional petition to revive | 711.03(c) |
| Conduct of reexamination proceedings | 2254 |
| Confidential citation of prior art | 2202, 2203 |
| Confidential material | 121, 724 to 724.05 |
| Confidential material submission | 121, 724.02 |
| Confidential party of interest | 2202, 2203 |
| Confidential status of application | 101 |

INDEX

| | | | |
|---|---|--|-----------------------------------|
| Conflicting applications, Same applicant | 706.02, 706.02(c), 706.03(k), 709.01, 804, 822, 822.01 | Continuation-in-part—Continued | |
| Conflicting applications, Same assignee ... | 303, 706.03(k), 709.01, 804.03, 822, 2302 | Copendency | 201.11 |
| Conflicting applications, Same attorney | 2309.02, 2305 | Definition | 201.08 |
| Congress, Inquiry on status of application | | Effective date | 201.11 |
| by member of | 203.08(a) | File wrapper continuing (FWC) | 201.06(b) |
| Conservator, Authority recorded | 409.02 | File Wrapper Notation | 202.02 |
| Conservator, Insane inventor | 409.02 | Identification on letter of transmittal | 506 |
| “Consisting of” in Markush claim | 706.03(y) | Inspection of parent | 103 |
| Constitutional basis for patents | Introduction | International application | 1817.02 |
| Constructive election | 818.02(a), 818.02(c) | International application as parent | 201.11(a) |
| Constructive notice to patent owner | 2230 | Inventor, at least one in common | 201.11 |
| Constructive reduction to practice | 715.07 | Ownership | 306 |
| Consular certificate | 604.04 | Reference to parent case | 201.11 |
| Consular certificate, Executor or administrator, | | Rule 62 | 201.06(b) |
| Foreign | 409.01(b), 409.01(d) | Sole from joint | 201.08 |
| Consular certificate, Omission | 604.04(a) | Time from filing | 201.11 |
| Consular officer | 604.04 | Title | 201.12 |
| Content of reexamination request | 2214 | When patented, Opens parent application to public inspection | 103 |
| Continuation | 201.07 | Continuing application | 201.11, 1302.12, 1302.04 |
| Assignment carried from parent | 201.12, 306 | Continuing data (see cross-noting) | 202.02 |
| Copendency | 201.11 | Continuity between applications | 201.11 |
| Definition | 201.07 | Control of inspection by assignee | 106 |
| Effective date | 201.11 | Convention, International | 201.13 |
| File wrapper continuing (FWC) | 201.06(b) | Converting inventorship joint to sole | 201.03, 201.06, 201.07, 201.08 |
| File wrapper notation | 202.02 | Converting inventorship sole to joint | 201.03 |
| Final rejection on first action | 706.07(b) | Converting reissue application from 37 CFR 1.175(a)(4) to (a)(1) type | 1444.01 |
| Identification on letter of transmittal | 506 | Copendency | 201.11 |
| Inspection of parent | 103 | Copending application, Reference brought up to date | 1302.04(f) |
| International application | 1817.02 | Copending U.S. application, Duty of disclosure in | 2001.06(b) |
| International application as parent ... | 201.11(a), 1895 | Copied patent claim. (See Claim copied from patent.) | |
| Inventor, at least one in common | 201.11 | “Copier” copies | 714.07 |
| New matter | 201.07, 608.04(b) | Copies of prior art in reexamination request | 2218 |
| Oath, Delayed filing | 602.05(a) | Copy of foreign application, Certified | 201.14 |
| Ownership | 201.12 | Copy of printed patent in reexamination | 2219 |
| Parent case data in specification | 202.01 | Copy Orders | 905.01 |
| Parent case data noted on file wrapper . | 202.02, 1302.04 | Copyrights | 608.01(v) |
| Reference to parent case | 201.11 | Correction of drawing | 608.02(p) |
| Rule 60 application | 201.06(a) | Approval by Examiner | 608.02(x), 1302.05 |
| Rule 62 application | 201.06(b) | “Corrected” stamp | 608.02(o) |
| Sole from joint | 201.07 | Deferrable | 608.02(b), 608.02(p) |
| Streamlined | 201.07 | New matter | 608.04 |
| Time for filing | 201.11 | Not approved | 608.02(x) |
| Title | 201.12 | Order for | 608.02(x) |
| When patented, Opens parent application to public inspection | 103 | Required by draftsman | 707.07(c) |
| Continuation-in-part | 201.08 | | |
| Assignment check | 306 | | |

MANUAL OF PATENT EXAMINING PROCEDURE

Correction of drawing—Continued
 Sketch 608.02(v)
 Separate letter 608.02(r)
 Correction of inventorship 201.03
 in patent 1481
 Correction of name 605.04(b), 605.04(c)
 Correction of patent Chapter 1400
 Certificate of correction 1480
 Reissue (see reissue application.) 1401
 Statutory disclaimer 1490
 Correction of printer's proof 1309.01
 Correction of reference citation 707.05(g), 710.06
 Correspondence:
 Address change 601.03
 Address of PTO 501, 502
 Address in secrecy order cases 120
 Address, official mailing 501
 Address, When power is to a firm 403
 Associate attorney 403.01
 Boxes 501
 Crossing 714.05
 Double 403, 714.01(a)
 In reexamination 2224
 Plural attorneys 403.02
 Receipt and handling Chapter 500
 With whom held 403
 Correspondence and
 Mail Division 203.08, 501, 503, 508.02,
 1416, 1706, 2206
 Counting actions 1705
 Countries for foreign priority 201.13
 Country codes 1851
 Coupons 509
 Court decision, certificate of 1216.01
 Court decision, Citation 707.06
 Court decision entry in patent file 2207
 Court of Appeals for the Federal Circuit 711.02(b)
 Court papers, Service on Commissioner 1216
 Criteria for deciding reexamination request 2242
 Cross-noting:
 Data of parent application on file wrapper ... 202.02,
 1302.09
 Data of related application brought up
 to date 1302.04(f)
 Data of related application in specification ... 201.11,
 202.01, 1302.04
 Foreign application, Application oath 202.04
 Foreign application, File wrapper 202.03
 In original patent file of reissue application ... 202.05

Cross-reference:
 Addition of patent 905.02
 Another application
 (see cross-noting) 201.01, 608.01(p), 1302.04
 Art Collection 903.02(c)
 At allowance 903.07, 1302.04
 Citing 707.05(e)
 Establishing new 903.06(a)
 Noted during examination 903.07(a)
 Ordering 903.06
 Required for all claimed disclosure 903.07(a)
 Crossed mailings 714.05
 Customer Services Division 104, 508, 608.02(c),
 608.02(h), 707.05(a),
 717.05(a), 717.01(b),
 905.02, 905.03, 2232

D

D-10 Notice 130, 1304, 1304.0
 Damage, Proof Irreparable 409.03(g)
 Data Bases for search 901.06(a)
 Date:
 Amendment 502, 505, 511, 512,
 710.01(a), 710.05, 714.18
 Citation of foreign patent 901.05(a), 901.05(b)
 Convention 201.13, 201.14
 Filing 201.11, 502, 503, 505,
 506.02, 1002.02 (h)
 Filing, refusal to accord 506.02
 Foreign Application
 (priority) 201.13, 201.14, 201.15
 Group stamp 714.18
 Office action 707.11
 Office stamp 502, 505, 506, 714.18
 Reference 706.02, 707.05(e), 707.05(f),
 715, 715.01, 715.01(c)
 Date entered on drawing 608.02(o)
 Date of execution of oath 602.05
 Date stamp, Examining Group 714.18, 1303
 Death of attorney 406
 Death of inventor (see also Administrator
 or executor) 409 to 409.01(f)
 Deceased inventor,
 Allowance not withdrawn 1303.03
 Deceased inventor, Legal representative
 refuses to sign 409.03(c)
 Deceptive intention in reissue 1414.04, 2012

INDEX

Decision:

By Board of Patent Appeals and Interference ... 1213, 1302.14

By Classification Examiner 903.08(f)

By Primary on interference motion 1004

Citation 707.06

Governs Examiner's action Introduction

Listed Appendix II

On interference motion 1105 to 1105.07, 2340

Ordering reexamination 2246

Public availability 103

Publication of 707.06

Reconsideration of Board 1214.03

Reexamination request 2240

Submission in reexamination 2282

Decision by Certificate of Correction Branch .. 1485, 1490

Declaration 602

Amendment 602.01

"Attached" 605.04

Change of inventorship 201.03

Copies from prior application 201.06(a)

Date of execution 602.05

Defective 602.03

Delayed Filing 506

Facsimile 506, 605.04

Foreign priority applications listed 201.14, 201.14(c), 202.04

International application 1893.01(a) and (b)

Non-English 602.06

Reissue application 706.03(x), 1414, 1414.03, 1444, 1444.01

Rule 60 application 201.06(a)

Substitute 602.02

Declassified matter 707.05(f)

Dedication 715, 1490

Defective oath 602.03

Defects, correction of in request 2231

Defense, Applications affecting 115, 120, 130, 140

Defensive publication citation 711.06(a), 1302.04, 1302.04(f)

Defensive publication program 202.02, 711.06

Deferral of Duty of Disclosure Issue 1448

Deferral of Fraud Issue 1448

Definition of class 902.02

Delayed filing of original oath 602.05

Delegation of Commissioner's authority 1001.01, 1002, 1002.02

Delgar 711.03(c)

Demonstration at interview 713.08

Denial of request for reexamination 2247

Department of Energy 115, 150, 157, 706.03(b)

Department of Commerce, Organization Orders:

30-3A cited 510

30-3B cited 510

Dependent claim 608.01(n)

Reissue 1455

Rejected when base claim

is canceled 608.01(n), 707.07(j)

Dependent claim, objected to when improper 706.01

Deposit accounts 509.01

Deposit of microorganisms 608.01(p), 1605, 2402

Deposit of paper 502

Deposition, Examiner 1701.01

Deposit Rules 2400, 2401, 2402

Acceptable depository 2405

Background information 2401

Biological material, definition 2403

Biological material, made or isolated without undue experimentation 2404.02

Budapest Treaty 2402

Budapest Treaty depositories 2405

Depositories, current list of Budapest Treaty 2405

Effective Date 2401, 2402

Examination procedures 2411

After grant 2411.04

Application in condition for allowance except for deposit 2411.03

Certificate of correction 2411.04

Content of application regarding deposited material 2411.05

Need for 37 CFR 1.312 amendment 2411.03

Reissue 2411.04

Rejections based on deposit issue 2411.01

Responses from applicant 2411.02

Furnishing of samples 2410

Certification of accessibility of deposit ... 2410.02

Conditions of deposit 2410.01

Access to deposits 2410.01

Exception to removal of restrictions 2410.01

Restrictions removed upon grant 2410.01

Known and readily available biological material 2404.01

Budapest Treaty deposit 2404.01

Continuity of access 2404.01

Deposits certified as available 2404.01

Health, safety restrictions 2404.01

Indicia of "known and readily available" . 2404.01

Lundak application 2404.03, 2406.01

MANUAL OF PATENT EXAMINING PROCEDURE

Deposit Rules—Continued

| | |
|--|------------------------|
| Material capable of self-replication | 2403.01 |
| Direct self-replication | 2403.01 |
| Indirect self-replication | 2403.01 |
| Need for a deposit | 2402, 2404 |
| Plant material | 2403.02 |
| Plant Patent Act, relation to | 2403.02 |
| Prior practice | 2402, 608.01(p)(C) |
| Reference to deposit in application | 2404, 2404.03 |
| Implication, presumption | 2404, 2404.03 |
| Requirements of 35 U.S.C 112 | 2404, 2404.03 |
| Replacement or supplement of deposit | 2407 |
| After a patent has issued | 2407.02 |
| Exemption from replacement | 2407.05 |
| Failure to replace | 2407.03 |
| In a pending application/reexamination proceeding | 2407.01 |
| Reason for replacement | 2407.04 |
| Replacement not recognized | 2407.06 |
| Treatment of replacement, presumption of identity | 2407.04 |
| Seeds | 2403.02 |
| Term of deposit | 2408 |
| Budapest Treaty term | 2408 |
| Enforceable life of patent | 2408 |
| Time for making original deposit | 2406 |
| Assurance re deposit before payment of issue fee | 2406, 2411.03 |
| Corroboration | 2406.02 |
| Description in application specification .. | 2406.01 |
| During application pendency | 2406 |
| Loss of U.S. filing date in other countries | 2406.03 |
| New matter | 2406.01 |
| Patent Cooperation Treaty applications | 2406 |
| Post-issuance deposits | 2406 |
| Viability of deposit | 2409 |
| Viability statement | 2409 |
| 35 U.S.C. 112 requirements | 2402, 2403, 2404 |
| Deputy Commissioner of Patents and Trademarks | 1001, 1002.02(o), 1203 |
| Derogatory remark regarding prior art | 608.01(r) |
| Description, Basis for claim | 608.01(o) |
| Description, Computer Programming | 2106.01 |
| Description, Detailed | 608.01(g) |
| Description—International Application | 1823 |
| Design | 201, Chapter 1500 |
| Allowance | 1505 |
| Analogous Art | 1504 |

Design—Continued

| | |
|---|-----------------------|
| Appearance of object | 1502 |
| Application | 1503 |
| Characteristic feature | 1503.01 |
| Claim | 1503, 1503.01 |
| Convention date | 201.13 |
| Copending applications | 1504.05, 1504.10 |
| Definition | 1502 |
| Delay of issuance | 1505 |
| Description | 1503, 1503.01 |
| Disclaimer | 1503.01 |
| Disclosure | 1503.02, 1504 |
| Dominant feature | 1503.01 |
| Double patenting | 1504.05 |
| Drawing | 1503, 1503.02 |
| Examination | 1504 |
| Feature emphasized | 1503.01 |
| Fee | 1505 |
| Foreign priority | 201.13, 1504, 1504.10 |
| Indicia | 1503.02 |
| Indefiniteness | 1504 |
| Invention | 1501, 1504 |
| Library | 901.06(a) |
| Modification, description | 1503.01 |
| New matter | 1503, 1503.02, 1504 |
| Novelty | 504 |
| Object, Design for | 1502 |
| Patent Cooperation Treaty | 1501 |
| Patentability | 1504 |
| Photograph | 1503, 1503.02 |
| Preamble | 1503 |
| Priority under 35 U.S.C. 120 | 1504.20 |
| References supplied 707.05(a), | 1513 |
| Registration abroad | 1504 |
| Requirement for Information | 1504 |
| Requirement for restriction | 1504.05 |
| Reproducible, Article (35 U.S.C. 171) | 1502 |
| Restriction | 1504.05 |
| Rules applicable | 1501 |
| Sample | 1503 |
| Search | 1504 |
| Simulation | 1504 |
| Specification | 1503.01 |
| Statutory bar, Foreign application | 201.13, 1504 |
| Subject matter | 1502, 1504 |
| Term of | 1505 |
| Title | 1503.01 |
| Unobviousness | 1504 |

INDEX

Design—Continued

Visual characteristics 1502
 Design patent series 901.04
 Designated Office 601.04, 1801, 1893.01(a)
 Designation fee - PCT 1817.01, 1827
 Designation of States 1817.01
 Determination of public use or on sale 2125
 Differences between:
 Chemical and other practice (see Chemical practice)
 Objection and rejection 710.02(d)
 Shortened statutory period and time limit .. 710.02(d)
 Digest 903.02(c)
 Diligence
 In correcting inventorship 201.03
 In filing reissue 1403
 Of status inquiry 203.08
 Shown in 37 CFR 1.131 oath 715.07, 715.07(a)
 Director's functions 1003
 Group 220 710
 Disbarred attorney 105, 407, 714.01(a), 714.19
 Disclaimer:
 Co-author of publication 715.01(c)
 Copy required in reexamination 2214
 Defensive Publication 711.06
 Forms 1490
 Interference 1108, 1109.02
 Rejection 706.03(u), 710.02(d),
 Statutory 1109(a), 1490, 2362
 Terminal 508.01
 Disclosure 608
 Abstract 608.01(b)
 Aids 2004
 Amendment 608.04, 1302.02
 Amendment, Preliminary 608.04(b)
 By whom and how made 2004
 By whom made 2002.01
 Chemical compound 608.01(p)
 Claimed 901.03
 Common, Parent and continuing application .. 201.11
 Completeness 608.01(p)
 Computer Programming cases 2106.02
 Correspondence with claims 706.03(n), 706.03(z)
 Detailed description 608.01(g)
 Document 1706
 Duty of 2000, 2001
 Reexamination 2280
 Foreign application 201.15
 Incomplete 608.01(p), 706.03(n)
 Incomprehensible 702.01
 Incorporation by reference 608.01(p)

Disclosure—Continued

Insufficient 608.01(p), 702.01
 Later filed application 608.01(p)
 Litigation information 2001.06(c)
 Materiality 2001.05
 Operability 716
 Original claim 608.01(1), 706.03(n)
 Preliminary amendment 608.04(b)
 Related applications 608.01(p), 1302.04
 Reservation clause 608.01(e)
 Restricted to claimed subject matter 1302.01
 Sources of information 2001.06
 Specification (See also Specification) 608.01
 Sufficiency for continuity 201.11
 Sufficiency of, Affidavit 716
 Support for claims 706.03(n)
 To whom owed 2001.03
 Trade name 608.01(v)
 Trademark 608.01(v)
 Utility 608.01(p)
 When made 2003
 Written 2002.02
 Disclosure Document Program 1706
 Evidence under 37 CFR 1.131 715.07
 Discourtesy 714.19, 714.25, 1003
 Dismissal of Appeal 1215.04
 Disposals counted 1705
 "Distinct," Definition 802.01
 "Distinct" inventions 802, 802.01, 803, 806.05
 Apparatus and product made 806.05(g)
 Process and apparatus for its practice 806.05(e)
 Process and product made 806.05(f)
 Distribution of mail 501
 Distribution of papers 508
 Division (see Restriction; Election;
 Election of species; Divisional Application) .. Chapter 800
 Divisional Application 201.06
 Applicant, one common 201.06
 Assignment carried from parent 201.12
 Assignment check 306
 Copendency 201.11
 Delayed filing of oath 602.05(a)
 Design application 201.06
 Drawing, Transfer to 608.02(j)
 Effective date 201.11
 File wrapper continuation (FWC) 201.06(b)
 File wrapper notation 202.02, 1302.04
 Inspection of parent application 103
 Inventor, at least one in common 201.11
 New matter 201.06

MANUAL OF PATENT EXAMINING PROCEDURE

Divisional Application—Continued

| | |
|--|---|
| Oath | 201.06(a), 602.05(a) |
| Ownership carried from parent | 201.12 |
| Parent case data notation in specification | 202.02 |
| Patented, Opens parent to inspection | 103 |
| Reference to parent application | 201.11, 1302.04 |
| Reissue | 1451 |
| Rule 60 application | 201.06(a), 1302.04 |
| Rule 62 application | 201.06(b) |
| Signature omitted | 201.06(a) |
| Sole from joint | 201.06 |
| Time for filing | 201.11 |
| DNA, Recombinant, related Special status | 708.02 |
| Docket clerk | 707.05(a) |
| Docket Record card | 2233, 2237 |
| Docket report | 1704 |
| Document: | |
| Disclosure | 1706 |
| Legal proceedings | 1701.01 |
| Domestic Representative | 302.04 |
| Double correspondence | 403, 714.01(a) |
| Double patenting: | |
| Basis | 804 |
| Claimed subject matter | 806.01 |
| Design application | 1504 |
| Definition | 804 |
| Distinct and independent inventions | 804, 804.01, 806.05 |
| Plant cases | 1601 |
| Reexamination | 2217 |
| Rejection 706.03(k), | 804, 804.01, 804.02 |
| Rejection nullification | 804.01 |
| Same assignee | 305-305.02, 706.03(k), 804.03, 822 |
| Same inventor | 706.03(k), 806.04(h) to 806.04(j), 806.05, 822, 822.01 |
| Species and genus | 806.04(h) to 806.04(j) |
| Submissions to Group Director | 804.04 |
| Terminal disclaimer effect | 804.02, 1490 |
| Drafting Division | 507, 608.02, 608.02(h), 608.02(t), 707.07(a) |
| Draftsman's notation | 507, 608.02(a), 707.07(a), 707.07(c) |
| Draftsman's stamp | 507, 608.02(b), 608.02(o), 1302.10 |
| Drawing | 507, 608.02 |
| Additional | 608.02(h) |
| Allowance, Notation on | 608.02(z), 903.07, 1302.09, 1302.10 |
| Amendment | 608.02(p) |

Drawing—Continued

| | |
|--|----------------------------------|
| Amendment, Direction for | 608.02(q) |
| Amendment, Disposition | 608.02(x) |
| Amendment support by original claim | 608.04(a) |
| Approval stamp | 608.02, 608.02(h), 1302.10 |
| Brief description | 608.01(f) |
| Canceled figure | 608.02(t) |
| Canceled sheet | 608.02(t) |
| Canceled sheet, Patent | 608.02(i) |
| Canceled sheet, Transfer | 608.02(j) |
| Color | 608.02 |
| Colored plant | 1606 |
| Comparison | 608.02(a) |
| Complete illustration | 608.02(d), 706.03(n) |
| Completeness | 608.02(e) |
| Computer lists | 608.05 |
| Content of | 608.02(d) |
| Correction (see also Correction of Drawing) | 608.02(p), 1302.05 |
| Corresponds with description | 608.02(f) |
| Cutting down size | 608.02(h) |
| Date entered on back | 608.02(o) |
| Delivered to wrong group | 508.01 |
| Denied admission | 608.02(h) |
| Design application | 1503.01, 1503.02 |
| Disclosure | 608 |
| Divisional application | 608.02(j) |
| Draftsman's criticism included in first Office action | 707.07(a), 707.07(c) |
| Draftsman's notation | 507, 608.02(a) |
| Draftsman's stamp | 608.02(b), 608.02(o), 1302.10 |
| Duplicate | 608.02(h) |
| Examiner determines completeness | 608.02(e) |
| Illustrates claim | 608.02(e) |
| Inartistic arrangement | 608.02(t) |
| Informal | 507, 608.02(b) |
| Informality, Determined by draftsman | 608.02(a) |
| International application | 1825 |
| Kept in application | 608.02(c) |
| Kept in Examining Group | 1302.05(a) |
| Mail Section stamp | 608.02(o) |
| Modification illustrated | 608.02(f) |
| Necessary for filing date | 506, 608.02 |
| New drawings required | 608.02(a) |
| New, Handling | 608.02(a) |
| New matter | 608.04 |
| New, When required | 608.02(a) |
| Not received | 608.02(h), 1825 |

INDEX

Drawing—Continued

Not required 608.02
 Not returned 608.02(y)
 Objection 507
 O.G. figure 1302.10
 Patented case 905.03
 Photographs 608.02
 Photoprint 608.02
 Plant application 1606
 Print (see Print of drawing) 506, 508, 608.02(m)
 Prior art 608.02(g)
 Reference characters 608.02(e)
 Reference characters, Change 608.02(w)
 Reissue application 608.02(k), 1413
 Removal from Group 608.02(c)
 Required by Examiner 608.02
 Return 608.02(y)
 Section lines 608.02(f)
 Security markings 121
 Sketch for correction 608.02(v), 608.02(w)
 Substitute 608.02(h)
 Sufficiency, Determined by Examiner 608.02(e)
 Symbols 608.02
 Transfer in Rule 60 201.06(a), 506,
 608.01(t), 608.02(i)
 Transfer to reissue 608.02(k), 1413
 Use in reissue 608.02(k), 1413
 Yellow tag 608.02(z)
 Drawing correction 608.02(p)
 Approval by Examiner 608.02(x), 608.02(q),
 1302.05
 Deferrable 608.02(b)
 New matter 608.04
 Order for 608.02(x)
 Required 707.07(a), 707.07(c)
 Separate letter 608.02(r)
 Sketch 608.02(v)

Drawings:

Allowance, Notation on 903.07, 1302.10
 Drug disclosure guidelines 608.01(p)
 Dual correspondence 403,714.01(d)
 DUPACS 903.02
 Duplicate amendments 717.01(a)
 Duplicate claims 706.03(k)
 Duplicate foreign patents 903.03

Duplicate papers,

Plant application 1603, 1605, 1606, 1609, 1610

Duty of disclosure:

After patent grant 2003.01

Duty of disclosure:—Continued

Aids 2004
 Candor and good faith 2001
 Checklist 2004
 Litigation information 2001.06(c)
 Questionnaire 2004
 Reexamination 2280
 Reissue 1414.05
 Sources of information 2001.06
 To whom owed 2001.03
 Violation 1448
 When made 2003
 Who has 2001.01

E

“Easily Erasable” paper 608.01, 714.05, 714.07,
 714.19
 Edge-notched card system 717.05
 Effective date:
 Declassified matter 707.05(f)
 Reference patent 706.02, 707.05(e),
 707.05(f), 715, 715.01, 901.05(b)
 Effective filing date:
 Continuing application 201.11, 708
 International Convention
 (see Foreign application) . 201.13, 201.14, 201.15
 Publication 715.01(c)
 Election (see also Restriction;
 Election of species) Chapter 800
 Action on nonelected claims,
 Election not waived 819
 After multiplicity rejection 706.03(l)
 After restriction 818
 After restriction,
 Treatment of nonelected claims .. 821 to 821.03
 Applicant must make 818.03(e)
 Between applications, Conflicting claims ... 804, 822,
 822.01
 Constructive 818.02(a),
 818.02(c)
 Fixed by action on merits 818.01, 818.02(a)
 Implied 818.02(a), 818.02(c)
 Interference 820.02
 Old combination 820.01
 Optional cancellation 818.02(c)
 Original presentation 818.02(a)
 Shift 819.01, 820
 Traverse 818, 818.03, 818.03(b), 818.03(c), 821.01
 Without traverse 821.02

MANUAL OF PATENT EXAMINING PROCEDURE

Election (see also Restriction; Election of species)—Continued

| | |
|---|---------------------------------|
| Action after | 809.02(c) |
| Allowable generic claim lacking | 809.02(a) |
| Basis | 808.01(a), 809.02 |
| Canceling species claims | 818.02(c), 821.01, 821.02 |
| Design application | 1504 |
| Implied | 818.02(a), 818.02(c) |
| Reissue application | 1450 |
| Requirement | 809.02(a), 809.02(b) |
| Requirement, Prior to search | 808.01(a) |
| Species claims lacking | 809.02(d), 818.02(b) |
| Withdrawal of nonelected species | 809.02(c) |
| Employee No. | 711.04(b) |
| Employees of Patent and Trademark Office, Property interest in patent | 309 |
| Energy, Department of | 706.03(b) |
| Energy, related applications, Special status | 708.02 |
| English language faulty, New specification | 608.01(q) |
| English language required | 302.02, 140, 608.01 |
| Entity, small, claiming status as | 509.03 |
| Entry of amendment (see also Amendment) | 714.18 |
| Entry of "Contents" of file wrapper | 717.01 |
| Entry on Face of file wrapper | 717.02, 717.02(b), 1302.09 |
| Environmental Quality Program | 708.02, 1002.02(c) |
| Equity (civil action): | |
| Under 35 U.S.C. 145 | 1216, 1216.02 |
| Under 35 U.S.C. 146 | 1109(b), 1216, 2358 |
| Equivalents in art | 904.01(b) |
| Erasable (specially coated) paper | 608.01 |
| Erasure in specification, Before allowance | 1302.01 |
| Erasure in specification, Before Execution | 608.01 |
| Error in recording title documents | 323 |
| Error without deceptive intention | 140, 2022.05 |
| Essential material | 608.01(p) |
| Establishing subclasses | 903.02(c) |
| Estoppel, Collateral | 2012.01 |
| Estoppel, Defensive publication | 711.06 |
| Estoppel, Interference | 1109(a), 1109.02, 2358, 2363.03 |
| Evidence, Forms of, for public use or on sale | 2123 |
| Evidence submitted with protest | 1901.02 |
| Examination of application: | |
| After fraud consideration | 2022 |
| Fraud issue | 2020 |
| Order of | 707.02(a), 708 to 708.03 |
| Piecemeal | 707.07(a), 707.07(g) |
| Purpose | 701 |
| Reissue | 1440 |
| Secrecy during | 101 |
| "Secrecy order" case | 130, 1304 |
| Statutory authority | 701 |

Examiner:

| | |
|---|---------------------------------|
| Action | 707 |
| Actions counted | 1705 |
| Affidavit | 707.05 |
| Assignment of application for examination | 903.08(b) |
| Classification (see also Classification examiner) | 903 |
| Disposals | 1705 |
| Expressing Opinion of Validity | 305, 1701 |
| Name | 502 |
| New, Action indicated by Primary | 707.01 |
| Previous action by another examiner: | |
| Allowed claims | 706.04 |
| Interview | 713.01 |
| Search | 704 |
| Primary | |
| Actions requiring personal attention | 707.01, 714.16, 715.08(d), 1004 |
| Name on file wrapper | 1302.13 |
| Reasons for allowance | 1302.14 |
| Resigns | 708.03, 1702 |
| Resigns, old cases special | 708.03 |
| Suggestion of allowable claims | 707.07(j) |
| Telephoning attorney | 408, 1302.14 |
| Testimony as patent expert | 1701.01 |
| Treatment of protest | 1901.06 |
| Work Report | 1705 |
| Examiner docket time, time and activity recording | 1705 |
| Examiner's action (see also Action; Letter, Examiner's) | 707 |
| Examiner's amendment | 1302.04 |
| Abstract changed by | 608.01(b), 1302.01, 1302.04 |
| By initialing | 1302.04 |
| Claim, Nonstatutory, Canceled | 1302.04(b) |
| Claim, Numbers identifying | 1302.01, 1302.04(g) |
| Claim lost in interference, Canceled | 1109.02 |
| Claims, Nonelected invention, Canceled | 821.01, 821.02 |
| Coping application data | |
| brought up to date | 201.11, 1302.01 |
| Defensive Publication | 711.06 |
| Deposit Account charge | 1302.04 |
| Drawing correction | 608.02(w), 1302.04, 1302.05 |
| Extension of time required for | 706.07(f) |
| Formal matters | 1302.01, 1302.04 |
| Patented copending application data | 1302.04(f) |
| Plant patent practice | 1610 |
| "Printer Waiting" | 1302.04, 1309.01 |
| Reference citation corrected | 707.05(g) |
| Title of application | 606.01, 1302.04(a) |
| Examiner's answer: | |
| Appeal brief | 1208 |

INDEX

Examiner's answer:—Continued

New ground of rejection 1208.01
 Petition 1002
 Print of drawing 1204
 Reexamination 2275
 Reply brief 1208
 Special status 708.01
 Examiner's letter (see also Action; Letter, Examiner's) . 707
 Examiner's statement. (See Examiner's answer.)
 Examining Group Search Facilities Use Regulations . 510
 Example, Comments on 707.07(l)
 Example, Operative 608.01(p)
 Excess number of claims for fee,
 After notice of allowance 714.16(c)
 Excess number of claims for filing fee 714.10
 Execution of oath 604, 605.04
 Executive Order No. 5464 1608
 Executor or Administrator 409.01, 605.05
 Allowance and Issue 409.01(f)
 Application by, After discharge 409.01(c)
 Assigned application, Inventor dies 409.01(e)
 Authority 409.01(b)
 Consular certificate 409.01(b)
 Foreign country 409.01(b), 409.01(d)
 Heir 409.01, 409.01(a), 409.01(b), 409.01(d)
 Intervention not required 409.01(f)
 Specification form 605.05
 Exhausted Combination 706.03(i), 706.03(j)
 Exhibit 608.03
 Exhibit, Affidavit under 37 CFR 1.131 ... 715.07, 715.07(d)
 Exhibit at interview 713.08
 Exhibit, Handling 608.03(a)
 Ex parte questions 713.06
 Experimental public use 2128.01
 Experimentation, Disclosure requiring 608.01(g)
 Export control of patent applications 120, 140
 Exposure of papers during interviews 101, 713.07
 Expounding patent law 713.02
 Express abandonment 711, 711.01
 Express Mail Deposit 513
 Express Mail Service 502, 506.02, 513, 711.03(c)
 Expunge trade secret material 724.05, 1002.02(a)
 Extension of shortened response period 710.02(e)
 Extension of time 710.02(e), 1002.02(c), 1302.04
 For filing brief 1206, 1208.01, 1215.04
 General fee authorization, not petition 714.17
 Hand delivered 502
 Protest interview 1902, 1902.01, 1902.01(a)

Extension of time—Continued

Reexamination 2265
 Request 710.02(e), 1002.02(c)

F

Facsimile application 605.04
 Facsimile declaration or oath 506
 Federal Holiday within DC 505
 Federal license rights 310
 Federal Telecommunications System 408, 713.01
 Fee
 Appeal 1205
 Assignment recording 302.06
 Examiner Amendments 706.07(f)
 Extensions of time 706.07(f)
 Filing 607
 Claims in excess of 506, 607, 714.10
 Dependent claims 608.01(n)
 Deposit Account 509.01
 Design application 1505
 Inadequate 506
 International application 1810, 1827
 Reduction for small entities 509.02
 Return 506.01, 607.02
 Small Entity 509.03
 Issue:
 Deposit Account 509.01
 Failure to pay 712
 Interfering case, Not applied 2305.04
 Petition to accept 712
 Reduction for small entities 509.02
 Reissue 1455
 Fee, no requirement for in citation 2205
 Fee, Petition to revive 711.03(c)
 Fee for requesting reexamination 2215
 Fees, Payment of 509
 Fees, Reduction for small entities 509.02
 Field of search 708.03, 904.01(d), 1701
 Field of search, Notation by Examiner .. 705.01(a), 717.05,
 904.01(d)
 File wrapper 717
 Action entered 707.10
 Allowed case data entered 1302.09
 Amendment endorsed 710.05, 714.18
 Arrangement of papers 717.01(a), 1302.12
 Assignment endorsement 303
 Civil action 1216.02
 Classification data 717.03

MANUAL OF PATENT EXAMINING PROCEDURE

File wrapper—Continued

Completeness 724.01
 “Contents”, Entry in 717.01
 Continuing Rule 62 (FWC) 201.06(b), 201.07
 Correction of error 620.06, 717.02
 Data entered on 710.05, 717.02, 1302.09
 Drawings secured to 508
 Field of search 717.05
 Field of search, Patentability report 705.01(a)
 Foreign application cross-noting 202.03
 Foreign filing date entered on 717.06, 1302.06
 Index of claims 717.04
 Interference notation 2301.01(b)
 “Licensing and Review” stamp 140
 Name of applicant changed 717.02(b)
 Notation for
 continuing application 201.11, 202.02
 foreign application 202.03
 Notes to application of another party 101
 Papers in 717.01
 Parent case notation on 202.02, 1302.09
 Print of drawing 508, 717.01(b)
 Relation of application noted on 202.02, 717.07
 Residence changed 717.02(b)
 Return of paper entered on 717.01
 Signing and dating by Primary 1302.13
 Statutory period ends on nonworking day 710.05
 Files Repository 711.04(b)
 Filing date 502, 503, 505, 506, 506.02
 Effective, prior application 201.11
 Express Mailing date 506.02, 513
 Foreign application, Convention date
 (see Foreign application) ... 201.13, 201.14, 201.15
 International application 506, 1810
 Later filed application as disclosure 608.01(p)
 Patent Cooperation Treaty 506, 1810
 Petition 1002.02(h)
 Review by OACP
 (Special Program Examiner) 201.06(a), 702
 Review of Refusal to Accord 506.02
 Subsequent publication as disclosure 608.01(p)
 Filing date of reexamination request 2215
 Filing fee 607
 Claims in excess of 506, 714.10
 Deposit Account 509.01
 Design application 1505
 Inadequate 506
 Reduction for small entities 509.02
 Reexamination 2215
 Reissue application 1415

Filing fee—Continued

Return 140, 506.01, 607.02
 Filing receipt 502, 503
 Final action. (See Allowance and issue; Final rejection.)
 Final action, Special nature of 708.01
 Final fee. (See Issue fee.)
 Final rejection 706.07
 Amendment after 714.12, 714.13
 Amendment after, Entered in part 714.20
 First action 706.07(b)
 Interview 713.09
 Letter 706.07
 Patentability report 705.01(a)
 Petition to vacate 1002.02(c)
 Premature 706.07(c)
 Premature, Withdrawal 706.07(d)
 Primary’s attention required 1004
 Reexamination 2271
 “Secrecy order” application 130
 Special 708.01
 Time for response 706.07(f)
 When proper 706.07, 706.07(a), 706.07(b)
 Withdrawal 706.07(e)
 Withdrawal, Primary’s attention 1004
 Withdrawal of premature 706.07(d)
 Withdrawal prior to hearing on appeal 1208.02
 Final restriction requirement 818.03
 First action final rejection 706.07(b)
 First action form 707
 First foreign application (see Foreign application) . 201.13
 Fissionable material 706.03(b)
 Five year pendency 707.02(a), 708.01
 Flowchart of reexamination 2201
 Flowsheet 608.02
 Foreign application:
 Certificate of correction to perfect priority ... 201.16
 Certified copy to avoid reference 201.14
 Cross-noting on file wrapper 202.03
 Date, Entitled to 201.13 to 201.15
 Determination of priority 201.14, 201.15
 Disclosure 201.15
 English language translation
 for benefit of date 201.15
 Filing in foreign country 140
 First 201.13
 Form of request 201.14(b)
 German design applications 201.14(b)
 Great Britain 201.15
 Identification 201.14(d)
 License to file 140, 706.03(s)
 Listed on oath 201.14, 602
 More than one 201.14

Foreign application:—Continued

No claim for priority 201.14(c)
 No reference made in declaration 201.14(c)
 Noting earliest date on file wrapper .. 202.03, 1302.06
 Overcoming reference which is 201.15, 715
 Prior art cited in related 2001.06(a)
 Priority 201.13
 Papers not filed 201.14(b)
 Priority document in
 parent application 201.14(b), 201.14(c)
 Ribbioned 602.04(a)
 Same invention 201.15
 Seal 602.04(a)
 Statutory bar
 (See Foreign application) 201.13, 706.03(s)
 Time limits to submission 201.14, 201.14(a)
 Certificate of correction 201.16
 Reissue 201.14, 201.14(b), 201.16
 Translation required 201.15
 Foreign countries recognized for priority 201.13
 Foreign executed oath 602.04
 Foreign filing, Proving for priority 201.14
 Foreign filing date,
 Entitled to 201.13, 717.06
 On file wrapper 202.03, 1302.06
 Foreign filing license 140
 For PCT 115, 1832
 Foreign language
 Application 608.01
 Names 901.05(a)
 Oath or declaration 602.06
 Foreign patent:
 Citation 707.05(e), 901.05(a)
 Citation dates and
 information 901.05(a), 901.05(b), 1871
 Classification 903, 903.03
 Country Codes 1870
 Document cases, PCT 1870, 1871
 Duplicates 903.03
 Effective Date 901.05(b)
 Family of (INPADOC) 901.06(a)
 In prior art statement
 Journals 901.06(a)
 Law 901.05
 Library 901.06(a)
 Listing at allowance 1302.12
 Oppositions 901.05
 Ordering 901.05(c)
 Print of, Where obtained 901.05(c)
 Reference 901.05

Foreign patent:—Continued

Statutory bar (see Foreign
 application) 201.13, 706.03(s)
 Transfer 903.05
 Translation of 901.05(d)
 Unlicensed, Same applicant 706.03(s)
 Foreign priority (see Foreign application) ... 201.13–201.15
 U.S. filing date computed 201.13
 Foreword III
 Forfeited application 712
 Prior art 901.02
 Retention label 1302.07
 Forfeiture (see failure to pay issue fee) 712
 Formal drawings Rule 60 201.06(a)
 Formal matter:
 Allowance and issue 1302.01, 1302.02, 1302.04
 Amendment of case in issue 714.16
 Claim allowable except for 707.07(j)
 Response to objection 14.02
 Review of action involving Introduction
 Right of priority
 Prior Foreign application 201.13–201.15
 Prior U.S. application 201.11
 Specification format 608.01
 When taken up 707.07(a), 707.07(e),
 707.07(j), 714.02
 Former examiner restrictions 1702
 Forms and form letters:
 Amendment after Board decision, Refused .. 1214.07
 CD-244 103
 Certificate for 37 CFR 3.73(b) 324
 Change of address 2222
 D-10 130, 1304
 Decision on Motion 1105.06
 Election of species 809.02(a)
 Examiner's action PTO-326 707
 Examiner's answer 1208
 Examiner's statement on appeal 1208
 Final rejection 706.07
 Form 3.43 1490
 Form 3.54 201.06(a)
 Information disclosure statement 2214
 Interference 1105.06, 1106.02, 1106.03,
 1112.05 to 1112.10, 2309.02
 Notice of allowance, Assigned application .. 307, 1303
 Notice of references cited PTO-892 707.05(a),
 1303.12
 Reexamination request 2214
 Rejection of claim copied from patent 2307.02
 Restriction requirement 817

MANUAL OF PATENT EXAMINING PROCEDURE

Forms and form letters—Continued

| | |
|-------------------------------|---|
| Rule 60 filing | 201.06(a) |
| Small entity statements | 509.03 |
| PCT/ISA/210 | 1844 |
| PTO-14 | 901.09 |
| PTO-14A | 905.02, 2287 |
| PTO-14B | 905.02, 2287 |
| PTO-14 Reproduced | 905.02 |
| PTOL-37 | 602.03, 608.02(a), 608.02(b), 609, 707.05(g), 812.01, 1302.04, 1302.12 |
| PTOL-84 | 1208 |
| PTOL-85 .. | 203.08, 307, 308, 324, 502, 609, 1309, 1481 |
| PTOL-86 | 1608 |
| PTO-97 | 1302.04 |
| PTO-125 | 508.03 |
| PTO-150 | 1302.07, 1706 |
| PTO-152 | 409.01(b), 506, 602.03, 604.02, 605.02, 605.03, 707, 707.07(a) |
| PTO-250 | 905.01 |
| PTO-261 | 1112.05 |
| PTO-262 | 1112.05, 1204 |
| PTO-270 | 902.03(b), 903.07, 1302.10, 1455, 2287 |
| PTO-270 Reproduced | 903.09 |
| PTOL-271 | 714.16(d), 714.16(e), 2307.03 |
| PTOL-303 | 708.02, 714.13 |
| PTOL-316 | 707.05(g) |
| PTOL-319 | 714.03 |
| PTOL-326 Reproduced | 707 |
| Cited | 2.01.14(b), 201.14(c) 608.02(b), 706.07, 707.04, 710.02(b), 812.01 |
| PTOL-327 | 203.08, 608.02(b), 609, 708.02, 710.02(e), 711.01, 711.02 711.03(c), 714.13, 714.17, 1207, 1302.03, 1302.04, 1302.14 |
| PTO-328 | 903.07 |
| PTO-333 | 1215.04 |
| PTOL-404 | 1485 |
| PTO-413 | 1903.01 |
| PTOL-413 | 2281 |
| PTO-445 | 1431 |
| PTO-447 | 903.08(a), 903.08(d) |
| PTO-447A | 2237 |
| PTO-690E | 903.03, 1704, 2238 |
| PTO-850 | 1002.02(d), 1106.02, 1106.03, 1705, 2301.01, 2305.04, 2308.01, 2309.02, 2311, |
| PTO-850 Reproduced | 1112.05, 2309.02 |
| PTO-875 | 608.01(n) |
| PTO-892 Reproduced | 707.05(a) |

Forms and form letters—Continued

| | |
|-------------------------------|---|
| Cited | 609, 707, 707.05(a), 707.05(b), 707.05(c), 707.05(e), 707.05(g), 1208.01, 1302.04, 1302.12, 1901.06, 2246, 2257, 2290 |
| PTO-912 | 1705 |
| PTO-948 | 507, 608.02, 608.02(b), 707, 707.07(a) |
| PTO-1002 | 201.14(b), 201.14(c) |
| PTO-1050 | 1485 |
| PTOL-1094 | 608.02(a), 608.02(b) |
| PTOL-1101 | 1309 |
| PTO-1123 | 506 |
| PTO-1305 | 115 |
| PTO-1360 | 608.01(n) |
| PTO-1382 | 1820.12, 1830, 1832 |
| PTO-1411 | 2238 |
| PTOL-1432 | 711.04(c) |
| PTO-1449—Reproduced | 609, 2214 |
| Cited | 609, 707, 707.05(b), 2246, 2257, 2290 |
| PTO-1462 | 903.03 |
| PTO-1472 | 1705 |
| PTO-1474 | 707 |
| Form paragraphs: (Reproduced) | |
| 2.01 | 201.06 |
| 2.02 | 201.06(a) |
| 2.03 | 201.06(a) |
| 2.04 | 201.06(a) |
| 2.05 | 201.07 |
| 2.06 | 201.08 |
| 2.07 | 201.08 |
| 2.08 | 201.10 |
| 2.09 | 201.11 |
| 2.10 | 201.11 |
| 2.11 | 201.11 |
| 2.12 | 201.11 |
| 2.13 | 201.03 |
| 2.13.1 | 201.03 |
| 2.13.2 | 201.03 |
| 2.14 | 201.03 |
| 2.15 | 201.11 |
| 2.16 | 201.11 |
| 2.17 | 201.11 |
| 2.18 | 201.13 |
| 2.19 | 201.15 |
| 2.20 | 201.14(b) |
| 2.21 | 201.14(c) |

INDEX

Form paragraphs: (Reproduced)—Continued

| | |
|---------|------------------------|
| 2.23 | 201.14(c) |
| 2.24 | 201.14(c) |
| 2.25 | 01.14(c) |
| 2.26 | 201.14(c) |
| 2.27 | 201.14(c) |
| 2.28 | 201.06(b) |
| 4.01 | 403 |
| 4.02 | 406 |
| 4.03 | 406 |
| 4.04 | 406 |
| 5.01 | 502 |
| 5.02 | 512 |
| 5.03 | 903.08 |
| 6.01 | 608.01(a) |
| 6.02 | 608.01(a) |
| 6.02.1 | 605.04 |
| 6.03 | 602.01 |
| 6.04 | 602.05 |
| 6.05 | 602.05, 604.01, 605.02 |
| 6.05.10 | 602.05 |
| 6.06 | 603 |
| 6.07 | 604.02 |
| 6.08 | 604.04(a) |
| 6.09.1 | 605.03 |
| 6.10 | 605.04(b) |
| 6.11 | 606.01 |
| 6.12 | 608.01(b) |
| 6.13 | 608.01(b) |
| 6.14 | 608.01(b) |
| 6.15 | 608.01(b) |
| 6.16 | 608.01(b) |
| 6.17 | 608.01(j) |
| 6.18 | 608.01(n) |
| 6.19 | 608.01(p) |
| 6.19.1 | 608.01(p) |
| 6.20 | 608.01(v) |
| 6.21 | 608.02 |
| 6.22 | 608.02 |
| 6.23 | 608.02 |
| 6.24 | 608.02(b) |
| 6.26 | 608.02 |
| 6.27 | 608.02 |
| 6.28 | 608.01(q) |
| 6.28.1 | 608.01(q) |
| 6.29 | 608.01 |
| 6.30 | 608.01 |
| 6.31 | 608.01 |
| 6.32 | 608.01 |
| 6.33 | 714.22 |

Form paragraphs: (Reproduced)—Continued

| | |
|--------|----------------|
| 6.34 | 714.22 |
| 6.35 | 714.01(a) |
| 6.36 | 608.02(d) |
| 6.37 | 608.02(h) |
| 6.38 | 608.02 |
| 6.39 | 608.02 |
| 6.40 | 608.02 |
| 6.41 | 608.02 |
| 6.42 | 608.02 |
| 6.43 | 608.02 |
| 6.44 | 608.02 |
| 6.45 | 608.02(a) |
| 6.46 | 602.03 |
| 6.47 | 608.03 |
| 6.48 | 714.16(d) |
| 6.49 | 609 |
| 6.50 | 609 |
| 7.01 | 702.01 |
| 7.02 | 702.01 |
| 7.03 | 702.01 |
| 7.04 | 701, 706.03(a) |
| 7.05 | 706.03(a) |
| 7.06 | 706.03(k) |
| 7.06.1 | 706.03(k) |
| 7.07 | 706.02 |
| 7.08 | 706.02 |
| 7.09 | 706.02 |
| 7.10 | 706.02 |
| 7.11 | 706.02 |
| 7.12 | 706.02 |
| 7.13 | 706.02 |
| 7.14 | 706.02 |
| 7.15 | 706.02 |
| 7.16 | 706.02 |
| 7.17 | 706.03 |
| 7.18 | 706.02 |
| 7.19 | 706.02 |
| 7.20 | 706.02 |
| 7.20.1 | 706.02 |
| 7.20.2 | 706.02 |
| 7.21 | 706.02 |
| 7.21.1 | 706.02 |
| 7.22 | 706.02 |
| 7.23 | 706.02 |
| 7.24 | 804 |
| 7.24.1 | 804 |
| 7.25 | 804 |
| 7.25.1 | 804 |
| 7.26 | 804 |

MANUAL OF PATENT EXAMINING PROCEDURE

Form paragraphs: (Reproduced)—Continued

| | |
|--------|----------------------|
| 7.27 | 706.02 |
| 7.28 | 706.03(o) |
| 7.29 | 608.01 |
| 7.30 | 706.03 |
| 7.31 | 706.02 |
| 7.32 | 706.02 |
| 7.33 | 706.02 |
| 7.34 | 706.02 |
| 7.35 | 706.02 |
| 7.36 | 706.02 |
| 7.37 | 707.07 |
| 7.38 | 707.07 |
| 7.39 | 706.07 |
| 7.40 | 706.07(a) |
| 7.41 | 706.07(b) |
| 7.42 | 706.07(d) |
| 7.43 | 608.01(n), 707.07(j) |
| 7.43.1 | 707.07(j) |
| 7.43.2 | 707.07(j) |
| 7.43.3 | 707.07(a) |
| 7.44 | 608.01(n) |
| 7.45 | 608.01(n) |
| 7.46 | 706.03(u) |
| 7.47 | 706.03(u) |
| 7.48 | 706.03(u) |
| 7.49 | 706.03(u) |
| 7.50 | 706.04 |
| 7.51 | 714.14 |
| 7.52 | 709 |
| 7.53 | 709 |
| 7.54 | 709 |
| 7.55 | 709 |
| 7.56 | 709 |
| 7.57 | 715 |
| 7.58 | 715.05 |
| 7.59 | 715.07 |
| 7.60 | 715 |
| 7.61 | 715 |
| 7.62 | 715.07(a) |
| 7.63 | 715.07 |
| 7.64 | 715 |
| 7.65 | 716 |
| 7.66 | 716 |
| 7.67 | 714.13 |
| 7.67.1 | 706.07(f), 714.13 |
| 7.67.2 | 706.07(f), 714.13 |
| 7.68 | 714.13 |
| 7.69 | 714.13 |
| 7.70 | 714.13 |

Form paragraphs: (Reproduced)—Continued

| | |
|--------|-----------|
| 7.71 | 714.13 |
| 7.72 | 714.13 |
| 7.73 | 714.13 |
| 7.74 | 714.13 |
| 7.75 | 714.13 |
| 7.76 | 714.13 |
| 7.77 | 714.13 |
| 7.78 | 714.13 |
| 7.79 | 714.13 |
| 7.80 | 714.13 |
| 7.81 | 707.05(g) |
| 7.82 | 707.05(g) |
| 7.82.1 | 707.05(g) |
| 7.83 | 707.05(g) |
| 7.84 | 713.04 |
| 7.85 | 714.16(d) |
| 7.86 | 714.16(e) |
| 7.87 | 714.16(d) |
| 7.88 | 711.01 |
| 7.89 | 711.01 |
| 7.90 | 711.02 |
| 7.91 | 711.02(a) |
| 7.92 | 711.03(c) |
| 7.93 | 711.03(c) |
| 7.94 | 711.03(c) |
| 7.95 | 714.03 |
| 7.96 | 707.05 |
| 7.97 | 707.07(j) |
| 7.98 | 710.02(e) |
| 7.99 | 1002 |
| 7.100 | 707 |
| 7.101 | 707 |
| 7.102 | 707 |
| 8.01 | 809.02(a) |
| 8.02 | 809.02(a) |
| 8.03 | 809.02(c) |
| 8.04 | 821.03 |
| 8.05 | 821.01 |
| 8.06 | 821.02 |
| 8.07 | 821.02 |
| 8.08 | 817 |
| 8.09 | 817 |
| 8.10 | 817 |
| 8.11 | 817 |
| 8.12 | 809.03 |
| 8.13 | 806.04(b) |
| 8.14 | 806.04(b) |
| 8.15 | 806.05(c) |
| 8.16 | 806.05(d) |

INDEX

Form paragraphs: (Reproduced)—Continued

| | |
|----------------|------------------|
| 8.17 | 806.05(e) |
| 8.18 | 806.05(f) |
| 8.19 | 806.05(g) |
| 8.20 | 806.05(g) |
| 8.20.1 | 806.05(i) |
| 8.21 | 817 |
| 8.22 | 818.03(b) |
| 8.23 | 812.01 |
| 8.23.1 | 812.01 |
| 8.23.2 | 817 |
| 8.24 | 821.01 |
| 8.25 | 821.01 |
| 8.25.1 | 810.03 |
| 8.25.2 | 818.03(c) |
| 8.26 | 821.03 |
| 8.27 | 804.03 |
| 8.28 | 804.03 |
| 8.28.1 | 804.03 |
| 8.29 | 822 |
| 10.01 | 1002.02(b) |
| 10.02 | 1002.02(b) |
| 11.02 | 1109(b), 2363 |
| 11.03 | 1109.01, 2363.02 |
| 11.04 | 2305 |
| 11.05 | 2305 |
| 11.06 | 2305 |
| 11.07 | 2305.04 |
| 11.08 | 2305.04 |
| 11.09 | 2305.04 |
| 11.10 | 2307.05 |
| 11.11 | 2305.04 |
| 11.12 | 2307.02 |
| 11.13 | 2307.02 |
| 11.14 | 2307.02 |
| 11.15 | 2307.04 |
| 11.16 | 2315.01 |
| 11.17 | 2315.01 |
| 11.18 | 2305.04 |
| 11.19 | 2307.06 |
| 11.20 | 2307.06 |
| 12.01 | 1205 |
| 12.02 | 1205 |
| 12.03 | 1205 |
| 12.04 | 1205 |
| 12.05 | 1205 |
| 12.06 | 1205 |
| 12.07 | 1205 |
| 12.08 | 1206 |
| 12.09 to 12.13 | 1206 |

Form paragraphs: (Reproduced)—Continued

| | |
|----------------|---------------|
| 12.19 | 1214.07 |
| 12.20 | 1214.06 |
| 12.47 | 1208.04 |
| 12.48 | 1208 |
| 12.51 to 12.63 | 1208 |
| 12.70 to 12.78 | 1206 |
| 12.79 | 1208 |
| 13.01 | 1302.02 |
| 13.02 | 1302.04 |
| 13.03 | 1302.14 |
| 13.04 | 1308.03 |
| 13.05 | 1308.03 |
| 14.01 | 1414.01 |
| 14.02 | 1414.03 |
| 14.03 | 1414.03 |
| 14.04 | 1414.04 |
| 14.05 | 1416 |
| 14.06 | 1442.01 |
| 14.07 | 1442.03 |
| 14.08 | 1442.02 |
| 14.09 | 1442.02 |
| 14.10 | 1442.02 |
| 14.11 | 1442.02 |
| 14.12 | 1412.03 |
| 14.13 | 1412.03 |
| 14.14 | 1444 |
| 14.15 | 142 |
| 14.19 | 1414.02(a) |
| 17.01 | 401 |
| 17.11 | 512 |
| 18.02 | 1875.01 |
| 18.03 | 1875.01 |
| 18.04 | 1875.01 |
| 18.05 | 1875.01 |
| 18.06 | 1874 |
| 18.07 | 1875.01 |
| 18.08 | 1875.01 |
| 18.09 | 1875.01 |
| 18.10 | 1875.01 |
| 18.11 | 1874 |
| 18.21 | 1878.01(a)(1) |
| 18.22 | 1878.01(a)(2) |
| 18.23 | 1878.01(a)(2) |
| 18.24 | 1878.01(a)(3) |
| 18.25 | 1878 |
| 18.26 | 1878 |
| 18.27 | 1878 |
| 18.28 | 1876 |
| 18.29 | 1876 |

Form paragraphs: (Reproduced)—Continued

18.30 1876
 18.31 1878
 18.32 1878
 18.33 1876
 18.35 1878
 18.36 1878
 19.01 1901.06
 19.02 1901.06
 22.01 2246
 22.02 2247
 22.03 2258
 22.04 2260
 22.05 2258

Fraud

Argued in protest 1901.02, 1901.03, 1901.05
 In reissue 1442.04, 1448, 2012
 Typical issues 2020.02
 Fraud on the Patent and Trademark Office 509.03,
 2001.06(c)
 Fraudulent 706.03(p)
 Frivolous invention 706.03(p)
 Full faith and credit in prior Examiner's action:
 Allowed claims 706.04
 Interview 713.01
 Search 704
 Full name 605.04(b)
 Full signatory authority 1004
 Function of machine rejection 706.03(r)
 Functional claim, Rejection 706.03(c)
 Functional equivalents 706.02
 FWC
 Public access 103
 Rule 62 201.06(b)

G

Gazette, Official 1703
 Gazette, PCT 1877
 Gebrauchsmuster 201.13, 201.14(d), 202.03, 901.05(b)
 "General Information Concerning
 Patents" booklet 703
 General power of attorney for
 international application 1807
 Generic claim:
 Allowable 808.01(a), 809.02(b), 809.02(e)
 Definition 806.04(d)
 Informal 809.02(e)
 Markush group 706.03(y)
 Multiple applications 806.04(j)

Generic claim—Continued

Patentably distinct over other species 806.04(h)
 Presented after issue of patent 806.04(i)
 Rejection 806.04(j), 809.02(a)
 Species claims lacking 809.02(d), 818.02(b)
 Subcombination 806.04(c)
 Traverse of rejection in lieu of election 818.03(b),
 818.03(d)
 Genetic sequence information 2420
 Genus and species 806.04(a) to 806.04(j),
 808.01(a), 809.02
 German priority document 901.05(10)
 Geschmacksmuster 201.14(b)
 Good faith 2000, 2001
 Government license clause 310
 Government-owned application: Special 708.01
 Graphic symbols 608.02
 Great Britain, Complete specification 201.15
 Great Britain, Provisional specification 201.15
 Greek letter Phi usage 608.01(g)
 Group Art Unit Number 502
 Group date receipt and stamp 714.18
 Group Director 201.03, 201.14(c), 402.06, 708.02,
 714.01(a), 714.13, 714.25, 715.08,
 720.01, 804.04, 1002.02(c),
 1101.01, 1101.01(o), 1206,
 1207, 1208.01, 1214.04,
 1448, 1901.06, 1901.07(b),
 1902.01, 1902.01(a), 1906,
 2248, 2249, 2265, 2274,
 2283-2286, 2301.01(b),
 2303, 2305.04, 2306,
 2307.02, 2307.03, 2309.02
 Group Director's functions 1002.02(c), 1003
 Group, International Classification 903.09
 Guardian, Authority recorded 409.02
 Guardian of insane inventor 409.02
 Guidelines for conducting *inter partes* interviews 1903
 Guidelines for drafting an application 601
 Guidelines for drug disclosures 608.01(p)
 Guidelines for handling of citation in patent 1922

H

Hand delivery of papers 502, 714.13
 Handling of citation of prior art 2206
 Handling of inappropriate or untimely papers 2267
 Handling of mail and papers Chapter 500
 Handling of protest 1901.05
 Hearing on appeal 1209

INDEX

Heir as applicant (see also Administrator
or executor) 409.01, 409.01(a), 409.01(d), 1303.03
 Holiday, Papers not received 502
 Holiday, Period for response ending on 505, 710.05
 Holiday in District of Columbia. 502, 505, 710.05

I

ICIREPAT country codes 201.14(d), 901.05(d)(f)
 ICIREPAT identification numbers 901.04, 901.05(d)(f)
 Identification of papers 502, 503
 Identification of priority application. 201.14(d)
 Identity of inventors under 35 U.S.C. 119 201.13
 Idiomatic English 608.01(q)
 Implied election. 818.02, 818.02(a), 818.02(c)
 Improper joinder, Effect on patent 805
 Improper multiple dependent claim 608.01(n)
 Inaccurate claim 706.03(n)
 Incomplete amendments, Time
 for completing 710.02(c), 714.03
 Incomplete application 506, 608.01
 Completed 506.01
 Definition 203.06
 Drawing 507
 Invalid oath 604.06
 Return 506.01
 Return of filing fee 506.01
 Using again 506.01, 608.01(u)
 Incomplete claim, Rejection 706.03(d), 706.03(f)
 Incomplete protest 1901.03
 Incomplete requests for reexamination 2227
 Incomplete response 711.03(a), 714.03
 Time for completing 710.02(c), 711, 714.03
 Incorporation by reference 608.01(p)
 Incorrect citation of reference 707.05(g), 710.06
 Indefinite claim 706.03(d)
 Independent claim 608.01(n)
 "Independent" definition 802.01
 "Independent" inventions 802, 802.01, 803, 803.02, 806,
 806.04, 808.01, 808.01(a)
 Index of claims 707.07(i), 717.04
 Index of patents, Classification, Numerical 902.03(a)
 Index to the U.S. Patent Classification 902.01(a)
 Inequitable conduct 2001.06(c)
 Reissue 1443, 1446
 Informal application 506, 702.01
 Primary Examiner's attention required 1004
 Search 702.01, 704
 Informal drawing 507, 608.02(b)

Informal requests for reexamination 2228
 Informality,
 Action calling attention to. 707.07(a), 707.07(j),
 710.02(b), 714.14
 Information Center (see Scientific Technical
 Information Center) 901.06(a)
 Information Disclosure Statements 609
 Information on status of application
 referred to in patent 102
 Information, Requirements for 2021.04
 Information retrieval from PALM 1704
 Information sent to applicant for his guidance 703
 Information submitted with protest 1901.02
 Information which must be disclosed 2001.04
 INID codes 901.04, 2290
 Initial examiner review of reissue 1443
 Initial sentence in Office action 707.04
 Ink:
 Color,
 Black 707.10, 717.02, 717.05
 Red 714.18, 717.02
 Permanent 608.01, 714.07, 714.19
 Inoperativeness 608.01(p), 706.03(p)
 Affidavit 716
 INPADOC 901.06(a)
 Inquiries, Official and Congressional. 203.08(a)
 Inquiries regarding patent search examination
 or validity 1701
 Inquiry as to status of application. 203.08
 In re Bass type rejection 2217
 Insane 409, 409.02
 Inspection:
 Amendment 714.05
 Application 103, 104
 Approval of power 104
 Assignment 301.01
 Authorization 402
 By assignee. 104, 106, 106.01
 By disbarred attorney. 105
 By inventor 106
 By licensee 106.01
 Control of, By assignee 106
 International application 110
 Patent file 103
 Petition 103
 Record Room 103
 Reissue application 103
 Right of 103, 104, 106
 Insufficient disclosure. 608.01(p)

MANUAL OF PATENT EXAMINING PROCEDURE

Insufficient response 710.02(c), 711.02(a),
711.03(a), 714.03

Inter-American Convention 201.13

Interference (Current practice) Chapter 2300

 Abandonment, suppression or
 concealment, notice 2332

 Access to files 2312

 Action after 2363

 Action after reexamination 2284

 Action made when suggesting claims 2305.01

 Action suggesting claims 2305, 2305.04

 Addition of new party 2342

 Adverse judgment, request for entry 2362

 Affidavits, sealed by Board 2309.03

 After notice of allowance 2307.03

 All parties claiming invention to be included 303

 Allowance of losing party's application 2363.03

 Amendment filed during 2364.01

 Applicant requests interference with patent 2304, 2307

 Application already in interference 2305.04

 Application and patent in different groups. 2306

 Applications in different groups 2301.01(a)

 Arbitration 2390

 Assignee, prosecution by 2343

 Attorney, parties have same 2305, 2309.02, 2313

 Basis of practice 2300.01

 Between application and patent 2306 to 2308.03

 Between applications 2303, 2304

 Briefs for final hearing 2356

 Burden of proof 2357

 Cancellation of losing party's claims 2363.03

 Change from old to new rules 2300.01

 Claim of foreign priority by patentee
 not considered 2308.01

 Claim interpretation 2301.01

 Claim presented corresponding
 to patent claim 2306 to 2308.03

 Claims, not identical 2303

 Claims, overlapping in two applications
 of same party 2315.01

 Claims, suggesting 2305 to 2305.04

 Claims, unpatentable over suggested claim ... 2305.01

 Claims corresponding to patent claims,
 rejection 2307.02

 Common ownership 2302

 Concession of priority 2362

 Concurrent with appeal 2315

 Consultation with examiner 2340

 Consultation with Examiner-in-Chief 2309.05,
 2363.03

Interference (Current practice)—Continued

 Conversion of inventorship 2334

 Coping reexamination 2284

 Copied patent claim not identified 2305

 Count, defined 2301.02

 Counts, formulation of 2309.01

 Dates, difference in effective filing 2303

 "Decision Noted" 2363

 Decision on motion 2340

 Declaration 2311

 Definitions 2301.02

 Depositions 2374, 2376, 2377, 2378

 Depositions, errors in 2385

 Disclaimer, statutory 706.03(u), 710.02(d), 2362

 Discovery 2351, 2387, 2388

 Drawing, losing party's obtaining
 copy of 2363.03

 Election of invention not affected 820.02

 Entry of amendment filed in connection
 with motion 2364

 Estoppel 2358, 2363.03

 Evidence 2371, 2382

 Examiner's entry on interference file 2363

 Examiner-in-Chief handles 2310

 Exceptions to applicability of new rules 2300.01

 Exhibits 2353

 Extension of time 2345

 Failure to identify patent when
 claims presented 2305, 2307.05

 Failure to present suggested claim 2305.01

 Federal Rules of Evidence 2300.02, 2371

 File wrapper notation 2301.01(b)

 Final decision 2355, 2356, 2358

 Final hearing 2354

 Foreign application, benefit 2309.02, 2333.02

 Foreign country, testimony in 2384

 Foreign language, translation 2347

 Generic claims 2303

 Group Director approval required . . . 2303, 2305.04,
 2306, 2307.02, 2309.02

 Identification of patent, corresponding
 claims presented 2307.05

 Initial memorandum 2309.02

 Inspection of affidavits and declarations ... 2309.03

 Inter partes questions not to be
 discussed ex parte 2314

 Interpretation of claims 2301.01

 Interview prohibited 2314

 Judicial review 1216, 1216.01

 Jurisdiction over interference 2314

Interference (Current practice)—Continued

Lead attorney 2313
 Litigation, notice of 2360
 Losing party, may obtain copy of
 opponent's application 2363.03
 Losing party, treatment of 2363.03
 Memorandum, initiating 2309.02
 Motions:
 Applications not involved
 in interference 2333.01
 Benefit of foreign filing date 2333.02
 Content 2337
 Correct inventorship 2334
 Decision 2340
 Declare additional interference 2337
 Evidence in support 2339
 For judgment, prior art applicable to movant. 2333
 Hearing 2340
 Miscellaneous 2335
 Opposition 2338
 Preliminary. 2333 to 2333.02, 2336 to 2340
 Reconsideration 2340
 Reply 2338
 Time for filing 2336
 Multiple dependent claims 2309.02
 Multiple patents involved 2306
 New reference found 2341
 New rules, applicability 2300.01
 No interference in fact 2301.02, 2363.01
 Nonelected claims 2303
 Notation on file wrapper, allowed application....2305.04
 Notation on file wrapper,
 possible interference 2301.01(b)
 Notification of patentee, attempt to
 provoke interference 2307.06
 Order to show cause:
 After decision on motions 2333, 2340
 Insufficient showing under 37 CFR 1.608(b) . 2317
 No opening brief for final hearing 2356
 Outline of procedure 2300.02
 Overlapping applications 2315.01
 Patent date earlier than
 application date 2308.01, 2308.02
 Patent date later than application date 2308.03
 Patent in different group 2306
 Patent Law Amendments Act of 1984 2300.01
 Petitions 2344
 Power of attorney filed 402.08
 Preliminary motions . . . 2333 to 2333.02, 2336 to 2340
 Preliminary statement 2321 to 2329

Interference (Current practice)—Continued

Preliminary statement, access to 2331
 Preparation of papers by examiner 2309, 2309.02
 Prosecution by assignee 2343
 Protest, notice of. 2360
 Public use proceeding 06.03(v)
 Publishing Division notified 2305.04
 Reconsideration of decision on motion 2340
 Reconsideration of final decision 2358
 Record in each interference complete 2309.04
 Reexamination, copending with interference ... 2284
 Reexamination, notice of 2360
 Reexamination, presentation of claims for
 interference with patent under 2307.04
 Reference found during interference 2341
 References pertinent to motions,
 made of record 1302.12
 Reinstatement of action. . . . 2307.01, 2363.02, 2363.03
 Reissue application 2301.01, 2358, 2360, 2362
 Reissue application, notice of 2360
 Rejection of claims corresponding to
 patent claims 2307.02
 Rejection of claims unpatentable over
 suggested claim. 2305.01, 2305.02
 Requirements for interference 2303, 2306
 Response to suggestion for claims. 710.02(c), 2305,
 2305.03
 Return of papers 2318
 Revocation of power of attorney 402.08
 Rule correlation table 2300.01
 Sanctions 2316
 Search 2301.01(b)
 Second interference 2365
 Secrecy order case 2309.06
 Service of papers 2346
 Settlement agreements 2366
 Showing under 37 CFR 1.608(b) 2308.02
 Special dispatch 708.01, 2307, 2307.02, 2311
 Statutory basis 708.01, 2300.01
 Subpeona 2371
 Subsidiary of corporation,
 common ownership 2302
 Suggestion of claims 2305 to 2305.04
 Suggestion of claims, time limit .. 710.02(c), 2305.02
 Summary judgment 2317
 Suspension of action pending outcome
 of reexamination 2284
 Suspension of *ex parte* prosecution 709.01, 2315,
 2315.01
 Terminated open to public 103

MANUAL OF PATENT EXAMINING PROCEDURE

Interference (Current practice)—Continued

Termination 2361
 Testimony..... 715.07(b), 2300.02, 2351, 2352,
 2372, 2383, 2384
 Time limit for reply 2305.02, 2307.02
 Time schedule, two-party interference 2300.02
 Title reports..... 2309.02
 Transcript of deposition..... 2378, 2379
 Transfer of application..... 2301.01(a), 2306
 Translation of documents..... 2347
 Two periods for response running 2307.02
 Unauthorized papers, return 2318
 Winning party 710.02(b), 2363.02
 Withdrawal of application from issue..... 2305.04,
 2307.03
 Withdrawal of outstanding action 2307.01
 Witness, examination of..... 2373, 2375

Interference (Old practice) Chapter 1100

Abandonment of contest 108, 1109(a), 1109.02
 Action after award of priority 1107, 1109(b)
 to 1109.02
 Action after award of priority, Losing party..... 1109.02
 Action after award of priority, Winning party .. 109.01
 Action after dissolution 1109(a)
 Addition of new party 1106.02
 Additional interferences 1106, 1106.01, 1106.02
 After decision on motion 1106.01
 Amendment filed during 1111.05
 Amendment in connection with motion..... 1108
 Appeal to CAFC..... 1109(b), 1216
 Briefs on motion 1105.01
 Cancellation of losing party's claim 1109.02
 Civil action under 35 U.S.C. 146 1109(b), 1216
 Concession of priority 1108, 1109.02
 Consultation with Examiner-in-Chief 1111.13
 Conversion of joint application to sole..... 1111.07
 Conversion of sole application to joint..... 1111.07
 Correction of error in joining inventor..... 1111.14
 Counts, Patentably distinct 1105.03
 Decision Noted 1107
 Decision on motion, Approved by
 Board Member 1105.01
 Decision on motion, Letter 1105.06
 Decision on motion, Primary's attention.. 1105, 1105.01
 Disclaimer 1108, 1109(a), 1109.02
 Disclaimer, Rejection 706.03(u), 710.02(d)
 Dissolution on motion of examiner 1105.05
 Divisional applications, Prosecution 1111.03
 Drawing, Losing party obtaining copy
 of opponent's 1109.02

Interference (Old practice)—Continued

Elections not affected 820.02
 Entry of amendment filed in
 connection with motion 1108
 Estoppel rejection 1109(a), 1109.02
 Examiner's entry on interference file 1107
 Ex parte consideration not given in
 inter partes proceedings. ... 1105, 1111.01, 1111.07
 Foreign application relied on:
 Papers filed 201.14(b)
 Shifting burden of proof 1105.04
 Foreign filing date benefit 1111.10
 Forms used in Interferences 1112.05 to 1112.10
 Declaration, initial memorandum 1112.05
 Denying Entry of Amendment Seeking
 Further Interference 1112.10
 Primary Examiner Initiates Dissolution... 1112.08
 Index sheet, Interference file 1107
 Initial Memorandum 1112.05
 Interview prohibited..... 1105, 1111.01
 Joint to sole 1111.07
 Jurisdiction of interference 1104
 Losing party, treatment of claims ... 1109(a), 1109(b),
 1109.02
 Losing party may obtain copy of
 opponent's application 1109.02
 Memorandum initiating 1112.05
 Motion:
 Add or substitute application 1105.03
 Amend 1105.03
 Burden of proof 1105.04
 Decision requires Primary's attention ... 1105,
 1105.01
 Decisions requiring Board
 Member approval 1105.01
 Dissolve 1105.02
 Dissolve Examiner's 1105.05
 Notice in application, § 1.231 1111.06
 Reconsideration 1105.07
 Substitute sole for joint 1111.07
 Under § 1.231 1105
 New reference found 1105.05
 Open to public inspection if patent involved... 103
 Overlapping application 709.01, 1111.03
 Petitions decided by Chairman 1002.02(f)
 Petition for reconsideration of
 decision on motion 1105.07
 Power of attorney filed 402.08
 Primary Examiner, Matters requiring
 decision by 1105, 1105.01

Interference (Old practice)—Continued

Motion:—Continued

Prosecution closed before interference,
 Reopened only as to interference
 subject matter 1109.01, 1109.02
 Reconsideration of decision on motion.... 1105.07
 Record in each interference complete.... 1111.02
 Redeclaration 1106
 Reexamination copending 2284
 Reference found after declaration 1105.05
 Referred to Primary Examiner for question
 of patentability 1105.05
 Reforming 1106.01
 Reinstated 1106.03
 Reissue application 1111.08
 Rejection of estoppel 1109(a), 1109.02
 Requesting jurisdiction of interference 1104
 Response to suggestion of claims 710.02(c)
 Search 130, 1302.08
 Separate papers in each application .. . 1111.02
 Sole to joint 1111.07
 Special 708.01
 Statutory basis 1100
 Terminated, Right to inspect103
 Termination 107
 Termination, Cancel claim 1109.02
 Testimony equivalent to 37 CFR 1.131
 affidavit 715.07(b)
 Winning party, Unanswered
 action.....710.02(b),1109.01

Interlibrary Loans 901.06(a)

Interlineation in specification before execution ... 608.01

International application:

Abstract 1826
 Access 101, 110
 Agent 1807, 1864.04
 Amendment before the Designated Office . 1893.01(b)(2)
 Amendment of Claims before International
 Bureau 1853
 Amino acid sequence 1823.02
 Applicant 1810
 Applicants Different for Different
 Designated States 1817.01
 Assignment Document 301
 Attorney 1807
 Attorney File Number 1821
 Claims 1824
 Common Representative 1807
 Confidential Status 101, 110
 Content 1812

International application—Continued

Continuation 1817.02
 Continuation of 1895
 Continuation-in-part 1817.02
 Correspondence 1834
 Declaration 1893.01(e)
 Definition 201
 Deposit Accounts 509.01
 Description 1823
 Designated Office 1801, 1893.01(a)
 Designated Office Receipt 1890
 Designation fee 1817.01, 1827
 Designation of States 1817.01
 Drawings 1825, 1893.03(f)
 Drawings missing 1825
 Early Processing National Stage 1893.01
 Elements 1812
 Errors, rectification of 1836
 Fees 1827, 1893.01(c)
 Filing date 1810
 Foreign Filing License 1832
 Formal Requirements 1810
 Forms:
 PCT/ISA/210 1844
 PCT/IPEA/401 1865
 PCT/IPEA/408 1878
 PCT/IPEA/409 1879
 PCT/IPEA/416 1879
 Home copy 1842
 International Preliminary Examination 1860
 International Search 1843
 International Searching Authority 1840
 Inventor 1817.01, 1820, 1893.01(e)
 Inventors Different for Different
 Designated States 1817.01
 Kinds of Protection 1817.01
 Mail Service 1834, 1834.02
 Member States 1817
 Microorganism Deposit 1823.01
 National Stage 1893, 1896
 Numbering 1812
 Oath 1893.01(e)
 Parent to national application 201.11(a), 1817.02
 Power of Attorney 1807
 Precautionary designations 1817.01
 Prior Art Effect 1895.01
 Priority 201.13(b), 1830
 Priority Document 201.13(b), 1828
 Publication 1857
 Record Copy 1842

MANUAL OF PATENT EXAMINING PROCEDURE

International application—Continued

| | |
|---|------------------------------|
| Rectification of obvious errors | 1836 |
| Refund of fees | 1827,1847 |
| Representation | 402.09 |
| Request | 1821 |
| Search Copy | 1842 |
| Search Fee | 1827 |
| Search Report | 707.05, 1844 |
| Secrecy Order | 110, 120, 1832 |
| Signature of Applicant | 1820 |
| Time Limits | 1844.01, 1879.01 |
| Title | 1821 |
| Translation Before the Designated Office | 1893.01(d) |
| Transmittal Fee | 1827 |
| Transmittal Letter | 1830 |
| Unity of Invention | 823,, 1850, 1875, 1893.03(d) |
| Withdrawal | 1859, 1880 |
| International classification | 903.09 |
| International Convention | 201.13 |
| Date | 201.14 |
| International fee | 1827 |
| International Patent Classification | 717.05 |
| International Searching Authority | 1840 |
| International Trade Commission | 724 |
| International-type search | 707, 1852 |
| Inter partes interviews guidelines | 1903 |
| Inter partes questions | 713.06 |
| Interpretation of law, New | 1208 |
| Intervening rights in reexamination | 2293 |
| Intervention by assignee | 106 |
| Interviews: | 713 |
| Advance indication of issues to be discussed. | 713.01 |
| Allowed application | 713.05, 713.10 |
| Appointment in advance | 713.01 |
| Attorney not of record | 402 |
| Authority to conduct | 713.05 |
| Before filing | 713.02 |
| Before filing amendment under 37 CFR 1.312 | 713.10 |
| Before first action | 706.07(b), 713.01, 713.02 |
| Demonstration | 713.08 |
| Disbarred attorney | 105, 713.05 |
| During interference, Refused | 1111.01 |
| During working days only | 713.01 |
| Exhibit | 713.08 |
| Exposure of other cases during | 101, 713.07 |
| Extension of time in protest | 1902.01(d) |
| Field of search | 713.02 |
| Finally rejected application | 706.07(f), 713.09 |
| How conducted | 713.01 |
| Inter partes guidelines | 1902.01, 1902.01(a), 1903 |

Interviews—Continued

| | |
|-------------------------------------|---|
| Inter partes questions | 713.06, 1111.01, 2314 |
| Interview Summary Form | 713.04 |
| Local attorney | 713.03, 713.05 |
| Made of record | 713.01, 713.04 |
| Model | 713.08 |
| Notice in protest | 1902.01(c) |
| Oral agreement not binding | 713.04 |
| Patentability report cases | 715.01(f) |
| Prior to first Office action | 706.07(b), 713.02 |
| Prohibited | 713.05 |
| Protestor participation | 1902 |
| Question of patent validity | 1701 |
| Record of, <i>Inter partes</i> | 1903.01 |
| Record of substance required | 713.01, 713.04 |
| Reexamination | 2281 |
| Refused. | 713.01, 713.02, 713.05, 713.10, 1111.01, 2314 |
| Requested in continuing application | 706.07(b) |
| Requested in Office action | 707 |
| Sounding out | 713.03 |
| Special situations | 713.05 |
| Substance made of record | 713.04 |
| Telephone | 408, 713.01, 713.05, 812.01 |
| Time allowed | 713.01 |
| Videotape showing | 713.01 |
| Where held | 713.01 |
| Introduction | I |
| Invention (See Patent; Rejection.) | |
| Invention, Brief summary | 608.01(d) |
| Detailed description | 608.01(g) |
| Mode of operation | 608.01(h) |
| Invention, Not originally claimed | 603 |
| Inventive entity, Same | |
| (overlapping subject matter) | 804, 804.03, 822,822.01 |
| Inventor (see also Applicant) | 605 |
| Common, at least one | 201.06, 201.11 |
| Correction | 201.03, 1481 |
| Deceased | 409 to 409.01(f), 1820 |
| Duty of disclosure | 2001.01 |
| Foreign priority | 201.13 |
| Heirs | 409.01(a), 409.01(d) |
| Insane | 409, 409.02 |
| International application | 1812 |
| Name change | 605.04(c), 717.02(b) |
| Correction. | 201.03, 605.04(g) |
| Order. | 605.04(f) |
| Typographical, translation error | 201.03 |
| None available | 409, 409.03(b) |
| Proof | 409.03(d) |

INDEX

Inventor (see also Applicant)—Continued

- None available—Continued
 - Proof of irreparable damage 409.03(g)
 - Proof of proprietary interest 409.03(f)
- Order of 201.03, 605.04(g)
- Pro se 707.07(j), 713.01
- Refuses to sign 409, 409.03(d)
- Representative 400, 401, 1706
- Residence 605.02
- Rule 60 201.03, 201.06(a)
- Rule 62 201.03, 201.06(b)
- Self-prosecuted case 707.07(j), 713.01
- Small entity status 509.02
- Unavailable 409, 409.03
 - At least one joint inventor available. . . 409.03(a)
 - Last known address. 409.03(e)
 - Proof 409.03(d)
 - Proof of irreparable damage 409.03(g)
 - Proof of proprietary interest 409.03(f)

Inventor's Certificate:

- Priority benefit 201.13(a)
- Rejection based on 706.02, 706.03(s)

IPC (International Patent Classification) 903.09

Irreparable damage, Proof of. 409.03(g)

Issue (See Allowance and issue.)

Issue Batch Number 502, 1303.01

Issue Fee:

- Calculation 1306
- Failure to pay 203.07, 712, 1306
- Interfering case, Not applied 2305.04
- Late payment 712
- Petition to accept 712, 1002.02(b)
- Reissue 1455
- Termination of applicant's rights 1306.03

Issue of patent 1309

Issue of patent to assignee 307

Issue slip 903.07

Issuing in another Group without transfer 903.07(b)

J

Jacket (see also File wrapper) 717

Japanese year system 901.05(a)

Joinder, Linking claim allowed 809.04

Joinder of inventors 409.03(j)

Joint application, Definition 201.02

Joint application, Original oath 602

Joint application, Signatures 605.04(f)

Joint inventor:

- Oath 602
- Power of attorney to 402.01

Joint inventor:—Continued

- Refuses to sign application 409.03, 409.03(a)
- Rights of nonsigning 409.03(i)

Joint inventors 201.02, 201.03, 605, 605.07

Change in order of names 605.04(f)

Joint owners 605

Joint to Joint 201.03

Joint to sole, changing 201.03, 201.06,
201.07, 201.08, 1481

File forwarded to Application Division 201.03

Interference pending 1111.07

Journal, Patent Office Society 707.06

Judicial notice 706.02(a)

Jumbo patents 707.05(a)

Jurisdiction:

Allowed application 714.16, 1305

Appealed application 1210

Application before court 1216

Application in interference 2314

Interference 1104, 2314

Jurisdiction of notary 604.03

K

Kinds of application 201

Kinds of protection under the Patent

Cooperation Treaty 1817.01

L

Lack of good faith 2000, 2001

Lack of unity of invention 803, 923

Lack of utility 608.01(p), 706.03(p)

Language, Offensive 608, 1504

Language of papers 608.01

Late claiming 2126.01

Late payment of issue fee 712

Law, New interpretation of 1208

Laws, Patent (see also Statutes) Introduction

Legal effect of amendments 2234

Legal representative refuses to sign 409.03(c)

Letter (see also Action; Forms and form letters;

Letter, Examiner's):

Abandoned after allowance 711.05

Congressional inquiry 203.08(a)

Drawing correction, Approval

by Examiner 608.02(q)

Drawing correction, Separate letter 608.02(r)

Drawing transfer 608.02(i)

Official inquiry 203.08(a)

Status 203.08

MANUAL OF PATENT EXAMINING PROCEDURE

Letter, Examiner's (see also Action; Forms

and form letters) 707
 Abandonment 711.02
 Advisory action 706.07(f), 714.13
 Amendment after final rejection 714.13
 Arguments answered 707.07(f)
 Cancellation of nonelected claim ... 821.01, 821.02
 Claim allowable except as to form 707.07(a),
 707.07(j), 710.02(b), 714.1
 Claim summary 707.07(i)
 Complete and clear 707.07
 Copies of references 707.05(a)
 Copy to applicant 707.12
 Correction, Period for response 707.05(g), 710.06
 Correction of citation 707.05(g)
 Date stamped 707.11
 Decision on motion 1105.06
 Decisions, cited 707.06
 Draftsman's criticism in first
 Office action 608.02(a), 707.07(c)
 Election of species required;
 Concluding paragraph . . . 809.02(a), 809.02(b)
 Examiner signature at end of letter 707.09
 Examiner's Amendments 706.07(f), 1302.04
 File wrapper entry 707.10, 717.01
 Final rejection, Clearly stated 706.07
 Final rejection, Concluding statement 706.07
 Final rejection, Patentability report 705.01(a)
 First action, Includes Draftsman's
 comments 608.02(a), 707.07(c)
 Formal drawing required 608.02(b)
 Formal matters... 707.07(a), 707.07(e), 707.07(j), 714.02
 Full anticipation, Expressions used . . . 706.02, 706.07(d)
 Informal application 702.01
 Initial sentence 707.04
 Initialed by Examiner 707.08
 Interference forms 1105.06, 1106.02,
 1106.03, 1112.05 to 1112.10, 2309.02
 Language in rejecting 707.07(d)
 Mailing 707.12, 1303
 Memorandum cited 707.06
 New Examiner, Primary indicates 707.01
 Notices cited 707.06
 Numbering of paragraphs 707.07(k)
 Omnibus rejection 707.07(d)
 Orders cited 707.06
 Outstanding requirements 707.07(e)
 Personal matter excluded 707.07(d)
 Piecemeal prosecution 707.07(g)
 Power of attorney invalid or lacking 402

Letter, Examiner's—Continued

Preliminary amendment in new case .707.04, 714.09
 Primary signs 706.07, 707.01, 707.09
 Primary's attention required, List 1004
 References, Citation 707.05 to 707.05(g),
 901.04, 901.05(a)
 Refusing entry of amendment
 after Board decision 1214.07
 Rejection of claim corresponding
 to claim of patent 2307.02
 Remailing 707.13, 710.06, 1303.02
 Restriction requirement 803, 817
 Returned 707.13
 Reviewed by Examiner 707.08
 Shortened time for reply 710.02
 Signature 707.09, 707.10, 1302.13
 Statement of rejection 707.07(d)
 Status letter reply 203.08
 Statutory basis 707.07(d)
 Summary 707.07(i)
 Supplemental 710.06
 Undelivered 707.13, 1303.02
 Letters, Receipt and handling Chapter 500
 Letters of administration .. 409.01(b), 409.01(c), 409.01(e)
 Letters testamentary 409.01(b)
 Library, Scientific (See Scientific and Technical
 Information Center)..... 706.03(s), 707.05(e),
 717.05, 901.06(a)
 Library Services 901.06(a)
 License agreements under patent, recording 310, 313
 License rights clause 310
 License to file Foreign Application 115, 140, 706.03(s)
 License to file international application 110, 140, 1832
 Licensee, Access 106.01
 Licensing and Review Section 115-151, 706.03(b),
 706.03(s) to 151
 Limited time for reply 2307.02
 Linking claim 809, 809.02, 809.03, 809.04
 Traverse of rejection 818.03(d)
 List of countries giving right of priority 201.13
 List of decisions Appendix II
 List of forms. (See Forms and form letters.)
 List of prior art in reexamination 2257
 List of PTO mail boxes (see Box)
 Literature citation in specification 608.01(p)
 Lithographic and drafting firms, Access 101
 Litigation information, Duty to disclose 2001.06(c)
 Litigation involving patent 1442.04
 Litigation not stayed in reissue 1442.02
 Litigation-Reexamination copending 2286

INDEX

Litigation related reissue 1404, 1442.01, 1442.02
 Litigation, Stays considered in 1442.05
 Litigation, Stays denied 1442.05(b)
 Litigation, Stays granted 1442.05(a)
 Litigation, Suspension of action 2021.02
 Living matter 2105
 Local representative of attorneys 408

M

Machine, Process or product an 806.05(e),
 806.05(f), 806.05(g)

Mail:

Address 501
 Boxes for PTO (see Box)
 Depositing papers 502
 Distribution 501
 Express 502, 513, 711.03(c)
 Identification 502, 503
 Receipt and handling Chapter 500
 Undelivered 707.13, 1303.02
 Zip Code 502
 Mail date as filing date 513
 Mailing action 707.12, 1303
 In reexamination 2264
 Mailing, Certificate of 512, 711.03(c)
 Mandatory Classification 903.07
 Manual, Authority of page III
 Manual, Checklist of pages of page VI
 Manual, Subscription address title page
 Manual of Classification 902.01
 Manuscript decision 707.06
 Margin, Application papers 608.01
 Mark of applicant 605.04(d)
 Marking in application, erasing at allowance 1302.01
 Marking patent copy 905.04
 Marking, Security 121
 Markush claim 706.03(y)
 Antedating reference for 715.03
 Supporting disclosure 608.01(p)
 Materiality of information disclosed 2001.05
 Mathematical Algorithms 706.03(a), 2106, 2110
 Matter not in original disclosure 608.04(a)
 Matter not original claimed 603
 MCF (Master Classification File) 902.03(a)
 Mechanical search 717.05
 Memorandum, citation 707.06
 Merger of reexamination and reissue 2285
 Merits, Appeal to Board of Patent Appeals
 and Interferences Introduction
 Method, Obvious 706.03(q)

Method and apparatus or product . 806.05(e), 806.05(f), 820
 Method of doing business 706.03(a)
 Metric (S.I.) system usage 608.01
 Microorganisms, Deposit of 608.01(p), 1823.01
 Microorganisms, Patentability of 706.03(a), 2105
 Military Officer Notary 604.03(a)
 Misjoinder, Effect on patent 805
 Misjoinder of Inventors 201.03, 1481
 Missing patent copy, Replacement 901.09
 Mode, best 608.01(h)
 Mode of operation 608.01(h)
 Model 608.03
 Model, Return 608.03(a)
 Model at interview 713.08
 Model filed in priority country 201.14(b)
 "Months", Foreign language names 901.05(a)
 Motion (Interference):

 Add or subtract application 1105.03, 2333
 Amend 1105.03, 2333
 Burden of proof 1105.04
 Content 2337
 Decision requires Primary's attention 1105
 Dissolve 1105.02
 Dissolve, Examiner's request 1105.05
 Miscellaneous 2335
 Notice in application 1111.06, 2333.01
 Preliminary 2333
 Reconsideration 1105.07, 2340
 Substitute sole for joint 1111.07, 2334

Multiple dependent claims:

 Fee calculation 607, 608.01(n)
 Handling 608.01(n)
 Restriction practice 608.01(n)
 Multiple papers on same issue in protest 1901.07(b)
 Multiplicity of claims, Rejection 706.03(k), 706.03(l)

N

Name:

 Change 605.04(c), 717.02(b)
 Correction 201.03, 605.04(g)
 Order 605.04(f)
 Translation, typographical error 201.03
 Change, File sent to Application Division .. 605.04(c)
 Corrected by amendment 605.04(g)
 Full first or middle 605.04, 605.04(b)
 Mark 605.04(d)
 Order 605.04(f)
 Signature (See Signature.)
 Uniformity with signature 605.04(b)

MANUAL OF PATENT EXAMINING PROCEDURE

| | | | |
|---|------------------------------|--|----------------------------|
| Names used in trade | 608.01(v) | Nonelected invention:—Continued | |
| National Aeronautics and Space Administration | 115, 150, 151 | Claims to—Continued | |
| National application | 201 | Canceled | 821.01, 821.02, 1302.04(c) |
| National security, Application affecting | 115 to 140 | Withdrawn | 821.01, 821.02 |
| National stage application | 201 | Interference | 2303 |
| Naturally occurring article | 706.03(a) | Nonelected species: | |
| Negative limitation | 706.03(d) | Claims to— | |
| Negotiation authority | 713.05 | Canceled | 821.01, 821.02, 1302.04(c) |
| New application (definition) | 203.01 | Withdrawn | 809.02(c), 821.01, 821.02 |
| Assignment to assistant Examiner for examination | 903.08(b) | Non-English oath or declaration | 602.06 |
| Assignment to Examining Group for examination | 903.08, 903.08(a), 903.08(e) | Nonnaturally occurring manufacture or composition of matter | 2105 |
| Classification by Primary | 903.08(b) | Nonpatent literature | 901.06 |
| Examiner review for completeness | 702 | Nonprofit organization, claiming status as | 509.03 |
| Inspection | 903.08(a) | Nonprofit organizations | 509.02 |
| Transfer | 903.08(a) | Nonreceipt of Office letter | 711.03(c) |
| Transfer refused | 903.08(d) | Nonresponsive amendment | 714.02 |
| New Examiner, Letters of | 707.01 | Non sequitur | 706.03(d) |
| New ground of rejection by the Board of Appeals | 1214.01 | Nonsigning inventor's rights | 409.03(i) |
| New ground of rejection on appeal | 1208.01 | Nonstatutory claim | 706.03(h) |
| New matter: | | Nonstatutory claim, Canceled | 1302.04(b) |
| Amendment of disclosure | 608.04 | Nonstatutory subject matter | 706.03(a) |
| Appealable | 608.04(c) | Notary jurisdiction | 604.03 |
| Claim | 608.04, 706.03(o) | Notary jurisdiction, Military officer | 604.03(a) |
| Claim, Appealable | 608.04(c) | Notary jurisdiction, Venue agreement | 604.02 |
| Claim terminology | 08.01(o) | Notary seal | 604.01 |
| Continuing application | 201.07 | Notation of possible interference | 2301.01(b) |
| Design application | 1503.02 | Notation on file wrapper: | |
| Disclosure | 608.04 | of foreign application | 202.03 |
| Divisional application | 201.06 | of parent application | 201.11, 202.02 |
| Drawing | 608.04 | Notice, Citation | 07.06 |
| File wrapper continuation (FWC) | 201.06(d) | Notice of allowability | 1302.03 |
| Inherent characteristics | 608.04(a) | Notice of allowance (see Allowance and issue) .. | 502, 1303 |
| Petitionable | 608.04(c) | Assigned application | 308 |
| Preliminary amendment | 608.04(b) | Deceased inventor | 1303.03 |
| Reissue application | 1411.02 | Reissue application | 1455 |
| Rejection | 608.04, 706.03(o) | Secrecy order application | 120, 130, 1304 |
| Rule 60 application | 201.06(e) | Undelivered | 1303.02 |
| Rule 62 application | 201.06(b) | Notice of appeal | 1205 |
| Specification, Petitionable | 608.04(c) | Reexamination | 2273 |
| Substitute specification | 714.20 | "Notice of informal patent application" form (PTO-152) | 707.07(a) |
| Supplemental oath | 603 | "Notice of references cited" form (PTO-892) | 707.05(b), (c), (e) |
| Trademark definition | 608.01(v) | Notice of reissue application | 1431 |
| When entered | 14.19, 714.20 | Notices, Purpose | Introduction |
| New prior art in reissue application | 1414.02 | Nuclear material application | 150, 151, 706.03(b) |
| Nonelected invention: | | Nullification of double patenting rejection | 804.01 |
| Claims to— | | Number, Drawing reference character | 608.01(g) |
| Added | 821.03 | | |

INDEX

Numbering of papers in file wrapper 717.01(a)
 Numbering paragraphs of letter 707.07(k)

O

Oath:
 After appeal 1212
 Antedating patent for interference
 (Rule 608) 2308 to 2308.02
 Antedating reference. (See also Affidavit,
 Antedating reference, Rule 131.) 715
 Inspection during interference (Rules 131,
 and 608(b) 2312
 Non-English 602.06
 Original
 (see also Oath, Original, Rule 63) 602
 Plant application (Rule 62) 1604
 Reissue (Rule 175) 706.03(x), 1414, 1444
 Supplemental 603
 Supplemental and allowance 603.01
 Traversing rejection (Rule 132) 716
 Oath, Antedating reference (see also Affidavit,
 Antedating reference, Rule 131) 715
 Oath, International application 1893.01(e)
 Oath, Original, Rule 63 602
 Administering 604
 Amendment 602.01
 Attorney administers 604.06
 Consular certificate 604.04
 Date of execution 602.05
 Declaration in lieu of, Rule 68 602
 Defective 602.01, 602.02, 602.03
 Delayed filing 506, 602.05
 Divisional application 602.05(a)
 Execution 604
 Facsimile 506, 605.04
 Foreign execution 602.04
 Foreign filed applications
 listed 201.14, 201.14(c), 202.04
 Invalid, By attorney in case 604.06
 "Joint" 602, 605.07
 Jurisdiction of notary 604.03
 New required 602.01, 602.02
 Notary 604.03
 Notary certificate 602.01
 Notary jurisdiction 604.03
 Old at time of filing 602.05
 Seal 604.01
 Seal, Foreign application 602.04(a)
 Seal, Not required 604.01, 604.03(a)

Oath, Original, Rule 63—Continued
 "Sole" 602
 Stale 602.05
 Substitute 602.02
 Venue 604.02
 Oath, Supplemental, Rule 67 603
 After allowance 603.01, 714.16
 Change of inventorship 201.03
 New matter 608.04
 Rule 60 application 201.06(a)
 Object of invention 608.01(d)
 Objection contrasted with rejection 706.01
 Objection, Dependent claims 608.01(n)
 Objection to formal matters,
 When made 707.07(a), 707.07(j), 710.02(b), 714.14
 Obvious error, Correction 1302.04, 1305
 Obvious method 706.03(q)
 Obviously informal application 702.01, 704
 Obviousness consideration 706
 Offenlegungsschriften 901.05(b)
 Offensive language 608, 1504
 Offer to sell 2125.03
 Offer to surrender original patent 1416
 Office action 707
 Office action in reexamination 2260, 2262
 Office date stamp 505, 506, 710.01(a), 714.18
 Office hours 510
 Office of Administration 1002.02(b)
 Office of Assistant Commissioner
 for Patents 409.01(b), 409.03, 409.03(h), 409.03(i),
 409.03(j), 506.02, 1446, 1448, 1449,
 1451, 1901.03, 1901.05, 1901.06,
 1901.07(a), 1902.01, 2000, 2001.03,
 2013, 2283-2286
 Office of Deputy Assistant
 Commissioner for Patents 2239, 2268, 2281
 Office of Enrollment and Discipline 406, 714.01(a)
 Office of Finance 502, 2248
 Office of National and International
 Application Review 2226
 Office of Patent Classification . 903, 903.05, 903.09, 905.02
 Office of Petitions 1002.02(b)
 Office of Publications 101, 2283, 2287
 Office of Quality Review 1302.12, 1309.01
 Office of Solicitor 2220
 Office of Special Programs 201.03, 720, 720.01, 1002.02(a)
 Office proceedings, Concurrent 2282
 Office Services Division 608.02
 Official action 707
 Official cross-reference, Order of 903.06

MANUAL OF PATENT EXAMINING PROCEDURE

Official Gazette 103, 707.06, 1703
 Official Gazette, Claim 1302.09
 Official Gazette, Drawing figure 1302.10
 Official Gazette, Notice of certificate 2288, 2291
 Official Gazette, Notice of reexamination 2229
 Official Gazette, Status of oldest application 203.08
 Official inquiries 203.08(a)
 Old application (definition) 203.03
 Old combination 706.03(i), 706.03(j)
 Old combination, Division 806.05(b), 820.01
 Omission in response, inadvertent 710.02(c)
 Omnibus claim 706.03(h)
 Cancellation 1302.04(b)
 On sale 2120, 2125.03
 Activity by another 2121
 Anticipation 2127
 Determination 2125
 Evidence 2123
 Examiner's action 2129
 Excused activity 2128
 In this country 2125.04
 Invention 2125.01
 Obvious over 2127
 Permitted activities 2128
 Preliminary hearing 2122
 Prima facie case 2124
 Third party 2128.06
 When 2126, 2126.01
 Operative example 608.01(p)
 Operative, Showing 608.03, 716
 Opposition to issue of patent 1901
 Oral hearing in reexamination 2276
 Oral hearing on appeal 1209
 Order 3311 714.16(d)
 Order 3311 amendments 714.16, 714.16(d)
 Order, Citation of 707.06
 Order, Classification 902.04
 Order of examination 707.02, 708 to 708.03
 Patentability report 705.01(c)
 Order of papers in file wrapper 717.01(a)
 Ordering:
 Abandoned file 711.04(b), 905.03
 Cross-references 903.06
 Foreign patent 901.05(c)
 Patented file 711.04(b), 905.03
 Photocopy 905.01
 Publication 901.06(b)
 Reexamination, decision 2246, 2247
 Soft copy 905.02
 -Subclass list 902.03(c)

Orders, Purpose Introduction
 Original application 201.04(a)
 Original carries title to some
 continuing applications 201.12
 Original disclosure,
 Inherent characteristics 608.04(a)
 Outstanding requirements 707.07(e)
 Overcoming a reference, Right of priority 201.15
 Overlapping applications,
 Same applicant 706.02, 709.01, 715.01(a),
 804, 804.02, 822, 822.01,
 1111.03, 2315.01
 Overlapping applications,
 Same assignee 305, 706.02, 709.01,
 822, 1101.01(b), 1111.03, 2315.01, 2302
 Overlapping claims 804.02
 Owner's representative Chapter 400
 Ownership and assignment Chapter 300
 Ownership at time invention made 2187, 2188,
 2188.01, 2188.02
 Ownership carried over by assignment 201.12

P

PALM 102, 508.01, 508.03, 711.04(b),
 1704, 1705, 2229, 2232, 2233, 2235, 2237
 Application Location 905.05
 Paper Correlating Office 508.03
 Paper, "Easily Erasable" 608.01, 714.05, 714.07, 714.19
 Paper number 714.18, 714.21
 Paper number of print 717.01(b)
 Papers:
 Associated with file 101
 Depositing 502
 Distribution 508
 File wrapper 717.01, 717.01(a)
 Identification 502, 503
 Receipt and handling Chapter 500
 Received after patenting and handling 508.02
 Signature required 402
 Submitted in reissue litigation 1403
 Unmatched 508.03
 Wrong Group 508.01
 Parent application 201.04
 Parent application data, Cross-noting 201.11, 1302.04
 Parent application inspected 904
 Parent carries assignment to some
 continuing applications 201.12
 Paris Convention 201.13, 509.02
 Article 4 Cited 201.13, 201.13(b), 201.14(b)

INDEX

| | | | |
|--|----------------------|--|------------------|
| Partial signatory authority | 1005 | Patent—Continued | |
| Patent: | | Utility series | 901.04 |
| 1836 (present) series | 901.04 | X series | 901.04 |
| A.I. series | 901.04 | Patent Academy | 713.01 |
| Arrangement in Group | 901.07 | Patent and Trademark Office: | |
| Assignment | 301 | Address | 501, 502 |
| Borrowing from Group | 901.08 | Business hours | 510 |
| Citation handling | 1922 | Employees, Property Interest in patent | 309 |
| Citation of prior art in | 1920, 2202 | Publications | Introduction |
| Citation service on patentee | 2208 | Development and Use of Patent | |
| Claim copied (See Claim copied from patent.) | - | Classification Systems | 903.02 |
| Classification change | 903.05 | Directory of Attorneys and Agents | 1706 |
| Classification indices | 902.03, 902.03(a) | Official Gazette | 1703 |
| Copy, Reexamination certificate on | 2292 | Patent Classifier's decision | 903.08(f) |
| Copy in reexamination request | 2219 | Patent Cooperation Treaty (see also | |
| Cost of copy | 905.02 | International Application): | |
| Design series | 901.04 | Administrative Instructions | App AI |
| Effective date | 706.02, 715, 715.01 | Agent | 1807 |
| Files | 905.03 | Amendment before the Designated Office ... | 1893.01(b)(2) |
| Foreign. (See Foreign patent.) | | Amendment of claims before | |
| Index | 902.03(b) | International Bureau | 1853 |
| Interference | 2306 to 2308.03 | Applicant | 1810 |
| Joint to sole | 1481 | Applicant for United States Receiving Office ... | 1805 |
| Jurisdiction | 1305 | Basic flow | 1842 |
| Law, opinions not given | 713.02 | Classification of Application | 903.08(d) |
| Laws (see also Statutes; Statutes | | Common Representative | 1807 |
| Revised) | Introduction | Concepts, Major | 1801 |
| Litigation relating to reissue | 1442.04 | Country codes | 1851 |
| Marking Examiner's copy | 905.04 | Definitions | 1802 |
| Missing copy | 901.09 | Design patents | 1501 |
| Ordering soft copy | 905.02 | Designated Office | 1893.01(a) |
| Owner, service of citation on | 2205, 2206 | Designation of States | 1817.01 |
| Owner's address in reexamination | 2222 | Fees | 1827, 1893.01(c) |
| Pamphlet | 703 | Filing date requirements | 1810 |
| Papers received | 508.02 | Foreign filing license | 1832 |
| Plant | 901.04, Chapter 1600 | Foreign Patent Citation Codes | 1851 |
| Prior art citation in | 2003.01 | Form PCT/ISA/210 | 1844 |
| Printing priority | 1309 | Gazette | 1801 |
| Reference. (See Reference.) | | International Bureau | 1801 |
| Reissue series | 901.04 | International Preliminary Examination | 1860 |
| Simultaneous issue | 1306.02 | International Preliminary | |
| Soft copy | 905.02 | Examination Report | 1879 |
| Sole to joint | 1481 | Written opinion | 1878 |
| Statutory types of subject matter | 706.03(a) | International Publication | 1857 |
| Surrender | 1416 | International Search Report | 1844 |
| Statutes (see also Statutes; | | International Searching Authority | 1840 |
| Statutes Revised) | Introduction | Member Countries | 1817 |
| System, Constitutional basis for | Introduction | National procedure | 1893 |
| Transfer | 903.05 | Numbering | 1812 |
| Transfer of rights in | 509.02 | | |

Patent Cooperation Treaty (see also

International Application)—Continued

| | |
|---|-----------------------------|
| Priority | 201.13(b), 1830 |
| Priority document | 201.13(b), 1828 |
| Publication | 1857 |
| Receiving Office | 1801 |
| Receiving Office Procedure | 1801 |
| Record Copy Transmittal | 1801 |
| Regular Filing in Each Designated State | 1801 |
| Representation before the Designated Office | 402 |
| Response to Invitation Concerning Lack of Unity of Invention | 1850, 1875.02, 1893.03(d) |
| Response to written opinion | 1878.02 |
| Revocation of agent | 1808 |
| Schedule of Fees | 1827 |
| Search Report | 707.05, 1844 |
| Signature missing | 1820 |
| Unity of Invention | 823, 1850, 1875, 1893.03(d) |

Patent Cooperation Treaty,

Administrative Instructions:

| | |
|----------------------|------------------|
| 101 Cited | 1802 |
| 102 Cited | 1821 |
| 103 Cited | 1862 |
| 105 Reproduced | 1834 |
| 204 Reproduced | 1823 |
| 205 Reproduced | 1824, 1853 |
| 207 Cited | 1812, 1826 |
| 208 Reproduced | 1823.02 |
| 209 Reproduced | 1823, 1823.01 |
| 303 Cited | 1821 |
| 310 Reproduced | 1825 |
| 326 Reproduced | 1859 |
| 404 Reproduced | 1857 |
| 414 Reproduced | 1859 |
| 502 Reproduced | 1850 |
| 503 Cited | 1851, 1878, 1879 |
| 505 Cited | 1844 |
| 507 Cited | 1844, 1879 |
| 508 Cited | 1844, 1879 |
| 513 Reproduced | 1847 |
| 603 Reproduced | 1875.02 |
| 604 Reproduced | 1879 |
| 605 Reproduced | 1872 |
| 606 Reproduced | 1880 |
| 607 Reproduced | 1876 |
| 610 Cited | 1877 |
| 611 Cited | 1851, 1879 |

Patent Cooperation Treaty Articles:

| | |
|----------------|------|
| -2 Cited | 1802 |
|----------------|------|

Patent Cooperation Treaty Articles—Continued

| | |
|---------------------|---|
| 3 Reproduced | 1812 |
| Cited | 1850 |
| 5 Reproduced | 1823 |
| 6 Reproduced | 1824 |
| 7 Reproduced | 1825 |
| Cited | 1812 |
| 8 Cited | 1826 |
| 9 Cited | 1805 |
| 11 Reproduced | 1810, 1825 |
| Cited | 1801, 1810, 1825, 1893.03(b), 1896 |
| 12 Cited | 1801, 1823, 1840 |
| 14 Cited | 1801, 1820 |
| 15 Cited | 1801, 1840, 1843 |
| 16 Cited | 1801, 1840 |
| 17 Reproduced | 1843 |
| Cited | 1840.01, 1844, 1850, 1871 |
| 18 Reproduced | 1844 |
| Cited | 1840 |
| 19 Reproduced | 1853 |
| Cited | 1801, 1840, 1844.01, 1853, 1871 1878, 1879, 1893.01(a)(2), 1893.01(b)(2) |
| 20 Cited | 1801, 1810, 1857, 1893.03(f) |
| 21 Reproduced | 1857 |
| Cited | 1801 |
| 22 Cited | 1801 |
| 27 Cited | 1801, 1805, 1832 |
| 28 Cited | 1801 |
| 29 Reproduced | 1857 |
| 31 Reproduced | 1864.02, 1864.03, 1865, 1869, 1873 |
| Cited | 1864.03 |
| 32 Reproduced | 1862 |
| 33 Reproduced | 1878.01(a), 1878.01(a)(1), 1878.01(a)(2), 1878.01(a)(3) |
| Cited | 1860 |
| 34 Reproduced | 1862, 1874, 1875, 1878, 1878.02 |
| Cited | 1847, 1860, 1864.01, 1871, 1875, 1878, 1878.02, 1879, 1893.01(b)(2) |
| 35 Reproduced | 1879 |
| 36 Reproduced | 1879.02, 1879.03 |
| 37 Reproduced | 1880 |
| 38 Reproduced | 1879.04 |
| 49 Cited | 1864.04 |
| 64 Cited | 1803 |

Patent Cooperation Treaty Rules:

| | |
|---------------|------|
| 2 Cited | 1802 |
|---------------|------|

INDEX

Patent Cooperation Treaty Rules—Continued

| | |
|-----------------|--|
| 4 Cited | 1817, 1821, 1864.02 |
| 4.3 Cited | 1821 |
| 4.9 Cited | 1817.01 |
| 4.10 Cited | 1893.03, 1896 |
| 4.11 Reproduced | 1819 |
| 4.14 Reproduced | 1817.02 |
| Cited | 1893.03 |
| 4.15 Reproduced | 1820 |
| Cited | 1820 |
| 5 Reproduced | 1823, 1823.02 |
| Cited | 1826 |
| 6 Reproduced | 1824 |
| 7 Reproduced | 1825 |
| 8 Reproduced | 1826 |
| 11 Cited | 1812, 1893.03(f) |
| 13 Reproduced | 1823.01, 1823.02 |
| Cited | 1850, 1877, 1893.03(d) |
| 17 Cited | 1801, 1879 |
| 18 Cited | 1805 |
| 19 Cited | 1805 |
| 20 Cited | 1805 |
| 22 Cited | 1801, 1832 |
| 23 Cited | 1801, 1840 |
| 24 Cited | 1890 |
| 26 Cited | 1820, 1876.01, 1893.01(d) |
| 33 Reproduced | 1843 |
| Cited | 1843 |
| 34 Cited | 1801, 1843 |
| 35 Cited | 1840 |
| 36 Cited | 1840 |
| 37 Cited | 1801 |
| 38 Cited | 1801, 1826 |
| 39 Reproduced | 1843 |
| 40 Reproduced | 1850 |
| 41 Reproduced | 1852 |
| 42 Cited | 1801, 1844, 1844.01 |
| 43 Cited | 1801, 1840, 1844, 1878, 1879 |
| 44 Cited | 1801 |
| 46 Reproduced | 1853 |
| Cited | 1801, 1871, 1878 |
| 47 Cited | 1801, 1890, 1893.01(a)(1), 1883.01(b)(1) |
| 48 Cited | 1801 |
| 52 Cited | 1801 |
| 53 Cited | 1860, 1868, 1871 |
| 54 Reproduced | 1864.02 |
| Cited | 1860 |
| 55 Cited | 1860, 1868 |

Patent Cooperation Treaty Rules—Continued

| | |
|--------------------------------|---------------------------------|
| 56 Reproduced | 1873 |
| 57 Cited | 1860, 1867, 1868 |
| 58 Cited | 1860, 1862, 1867 |
| 59 Cited | 1862 |
| 60 Reproduced | 1868 |
| 61 Reproduced | 1881 |
| Cited | 1869 |
| 62 Reproduced | 1871 |
| 63 Cited | 1862 |
| 64 Reproduced | 1878.01(a) |
| Cited | 1879 |
| 65 Reproduced | 1877.01(a)(2) |
| 66 Reproduced | 1864.01, 1870, 1878.02 |
| Cited | 1860, 1871, 1878, 1878.02, 1879 |
| 68 Cited | 1875, 1875.01 |
| 69 Reproduced | 1879.01 |
| 70 Cited | 1875, 1878.01, 1878.02 |
| 71 Reproduced | 1879.02 |
| 72 Reproduced | 1879.03 |
| Cited | 1862 |
| 75 Cited | 1862 |
| 77 Cited | 1862 |
| 80 Cited | 1834.02 |
| 81 Reproduced | 1834.02 |
| 82 Reproduced | 1834.02 |
| 83 Cited | 1864.04 |
| 86 Cited | 1801 |
| 90 Reproduced | 1808, 1880 |
| Cited | 1834 |
| 91 Reproduced | 1836 |
| Cited | 1876.01, 1893.01(d) |
| 92 Reproduced | 1834 |
| Cited | 1834, 1834.01, 1878.02 |
| Patentability (See Rejection.) | |
| Patentability report | 705 to 705.01 |
| Allowance or abandonment | 705.01(d) |
| Appeal | 705.01(a) |
| Count | 705.01(c) |
| Date status | 705.01(c) |
| Dispute between examiners | 705.01(a) |
| Drawing | 608.02(n) |
| Final action | 705.01(a) |
| Forms for action | 705.01(a) |
| Improper | 705.01(e) |
| Initiate | 705.01 |
| Interviews | 705.01(f) |
| Limitation as to use | 705.01(e) |

Patentability report—Continued

Practice suspended 705
 Primary decides propriety 1004
 Print of drawing 608.02(n), 705.01(d)
 Purpose 705.01(e)
 Recording 705.01(c)
 Restriction, Effect on 807
 Search 705.01(a), 705.01(b)
 Sequence of examination 705.01(b)
 Transfer of appeal 705.01(a)
 Patentability Statement 609, 1302.14
 Patentable novelty, pointed out 714.04
 Patentable Subject Matter
 Computer Programs 2106
 Living Subject Matter 2105
 Mathematical Algorithms 2106
 Patentanmeldung 901.05(b)
 Patented file 905.03
 Patented file, ordering 711.04(b)
 Patented file, Reissue application notice 1431
 Patent in computer program 2430
 Patents of addition, foreign 901.05(b)
 Payment of fees 509
 PCT (see Patent Cooperation Treaty)
 Classification of application 903.08(d)
 Pencil notations, Erased at allowance 1302.01
 Pending application as prior art 901.03
 Pending application charge location 905.05
 Pending application preserved in secrecy 101
 Pending applications as references 901.03
 Period for response 710
 After Board decision 1214.01
 After final 06.07(f)
 After interference 710.02(b), 1109.01, 2363.02
 Amendment after 714.17
 Claim copied from patent 710.04(a),
 Claims all allowed 707.07(a), 710.02(b), 714.14
 Computed 710.01(a), 710.05
 Copying claim from patent does not
 extend statutory period 710.04(a)
 Correction of citation 707.05(g), 710.06
 Date of receipt of amendment 710.01(a), 710.05
 Defective Office action 707.05(g), 710.06
 Difference between shortened statutory
 period and time limit 710.02(d)
 Extension 710.02(d), 710.02(e), 1003
 Holiday, Saturday, or Sunday
 expiration of time 505, 710.05, 710.01(a)
 Incomplete response 710.02(c), 711.02(a), 714.03
 Less than six months 710.02 to 710.02(e)

Period for response—Continued

Miscellaneous factors 710.06
 Petition 1002
 Property rights under AEC and NASA Acts 150
 Remailing 707.13, 710.06
 Restarting 710.06
 Saturday, Expiration of time 505, 710.01(a), 710.05
 Secrecy order application 130
 Shortened, Approval 1003
 Shortened, Extension 710.02(d), 710.02(e)
 Shortened statutory period 710.02, 710.02(b),
 710.02(e)
 Shortened statutory period,
 Distinguished from time limit 710.02(d)
 Shortened statutory period, When used .. 710.02(b)
 Statutory period 710.01
 How computed 710.01(a)
 Suggesting claims 710.02(c), 2305.02
 Sunday, Expiration of time 505, 710.01(a), 710.05
 Supplemental action 710.06
 Time computation 710.01(a), 710.05
 Time limit action 710.02
 Time limit action, When used 710.02(c)
 Two periods running 710.04, 710.04(a)
 Withdrawal of attorney or
 agent during 402.06
 Periodicals 901.06, 901.06(a)
 Period of enforceability 2204, 2211
 Permanent ink 608.01, 714.07, 714.19
 Perpetual motion 608.03, 706.03(p)
 Persons who may cite prior art in reexam 2203
 Pertinent prior art 904.02
 Petition:
 Abandonment holding ... 711.02, 711.03(c), 711.03(d)
 Abandonment holding,
 Examiner's statement 711.03(d)
 Accepting late issue fee 712, 1002.02(b)
 Access to application 103, 1002.02(p)
 Access to interference case 1002.02(f)
 After forfeiture 712
 Amend after appeal decision 1002.02
 Amend with appeal 1207
 Attorney withdrawal 1002.02
 Board of Patent Appeals and
 Interferences involved 1002(f), 1002(g),
 1002.02(j)
 Certificate of Correction 1002.02(d)
 Change in inventorship 1002.02(p)
 Commissioner's duties Introduction, 1002
 Conditional, to revive 711.03(c)

INDEX

Petition—Continued

Correction of inventorship 201.03
 Defer issuance 1002.02(b)
 Delegation of Commissioner's authority 1001.01
 Denial of reexamination request 2248
 Disclaimer related 1002.02(b)
 Divisional 1002.02(h)
 Entry of Amendment 1002.02(d), 1207
 Express abandonment after notice
 of allowance 1002.02(b)
 Expunge papers from file 1002.02(a)
 Expunge trade secret material ... 724.05, 1002.02(a)
 Extension of time 710.02(e), 714.17
 Filing date 506.02, 1002.02(h)
 Final rejection 1002.02
 Foreign filing license 140
 Inspection 103
 Interference 1002.02(f) and (g), 2344
 Late paper in reexamination 2268
 Late priority papers 1002.02(b)
 Make special 708.02, 1002.02(a) and (c)
 Matter subject to Introduction, 706.01, 1002
 Merge reexaminations 2283
 Modification of secrecy order 120
 New matter 608.04(c)
 Nonsigning inventor 409.03, 1002.02(p)
 Period for filing 1002
 Premature final rejection 706.07(c)
 Procedure 1002.01
 Public use proceedings 1002.02(a)
 Recision of secrecy order 120
 Reconsideration of decision on motion 1005.07, 2340
 Refused assignment 313, 317
 Restriction requirement holding 821.01
 Retroactive foreign filing license 140
 Revival 711.03(c), 1002.02(b)
 Revival, Conditional 711.03(c)
 Special status 708.02
 Strike issue deferred 2021.01
 Strike patent application 1002.02(a), 1448, 2013
 Supervisory authority 1002.02(b), (c)
 Suspend rules 1002(a), (b)
 Rule 48 (inventorship) 201.03
 Trademark related 1002.02(i)
 Withdrawal from issue 1308
 Withhold from issue 1002.02(c)
 Petitionable matter 706.01
 Phi, Greek letter usage 608.01(g)
 Philippines—United States search exchange 1711
 Photocopy Orders 905.01

Photograph as drawing 608.02
 Photoprint, Ordering 905.01
 Piecemeal prosecution 707.07(g)
 Plant Convention, UPOV 1612
 Plant patent application 201, Chapter 1600
 Action 1610
 Advertising 1610
 Affidavit 1610
 Agricultural Research Service 1608, 1609
 Allowance 1611
 Asexual reproduction 1601, 1605
 Bacteria 1601
 Claim 1605, 1610
 Color drawing 1606
 Color identified 1605
 Definitions 1601
 Department of Agriculture 1608
 Deposit 1605
 Description 605
 Duplicate papers 1603, 1605, 1610
 Elements of application 1603
 Examination 1608
 Examiner's amendment 1610
 Executive Order 1608
 Issue 1611
 Laudatory expressions 1610
 Letter of transmittal 1608
 Method claim 1605
 Oath 1604
 Original and duplicate files 1603, 1610
 Parts 1603
 Plant varieties excluded 1601
 Report of Agricultural Research Service .. 1609, 1610
 Rules applicable 1602
 Signature 1603
 Specification 1605, 1610
 Specimens 1607
 Statutory basis 1601
 Tubers 1601
 Plant patent series 901.04
 Postcard, self-addressed 503, 717.01(a)
 Post classifier 903.02(c), 903.08(d), 903.08(e), 903.10
 Requesting consideration by 903.08(d)
 Post Office, Depositing papers in 502
 Post Office address:
 Applicant 605.03, 717.02(b)
 Attorney 601.02
 Petitioner 103
 Postal Emergency (Public Law 92-34) 706.02
 Postal Service Emergency Contingency Plan 511

MANUAL OF PATENT EXAMINING PROCEDURE

Power of attorney 402
 Application in interference 402.08
 Application oath or declaration includes 601.02
 Assignee revokes 402.07
 Associate attorney 402, 402.02, 406
 Attorney not of record 714.01(c)
 Canadian patent agent 402
 Change in plurality of applications or patents ... 402
 Coinventor 402.01
 Death of applicant 409 to 409.01(f)
 Death of principal attorney 406
 Exception as to registration 402.01
 General for international application 1807
 Invalid 402
 Joint applicant 402.01
 Limited recognition 402.01
 Notice of revocation 402.05
 Post Office address 601.02
 Revocation 402.05, 402.07, 402.08
 Secrecy order cases 120
 Unregistered attorney 402, 402.01
 Withdrawal of attorney 402.06
 Withdrawn in patent 2223
 Power to inspect 104, 402, 713.05
 Power to inspect, approval 104
 Power to inspect, Disbarred attorney 105
 Practitioner's names on patents 1309
 Preamble, Design application 1503
 Preliminary amendment 506, 707.04, 714.09
 Preliminary amendment:
 Excess claims 506, 714.10
 Initial sentence 707.04
 New matter 608.04(b)
 Preliminary handling of public use or on sale 2122
 Preliminary hearing, Public use proceeding 720.03
 Preliminary Statement 2321 to 2329, 2331
 Premature final rejection 706.07(c)
 Prima facie case of public use or on sale 2124
 Prima facie showing, Public use proceeding 720.02
 Primary Examiner 705.01(a), 706.07(c), 707.01, 707.04,
 710.02(b), 711.03(a), 713.02, 713.10,
 714.16(d), 1901.07(c), 1902.01(b),
 1903, 1903.01, 2271
 Primary Examiner, Actions requiring
 personal attention 705.01(a),
 707.01, 707.09, 710.02(b), 713.02,
 714.16(d), 1004
 Primary Examiner, name on file wrapper 1302.13
 Print of drawing 608.02(m)
 Additional 608.02(m)

Print of drawing—Continued

Alteration 608.02(m)
 Colored 608.02(m)
 Distribution 508
 Examiner's notation on 608.02(m)
 File wrapper 508, 717.01(b)
 Kept in examining group 608.02(c)
 Marking 608.02(m)
 New application 508
 New or substitute drawings 508
 Patentability report 705.01(d)
 Reissue application 608.02(k)
 Returned drawing 608.02(y)
 Sketch 608.02(v)
 Printed matter nonstatutory 706.03(a)
 Printer Waiting 708.01, 1302.04, 1305, 1309.01
 Printer's Proof, Correction 1309.01
 Printing date, declassified material 707.05(f)
 Printing practitioners names on patents 1309
 Printing priority 1309
 Prior art (see also Reference) 901
 Prior art citation in patent: 2202
 Content 2205
 Copies of prior art 2205
 English Translations 2205
 Explanation of pertinence 2205
 Flowcharts 2206
 Handling 2206
 Sample letter 2205
 Service on patent owner 2205, 2206
 Time for filing 2204
 Prior art copies in reexamination request 2218
 Prior art filed by protestor 1901.02, 1901.03
 "Prior art" on drawing 608.02(g)
 Prior Art Statement 609, 1893.03(g)
 Prior Art Statement in reissue application 1418
 Prior Art Statement Updating 2003.03(a)
 Prior art used in determining reexamination request 2244
 Prior Examiner's action 704, 706.04, 713.01
 Priority:
 Foreign application (see Foreign application) .. 201.13
 Proper identification 201.14(d)
 Formal requirements 201.14
 International application 1828, 1893.03(c)
 Inventor's certificate 201.13
 Overcoming reference 201.15
 Patent printing 1309
 Prior U.S. application 201.11
 Time for filing 201.13
 Priority document, International application 1828

Priority practice 201.14(b), 201.14(c)
 Priority right 201.13
 Private use 2125.02
 Proceedings, Termination of 201.11, 711.02(c)
 Process in examining group of reexamination 2233
 Process of making and product made 806.05(f)
 Product and process of using 806.05(h)
 Product by process 706.03(e)
 Product of human ingenuity 2105
 Product of nature 706.03(a)
 Program Management System (PMS) 2238
 Prolix claim 706.03(g)
 Proof, Printer waiting 1309.01
 Proof of authority of Administrator or Executor .. 409.01(b)
 Proof of foreign filing 201.14
 Proof of irreparable damage 409.03(g)
 Proof of unavailability or refusal to sign 409.03(d)
 Proofreading of action 707.08
 Proper identification of foreign priority 201.14(d)
 Proper multiple dependent claim 608.01(n)
 Property rights statement 150
 Contents of 151
 Property rights under AEC and NASA Acts . 115, 150, 151
 Proprietary interest, Proof of 409.03(f)
 Pro se applicant 401, 707, 707.07(j), 713.01
 Prosecution, Piecemeal 707.07(g)
 Prosecution, Reopening after appeal decision 1214.07
 Prosecution, closed, Application allowable
 except for form 707.07(j), 710.02(b), 714.14
 Prosecution of Secrecy Order application 130
 Prosecution reopened after court decision 1216.01
 Protective order material 724 - 724.05
 Protective order material submission 724.02
 Protest
 Access by protestor 1901.05
 Acknowledgment of protest 1901.05
 Against issuance of patent 1901
 Appeal by protestor 1904
 Certificate of service 1901.03
 Clarification from protestor with access 901.06
 Comments of applicant 1901.06
 Complete 1901.03
 Copies of documents 1901.03
 Examination 1901.07
 Examiner treatment 1901.06
 Filed in reissue where patent is in
 interference 1449, 1901.06
 Handling 901.05
 Improper protest 1901.03
 Information which can be relied on 1901.02

Protest—Continued

 Interview 1902, 1902.01, 1902.01(a),
 1902.01(b), 1903.01
 Involving fraud, good faith, lack of candor or
 violation of duty of disclosure issue 2013
 Multiple papers on same issue 1901.07(c)
 New protest 1901.07(o)
 Notice of interview 1902.01(c)
 Office handling 1901.05
 Oral communication with protestor 1907
 Public filed 1901
 Reissue application 1901.04
 Reissue litigation 1901.03, 1901.04
 Requirement for Information 1901
 Review of adverse decision 1906
 Service of Copies 1901.07(a)
 Service on patentee or applicant 1901.03
 Timeliness of protest 1901.04
 Trade secret information 724, 1901.02
 Treatment by examiner 1901.06
 Under Rule 291 1901
 When submitted 1901.04
 Who can file 1901.01
 Protestor response 1901.07(b)
 Protestor participation in examination 1901.07
 Protestor participation in interview 1902
 Protestor—Service of copies on 1901.07(a)
 Prototype development 2128.02
 PTO employee restrictions, assignment 309
 Public access to reexamination file 2232
 Public inspection, Application file 103
 Public inspection of assignments 301.01
 Public Law (see also Statutes)
 Public Law 92-34 (Postal Emergency) 511
 Public Law 96-517 509.02
 Public Law 97-247 509.02, 711.03(c)
 Public policy 706.03(p)
 Public right to inspect files 103
 Public sale 706.03(s)
 Public search room 2229
 Hours 510
 Regulations for Public Use 510
 Public searchers 101
 Public Use:
 Anticipation 2127
 By third party 2128.06
 Commercial exploitation 2128.06
 Complete invention 2125.01
 Control maintained by inventor 2128.04
 Degree of supervision 2128.03

MANUAL OF PATENT EXAMINING PROCEDURE

Public Use—Continued

Determination 2125
 Development of prototypes 2128.02
 Evidence 2123
 Examiner's action 2129
 Excused activity 2128
 Excused activity evidence 2128.07
 Experimental 2128.01
 In this country 2125.04
 Invention 2125.01
 Modifications 2128.05
 Obvious over 2127
 Permitted activities 2128
 Preliminary hearing 2122
 Prima facie case 2124
 Statutory bar 201.13, 706.03(s), 2120, 2121, 2125.02
 Testing 2128.04
 When 2126, 2126.01
 Public Use proceedings 720
 Affidavits 720.01
 Final decision 720.05
 Oral argument 720.04
 Petitions 1002.02(a)
 Preliminary handling 720.01
 Preliminary hearing 720.03
 Prima facie showing 720.02
 Rejections after 706.03(v)
 Rejections on 706.03(y)
 Testimony 720.04
 Publication, Defensive 711.06, 711.06(a)
 Publication date 707.05(f)
 Publication of abstracts 711.06, 711.06(a)
 Publications:
 Board Decisions 1213.03
 Citing 705.05(e), 901.06
 Date of 706.02
 Declassified 707.05(f)
 Own, as reference 715.01(c)
 Patent and Trademark Office Introduction
 Publishing Division 104, 201.14(c), 203.04,
 203.08, 508.01, 508.03, 603.01,
 608.02(o), 711.01, 711.05, 714.16(d),
 724.05, 1302.09, 1302.10, 1303,
 1303.03, 1308.01, 1309, 1451,
 1455, 1901.07(a), 2235
 Pulling abandonments 711.04(a)

Q

Quality Control Program 1308.03

Quality review 2283, 2287
 Quality review in reexamination 2289
 Quayle practice 710.02(b), 714.14
 After final 706.07(f)
 Copies of references 707.05(a)

R

Ratification of papers filed:

Death of attorney 406
 Death of inventor 409.01
 Signature improper or lacking 714.01(a)
 Telegram amendment 714.08
 Reasons for allowance 1302.14
 Recapture of matter in reissue 1412.02
 Receipt, Office date stamp 502, 505, 710.01(a), 714.18
 Receipt for papers filed 502, 503, 717.01(a)
 Receipt of mail and papers Chapter 500
 Receiving Office PCT procedure 1801
 Reciprocal legislation 201.13
 Reclassification
 Classes 903.02(a)
 Patents 903.05
 Subclasses 903.02(c)
 Recognized countries for foreign priority 201.13
 Recombinant DNA related, Special status 708.02
 Recommendation by Board of Patent
 Appeals & Interferences 1213.01
 Reconsideration by Board of Patent
 Appeals & Interferences ... 1214.01, 1214.03, 1214.04
 Reconsideration in reexamination 2269
 Reconsideration of abandonment 711.03, 711.03(c)
 Based on insufficient response 711.03(a)
 Based on failure to respond within period .. 711.03(b)
 Record of interview 713.01, 713.04
 Record Room 508.03, 1431, 2206, 2232, 2235
 Record Services Branch 101, 102
 Record system for reexamination 2235
 Recording assignment 302, 317
 Recording change of business name 314
 Recording license agreement 313
 Recording of other documents 313 to 317
 Recording security interest 313
 Records, Examining Group 1704
 Reduction to practice 715.07
 Reexamination:
 Abandonment 2211
 Actions following Board decision 2278
 Address of patent owner 2222
 Admissions 2217, 2258
 Affidavits in reexamination 2216, 2217, 2258, 2266

INDEX

Reexamination—Continued

After final practice 2272
 Amendment 2234, 2250
 Entry under Rule 312 2287
 Amendment in request 2221
 Ancillary Issues 2217, 2258
 Appeal 2273
 Appeal brief 2274
 Appeals to courts 1216, 1216.01, 2279
 Assignment 2236
 Attorney or agent 2213
 Name on certificate 2287
 Basic characteristics 2209
 Certificate 2288
 Certificate attached to patent copy 2292
 Certificate distribution 2292
 Certificate format 2290
 Certificate of mailing 2224
 Certificate of prior reexamination
 in later request 2214
 Certificate of service 2220
 Charge and procedures 2232
 Citation of Prior Art 2202
 Claim numbering 2250
 Claims considered 2243
 Claims presented for interference 2307.04
 Clerical handling 2270
 Collateral estoppel 2259
 Commissioner's initiative 2239
 Conclusion 2287
 Concurrent proceedings 2282
 Conduct of proceedings 2254
 Consideration of responses 2252, 2253
 Consolidated proceedings 2283
 Constructive notice to patent owner 2230
 Content of request 2214
 Copending proceedings 2283
 Copy of patent in request 2219
 Copying of file 2232
 Correction of inventorship 2258
 Correction processing 2231
 Correspondence 2224
 Cost code 2238
 Criteria for deciding request 2242
 Decision of Board of Appeals 2277
 Decision on request 2240, 2244
 Decision ordering reexamination 2246
 Decision processing 2245
 Denied 2247
 Dependent claims 2260.01

Reexamination—Continued

Double correspondence 2224
 Double patenting 2258
 Drawing correction 2250.01
 Duty of disclosure 2280
 Effective date 2201
 Entry of amendments 2234
 Entry of court decisions in patent file 2207
 Examiner 2255
 Examiner's answer 2275
 Expiration of patent 2250
 Explanation of prior art 2217
 Extension of time 2265
 Failure to timely respond to Office action 2266
 Fees 2215, 2233
 Final action 2271
 Flow chart 2201
 Grounds of rejection 2217
 Identity of requester 2212
 Inappropriate papers 2267
 Incomplete request 2227
 Informal request 2228
 Initial processing 2226
 Interference copending 2284
 Intervening rights 2293
 Interviews in 2281
 Introduction 2201
 Listing of prior art 2257
 Litigation copending 2286
 Litigation review 2240, 2287
 Mailing of Office actions 2264
 Merger 2283
 New matter 2270
 Office action 2260, 2262
 Official Gazette notice of certificate 2291
 Official Gazette notice of request 2229
 Oral hearing 2276
 Patent copy in request 2219
 Patent owner's address 2222
 Patent owner's statement 2249
 Petition for entry of late papers 2268
 Petition from denial 2248
 Power of attorney, withdrawal 2223
 Preprocessing Unit 2206, 2225, 2226,
 2228, 2229, 2232, 2239
 Printing of certificate 2288
 Prior art 2218
 Prior art considered 2244, 2256
 Proceedings 2209

MANUAL OF PATENT EXAMINING PROCEDURE

Reexamination—Continued

| | |
|--|------------------|
| Processing in group | 2233, 2245 |
| Clerical handling | 2270 |
| Project code | 2238 |
| Public access | 103, 2232 |
| Quality review | 2289 |
| Reasons for allowance | 2247, 2262 |
| Reconsideration of Office action | 2269 |
| Record System | 2235 |
| Refund of denial | 2247 |
| Regulations | 2201 |
| Reissue copending | 2285 |
| Rejections | 2258 |
| Reminders | 2287 |
| Reply by requester | 2251 |
| Reports | 2235 |
| Representative of requester | 2213 |
| Request | 2210 |
| Request content | 2214 |
| Request correction processing | 2231 |
| Request decision | 2240, 2244 |
| Request decision criteria | 2242 |
| Request denied | 2247 |
| Request during interference | 2284 |
| Request filing address | 2224 |
| Response to Office action | 2266 |
| Return of papers | 2267 |
| Review | 2289 |
| Sample letter requesting reexamination | 2214 |
| Scope | 2258 |
| Search | 2240, 2244 |
| Second request | 2240, 2283 |
| Prior art considered | 2240, 2242 |
| Special Status for action | 2261 |
| Statement applying prior art | 2217 |
| Statement by owner | 2249 |
| Statutory basis | 2201 |
| Stay | 2283 |
| Substantial new question of patentability | 2216, 2242, 2244 |
| Suspension | 2283 |
| Terminated files | 2294 |
| Tickler reports | 2235 |
| Time for filing | 2210 |
| Time for request decision | 2241 |
| Time for requesting | 2211 |
| Time for response to actions | 2263 |
| Time reporting | 2238 |
| Title report | 320 |
| Transfer | 2237 |

Reexamination—Continued

| | |
|---|--------------|
| Translation required | 2218 |
| Untimely filed paper prior to order | 2225 |
| Untimely filed papers | 2267 |
| Untimely responses | 2252 |
| Use of transmittal form | 2264 |
| Who may file request for | 2212 |
| Withdrawal of attorney during | 402.06, 2223 |
| Withdrawal of power of attorney | 2223 |

Reference:

| | |
|--|---|
| A.I. Series patent | 901.04 |
| A.P.C. publication | 901.06(c) |
| Abandoned application | 901.02 |
| Abbreviations | 901.06(d) |
| Abstracts | 901.06(d) |
| Additional | 707.05(d) |
| Analogous art | 904.01(c), 1302.14 |
| Antedating (see also Affidavit, Antedating reference, Rule 131) | 715 |
| Arrangement in Examining Group | 901.07 |
| Assigned application as | 804.03 |
| Between applicant's priority date and U.S. filing date | 201.15 |
| Borrowing from Group | 901.08 |
| Citation | 707.05 to 707.05(g), 901.04, 901.05(a) |
| After allowance | 302.12, 1308.01 |
| After appeal | 1208.01 |
| By applicant | 707.05(b), 707.05(c), 1302.12 |
| Correction | 707.05(g) |
| Period for response | 710.06 |
| Claims foreign date | 715.01 |
| Combination of references | 706.02 |
| Copending | 706.02, 706.02(c), 706.03(k), 709.01 |
| Copies | 707.05(a) |
| Cross, How cited | 707.05(e) |
| Cross reference addition | 905.02 |
| Declassified printed matter | 707.05(f) |
| Defensive publications | 901.06(d) |
| Design application | 707.05(a) |
| Effective date: Patent ... | 707.05(f), 706.02, 707.05(e), 715, 715.01 |
| Publication | 715.01(c) |
| Equivalents | 904.01(b) |
| Foreign patent | 707.05(e); 901.05(a), 901.05(b) |
| Forfeited application | 901.02 |
| From interference | 1302.12 |
| Incorrect citation | 707.05(g), 710.06, 1302.12 |
| Inoperability | 716 |
| Joint patent to applicant and another | 715.01(a), 715.01(c) |

Reference—Continued

| | |
|---|--|
| Listing at allowance | 1302.12, 1455 |
| Newly discovered after allowance ... | 1302.14, 1308.01 |
| None cited by examiner | 707.05, 707.05(a) |
| Ordering official cross | 903.06 |
| Overcome : | |
| Under Rule 131 (see also Affidavit, Antedating reference, Rule 131).. | 715, 1302.14 |
| Under Rule 132 | 716 |
| Overcoming under 35 U.S.C. 119 (foreign filing) | 201.15 |
| Patent | 901.04 |
| Patent, Foreign | 901.05 |
| Patent, Official number lacking | 901.04 |
| Patent claiming same invention | 715.05, 2308.01 |
| Pending application | 901.03 |
| Publication of applicant's invention | 715.01(a), 715.01(c) |
| Publications | 706.02, 707.05(e), 901.06 |
| Published abstracts of application | 711.06(a) |
| Replacement of missing | 901.09 |
| Same assignee | 706.02, 706.02(c), 706.03(t), 709.01, 715.01(b) |
| Selection of pertinent | 904.02 |
| Statutory bar | 201.13 |
| Supply procedure | 707.05(a), 707.05(g), 710.06 |
| Swearing back (see also Affidavit, Antedating reference, Rule 131) | 715 |
| U.S. patent issuing from PCT application ... | 1895.01 |
| “Well known in the art,” Supported by | 706.02(a) |
| Reference characters | 608.01(g) |
| Reference to foreign application | 202.03, 202.04 |
| Reference to prior patent .. | 608.01(c), 608.01(p), 608.01(r) |
| Reference to related application (See Crossnoting.) | |
| Reference to related application for disclosure .. | 608.01(p) |
| Refile application | 201.10 |
| Refund of fees | 509, 607.02 |
| Refund of search fee | 1867 |
| Refund section | 607.02 |
| Registration, Attorney or agent | 402, 1702 |
| Regulations, Examining Group Search Facilities | 510 |
| Regulations, Public Search Room | 510 |
| Rehearing by Board of Appeals | 1214.01, 1214.03 |
| Rehearing by C.A.F.C. | 1216.01 |
| Reinstituting interference | 1106.03 |
| Reissue application | 1401 |
| Access | 103 |
| Acknowledgment of protest | 1901.05 |
| Additional Information Required | 1447 |
| Additions underlined | 1411 |
| Adjudication of Original Patent | 1442.01 |

Reissue application—Continued

| | |
|---|--|
| Affidavit | 1447 |
| Affidavit, Patent not available | 1416 |
| Allowance | 1455 |
| Allowance, Drawing transfer | 1413 |
| Amendment | 1411 |
| Announcement in Official Gazette | 1430 |
| Broadened | 706.03(x), 1412.03, 1414.01 |
| Certificate of Correction | 1411.01, 1480 |
| Claim, Numbering | 1411 |
| Claim, Oath requirement | 1414 |
| Claim, Original claim subject to reexamination | 1440 |
| Claim, Same invention as original patent ... | 1412.01 |
| Claim format | 1411, 1412 |
| Claiming foreign priority | 201.14, 201.16 |
| Claim too narrow | 1402 |
| Content | 1410 |
| Copending application reference | 1402 |
| Copending reexamination proceedings | 2285 |
| Correct inadequacies | 1402 |
| Court decision involving original patent ... | 1442.01 |
| Deceptive intention | 1414.04 |
| Declaration | 1414, 1414.03, 1444, 1444.01 |
| Defective oath, Ground for rejection | 706.03(x), 1414.01 |
| Dependent claim | 1455 |
| Diligence | 1403 |
| Divisional application | 1002.02(h), 1451 |
| Documents considered | 1414.02(a) |
| Drawing | 608.02(k), 1413 |
| Duty of disclosure violation | 1446 |
| Effect of reissue | 1460 |
| Election of species | 1450 |
| Error in original patent | 1401, 1414.03 |
| Examination | 1440, 1445 |
| Filed during interference | 1111.08, 2358, 2360 |
| Filing Fee | 1415 |
| Foreign priority claim | 201.14(b), 1417 |
| Fraud | 2012 |
| Grounds for filing | 1402 |
| Inequitable conduct | 1446, 1448 |
| Initial examiner review | 1443 |
| Inoperative, Oath requirement | 1414.01 |
| Inspection | 103 |
| Interference of original patent involved .. | 1111.08, 2360 |
| Inventorship error | 1402 |
| List of references | 1455 |
| Litigation involved | 1403, 1404, 1422, 1442.01, 1442.02, 1442.03, 1442.04, 1442.05 |
| Litigation protest | 1901.03 |

Reissue application—Continued

| | |
|---|------------------------------|
| Narrowed | 1414.01 |
| New matter | 1411.02 |
| New prior art consideration | 1414.02(a) |
| Notice in original file | 202.05, 1431 |
| Notice of allowance | 1455 |
| Numbering of claims | 1411 |
| Oath | 1414, 1414.03, 1414.04, 1444 |
| Primary's decision | 1004 |
| Rule 175(a)(1),(2), & (3) type | 1414.01 |
| Rule 175(a)(4) type | 1414.02, 1414.02(a), 1446 |
| Offer to surrender patent | 1416 |
| Official Gazette, claim to be printed | 1455 |
| Official Gazette filing notice | 1430 |
| Omission of feature | 1411.02 |
| Omissions bracketed | 1411 |
| Open to public | 103, 1430 |
| Ordering copies | 1430 |
| Ownership | 201.12 |
| Patent returned | 1416 |
| Patent series | 901.04 |
| Print of drawing | 608.02(k) |
| Prior Art consideration | 1402, 1414.02(g) |
| Prior Art Statement | 1418 |
| Priority correction | 1402 |
| Protest | 1901 |
| Protest filed in reissue where patent is in interference | 1449 |
| Recapture of matter | 1412.02 |
| Reexamination | 1449.01 |
| Reexamination proceedings copending | 2285 |
| Rejection | 706.03(x), 1446 |
| Requirement for information | 1447 |
| Restriction | 1450 |
| Return of original patent | 1416 |
| Same invention as original patent | 1412.01 |
| "Special" for examination | 708.01, 1441, 1442, 1442.03 |
| Specification | 1411, 1451 |
| Statutory basis | 1401 |
| Statutory disclaimer | 1455 |
| Suit on original patent | 1442.01 |
| Transfer of original drawing | 608.02(k), 1413 |
| Treatment of protest | 1901.06 |
| Twice reissued | 1411 |
| Two month delay period | 1441 |
| Rejected application (definition) | 203.02 |
| Rejection | 706 |
| Abandonment of invention | 706.03(s) |
| Admission by applicant | 706.02(b) |

Rejection—Continued

| | |
|---|--|
| After allowance of application | 706.05, 1101.01(i) 1308.01 |
| After allowance of claim | 706.04 |
| After allowance of claim, Primary reviews | 1004 |
| After appeal, New rejection | 1208.01 |
| After termination of interference | 1109.02, 2363.03 |
| Against public policy | 706.03(p) |
| Aggregation | 706.03(i) |
| All valid grounds | 707.07(g) |
| Allowed claim, by Board of Appeals | 1213.02 |
| Alternative phrases | 706.03(d) |
| Anticipation | 706.02, 707.07(d) |
| Art | 706.02 |
| Assigned application, Common ownership | 305 |
| Assigned applications, Same applicant | 804.03 |
| Atomic Energy Act | 706.03(b) |
| Bar, Statutory | 706.03(s) |
| Board of Appeals introduces | 1214.01 |
| Board of Appeals statement on allowed claim | 1213.02 |
| Breadth | 706.03(n), 706.03(z) |
| Broader than the disclosure | 706.03(n), 706.03(z) |
| Business method | 706.03(a) |
| Chemical practice: | |
| Markush | 706.03(y) |
| Nonchemical | 706.03(d) |
| Rule 131 | 715.03 |
| Undue breadth | 706.03(z) |
| Claim presented corresponding to claim of patent | 706.06, 2307.02 |
| Claim presented corresponding to claim of patent, Failure to respond | 706.03(u) |
| Claims | 706 |
| Combination of references | 706.02, 707.07(d) |
| Common knowledge | 706.02(a) |
| Computer programming cases | 2153, 2185, 2186 |
| Conflicting applications | 706.02, 706.02(c), 706.03(k), 706.03(t), 709.01, 715.01(b), 804, 804.01, 804.02, 822, 822.01 |
| Contrasted to objection | 706.01 |
| Cumulative | 706.02, 707.07(d) |
| Dedication | 715 |
| Defective reissue oath | 706.03(x), 1444 |
| Dependent claim | 608.01(n) |
| Disclaimer | 706.03(u), 710.02(d) |

INDEX

Rejection—Continued

Double patenting (See Double patenting.)
 Duplicate claims 706.03(k)
 Estoppel, Defensive publication 711.06
 Estoppel, Interference 1109(a), 1109.02, 2363.03
 Final (see also Final rejection) ... 706.07 to 706.07(f)
 Foreign application, Statutory bar 706.03(s)
 Forms used 707
 Fraud upon public 706.03(p)
 Frivolous invention 706.03(p)
 Full anticipation, Expression
 recommended 706.02, 707.07(d)
 Function of machine 706.03(r)
 Functional 706.03(c)
 Generic claim .. 715.02, 809.02, 809.02(a), 809.02(e)
 Genus and species 806.04(h) to 806.04(j)
 Ground clearly stated 707.07(d)
 Inaccurate 706.03(n)
 Incomplete 706.03(f), 707.07(j)
 Indefinite 706.03(d)
 Inoperativeness 706.03(p)
 Insufficient disclosure 706.03(n)
 Insufficient disclosure, Trademark 608.01(v)
 Interference, Estoppel 1109(a), 1109.02, 2363.03
 Interference terminated ... 706.03(v), 1109.02, 2363.03
 Judicial notice 706.02(a)
 Language used 707.07(d)
 Linking claim 809 to 809.04
 Markush, Improper 706.03(y)
 Method of doing business 706.03(a)
 Multiplicity 706.03(l)
 Negative limitation 706.03(d)
 New, After appeal 1208.01
 New, After appeal brief 1002.02(d)
 New, After final rejection 706.07(e)
 New matter 706.03(o)
 Nonelected invention 706.03(m)
 Nonstatutory claim 706.03(h)
 Nonstatutory subject matter 706.03(a)
 Not based on prior art 706.03
 Not readable on disclosure 706.03(n)
 Oath, Defective reissue 706.03(x)
 Objection distinguished 706.01
 Obvious method 706.03(q)
 Obviousness 706.02, 707.07(d)
 Old combination 706.03(i), 706.03(j)
 Omnibus rejection 707.07(d)
 Overlapping applications .. 304, 305, 706.02, 706.02(c),
 706.03(k), 706.03(t), 709.01, 715.01(b), 804,
 804.01, 804.02 , 822, 822.01

Rejection—Continued

Perpetual motion 706.03(p)
 Personal remarks avoided 707.07(d)
 Previously allowed claim 706.04, 1004
 Printed matter 706.03(a)
 Prior art 706.02
 Prior art between applicant's foreign priority
 date and U.S. filing date 201.15
 Product by process 706.03(e)
 Product of nature 706.03(a)
 Prolix 706.03(g)
 Public sale 706.03(s)
 Public use 706.03(s)
 Public use proceeding 706.03(v), 720.5
 Reissue application,
 Broadened claims 706.03(x)
 Defective oath 706.03(x), 1444
 Rejected 707.07(d)
 Repeated 707.07(f)
 Res judicata 706.03(w)
 Scientific principle 706.03(a)
 Single means claim 706.03(c), 706.03(z)
 Species and genus 706.03(y), 706.03(z),
 806.04(h) to 806.04(j)
 Statement of 707.07(d)
 Statutory bar 706.03(s)
 Substantially met 706.02, 707.07(d)
 Suggested claims not made 706.03(u)
 Technical 706.03
 Trademark or trade name 608.01(v)
 Undue breadth 706.03(n), 706.03(z)
 Unpatentable over other claim 706.02, 706.03(k),
 706.03(t), 709.01
 Utility 706.03(p)
 Vague 706.03(d)
 "Well known in the art" 706.02(a)
 Related inventions 802.01, 806.04(b), 806.05, 808.02, 809.03
 Related inventions, Species 806.04(b)
 Remailing Office action 707.13, 710.06
 Remand by Board:
 Affidavit 1212
 Amendment 1211.01
 Special 708.01
 Removal of application from Office 101
 Renumbering claims 1302.01
 Reopening after court decision 1216.01
 Reply brief 1208, 1208.01
 Representative capacity 402, 405, 714.01(c)
 Cannot expressly abandon 711, 711.01
 Representative of foreign assignee 302.04

MANUAL OF PATENT EXAMINING PROCEDURE

| | | | |
|--|-------------------------------|--|------------------------------|
| Representative of inventor or owner | Chapter 400 | Restriction (see also Election: | |
| Representative of requester | 2213 | Election of species) | Chapter 800 |
| Representatives of out-of-town attorneys | 408 | Action, Examiner's | 814 to 817 |
| Request for reexamination: | | Action after, Special | 708.01 |
| Decision criteria | 2242 | Action on the merits | 810-810.03 |
| Notice of request in Official Gazette | 2229 | Apparatus and process | |
| Requester's representative | 2243 | or product | 806.05(e) to 806.05(g) |
| Time for filing | 2210, 2211 | Basis | 802 |
| Time to decide | 2241 | Burden, without serious | 803 |
| Request Form for international application | 1820 | Case referred to second Examiner | 815 |
| Requests for identifiable records | 103 | Claimed subject matter | 806.01 |
| Requests for reconsideration of Board | | Claims to divisible inventions added | |
| decision | 1214.01, 1214.03, 1214.04 | before action | 818.02(a) |
| Requirement for information ... | 710.02(d), 1504, 1901.06, | Combination and subcombination | 806.05(a) to |
| 2001.06(d), 2122, 2123, 2307.05 | | 806.05(c), 809.03 | |
| Requirements must be repeated | 707.07(e) | Definition | 802.02 |
| Requisites of the application | 702 | "Distinct" invention | 802.01, 806, 806.05 |
| <i>Res judicata</i> | 706.03(w), 707.07(g) | Election other than express | 818.02 |
| Reservation clause in application | 608.01(e), 608.01(t) | Election fixed by action on claim | 818.01 |
| Residence, Applicant's | 605.02 | Final requirement | 821.01 |
| Resignation of Examiner | 1702 | Grouped in parent case | 811.04 |
| Resignation of Examiner, Old cases special | 708.03 | Improper | 803, 806, 808.02 |
| Response (see also Amendment; Period for response) | | Independent embodiments | 806.04, 806.05 |
| After abandonment | 714.17 | Independent inventions | 802.01, 803, 806, 806.04, |
| After Board decision | 1214.01, 1214.06 | 808.01, 808.01(a), 818.03 | |
| After final rejection | 714.12, 714.13 | Introduction | 801 |
| Within 2 months | 706.07(f) | Linking claim | 809, 809.02, 809.03, 809.04 |
| Complete | 714.02 to 714.04 | Linking claim, Traverse of rejection | 818.03(d) |
| Copying claim from patent | | Markush type claims | 803, 803.02 |
| not a response | 711.02(b) | Nonelected claims, Treatment of | 821 to 821.03 |
| Election requirement | 809.02(a), 809.02(b), | Nonelected invention | 706.03(m), 809.04 |
| 818.03(a), 818.03(b), 818.03(c) | | Old combination and subcombination .. | 806.05(b), 820.01 |
| Formal matters | 714.02 | Patentability over prior art | 806.02, 809, 809.03 |
| Incomplete | 710.02(c), 711.02, 711.02(a), | Patentability report, Effect | 807 |
| 711.03(a), 714.02 to 714.05 | | Petition from requirement | 809.04, 818.03(c) |
| In reexamination | 2210, 2214, 2266 | Process and product or apparatus ... | 806.05(e)-806.05(g), |
| Incomplete, Election of species lacking | 809.02(a), | 820 | |
| 818.03(b) | | Product and process of using | 806.05(h) |
| Incomplete, Proceedings not stayed | | Product, process of making and using | 806.05(i) |
| by petition | 1002 | Reissue application | 1450, 1451 |
| Incomplete, Time for completing | 710.02(c), 711, | Rejection of nonelected claims | 821 to 821.03 |
| 714.03 | | Related inventions | 802.01, 803, 806, 806.04(b), |
| Late | 711, 711.02 | 808.02, 809.03 | |
| Late, Excused | 710.02(d) | Requirement | 812 to 817 |
| Patentability pointed out | 714.02, 714.04 | Additional | 811.02 |
| Restart period for response | 710.06 | By Group where examinable | 812 |
| Restoration of cancelled matter | 608.01(s), 714.24 | Completeness | 815 |
| Restriction requirement | 818 to 820.02 | Concluding paragraph | 817, 818.03(b) |
| Signed by all applicants | 714.01(a) | Consult other Group | 812.01, 815 |
| Statutory period | 710.01 | Election, after | 818 |

INDEX

| | |
|---|--|
| Restriction (see also Election: Election of species)—Continued | |
| Requirement—Continued | |
| Election, after; Shift of invention/species | 819.01 |
| Election, after; With traverse .. | 818.03(b), 821.01 |
| Election, after; Without traverse | 21.02 |
| Final | 810.03, 818.03 |
| First action | 811 |
| Patentability | 810 to 810.03 |
| Petition from | 809.04, 818.03(c) |
| Reasons for insisting upon | 808 |
| Rejection on double patenting following .. | 804.01 |
| Repeated after withdrawal | 811.03 |
| Response to | 818 to 818.03(e) |
| Review by Primary Examiner | 803.01 |
| Submission to Group Director | 804.04 |
| Second requirement | 811.02 |
| Single claim | 803 |
| Single embodiment ⁴ | 806.03 |
| Species-Genus | 806.04(a) |
| Species may be related inventions | 806.04(b) |
| Species of unclaimed genus | 808.01(a) |
| Subcombination, Combination and | 806.05(a) to 806.05(c) |
| When made | 811, 811.02 |
| Withdrawal | 819 |
| Telephone | 812.01 |
| Traverse of requirement | 818, 818.03(c), 821.01 |
| Restrictions on former examiner | 1702 |
| Restrictions upon employees of Office | 309 |
| Retention label | 1302.07 |
| Retroactive foreign filing license | 140 |
| Return of Papers: | |
| Discourteous matter | 714.19, 714.25, 1003 |
| Entered on file wrapper | 201.14(c), 717.01 |
| Return of complete application | 601 |
| Return of drawing | 608.02(y) |
| Return of filing fee | 506.01, 607.02 |
| Return of incomplete application | 506.01 |
| Return of oath | 604.04(a) |
| Return of patent | 1416 |
| Return of postcard | 503 |
| Returned Office action | 707.13 |
| Review at allowance | 1302.01 |
| Review for national security | 115 |
| Review for property rights | 115 |
| Revised Statutes (See Statutes.) | |
| Revival of abandoned application | 203.08, 711.03, 711.03(c), 1002.02(b) |
| Conditional petition | 711.03(c) |
| Delgar | 711.03(c) |
| Revocation of agent under PCT | 1808 |
| Revocation of power of attorney | 402.05, 402.07 |
| Rewritten specification | 608.01(q) |
| Ribboned application | 602.04(a) |
| Right of priority (see Foreign application) | 201.13 |
| Form paragraphs | 201.14(c) |
| Formal requirements | 201.14 |
| Overcoming a reference | 201.15 |
| Papers required | 201.14(b) |
| Time for filing papers | 201.14(a) |
| U.S. application | 201.11 |
| Right of priority, Determination by Examiner | 201.15 |
| Rights, Transfer of patent or application | 509.02 |
| Roster of attorneys | 408 |
| Rules of practice: (37 CFR) | Introduction |
| 1.1 Reproduced | 501, 2225 |
| 1.2 Reproduced | 713.04 |
| Cited | 2002.02, 2345 |
| 1.3 Reproduced | 714.25 |
| Cited | 608, 714.19, 714.21, 1504 |
| 1.4 Reproduced | 501 |
| Cited | 2002.02 |
| 1.5 Reproduced | 502 |
| Cited | 1893 |
| 1.6 Reproduced | 502, 511 |
| Cited | 201.13 |
| 1.7 Reproduced | 710.05 |
| Cited | 512 |
| 1.8 Reproduced | 512 |
| Cited | 201.06(b), 317.02, 324, 502, 513, 605.04 711.03(c), 714.17, 1216, 1216.01, 1805, 1834, 1865, 1893.01, 2224 |
| 1.9 Cited | 509.03 |
| 1.9(a)-(d) Reproduced | 509.02 |
| 1.9(a) and (b) Reproduced | 201, 1893 |
| Cited | 201.06(a) |
| 1.9(c)-(f) Cited | 509.02 |
| 1.9(f) Cited | 509, 607, 1415 |
| 1.10 Reproduced | 513 |
| Cited | 201.13, 317.02, 502, 505, 506.02, 512, 711.03(c), 714.17 1216.01, 1805, 1834, 1865 |
| 1.11 Reproduced | 103 |
| Cited | 104, 724.04, 724.04(b)-(c), |

MANUAL OF PATENT EXAMINING PROCEDURE

Rules of practice—Continued

1.11 Cited—Continued
 901.03, 1216, 1216.01,
 1216.02, 1430,
 1443, 1901.05, 2254,
 2300.02, 2387

1.12 Reproduced 301.01
 Cited 509, 1002.02(a)

1.14 Cited 104, 203.08, 301.01, 509,
 713.05, 1002.02(a)and(p)

1.14(a) Reproduced 101
 Cited 103,110, 201.06(b), 901.03

1.14(b) Reproduced 103
 Cited 711.04, 901.02, 901.03

1.14(c) Reproduced 150
 Cited 706.03(b)

1.14(d) Reproduced 103
 Cited ... 104, 201.01, 203.08, 608.01(p), 1213.03

1.14(e) Reproduced 103,104

1.15 Reproduced 103

1.15(a) Reproduced 1701.01

1.16 Reproduced 509, 607
 Cited 201.06(b), 509.01, 509.02, 601,
 601.01, 608.01(i), 608.01(n),
 710.02(e),
 1415, 1505, 1509, 1893.01(c), 1896

1.16(e) Cited 201.06(e), 403, 409.01(a), 502, 506,
 509.01, 1410.01

1.17 Reproduced 509
 Cited 409.01(a), 509.01,509.02, 601,
 607,706.07(f), 710.02,
710.02(e), 711.03(c), 712, 714.13, 724.02
 1205, 1206, 1209, 1410.01, 1505

1.17(h) Cited 120, 201.03, 201.06(a), 409.03,
 506.02, 513, 601.01,
 608.01, 608.02, 724.05, 817,
 1002, 1441, 1442.03
 1901.04, 2344

1.17(i) Cited 201.13, 201.14(a), 301.01,
 307, 708.01, 708.02, 709,
 714.16, 1306, 1308, 1451

1.17(j) Cited 720

1.17(k) Cited 608.01

1.17(l) Cited 203.07, 711.03(c), 712

1.17(m) Cited 203.07, 711.03(c), 712

1.18 Reproduced 509, 1306
 Cited 509.01, 509.02,601, 607, 1303, 1505

1.19 Reproduced 509
 Cited 103, 201.13(b), 301.01, 303,
 320, 409.03(i), 509.01, 509.02,

Rules of practice—Continued

1.19 Cited—Continued
 607, 608.05, 1410,

1.20 Reproduced 509
 Cited 509.01, 509.02, 607,804.02,
 1105, 1481, 1490, 2209, 2215

1.21 Reproduced 509
 Cited 301, 301.01, 302, 302.06, 323, 506,
 509.01, 509.02, 601,
 601.01, 607, 707,
 1490, 1606,1706,1852

1.22 Reproduced 509

1.23 Reproduced 509

1.24 Reproduced 509

1.25 Reproduced 509.01
 Cited 601

1.26 Reproduced 509
 Cited 509.03, 2214, 2215, 2240,
 2247, 2248

1.28 Reproduced 509.03

1.28 Cited 201.06(a)

1.31 Reproduced 401

1.33 Reproduced 403
 Cited ... 120, 605.03, 714.01(d), 1303, 2202, 2208,
 2210, 2213, 2214, 2220, 2224,
 2239, 2240, 2267, 2288

1.34 Reproduced 402
 Cited 201.06(a), 402.02, 403, 711, 711.01,
 713.05, 714.01(c), 1209,
 1215.01, 1306, 2210,
 2213, 2222, 2224

1.34(a) Cited 201.06(a), 405, 408, 509.03

1.36 Reproduced 402.05
 Cited ... 402.06, 402.07,1002.02((a), (b), (c), and (g),
 1003

1.41 Reproduced 605

1.41 Cited 201.03, 403, 505, 506, 506.02, 601.01,
 605.04(b), 608.01(i)

1.41(a) Cited 201.03, 403

1.42 Reproduced 409.01(a)
 Cited 409, 409.01(b), 409.03(c), 509.03, 605, 605.04
 608.01(j), 715, 1410.01, 1420, 1604,
 1893.01(e)

1.43 Reproduced 409.02
 Cited .. 409, 409.01(b),509.03, 605, 605.04, 608.01,
 ... 608.01(i), 715, 1410.01, 1604, 1893.01(e)

1.44 Reproduced 409.01(b)
 Cited 409, 409.03(c),608.01(i), 1893.01(e)

1.45 Reproduced 605, 605.07
 Cited 409, 608.01(i),1105, 1402

INDEX

Rules of practice—Continued

1.46 Reproduced 605
 Cited 409

1.47 Reproduced 409.03
 Cited .. 201.03, 201.06(a), 324, 409, 409.03(a) to (j),
 509, 509.03, 605, 605.03, 605.04,
 608.01, 715, 1002.02(a),
 1410.01, 1604, 1893.01(c)

1.48 Reproduced 201.03
 Cited 201.06(a), 509, 601.01, 605.04(g),
 605.07, 620.06, 817,
 1002, 1002.02(a), (c), and (e),
 1003, 1004, 2334

1.51 Reproduced 601
 Cited 201.03, 602, 608.01, 608.02

1.52 Reproduced 608.01
 Cited 201.06(a), 509, 601, 602, 605.04,
 608.01(q), 608.05,
 714.07, 714.22

1.53 Reproduced 506, 601.01
 Cited 201, 201.03, 201.06, 201.06(a),
 201.06(b), 201.07, 201.08, 201.11(a),
 324, 503, 505,
 506.01, 506.02, 509, 601,
 603, 605, 605.04, 608.02,
 608.02(j), 608.04, 608.04(b),
 711.03(c), 715.01, 1002.02(a),
 1410, 1410.01, 1414,
 1893.01(a)(1), 1893.01(b)(1), 1895.01

1.53(b) Cited 201.03, 403

1.54 Reproduced 503
 Cited 1512

1.55 Cited 201.14, 602, 1002.02(b)

1.55(a) Reproduced 201.13, 201.14(a)
 Cited 201.14(c), 201.16

1.55(b) Reproduced 201.13(a)
 Cited 201.13, 509, 1002.02(b),
 1506, 2309.02

1.56 Reproduced 2001
 Cited 201.03, 201.11, 509.03, 602, 605.04,
 605.07, 608.01,
 609, 706.02, 707.05, 711.01,
 724, 724.01, 724.02,
 724.03, 724.04(a),
 724.04(b), 724.04(c), 724.05,
 1208, 1208.04, 1210, 1308,
 1414, 1418, 1442.04, 1443,
 1447, 1448, 1504, 1893.03(g)
 1901.02, 1901.03, 1901.06, 1901.07(b),
 2000, 2001.01, 2001.03,

Rules of practice—Continued

1.56 Cited—Continued
 2001.04, 2001.05, 2001.06,
 2001.06(a)–(d), 2002, 2002.01,
 2002.02, 2003, 2004,
 2012, 2013, 2016, 2020.02,
 2120, 2122, 2123, 2280, 2390

1.58 Reproduced 608.01
 Cited 608.01(i)

1.59 Reproduced 601

1.60 Reproduced 201.06(a)
 Cited 201, 201.03, 201.06,
 201.06(b), 201.07, 201.11,
 201.16, 324, 502, 509.03, 512,
 601.01, 602.05(a), 608.02, 620.06,
 711.01, 711.03(c), 714.09,
 1002.02(a), 1302.04, 1414.02(a), 1504.20,
 1895.01, 2271, 2272, 1430

1.62 Reproduced 201.06(b)
 Cited 103, 201, 201.03, 201.06,
 201.06(a), 201.07, 201.08, 201.11, 324,
 502, 509.03, 512, 601.01, 602.05(a),
 608.04(b), 711.01, 711.03(c), 714.09,
 1002.02(a), 1302.04,
 1414.02(a), 1430, 1443, 1895.01

1.63 Reproduced 602
 Cited 201.03, 201.06(b), 201.13, 201.14,
 201.14(a), 201.14(c),
 201.15, 202.04, 409.03,
 409.03(a), 409.03(b),
 603, 605, 605.02, 605.04,
 608.01, 608.04, 608.04(b), 1410,
 1414, 1444, 1481, 1503.01 1604,
 1893.01(a)(1), 1893.01(b)(1),
 1893.01(e), 1896, 2001

1.64 Reproduced 605.04
 Cited 409.03(a), 409.03(b), 605

1.66(a) Reproduced 604

1.66(b) Reproduced 602.04(a)

1.66 Cited ... 602, 602.04, 602.04(a), 604.04, 604.04(a),
 604.06

1.67 Reproduced 603
 Cited 201.06(a), 601.01, 602, 602.03, 602.04,
 602.05, 604.01, 605.01, 605.04, 608.04

1.68 Reproduced 602
 Cited 201.03, 302.01, 512, 601, 602.04(a),
 604.04(a), 711.02, 711.03(c)

1.69 Reproduced 602.06
 Cited 509.03, 601, 2004

1.71 Reproduced 608.01

MANUAL OF PATENT EXAMINING PROCEDURE

Rules of practice—Continued

| | |
|--------------------|---|
| 1.71—Continued | |
| Cited | 403, 506, 601, 601.01, 608.01(a), 608.01(g), 1302.01, 1503.01 |
| 1.72(a) Reproduced | 606 |
| 1.72(b) Reproduced | 608.01(b) |
| 1.72 Cited | 601, 608.01(a) |
| 1.73 Reproduced | 608.01(d) |
| Cited | 601, 603, 608.01(a), 1302.01 |
| 1.74 Reproduced | 608.01(f) |
| Cited | 601, 608.01(a) |
| 1.75 Reproduced | 608.01(i) |
| Cited | 403, 506, 509, 601, 601.01, 607, 608.01(a), 608.01(g), 608.01(m), 608.01(n), 608.01(o), 802 |
| 1.76 Cited | 601 |
| 1.77 Reproduced | 608.01(a) |
| Cited | 601, 608.05 |
| 1.78(a) Reproduced | 202.01 |
| Cited | 201.11, 310, 608.01(a) |
| 1.78(b) Reproduced | 822 |
| 1.78(c) Reproduced | 804.03 |
| 1.78(d) Reproduced | 804.02, 804.05 |
| 1.78 Cited | 201.06(a), 201.08, 201.11, 310, 601, 608.01, 804, 822, 822.01, 1504.10 |
| 1.79 Reproduced | 608.01(e) |
| Cited | 202.01, 608.01(t) |
| 1.81 Reproduced | 608.02 |
| Cited | 403, 506, 601, 601.01, 608.01, 608.02(a), 608.02(d), |
| 1.82 Cited | 601 |
| 1.83 Reproduced | 608.02(d) |
| Cited | 601, 608.02, 608.02(a), 1451, 1306.03 |
| 1.84 Reproduced | 608.02 |
| Cited | 121, 509, 601, 608.01(v), 608.02(b), 608.05, 1002.02(b), 1451, 1503.02, 1606 |
| 1.85 Reproduced | 608.02(b) |
| Cited | 601 |
| 1.86 Cited | 601 |
| 1.87 Cited | 601 |
| 1.88 Reproduced | 608.02(i) |
| Cited | 506, 601, 711.02(b) |
| 1.91 Reproduced | 608.03 |
| Cited | 601 |
| 1.92 Reproduced | 608.03 |
| Cited | 601 |
| 1.93 Reproduced | 608.03 |
| Cited | 601 |
| 1.94 Reproduced | 608.03(a) |

Rules of practice—Continued

| | |
|------------------|--|
| 1.95 Reproduced | 608.03(a) |
| 1.96 Reproduced | 608.05 |
| Cited | 608.01(a) |
| 1.97 Reproduced | 609 |
| Cited | 601, 608.01(a), 608.01(c), 707.05, 1002.02(d), 1418, 1893.03(g), 2001, 2003 |
| 1.98 Reproduced | 609 |
| Cited | 601, 608.01(a), 608.01(c), 707.05, 717.05, 1418, 1893.01.03(g), 1901.03, 2001, 2002.03, 2256, 2257, 2280 |
| 1.101 Reproduced | 708 |
| Cited | 1504 |
| 1.102 Reproduced | 708.01, 708.02 |
| Cited | 509, 708, 1002.02(a) and (c), 1204 |
| 1.103 Reproduced | 709 |
| Cited | 509, 1002, 1002.02(c), 1002.02(c)(1), 1003 |
| 1.104 Reproduced | 707, 1852 |
| Cited | 509, 702.01, 704, 901, 1504, 1819, 2122, 2123, 2254, 2260 |
| 1.105 Reproduced | 707.07 |
| 1.106 Reproduced | 706, 706.02(b) |
| Cited | 706.02, 707, 904.02, 2217, 2254, 2260 |
| 1.107 Reproduced | 707.05 |
| Cited | 706, 706.02(a), 706.02(b), 707.05(e), 1610, 2254, 2260 |
| 1.108 Reproduced | 901.02 |
| Cited | 2254, 2260 |
| 1.109 Reproduced | 1302.14 |
| Cited | 1213.02, 2129, 2254, 2260 |
| 1.111 Reproduced | 714.02 |
| Cited | 608.01(b), 608.02(b), 706, 707, 707.07(a), 708.02, 710.02(e), 711.03(c), 713.01, 713.04, 714.04, 714.16, 818, 818.03 818.03(a), 1002, 1302.14, 1893.01(a)(2), 2254, 2260, 2266, 2269 |
| 1.112 Reproduced | 706 |
| Cited | 714, 714.02, 2254, 2260, 2269 |
| 1.113 Reproduced | 706.07 |
| Cited | 203.08, 710.02(e), 711.03(c), 714.12, 1002.02(c), 1205, 2254, 2260 |
| 1.115 Reproduced | 714 |
| 1.115 Reproduced | 714 |
| Cited | 2254, 2260 |

Rules of practice—Continued

- 1.116 Reproduced 714.12
 Cited 201.06(b), 512, 706.07, 706.07(e),
 706.07(f), 714, 714.13, 715.09,
 716, 1207, 1214.07, 2254,
 2260, 2272
- 1.117 Reproduced 706.03(n)
 Cited 2254, 2260
- 1.118 Reproduced 608.04
 Cited 506, 601.01, 608, 608.02, 706.03(n),
 1503.02, 1504, 2254, 2260
- 1.119 Reproduced 714.02
 Cited 1302.14, 2254, 2260
- 1.121 Reproduced 714.22, 1302.04
 Cited 608.01(j), 714.02, 717.04
- 1.121(e) Reproduced 1453
- 1.121(f) Reproduced 2250
 Cited 714.22, 1206, 1302.04, 1411,
 .. 1893.01(a)(2), 1893.01(b)(2), 1893.01(d),
 2210, 2221,
 2234, 2249, 2252, 2253
- 1.123 Reproduced 608.02(p)
- 1.124 Reproduced 714.24
 Cited 608.01(s)
- 1.125 Reproduced 608.01(q)
 Cited 608.01, 714.19, 714.20, 1302.02
- 1.126 Reproduced 608.01(j)
 Cited 1302.01
- 1.127 Cited 1002.02(c)
- 1.131 Reproduced 715
 Cited 201.6(a), 324, 609,
 706.02, 06.02(c), 707.05(f),
 708.02, 714.13, 715.01(a) to 715.03,
 715.05 to 715.07(b),
 715.07(d)–715.09,
 724.03, 901.05, 904.02,
 1002.02(c), 1004, 1005,
 1105, 1105.03, 1109(a), 1109.02,
 1111.06, 1208, 1214.01, 1302.14
 2122, 2271, 2272, 2371
- 1.132 Reproduced 716
 Cited 201.06(a), 608.04, 706.02,
 714.13, 724.03, 1002.02(c),
 1004, 1005, 1105.02, 1105.03,
 1214.01, 2106.02, 2271, 2272, 2371
- 1.133 Reproduced 713.01, 713.04
 Cited 713.02, 1302.14
- 1.134 Cited 710.01, 711, 1002.02(f)
- 1.135 Reproduced 710.01, 711
 Cited .. 710.02(c), 710.02(e), 711, 711.02, 713.01,
 713.04, 714.01(a),

Rules of practice—Continued

- 1.135 Cited—Continued
 714.02, 714.03, 714.12
- 1.136 Reproduced 710.02, 710.02(e)
 Cited .. 201.03, 201.11(a), 403, 409.01(a), 502, 509,
 509.03, 601.01, 602.03,
 605.04, 608.02, 608.02(a), 706.07,
 706.07(a), 706.07(b), 706.07(f), 709,
 710.01, 710.01(a), 710.02(c), 710.02(d),
 711, 711.02, 711.02(a), 711.03(c), 711.04(a),
 712, 713.04, 714.01(a), 714.03, 714.08,
 714.13, 714.17, 714.22, 720.04,
 809.02(a) and (c), 821.03,
 1002, 1002.02(a), (c), and (f),
 1005, 1205, 1206, 1209, 1213.02,
 1214.01, 1214.03, 1214.06,
 1215.04, 1216, 1302.04, 1442.01,
 1442.02, 1442.03, 1505,
 1893.01(a)(1), 1893.01(b)(1),
 1893.01(d), 1893.01(e), 1895
- 1.137 Reproduced 711.03(c)
 Cited 201.03, 203.08, 409.01(a), 710.02(e),
 711.03, 711.04(c),
 1002.02(b), 1206, 1840, 1893.02
- 1.138 Reproduced 711
 Cited .. 201.06(a), 608.02(i), 711.01, 1215.01, 2285
- 1.139 Cited 103, 711.06, 901.02, 901.03, 1513
- 1.141 Reproduced 802
 Cited 710.02(c), 802.01, 806,
 806.04(a), 806.04(h),
 808.01(a), 809.02,
 809.02(a), 809.02(b),
 809.02(c), 820, 1850, 1896
- 1.141(b) Reproduced 806.05(i)
- 1.142 Reproduced 802
 Cited 707.07(i), 809.02(c),
 811, 812.01, 818.03(e),
 821.01 to 821.03, 1504.05
- 1.143 Reproduced 818.03
 Cited .. 810.03, 818.03(a), 818.03(b), 818.03(e),
 821.03, 1504.05
- 1.144 Reproduced 818.03(c)
 Cited 710.02(c), 809.04, 812.01, 818.03(d),
 821, 821.01, 821.02,
 821.03, 1002.02(c), 1201
- 1.145 Reproduced 821.03
- 1.146 Reproduced 809.02
 Cited 707.07(i), 1896
- 1.147 Cited 201.06(a)
- 1.151 Reproduced 1501
- 1.152 Reproduced 1503.02
 Cited 608.02
- 1.153 Reproduced 1503.01

MANUAL OF PATENT EXAMINING PROCEDURE

Rules of practice—Continued

1.153—Continued
 Cited 1503
 1.154 Reproduced 1503.01
 Cited 1503
 1.155 Reproduced 1505
 Cited 711.03(c), 1002.02(b)
 1.161 Reproduced 1602
 Cited 1610, 1611
 1.162 Reproduced 1604
 1.163 Reproduced 1605
 Cited 1603
 1.164 Reproduced 1605, 1608
 1.165 Reproduced 1606
 Cited 608.02, 1603
 1.166 Reproduced 1607
 1.167 Reproduced 1608
 Cited 1610
 1.171 Reproduced 1410
 Cited 320, 1440
 1.172 Reproduced 1410.01
 Cited 1440, 1443
 1.173 Reproduced 1411
 Cited 714.22, 1440, 1453, 1455
 1.174 Reproduced 1413
 Cited 608.02, 608.02(i), 1440
 1.175 Reproduced 1414
 Cited 409.03(a), 409.03(b), 1410, 1412.03,
 1414.01, 1414.02,
 1414.02(a), 1414.03, 1414.04, 1414.05,
 1418, 1440, 1442.01, 1442.04, 1444,
 1444.01, 1446, 1447, 1901.05, 2001,
 2012, 2022.05, 2122, 2123
 1.176 Reproduced 1440
 Cited 708.01, 1418, 1440, 1441, 1442.03,
 1443, 1445, 1450,
 1901.04, 2003, 2012
 1.177 Reproduced 1451
 Cited 509, 1002.02(a), 1306.01, 1306.02,
 1440, 1450
 1.178 Reproduced 1416
 Cited 1410, 1440
 1.179 Reproduced 1431
 Cited 202.05, 1440
 1.181 Reproduced 1002
 Cited Introduction, 313, 317, 608.01(v),
 608.02(a), 608.04(c),
 706.07, 706.07(c), 711.03(c),
 711.03(d), 714.13, 720.05,
 818.03(c), 1001.01,
 1002.01, 1002.02, 1002.02(b), (c), and (c)(1),

Rules of practice—Continued

1.181 Cited—Continued
 1201, 1206, 1208, 1208.03,
 1906, 2240, 2248
 1.182 Reproduced 1002
 Cited 509, 605.04(b),(c), and (f), 608.01,
 608.02, 724.02, 724.05,
 1002.02(a) and (b), 1901.04
 1.183 Reproduced 1002, 1901.04
 Cited .. 201.03, 201.06(a), 201.14(a), 509, 601.01,
 608.02, 711.01,
 711.03(c), 711.05, 712,
 1002.02, 1002.02(a), 1002.02(b),
 1306.03, 1410.01, 1441, 1442.03, 1505,
 1893.03(c), 1890, 1901.04, 2186, 2268
 1.184 Reproduced 1002
 1.191 Reproduced 1205
 Cited Introduction, 608.04(c), 706.07,
 714.13, 1206, 1209, 1904,
 2001, 2201, 2233, 2273, 2315
 1.192 Reproduced 1206
 Cited 512, 710.02(e), 711.03(c), 1204,
 1205, 1207, 1208,
 1215.01, 1215.04,
 2233, 2273, 2274
 1.193 Reproduced 1208
 Cited 1002.02(c), 1205, 1208.03, 1208.04,
 1209, 1211.01,
 1448, 1901.05, 2001, 2273
 1.194 Reproduced 1209
 Cited 2233, 2273
 1.195 Reproduced 1212
 Cited 715.09, 716, 1208, 2273
 1.196(a) Reproduced 1213
 1.196(b) Reproduced 1214.01
 Cited 1212, 1214.06
 1.196(c) Reproduced 1213.01
 1.196(d) Reproduced 1213.02
 Cited 1214.06
 1.196(e) Reproduced 1213.02
 1.196(f) Reproduced 1214.01
 Cited 1213.02
 1.196 Cited 714.12, 1002.02(f), 1213, 1213.01,
 1214.06, 1214.07,
 1904, 2273
 1.197(a) Reproduced 1214
 1.197(b) Cited 1002.02(j), 1212, 1216
 1.197(c) Reproduced 1214.06
 1.197 Cited 1002.02(j), 1206, 1214.01,
 1214.03, 1214.06, 1215.04,

Rules of practice—Continued

1.197 Cited—Continued
 1216, 1216.01, 1216.02, 2273

1.198 Reproduced 1214.07
 Cited 714.12, 1002.02(c), 1214.01,
 1214.04, 1216, 2273

1.201 Reproduced 1100
 Cited 1002.02(f), 2302

1.202 Cited 1105, 1109(a)

1.203 Cited 1005, 1105.02

1.204 Cited 1105, 1208, 2308, 2317

1.205 Cited 1105, 1105.02, 2284

1.206 Cited 1205

1.207 Cited 1104

1.212 Cited 1002.02(c), 1205

1.215 Cited 1105.06

1.224 Cited 1105

1.227 Cited 1105.05

1.231 Reproduced 1105
 Cited 1100, 1105.01 to 1105.07, 1106,
 ... 1106.03, 1108, 1109(a), 1109.02, 1111.06,
 1111.07, 1111.10, 2284, 2300.01, 2333

1.237 Reproduced 1105.05
 Cited 1105, 1105.03, 1105.07, 1106.03,
 1109(a), 1112.08, 2284

1.238 Reproduced 1106.02

1.243 Cited 1105, 1105.05, 1105.07, 2284

1.244 Cited 1002.02(f), 1105, 1105.07

1.245 Cited 2390

1.248 Reproduced 1901
 Cited 720.01, 1216.01, 1216.02,
 1901.04, 1901.05, 2001,
 2249, 2254, 2267

1.256 Cited 720.04, 1216

1.257 Cited 1105.04, 1109(a), 1109.02, 2350

1.258 Cited 1105, 1105.04

1.259 Cited 1109(a), 2122

1.262 Cited 711.01, 1108, 1109(a), 1109.02

1.263 Cited 1109(a)

1.265 Cited 1109.02

1.266 Cited 1108

1.291 Reproduced 1901
 Cited 724, 724.03, 1404, 1901.01 to 1901.07,
 1901.07(a), 1901.07(b), 1902, 1904,
 1906, 1907, 2001, 2001.04,
 2001.05, 2013, 2122, 2360

1.292 Reproduced 720
 Cited 509, 706.03(v), 720.01, 720.02,
 720.04, 1002.02(a), 1901.02,
 2122, 2123, 2360

Rules of practice—Continued

1.295 Cited 509, 1002.02(c)(1)

1.296 Cited 1002.02(c)(1)

1.301 Reproduced 1216
 Cited 1216.01

1.302 Reproduced 1216.01
 Cited 1216, 1216.02

1.303 Reproduced 1216

1.304 Reproduced 1216
 Cited 1002.02(o), 1205, 1214.03,
 1214.06, 1216.01, 1216.02

1.311 Reproduced 1303

1.312 Reproduced 714.16
 Cited 201.03, 509, 603.01,
 608.01(v), 608.02(z), 609, 711.03(c),
 713.10, 714.15, 714.16(a)–(e),
 714.20, 1002, 1002.02(c),
 1002.02(d), 1005, 1302.04,
 1303.01, 1305, 1308,
 1308.01, 1309.01, 1512, 1705, 2287

1.313 Reproduced 1308
 Cited 201.06(a), 509, 608.02(i),
 711.01, 711.05, 1002,
 1002.02(b) and (c), 1306, 1306.01

1.314 Reproduced 1306
 Cited 509, 1002.02(b), 1306.01

1.316 Reproduced 712
 Cited 203.04, 203.07, 203.08,
 711.03(c), 1002.02(b)

1.317 Cited 1002.02(b)

1.318 Reproduced 1857

1.321 Reproduced 1490
 Cited 320, 509, 711.03(c), 712, 804, 804.02,
 804.03, 1002.02(b), 1505

1.321(b) Reproduced 804.02

1.322 Reproduced 1480
 Cited 1002.02(c), (d) and (l)

1.323 Reproduced 1481
 Cited 307, 509, 608.01(g),
 1002.02(d) and (l), 1309, 1485

1.324 Reproduced 1481
 Cited 201.03, 509, 1002.02(d) and (f), 1402, 2334

1.335 Reproduced 311

1.341(g) Reproduced 1702

1.341 Cited 1002.02(m)

1.342 Reproduced 1402.01
 Cited 1002.02(m)

1.346 Cited 2001

1.347 Cited 714.01(a)

Rules of practice—Continued

| | |
|------------------|---|
| 1.348 Cited | 510, 714.01(a) |
| 1.351 Reproduced | Introduction, 1001 |
| 1.352 Reproduced | Introduction, 1001 |
| 1.363 Cited | 403 |
| 1.366 Cited | 502 |
| 1.371 Cited | 509.02 |
| 1.377 Cited | 509, 1002.02(b) |
| 1.378 Cited | 1002.02(b) |
| 1.378(e) Cited | 509 |
| 1.401 Cited | 1802 |
| 1.412 Cited | 1805 |
| 1.413 Reproduced | 1840 |
| 1.414 Reproduced | 1885 |
| Cited | 1890 |
| 1.415 Reproduced | 1853 |
| 1.416 Reproduced | 1862 |
| 1.421 Cited | 1805, 1817, 1817.01 |
| 1.422 Reproduced | 1820 |
| Cited | 409.01 |
| 1.423 Cited | 409 |
| 1.425 Cited | 1002.02(a), 1805, 1820 |
| 1.431 Reproduced | 1810 |
| 1.432 Cited | 1817 |
| 1.433 Cited | 1812 |
| 1.434 Reproduced | 1821 |
| 1.435 Reproduced | 1823 |
| 1.436 Reproduced | 1824 |
| 1.437 Reproduced | 1825 |
| 1.438 Reproduced | 1826 |
| 1.445 Cited | 509, 509.02 |
| 1.446 Reproduced | 1847 |
| 1.451 Reproduced | 201.13(b) |
| Cited | 1830 |
| 1.455 Reproduced | 402.09, 1807 |
| 1.475 Reproduced | 1850, 1875.01 |
| Cited | 324, 1850, 1875, 1875.01, 1893.03, 1893.03(d), 1895.01, 1896 |
| 1.477 Reproduced | 1850 |
| Cited | 1847 |
| 1.480 Reproduced | 1864 |
| 1.482 Cited | 1867 |
| 1.484 Reproduced | 1878 |
| Cited | 1878.02 |
| 1.485 Reproduced | 1864.01 |
| Cited | 1871 |
| 1.488 Reproduced | 1875 |
| 1.489 Reproduced | 1875.02 |

Rules of practice—Continued

| | |
|------------------|---|
| 1.491 Reproduced | 1893.01 |
| Cited | 1893.01(a)(1), 1893.01(b)(1) |
| 1.492 Cited | 1893.01(c), 1896 |
| 1.494 Reproduced | 1893.01(a) |
| Cited | 201, 201.11(a), 1893.01(a)(1), 1893.01(e), 1893.02, 1893.03(a), 1895.01 |
| 1.495 Reproduced | 1893.01(b) |
| Cited | 201.11(a), 1879.03, 1893.01(b)(1), 1893.01(b)(2), 1893.01(e), 1893.02, 1893.03(a), 1895.01 |
| 1.496 Cited | 708, 1893.01(d), 1893.03(b) |
| 1.497 Cited | 605.04 |
| 1.499 Reproduced | 1893.03(d) |
| Cited | 1895.01, 1896 |
| 1.501 Reproduced | 2202 |
| Cited | 1920, 2003.01, 2201, 2204, 2205, 2206, 2210, 2214, 2215, 2225, 2227, 2244, 2246, 2254, 2256, 2267 |
| 1.502 Cited | 711.03(c) |
| 1.510 Reproduced | 2210 |
| Cited | 324, 509, 509.01, 714, 1105, 2003.01, 2201, 2202, 2204, 2211-2219, 2221, 2225, 2227, 2228, 2239, 2249, 2254, 2256, 2257, 2258, 2262, 2267, 2284 |
| 1.515 Reproduced | 2240 |
| Cited | 1002.02(c), 2201, 2241, 2243, 2244, 2246, 2248, 2249, 2255, 2265, 2283-2286 |
| 1.520 Reproduced | 2239 |
| Cited | 103, 1002.02(b), 2201, 2212, 2229, 2241, 2246, 2249 |
| 1.525 Reproduced | 2246 |
| Cited | 2201, 2202, 2254, 2268, 2277, 2283, 2285, 2286, 2288 |
| 1.530 Reproduced | 2249 |
| Cited | 714, 1449.01, 2201, 2221, 2252, 2253, 2256, 2257, 2260, 2261, 2265, 2267, 2268, 2271, 2281, 2283-2286 |
| 1.535 Reproduced | 2251 |
| Cited | 2201, 2202, 2204, 2249, 2252, 2253, 2256, 2257, 2260, 2261, 2262, 2265, 2267, 2281, 2284-2286 |
| 1.540 Reproduced | 2252 |
| Cited | 2201, 2267 |
| 1.550 Reproduced | 2254 |

Rules of practice—Continued

| | |
|---------------------------|--|
| 1.550 Cited | 710.02, 710.02(e), 1002.02(c), 1205, 1206, 1216, 2201, 2221, 2267, 2283-2286 |
| 1.552 Reproduced | 2258 |
| Cited | 2201, 2246, 2253, 2285 |
| 1.555 Reproduced | 2280 |
| Cited | 509.03, 724, 724.03, 2014, 2201, 2202, 2256, 2257 |
| 1.560 Reproduced | 2281 |
| Cited | 2201 |
| 1.565(a) Reproduced | 2282 |
| 1.565(b) Reproduced | 2284 |
| 1.565(c) Reproduced | 2283 |
| 1.565 Cited | 1002.02(c), 1449.01, 2201, 2207, 2285, 2288 |
| 1.570 Reproduced | 2288 |
| Cited | 1205, 1206, 2201, 2254, 2285, 2287 |
| 1.601 Reproduced | 2301.02 |
| Cited | 509.02, 715, 1002.02(c) and (f), 2303, 2306, 2363.03, 2387 |
| 1.602 Reproduced | 2302 |
| 1.603 Reproduced | 2303 |
| Cited | 1002.02(d) |
| 1.604 Reproduced | 2304 |
| Cited | 2305 |
| 1.605 Reproduced | 2305 |
| Cited | 706.03(u), 710.02(c), 2305.03 |
| 1.606 Reproduced | 2306 |
| Cited | 2309.01 |
| 1.607 Reproduced | 2307 |
| Cited | 708.01, 2001.06(d), 2305, 2306, 2307.03, 2307.04, 2307.05, 2307.06 |
| 1.608 Reproduced | 2308 |
| Cited | 715.05, 1002.02(c), 1208, 2306, 2308.01, 2308.02, 2309.03, 2312, 2317, 2333.01, 2371 |
| 1.609 Reproduced | 2309 |
| Cited | 2305 |
| 1.610 Reproduced | 2310 |
| Cited | 502, 2300.01, 2316, 2345, 2355 |
| 1.611 Reproduced | 2311 |
| Cited | 710.02, 710.02(e), 2390 |
| 1.612 Reproduced | 2312 |
| Cited | 103, 720, 1002.02(f), 2309.03, 2314 |
| 1.613 Reproduced | 2313 |
| Cited | 402.09, 1002.02(g), 2309.02 |
| 1.614 Reproduced | 2314 |
| Cited | 2300.02 |
| 1.615 Reproduced | 2315 |

Rules of practice—Continued

| | |
|------------------------|---|
| 1.615 Cited | 1002.02(g), 2307.01 |
| 1.616 Reproduced | 2316 |
| Cited | 103, 2300.01, 2377, 2387, 2390 |
| 1.617 Reproduced | 2317 |
| Cited | 2308.02, 2312, 2384 |
| 1.618 Reproduced | 2318 |
| Cited | 601, 2353, 2356 |
| 1.621 Reproduced | 2321 |
| 1.622 Reproduced | 2322 |
| Cited | 2362 |
| 1.623 Reproduced | 2323 |
| 1.624 Reproduced | 2324 |
| 1.625 Reproduced | 2325 |
| Cited | 2355 |
| 1.626 Reproduced | 2326 |
| 1.627 Reproduced | 2327 |
| 1.628 Reproduced | 2328 |
| 1.629 Reproduced | 2329 |
| 1.630 Reproduced | 2330 |
| 1.630 Cited | 201.13, 201.14(a) |
| 1.631 Reproduced | 2331 |
| Cited | 1002.02(g) |
| 1.632 Reproduced | 2332 |
| Cited | 2321, 2354 |
| 1.633 Reproduced | 2333 |
| Cited | 714.16(b), 720, 2301.02, 2305.01, 2309.01, 2309.02, 2311, 2314, 2321, 2331, 2333.01, 2333.02, 2335, 2337, 2339, 2358, 2360, 2362, 2363.03, 2390, 2355 |
| 1.634 Reproduced | 2334 |
| Cited | 201.03, 1002.02(g), 2322, 2335, 2339, 2355, 2363.03 |
| 1.635 Reproduced | 2335 |
| Cited | 1002.02(g), 2312, 2316, 2352, 2356, 2373, 2383, 2384, 2385, 2387 |
| 1.636 Reproduced | 2336 |
| 1.637 Reproduced | 2337 |
| Cited | 2312, 2356, 2364 |
| 1.638 Reproduced | 2338 |
| Cited | 2344, 2384 |
| 1.639 Reproduced | 2339 |
| Cited | 2371 |
| 1.640 Reproduced | 2340 |
| Cited | 2312, 2337, 2355, 2385, 2390 |
| 1.641 Reproduced | 2341 |
| Cited | 720.05, 1004, 2307.02 |
| 1.642 Reproduced | 2342 |

MANUAL OF PATENT EXAMINING PROCEDURE

Rules of practice—Continued

| | |
|-------------------|---|
| 1.643 Reproduced | 2343 |
| 1.644 Reproduced | 2344 |
| Cited | 1002, 1002.02(o), 2340, 2364 |
| 1.644(e)(f) Cited | 509 |
| 1.645 Reproduced | 2345 |
| Cited | 710.02, 710.02(e), 720.04, 1216, 2387, 2390 |
| 1.646 Reproduced | 2346 |
| Cited | 720.01, 1216, 1901 |
| 1.647 Reproduced | 2347 |
| 1.651 Reproduced | 2351 |
| Cited | 2352, 2387 |
| 1.652 Reproduced | 2352 |
| Cited | 2390 |
| 1.653 Reproduced | 2353 |
| Cited | 2352, 2356, 2372, 2376, 2377 |
| 1.654 Reproduced | 2354 |
| Cited | 720.04, 2332 |
| 1.655 Reproduced | 2355 |
| 1.656 Reproduced | 2356 |
| Cited | 2332, 2382, 2385 |
| 1.657 Reproduced | 2357 |
| 1.658 Reproduced | 2358 |
| 1.658 Cited | 1216, 2333, 2354, 2363.03 |
| 1.659 Reproduced | 2359 |
| 1.660 Reproduced | 2360 |
| 1.661 Reproduced | 2361 |
| Cited | 2366 |
| 1.662 Reproduced | 2362 |
| Cited | 2358, 2360, 2364 |
| 1.663 Reproduced | 2363.03 |
| Cited | 2364 |
| 1.664 Reproduced | 2363 |
| 1.665 Reproduced | 2365 |
| 1.666 Reproduced | 2366 |
| Cited | 509, 1002.02(f) |
| 1.671 Reproduced | 2371 |
| Cited | 2339, 2344, 2372, 2382 |
| 1.672 Reproduced | 2372 |
| Cited | 2317, 2339, 2353, 2371, 2373, 2384, 2390 |
| 1.673 Reproduced | 2373 |
| Cited | 103, 2371, 2372, 2384, 2385 |
| 1.674 Reproduced | 2374 |
| Cited | 2376, 2384 |
| 1.675 Reproduced | 2375 |
| Cited | 2385 |
| 1.676 Reproduced | 2376 |
| Cited | 2353 |
| 1.677 Reproduced | 2377 |
| 1.678 Reproduced | 2378 |

Rules of practice—Continued

| | |
|------------------|--|
| 1.679 Reproduced | 2379 |
| 1.682 Reproduced | 2382 |
| Cited | 2353 |
| 1.683 Reproduced | 2383 |
| Cited | 2353 |
| 1.684 Reproduced | 2384 |
| Cited | 2353, 2373 |
| 1.685 Reproduced | 2385 |
| 1.687 Reproduced | 2387 |
| Cited | 103, 2351, 2388 |
| 1.688 Reproduced | 2388 |
| Cited | 2353 |
| 1.690 Reproduced | 2390 |
| 1.710 Cited | 1002.02(a) |
| 1.740 Cited | 509, 1002.02(a) |
| 1.801 Reproduced | 2403 |
| Cited | 2401, 2402, 2403 |
| 1.802 Reproduced | 2404 |
| Cited | 2401, 2402, 2404, 2404.03, 2407, 2407.01 |
| 1.803 Reproduced | 2405 |
| Cited | 2401, 2402, 2405, 2409 |
| 1.804 Reproduced | 2406 |
| Cited | 2401, 2402, 2406, 2406.01, 2407, 2407.01 |
| 1.805 Reproduced | 2407 |
| Cited | 2401, 2402, 2407, 2407.01, 2407.02, 2407.03, 2407.04, 2407.05, 2407.06, 2411, 2411.04 |
| 1.806 Reproduced | 2408 |
| Cited | 2401, 2402, 2408, 2411.01 |
| 1.807 Reproduced | 2409 |
| Cited | 2401, 2402, 2409 |
| 1.808 Reproduced | 2410 |
| Cited | 2401, 2402, 2410.01, 2411.01 |
| 1.809 Reproduced | 2411 |
| Cited | 2401, 2402, 2406, 2407.04, 2411.02, 2411.03, 2411.05 |
| 1.821 Reproduced | 2422 |
| Cited | 1002.02(a), 1823.02, 2401, 2420, 2421.02, 2422.01, 2422.02, 2422.03, 2422.04, 2422.05, 2422.06, 2422.07, 2422.08, 2422.09, 2424, 2424.01, 2425, 2426, 2427.01, 2427.02, 2428, 2429 |
| 1.822 Reproduced | 2423 |
| Cited | 2401, 2420, 2421.02, 2421.04, 2422, 2422.01, 2422.03, 2423.01, 2423.02, 2423.03, 2425, 2427.02 |
| 1.823 Reproduced | 2424 |
| Cited | 2401, 2420, 2422, 2422.03, |

INDEX

Rules of practice—Continued

1.823 Cited—Continued
 2423, 2423.01, 2424.01, 2424.02,
 2424.03, 2425, 2427.02, 2429

1.824 Reproduced 2425
 Cited 2401, 2420, 2421.02, 2421.04,
 2422, 2422.09, 2425, 2429

1.825 Reproduced 2426
 Cited 1823.02, 2401, 2420, 2421.02, 2422,
 2422.08, 2426, 2427.01,
 2427.02, 2428, 2429

2.20 Cited 512

2.145 Cited 1002.02(o)

2.148 Cited 1002.02

Part 3 Cited 706.02(c), 2186

3.1 Reproduced 301

3.11 Reproduced 302
 Cited 313

3.21 Reproduced 302.03
 Cited 315, 317.01

3.24 Reproduced 302.01

3.26 Reproduced 302.02

3.27 Reproduced 302.08

3.28 Reproduced 302.07

3.31 Reproduced 302.07

3.34 Reproduced 323.01

3.41 Reproduced 302.06

3.51 Reproduced 317.01
 Cited 317.02

3.54 Reproduced 317.03

3.56 Reproduced 317.03

3.61 Reproduced 302.04

3.71 Reproduced 402.07
 Cited 324

3.73 Reproduced 324
 Cited 706.02(c)

3.81 Reproduced 307
 Cited 1002.02(c)

5.1 Reproduced 115
 Cited 1832

5.2 Reproduced 120

5.3 Reproduced 120
 Cited 1832

5.4 Reproduced 120
 Cited 1002.02(c)(1)

5.5 Reproduced 120
 Cited 1002.02(c)(1)

5.6 Reproduced 120

5.7 Reproduced 120

5.8 Reproduced 120

Rules of practice—Continued

5.11 Reproduced 140
 Cited 1832

5.12 Reproduced 140
 Cited 115, 509, 1002.02(c)(1), 1832

5.13 Reproduced 140
 Cited 509

5.14 Reproduced 140
 Cited 509, 1832

5.15 Reproduced 140
 Cited 509

5.16 Reproduced 140

5.17 Reproduced 140

5.18 Reproduced 140

5.19 Reproduced 140

5.20 Reproduced 140

5.25 Reproduced 140
 Cited 509, 1002.02(c)(1)

5.31 Reproduced 140

5.32 Reproduced 140

5.33 Reproduced 140
 Cited 120

10.2 Cited 509, 1002.02(o)

10.3 Cited 1002.02(o)

10.5 Cited 403

10.6 Cited 402.01, 1702

10.6(c) Cited 402

10.7 Cited 509, 1002.02(m)

10.9 Reproduced 402.01
 Cited 1002.02(m), 1702

10.10 Reproduced 1702
 Cited 402.09, 1002.02(m)

10.11 Reproduced 402
 Cited 403, 601.03

10.18 Reproduced 402

10.23 Cited 2333

10.23(c)(18) Cited 402

10.66 Cited 404

10.131 Cited 402

10.160 Cited 1002.02(m)

10.170 1002.02(m)

15a.1-7 Reproduced 1701.01

S

Sale, On (see On Sale) 706.03(s), 2125.03, 2120,
 2121, 2122

Same attorney, Interfering applications 2305, 2309.02

Same invention, Comparing foreign application ... 201.15

Sample letter on citation of prior art in patent 2205

MANUAL OF PATENT EXAMINING PROCEDURE

| | | | |
|---|---|---|------------------------|
| Saturday, Effect on time for response . . . | 502, 505, 710.05 | Secrecy, Pending applications | Chapter 100 |
| Scientific and Technical Information | | Secrecy of international applications | 110, 120 |
| Center (Library) | 706.03(s), 707.05(e), 717.05, 901.06(a) | "Secrecy Order" application | 115, 120, 130 |
| Scientific principle not patentable | 706.03(a) | Allowance | 130, 1304 |
| Scope of claims | 904.01(a) | Final rejection | 130 |
| Scope of class | 903.02(b) | Interference | 130, 2309.06 |
| Scope of reexamination | 2258 | Prosecution | 130 |
| Screening new application for security review | 115, 706.03(b) | Review for Secrecy Order | 115, 140 |
| Seal | 604.01 | Security, Application affecting | 120 to 140 |
| Foreign application | 602.04(a) | Security Group, Cases submitted | 120, 121, |
| Not required | 604.01, 604.03(a) | 706.03(b), 706.03(s) | |
| Venue | 604.02 | Security interest in patent, recording | 313 |
| Sealing oaths for interference, Primary's attention | 1004 | Security markings | 121, 130, 140, 724, |
| Search: | | Security screening of new applications | 115, 140 |
| After reversal by Board of Appeals | 1214.04 | Self-addressed postcard | 503 |
| Aids in Scientific and Technical | | Sequence rules | 2400, 2420 |
| Information Center | 901.06(a) | Amendments to sequence listing and computer | |
| Analogous art areas | 904.01(c) | readable form | 2426 |
| APS | 902.03(e) | Amino acid definition | 2424.01 |
| Cards, Subclass definitions | 902.02(b) | Applications affected, "new" applications | 2421.01 |
| Claim analysis | 904.01 | Background information | 2401, 2420 |
| Computer | 717.05 | Bona fide response | 2421.03 |
| Fee-PCT | 1827 | Box sequence | 2422.09 |
| Field of | 904.01(d), 1701 | Changes to rules | 2421.04 |
| File wrapper notation | 705.01(a), 717.05, 904.01(d) | Coding regions, Depiction of | 2423.02 |
| Incomprehensible disclosure | 702.01 | Compliance requirement | 2422.07 |
| In Group, by member of public | 713.02 | Computer readable form requirement | 2422.04, 2425 |
| Informal application | 702.01, 704 | Definitions for nucleotides/amino acids | 2422.01 |
| INPADOC | 901.06(a) | Effective date | 2401, 2420 |
| Interference | 2301.01(b) | Exclusive conformance requirement | 2422.02 |
| Mechanized | 717.05 | Extensions of time | 2421.03 |
| Notes in classification definitions | 902.02(a) | Format and symbols | 2423, 2423.01 |
| Notes in file wrapper | 705.01(a), 717.05, 903.07(a) | Form paragraphs and notice to comply | 2427 |
| Online Database | 901.06(a) | Hand-delivery of sequence listings and | |
| Outlining | 904.01(d) | computer readable forms | 2422.09 |
| Patentability report | 705.01(a), 705.01(b) | Headings for sequence listings | 2432, 2433 |
| Prior examiner's | 704 | Helpful hints for compliance | 2429 |
| Procedure | 704, 904 | Informational requirements for | |
| Report | 1844 | sequence listings | 2424, 2424.01, 2424.02 |
| Restriction requirement | 808.02 | Mandatory information items | 2433 |
| Selecting pertinent references | 904.02 | Miscellaneous requirements, information | 2424.03 |
| Title | 306 | "New" applications | 2421.01 |
| Unduly extensive and burdensome | 808.01(a), | Notification of failure to comply | 2421.03, 2427 |
| | 809.02(d), 818.02(b) | Nucleotide definition | 2422.01 |
| Search exchange, United States-Philippines | 1711 | Numbering of sequences | 2423.02 |
| "Search Notes" box entries | 717.05 | Official copy of sequence listing | 2422.04 |
| Search Room, Examiner's use | 510 | Patent information, training | 2430 |
| Search Room hours | 510 | Presumptions regarding compliance | 2422.08 |
| "Searched" box entries | 717.05 | | |
| Secret sale, Activity by another | 2121, 2125.02 | | |

Sequence rules—Continued

| | |
|--|---------------------------------|
| Previously filed identical computer readable form, Reference to | 2422.05 |
| Replacement of sequence listing and computer readable form | 2426 |
| Sample sequence listing | 2431 |
| Sample statements | 2428 |
| Sanctions for failure to comply | 2422.07 |
| Sequence identifier requirement | 2422.03 |
| Sequence listing requirement | 2422.03 |
| Sequence presentation | 2423.03 |
| Sequences embedded in application text | 2422.03 |
| Sequences in drawings | 2422.02 |
| Statement regarding content of paper and computer readable copies | 2422.06, 2428 |
| Statement regarding new matter | 2422.07, 2428 |
| Summary of requirements | 2421.02 |
| Variants of a presented sequence | 2422.03 |
| Voluntary compliance | 2421.01 |
| Serial Number | 502, 503 |
| Series of dependent claims | 608.01(n) |
| Service in reexamination | 2220 |
| Service of citation in patent | 1921 |
| Service of court papers on Commissioner | 1216 |
| Shift of election | 819 |
| Shortened statutory period | 710.02 to 710.02(e) |
| Distinction from time limit for reply | 710.02(d), 2307.02 |
| Signatory Authority, Full | 1004 |
| Signatory Authority, Partial | 1005 |
| Signature: | |
| Alteration in specification signed | 608.01 |
| Amendment | 714.01 |
| Signature improper | 714.01(a) to 714.01(d) |
| Signature missing | 714.01(a) |
| Signed by applicant, Not by attorney of record | 714.01(d) |
| Signed by attorney not of record | 405 |
| Applicant | 605.04 |
| Applicant changes name | 201.03, 605.04(c), 717.02(b) |
| Applicant, International application | 1820 |
| Applicant unable to write | 605.04(d) |
| Application completeness | 506 |
| Application papers | 605.04 |
| Attorney not of record | 405 |
| Correction of name | 605.04(c) |
| Divisional application, Omitted | 201.06(a) |
| Express abandonment | 711, 711.01 |

Signature:—Continued

| | |
|--|---|
| Facsimile | 506, 605.04 |
| Full, first or middle name | 605.04, 605.04(b) |
| Joint applications | 605.04(f) |
| Legal representative | 605.05 |
| Omitted from an application filed under Rule 60 | 201.06(a) |
| Required on every paper | 402 |
| Title with | 605.04(e) |
| Uniformity with name | 605.04(b), 1503 |
| Signing Examiner's letter | 706.07, 707.08, 707.09 |
| Signing, File Wrapper | 1302.13 |
| Simultaneous issue of patents | 1306.02 |
| Single means claim | 706.03(c), 706.03(z) |
| Single signature form, Design application | 1503 |
| Sketch of proposed drawing change | 608.02(v) |
| Sketch of subject matter of claims | 904.01(a) |
| Small Business Act | 509.02 |
| Small Business Administration | 509.02 |
| Small Entity Status | 509.02 |
| Small Entity Status, Claiming | 509.03 |
| Soft copy, Ordering | 905.02 |
| Sole in original oath | 602 |
| Sole inventor application | 201.01 |
| Changed from joint | 201.03 |
| Changed to joint | 201.03 |
| Changed to other sole inventor | 201.03 |
| Continuation of joint | 201.07 |
| Continuation-in-part of joint | 201.08 |
| Division of joint | 201.06 |
| Reissue application, Joint to sole | 1481 |
| Sole patent to joint patent | 1481 |
| Solicitor's Office | 302.04, 311, 601.03, 1216.01, 1216.02, 1701.01, 2207 |
| Petitions decided | 1002.02(k) |
| Service of court papers on | 1216 |
| Sources of information to disclose | 2001.06 |
| Special Assistant to the Assistant Commissioner for Patents | 1701.01 |
| Special case | 708 to 708.03 |
| Accelerated examination | 708.02 |
| Allowable application, Except for form | 707.07(j), 710.02(b), 714.14, 1301 |
| Appealed case | 1204 |
| Applicant's age, health | 708.02 |
| DNA | 708.02 |
| Energy | 708.02 |
| Environment | 708.02 |
| Examiner resigns | 708.03 |

MANUAL OF PATENT EXAMINING PROCEDURE

Special case—Continued

| | |
|--|---------------------------------|
| Five year pendency | 707.02(a) |
| Infringement | 708.02 |
| List | 708.01 |
| Manufacture | 708.02 |
| Petition to make | 708.02, 1002.02(a) |
| Reexamination | 2261 |
| Reissue application | 706.03(x), 1442 |
| Rejected patent claim | 2307.02 |
| Remanded | 708.01 |
| Revived applications | 711.03(c) |
| Superconductivity | 708.02 |
| Special examining procedure | 708.02 |
| Special Programs, Office of .. | 201.03, 720, 720.01, 1002.02(a) |
| Special Program Examiner | 103 |
| Species | 802.01, 806.04(a) to 806.04(j) |
| Cancellation of Species claims | 821.01, 821.02 |
| Claims restricted to | 806.04(e) |
| Election | (See Election of species.) |
| How recognized | 806.04(f) |
| Independent inventions | 802.01, 808.01(a) |
| Mutually exclusive characteristics | 806.04(f) |
| Patentability distinct | 806.04(h) |
| Patentability over genus | 806.04(h) |
| Plural | 706.03(k), 808.01(a), 809.02 |
| Reissue | 1450 |
| Rejection | 806.04(h) |
| Related | 806.04(b) |
| With allowable generic claim | 809.02(b) |
| Withdrawal of species claims .. | 809.02(c), 821.01, 821.02 |
| Specification | 608.01 |
| Amendment, Instructions for entry .. | 714.22, 714.23 |
| Arrangement | 608.01(a) |
| British "provisional" and complete | 201.15 |
| Changes prior to filing | 601.01, 608.01 |
| Completeness | 608.01(p) |
| Computer Lists | 608.05 |
| Confused by amendments | 608.01(q), 1302.02 |
| Content of | 608.01(a) |
| Correction by Examiner's amendment ... | 1302.04 to 1302.04(g) |
| Correction by initialing | 1302.04 |
| Cross-noting of related applications | 202.01 |
| Derogatory remarks prohibited | 608.01(r) |
| Description | 608.01(g) |
| Design application | 1503.01 |
| English language | 608.01 |
| Format | 608.01 |
| Illustrations in | 608.01 |
| Interlineation prior to filing | 608.01 |

Specification—Continued

| | |
|--|----------------------------------|
| Language faulty | 608.01 |
| Missing pages | 608.01 |
| New matter | 608.04 |
| Parts | 608.01(a) |
| Reference to copending application | |
| brought up to date | 1302.04(f) |
| Reference to prior patent or application | 202.01 |
| Reissue application | 1411 |
| Return | 608.01 |
| Rewritten | 608.01(q) |
| Signature | 605.04 |
| Substitute, Amendment including | 714.19, 714.20 |
| Substitute, New matter | 714.20 |
| Substitute specification | 608.01(q), 714.19, 714.20 |
| Summary of invention | 608.01(d) |
| Terminology basis for claims | 608.01(o) |
| Title of invention | 606 |
| Title of invention, Changed | 606.01 |
| Transfer | 608.01(t) |
| Specimen, Composition of matter | 608.03 |
| Specimen, Handling | 608.03(a) |
| Specimen, Plant application | 1607 |
| Stale oath or declaration | 602.05 |
| Stamp: | |
| Draftsman's | 608.02(a), 608.02(o) |
| Group date | 714.18 |
| Office date | 502, 505, 506, 710.01(a), 714.18 |
| Seal | 604.01 |
| Starting material, Chemical compound | 608.01(p) |
| Statement, Examiner's: | |
| New ground of rejection | 1208.01 |
| Petition | 1002.02(c) |
| Petition from abandonment | 711.03(d) |
| Reply brief | 1208 |
| Special status | 708.01 |
| Statement by inventors when | |
| changing inventorship | 201.03 |
| Statement by owner in reexamination | 2249 |
| Statement of invention, Coextensive | |
| with claims | 608.01(d) |
| Statement of invention, | |
| Review on allowance | 1302.01 |
| Statement, Prior Art | 609 |
| Status inquiries | 203.08 |
| Congressional | 203.08(a) |
| Status letter | 203.08, 1705 |
| Status of application | 102, 203 |
| Abandoned | 203.05 |
| Abandoned for failure to pay issue fee | 203.07 |

INDEX

Status of application—Continued

| | |
|---|---|
| Allowed or in issue | 203.04 |
| Amended | 203.03 |
| Incomplete | 203.06 |
| New | 203.01 |
| Parent patent application | 102, 201.11 |
| Referred to in foreign patent | 102, 203.08 |
| Rejected | 203.02 |
| Statute, Citation | Introduction |
| Statutes: | |
| Atomic Energy Act Cited | 120, 706.03(a)–(b) |
| Public Law 87–333 Cited | 201.13 |
| Public Law 92–34 | 706.02 |
| Public Law 94–131 | 608.01(n) |
| Public Law 96–517 | 509.02, 2201, 2209 |
| Public Law 97–247 | 509.02, 509.03, 511, 513, 601.01, 605.04, 706.07(e)–(f), 710.02(e), 711.03(c), 714.13, 2265 |
| Public Law 98–622 | 201.03, 402, 605.04, 605.07, 1504.05, 2004, 2153, 2185 |
| Public Law 100–418, Section 9101(c),(d) | 140 |
| Public Law 506 (81st Cong.) | |
| Article 136 Cited | 604.03(a) |
| Revised Statute of 1874 | Introduction |
| 5 U.S.C. 552(a)(2) | 103 |
| 5 U.S.C. 6103 Cited (Office closings) | 710.05 |
| 9 U.S.C. 10, 11 Reproduced | 2390 |
| 10 U.S.C. 140(c) | 120 |
| 15 U.S.C. 15(b) Cited | 101 |
| 15 U.S.C. 1058 Cited | 512 |
| 15 U.S.C. 1059 Cited | 512 |
| 15 U.S.C. 1062, 1064, 1065, 1071 Cited | 512 |
| 18 U.S.C. 207 Cited | 1702 |
| 18 U.S.C. 1001 Reproduced | 602 |
| Cited | 151, 201.06(a), 711.03(c) |
| 18 U.S.C. 1905 Cited | 101 |
| 18 U.S.C. 2071 Reproduced | 101 |
| 20 U.S.C. 114 Cited | 509.02 |
| 21 U.S.C. 321 Cited | 608.01(p) |
| 21 U.S.C. 372 Cited | 608.01(p) |
| 26 U.S.C. 501 | 509.02, 509.03 |
| 28 U.S.C. 1292(b) Cited | 2344 |
| 28 U.S.C. 1745 | 901.05 |
| 28 U.S.C. 1746 Reproduced | 602 |
| Cited | 201.03, 602.03 |
| 35 U.S.C. 1 Reproduced | Introduction |
| 35 U.S.C. 2 Reproduced | 1309 |
| 35 U.S.C. 3 Reproduced | 1001 |
| 35 U.S.C. 4 Reproduced | 309 |
| 35 U.S.C. 6 Reproduced | 1001 |

Statutes:—Continued

| | |
|------------------------------------|--|
| 35 U.S.C. 6 Cited | Introduction, 710.02, 710.02(c), 2000 |
| 35 U.S.C. 7 Reproduced | 1201 |
| Cited | 1002.02(f) |
| 35 U.S.C. 8 Reproduced | 901.06(a) |
| 35 U.S.C. 9 Reproduced | 903.01 |
| 35 U.S.C. 13 Cited | 509 |
| 35 U.S.C. 21 Reproduced | 710.05 |
| Cited | 201.13, 512, 1805, 2126.01 |
| 35 U.S.C. 21(a) Reproduced | 511, 513 |
| 35 U.S.C. 22 Reproduced | 608.01 |
| 35 U.S.C. 24 Cited ... | 2300.02, 2335, 2371, 2372, 2387 |
| 35 U.S.C. 25 Reproduced | 602 |
| Cited | 602.03, 1701.01 |
| 35 U.S.C. 26 Reproduced | 602 |
| Cited | 605.04 |
| 35 U.S.C. 32 Cited | 1002.02(o) |
| 35 U.S.C. 41(a) 1 Reproduced | 607 |
| 35 U.S.C. 41(a)(2) & (4) | 1306, 1415 |
| 35 U.S.C. 41 Cited | 201.06(b), 509.02, 509.03, 608.01(n), 710.02, 710.02(e), 711.03(c), 712, 714:16(c), 1205, 1306, 1415, 1505, 2273, 2274 |
| 35 U.S.C. 100 Reproduced | 701 |
| Cited | 706.03(a), 1921 |
| 35 U.S.C. 101 Reproduced | 701, 706.03(a) |
| Cited | 201, 608.01(p), 706, 706.03(a), 706.03(k), 706.03(p), 707.07(l), 804, 1206, 1503, 1504, 1601, 1605, 1608, 1902.01(b), 2105, 2106, 2128.04, 2217, 2258 2403, 2403.02 |
| 35 U.S.C. 102 Reproduced | 706.02 |
| Cited | 201.03, 201.11, 201.13, 201.13(b), 409.03(g), 506, 601.01, 605.04, 605.07, 701, 706, 706.02(c), 706.03(e), 706.03(k), 706.03(s), 706.03(u), 707.05(f), 707.07(d), 711.06(a), 715, 715.01, 715.01(b), 715.01(c), 720, 720.02, 804, 804.02, 804.03, 901.01, 901.04, 901.05, 901.05(b), 901.06(a), 1105.05, 1109(a), 1109.02, 1206, 1208, 1302.14, 1504, 1506, 1608, 1843, 1893.03, 1895.01, 1896, 1893.03, 1895.01, 1896 1897, 1901.02, 2004, 2105, 2106, 2120, 2121, 2122, 2123, 2124, |

Statutes—Continued

35 U.S.C. 102 Cited—Continued
 2125, 2125.01, 2125.02,
 2125.03, 2125.04, 2126.01, 2127,
 2128, 2128.01, 2128.02, 2128.03,
 2128.06, 2129, 2153, 2185, 2186,
 2187, 2188, 2188.01, 2188.02, 2189,
 2209, 2217, 2258, 2363.03, 2390

35 U.S.C. 103 Reproduced 706.02
 Cited 605.07, 701, 706, 706.02(c),
 706.03(e), 706.03(u), 707, 707.07(d),
 711.06(a), 715.01, 715.01(b),
 716, 720, 720.02, 803, 803.02,
 804, 804.02, 804.03, 806.04(b),
 809.02(a), 901.05, 901.06(a),
 1109(a), 1109.02, 1206, 1208,
 1302.14, 1504, 1608, 1843, 1901.02,
 2004, 2105, 2106, 2127, 2129,
 2153, 2185, 2186, 2187, 2188,
 2188.01, 2188.02, 2189, 2209,
 2217, 2258, 2262, 2390

35 U.S.C. 104 Reproduced 715.07(c)

35 U.S.C. 111 Reproduced 601
 Cited 201, 201.03, 201.06(b), 201.11(a),
 403, 409.03(a), 409.03(b), 506,
 509.02, 601.01, 605.04, 608.01,
 608.02(j), 702, 801, 1410, 1410.01,
 1850, 1893, 1893.03(a), 1893.03(c),
 1893.03(d), 1895, 1895.01, 1896

35 U.S.C. 112 Reproduced 706.03(c)
 Cited 201.06, 201.08, 201.11,
 201.14(b), 201.15, 506, 601,
 608.01, 608.01(b), 608.01(h),
 608.01(k), 608.01(n), 608.01(p),
 608.02, 608.02(a), 608.04,
 702.01, 706.02(c), 706.03(d),
 706.03(h), 706.03(j), 706.03(o),
 706.03(z), 706.07(a), 707.07(d),
 707.07(l), 707.07(j), 821, 1004,
 1105.04, 1109(a), 1206, 1208,
 1414.02(a), 1503, 1503.02,
 1504, 1504.20, 1605, 1608,
 1901.02, 1902.01(b),
 2105, 2106.01, 2106.02, 2128.04,
 2217, 2258, 2308.02, 2402, 2403,
 2403.02, 2404, 2404.01, 2404.03, 2405,
 2406, 2406.01, 2406.02, 2406.03, 2407.01,
 2407.03, 2411, 2411.01, 2411.02, 2411.04,
 2422, 2422.03, 2422.08, 2429

Statutes—Continued

35 U.S.C. 113 Reproduced 608.02
 Cited 506, 601, 608.02(a)

35 U.S.C. 114 Reproduced 608.03

35 U.S.C. 115 Reproduced 602
 Cited 201.06(a), 409.03(a), 409.03(b),
 601, 604.06, 605.01, 1893.01(e)

35 U.S.C. 116 Reproduced 409.03, 605.07
 Cited 201.03, 409.03(a), 409.03(i),
 605, 706.02, 1402

35 U.S.C. 117 Reproduced 409.01(a)
 Cited 409.03(c)

35 U.S.C. 118 Reproduced 409.03
 Cited 409.03(b), 409.03(f) and (i)

35 U.S.C. 119 Reproduced 201.13
 Cited 201.06(a), 201.06(b), 201.13(a),
 201.13(b), 201.14, 201.14(a)-(c),
 201.16, 202.03, 409.03(d), 409.03(g),
 605.07, 715.01, 715.07(c), 720,
 901.05, 1105.04, 1111.10, 1402,
 1417, 504, 1504.10, 1506, 1893.03(c),
 1895.01, 1896, 2126.01, 2363.03

35 U.S.C. 120 Reproduced 201.11
 Cited 103, 201.03, 201.04, 201.06(a)-(b),
 201.08, 201.11(a), 201.13, 201.13(b),
 201.16, 409.03(g), 602, 605.07, 706.02,
 710.02(e), 711.02(c), 711.03(c), 711.06,
 720, 802, 1105.04, 1216.01, 1302.04,
 1490, 1503.02, 1504.20,
 1893.03(c), 1895, 1895.01, 1896,
 2126.01, 2153, 2185, 2188.01,
 2188.02, 2217

35 U.S.C. 121 Reproduced 802
 Cited 201.06(a), 409.03(g), 605.07,
 706.02, 706.03(k), 802.01, 803.01,
 804.01, 804.04, 805, 806.04(a),
 808.02, 809.02(a), 817,
 1504.05, 1895.01

35 U.S.C. 122 Reproduced 101
 Cited 103, 201.06(b), 402, 405,
 608.01(p), 706.02, 706.02(c), 724.04,
 724.04(a), 1208, 1901.05
 2410, 2410.01, 2422.04

35 U.S.C. 131 Reproduced 701
 Cited 1504, 2001, 2125.01

35 U.S.C. 132 Reproduced 706.03(o)
 Cited 201.06(a), 608.01, 608.01(b),
 608.01(n), 608.02, 608.04, 707,
 804.03, 1503.02, 1504, 1605,
 2001, 2106.02, 2122, 2123,

INDEX

Statutes:—Continued

35 U.S.C. 132 Cited—Continued
 2126.01, 2254, 2258
 2404.03, 2406.01, 2411.01, 2422.07

35 U.S.C. 133 Reproduced 710
 Cited 509, 201.13, 710.01, 710.02,
 710.02(b), 710.02(d), 711.03(c),
 1002.02(b), 2122, 2123, 2254

35 U.S.C. 134 Reproduced 1205
 Cited 509, 720.05, 1216, 1701.01, 1904, 2273

35 U.S.C. 135 Reproduced 1100, 2300.01
 Cited 512, 711.01, 715.05, 804.03,
 1002.02(f), 1216.01, 1305, 2363.03, 2390,

35 U.S.C. 137 Cited 150

35 U.S.C. 141 Reproduced 1216
 Cited 512, 720.05, 1107, 1214.07,
 1216.01, 1216.02, 2273, 2355,
 2358, 2361, 2363.03

35 U.S.C. 142 Reproduced 1216.01
 Cited 512, 720.05, 1002.02(k), 1216

35 U.S.C. 143 Reproduced 1216.01
 Cited 720.05

35 U.S.C. 144 Reproduced 1216.01
 Cited 720.05

35 U.S.C. 145 Reproduced 1216
 Cited 720.05, 1002.02(k), 1214.07,
 1216, 1216.01, 1216.02, 2279

35 U.S.C. 146 Reproduced 1216
 Cited 1002.02(k), 1107, 1109.01,
 1109.02, 1216, 1216.01, 1216.02,
 2355, 2358, 2360, 2361, 2363.03, 2371

35 U.S.C. 151 Reproduced 1306
 Cited 201.13, 203.07, 509, 710, 710.02(e),
 711.03(c), 1308

35 U.S.C. 152 Reproduced 307

35 U.S.C. 153 Reproduced 1309

35 U.S.C. 154 Reproduced 1309

35 U.S.C. 157 Cited 1513

35 U.S.C. 161 Reproduced 1601
 Cited 201

35 U.S.C. 162 Reproduced 1605
 Cited 608.01

35 U.S.C. 163 Reproduced 1601

35 U.S.C. 164 Reproduced 1608

35 U.S.C. 171 Reproduced 1501
 Cited 201, 608.01, 1504, 1504.05

35 U.S.C. 172 Reproduced 1506, 1504.10
 Cited 201.13, 201.14(a), 901.05

35 U.S.C. 173 Reproduced 1505

Statutes:—Continued

35 U.S.C. 181 Cited 115, 120, 706.03(s)

35 U.S.C. 182 Reproduced 706.03(s)
 Cited 140

35 U.S.C. 184 Reproduced 140, 706.03(s)
 Cited 1002.02(c)(1)

35 U.S.C. 185 Reproduced 140, 706.03(s)

35 U.S.C. 186 Reproduced 140

35 U.S.C. 187 Reproduced 140

35 U.S.C. 188 Reproduced 140

35 U.S.C. 201 Cited 509.02

35 U.S.C. 202 Cited 509.02, 509.03

35 U.S.C. 251 Reproduced 1401
 Cited 608.04, 706.03(x), 1305, 1402,
 1403, 1410, 1410.01, 1411.02,
 1412.01, 1412.03, 1414, 1414.02,
 1414.03, 1444, 1446, 1450,
 1902.01(b), 2012, 2012.01, 2422.07

35 U.S.C. 252 Reproduced 1460
 Cited 1305, 2293

35 U.S.C. 253 Reproduced 1490
 Cited 711.06, 1305, 2362

35 U.S.C. 254 Reproduced 1480
 Cited 1305

35 U.S.C. 255 Reproduced 1481
 Cited 201.16, 1305

35 U.S.C. 256 Reproduced 1481
 Cited 1305, 1402

35 U.S.C. 261 Reproduced 301

35 U.S.C. 262 Reproduced 301

35 U.S.C. 267 Reproduced 710
 Cited 1002.02(c)(1)

35 U.S.C. 282 Cited 706, 716, 1701, 2124

35 U.S.C. 290 Cited 2207

35 U.S.C. 293 Reproduced 302.04

35 U.S.C. 294 Reproduced 311

35 U.S.C. 301 Reproduced 2202
 Cited 2201, 2203, 2204, 2205, 2206,
 2210, 2240, 2254

35 U.S.C. 302 Reproduced 2210
 Cited 2201, 2212, 2217, 2240, 2246

35 U.S.C. 303 Reproduced 2240
 Cited 2201, 2209, 2241, 2242, 2244, 2248, 2256

35 U.S.C. 304 Reproduced 2246
 Cited 2201, 2216, 2246, 2251, 2254, 2285

35 U.S.C. 305 Reproduced 2254
 Cited 2201, 2209, 2254, 2261, 2265,
 2272, 2284, 2286

MANUAL OF PATENT EXAMINING PROCEDURE

Statutes:—Continued

| | |
|---------------------------------------|--|
| 35 U.S.C. 306 Reproduced | 1216, 2273 |
| Cited | 1205, 2201 |
| 35 U.S.C. 307(a) Reproduced | 2288 |
| 35 U.S.C. 307(b) Reproduced | 2293 |
| 35 U.S.C. 307 Cited | 2201, 2250, 2285, 2287, 2293 |
| 35 U.S.C. 351 Cited | 1802 |
| 35 U.S.C. 361 Reproduced | 1805 |
| Cited | 1801, 1862 |
| 35 U.S.C. 362 Reproduced | 1840 |
| Cited | 1862 |
| 35 U.S.C. 363 Reproduced | 1810 |
| Cited | 201.11(a), 605.04, 1893.03(b), 1895, 1895.01, 1896 |
| 35 U.S.C. 364 Cited | 1862 |
| 35 U.S.C. 365 Reproduced | 201.13(b) |
| Cited | 201.11(a), 201.13, 715.07(c), 1893.03(c), 1895, 1895.01 |
| 35 U.S.C. 368 Reproduced | 110 |
| Cited | 1832 |
| 35 U.S.C. 371 Reproduced | 1893.01 |
| Cited | 120, 201, 201.03, 201.11(a), 509, 605.04, 801, 802, 1828, 1832, 1850, 1879.03, 1893, 1893.01(a)(2), 1893.01(b)(1), 1893.01(b)(2), 1893.01(d), 1893.01(e), 1893.02, 1893.03(a), 1893.03(b), -(e), 1895, 1895.01, 1896 |
| 35 U.S.C. 373 Reproduced | 1810 |
| Cited | 1805 |
| 35 U.S.C. 374 Reproduced | 1857 |
| 40 U.S.C. 486 Cited | 510 |
| 42 U.S.C. 141 Cited | 120 |
| 42 U.S.C. 2014 | 108, 706.03(b) |
| 42 U.S.C. 2181 Cited | 120, 706.03(b) |
| 42 U.S.C. 2182 Reproduced | 150 |
| Cited | 115, 120, 151, 512, 512, 706.03(b), 1002.02(c)(1), 1002.02(d) |
| 42 U.S.C. 2185 Cited | 706.03(b) |
| 42 U.S.C. 2457 Reproduced | 150 |
| Cited | 115, 120, 151, 512, 1002.02(c)(1), 1002.02(d) |
| Statutory authority of Commissioner | 1001 |
| Statutory bar | 201.13, 706.03(s) |
| Statutory bar, Foreign patent | 201.13, 706.03(s), 715 |
| Statutory bar, Inventor's certificate | 706.03(s) |
| Statutory bar, Rule 131 not available | 715 |
| Statutory classes of invention | 706.03(a) |
| Statutory disclaimer | 1490 |

| | |
|---|------------------------------|
| Statutory Invention Registration, SIR | 711.06 |
| Statutory period (see also Period for response) | 710.01 |
| Stay of reexamination | 2285 |
| Stay of reissue | 2285 |
| Stockholm Revision, Paris Convention | 201.13(a) |
| Strasbourg Agreement | 903.09 |
| Stays considered in litigation | 1442.05 |
| Stays denied | 1442.05(b) |
| Stays granted | 1442.05(a) |
| STIC | 901.05, 901.06(a) |
| Streamlined continuation application | 201.07 |
| Strike patent application | 1002.02(a) |
| Subclass, List of patent numbers | 902.03(c) |
| Subcombination: | |
| Aggregation and | 806.05(a) |
| Combination and | 802.01, 806.04(c), 806.05(b) |
| Not generic | 806.04(c) |
| Species | 806.04(b) |
| Subgeneric Markush claims | 706.03(y) |
| Subject matter, Nonstatutory | 706.03(a) |
| Subject Matter Combinations | 903.02(b) |
| Submission to Classification Group: | |
| Classification of application | 903.08(d), 903.08(e) |
| Patentability report | 705.01(a) |
| Submission to Drafting Branch: | |
| Rearrangement of Figures | 608.02(t) |
| Return of drawing | 608.02(y) |
| Transfer of Figures | 608.02(t) |
| Submission of Prior art by applicant | 707.05(b) |
| Submission to Patent Security Group: | |
| Atomic Energy, security review | 115 |
| Confidential application or papers | 121 |
| Defense invention, security review | 115 |
| Secrecy Order case | 120, 130 |
| Secret application or papers | 121 |
| Security determination | 115, 140 |
| Subpoena by court, Application file | 1216.02 |
| Subscription correspondence address | title page |
| Substantial new question of patentability | 2216, 2242 |
| Substitute application: | |
| Assignment | 306 |
| Copendency lacking | 201.11 |
| Definition | 201.09 |
| Does not carry ownership from parent | 201.11 |
| File wrapper notation | 202.02 |
| Reference to parent application | 201.11 |
| Refile | 201.10 |
| Substitute attorney | 406 |
| Substitute for missing hard copy | 901.09 |
| Substitute oath | 602.02 |

INDEX

T

| | | | |
|---|------------------------------|--|-------------------------------|
| Substitute page | 714.20 | Technical documents | 901.06(a) |
| Substitute specification | 608.01(q), 714.19, 714.20 | Technical rejections | 706.03 |
| Amendment incorporating | 714.19, 714.20 | Telegraphic amendment | 714.08 |
| New matter | 714.20 | Telephone call, Multiplicity rejection | 706.03(l) |
| Sufficiency of disclosure affidavit | 716 | Telephone number | |
| Suggested claims, Failure to make | 706.03(u) | For PTO closings | 201.13(a) |
| Suggested claim made after end | | Of attorney | 408, 713.01, 714.01 |
| of statutory period | 2305.03 | Of Examiner | 707.08 |
| Suggestion of allowable claims | | Telephoning of attorney to Examiner | 408, 713.01 |
| by Examiner | 707.07(j), 713.01 | Termatrix | 717.05 |
| Suggestion of claims for interference | 2305 to 2305.04 | Terminal disclaimer | 1490 |
| Suggestion of claims for interference, | | Avoiding double patenting rejection . | 804.02, 806.04(i) |
| Time limit | 710.02(c) | Format | 711.03(c), 1490 |
| Summary of action PTOL-326 | 707 | Required for revival | 711.03(c), 712 |
| Summary of interview | 713.04 | Routing | 508.01 |
| Summary of invention | 608.01(d) | Situations where not applicable | 804.03 |
| Sunday or holiday, Effect on time for response | 502, | Termination of proceedings | 201.11, 711.02(c), 712 |
| 505, 710.05 | | Terminology in application ... | 608.01(g), 608.01(o), 1302.01 |
| Supervisory Applications Clerk | 714.13 | Test comments | 707.07(l) |
| Supervisory Patent Assistant | 707, 707.02(a) | Testamentary, Letters | 409.01(b) |
| Supervisory Primary Examiner | 705.01, 707, 707.02(a), | Testimony, Examiner | 1701.01 |
| 713.01, 708.03, 713.08, 714.05, 714.13, | | Testimony, Public Use Proceeding | 720.04 |
| 714.16, 714.16(d), 714.18, 903.08(b), | | Tests, comparative | 716 |
| 1101.02(g), 1214.07, 1448, 1901.06, 1903, | | Third action cases | 707.02(a) |
| 2233, 2237, 2238, 2248 | | Time and activity report | 1704 |
| Supervisory Primary Examiner, | | Time for deciding Commissioner | |
| Requests decided by | 1002.02(d) | initiated reexamination | 2241 |
| Supervisory review, Rule 181 | 711.03(d) | Time for deciding reexamination request | 2241 |
| Supplemental action | 710.06, 714.05 | Time for filing papers, Right of priority | 201.14(a) |
| Supplemental examiner's answer | 1208.01 | Time for requesting reexamination | 2211 |
| Supplemental oath or declaration | 603 | Time for response (See also Period for response.) | 702.01, 710 |
| After allowance | 603.01, 714.16 | Time for response to action in reexamination | 2263 |
| New matter | 608.04 | Time limit action | 710.02, 710.02(c), 710.02(d) |
| Surcharge for late payment of fees | | Permanent ink copy | 714.07 |
| in international application | 1827 | Time limit for making suggested claims | 710.02(c) |
| Surrender of patent | 1416 | Time limit for transfer of application | 903.08(d) |
| Suspension: | | Time limits under the PCT | 1844, 1879.01 |
| Action because of litigation | 1213 | Time period for owner's statement | 2248 |
| Action, By Office | 709 | Time reporting in reexamination | 2238 |
| Applicant's request for | 709 | Time to complete incomplete requests | 2227 |
| Decided by | 709, 1002.02(c), 1004 | Time to file citation of prior art | 2204 |
| <i>Ex parte</i> prosecution during interference | 2315 | Timely submission of protest | 1901.04 |
| Not permitted if outstanding Office action | 709 | Title (ownership) conveyed | |
| Overlapping application | 709.01, 1111.03, 2315.01 | by assignment | 201.12, Chapter 300 |
| Reexamination | 2283, 2284, 2307.04 | Title documents, handling | 317 |
| Rules | 1002, 1002.02(a), 1002.02(b) | Title of design application | 1503.01 |
| "Secrecy Order" application | 2309.06 | Title of international application | 1821 |
| Swearing back of reference | 715 | | |
| Symbols, Drawing | 608.02 | | |

MANUAL OF PATENT EXAMINING PROCEDURE

Title of invention 606
 Title of invention, change by Examiner 1302.04(a)
 Title of invention, Plant patent application 1610
 Title of invention, Reviewed at issue 606.01, 1302.01
 Title report 303, 306, 319, 320
 Title report in decisions for consideration
 by Board 303
 Title report, Interference 2301.01
 Title with signature 605.04(e)
 Trade secret material 724-724.05
 Completeness of file wrapper 724.01
 Materials submitted
 Covered by 35 U.S.C. 122 724.04(a)
 In reissue under 37 CFR 1.11(b) 724.04(b)
 In reexam under 37 CFR 1.11(d) 724.04(c)
 Method of submitting 724.02
 Office treatment and handling 724.04
 Petition to expunge materials 724.05
 Types of 724.03
 Trade secret submission label 724.02
 Trademark and trade name 608.01(v)
 Trademark Manual of Examining Procedure ... Foreword
 Trademarks, Partial listing of Appendix I
 Transfer of application:
 After amendment 903.08(c)
 After Classification decision 903.08(g)
 Allowable application 903.07(b), 1302.05, 1305
 Decision of Classification Examiner 903.08(f)
 Divisible inventions 812
 Interference 2306
 New 903.08(a)
 Notification of applicant 903.08
 Outside Group 903.08(d)
 Primary Examiner's authority 903.08
 Procedure 903.08(a), 903.08(d), 903.08(g)
 Secrecy order application 130
 Submitted to Classification Examiner 903.08(d)
 Within Group 903.08(d)
 Transfer of class or subclass 903.05
 Transfer of drawing 201.06(a), 608.02(i)
 Canceled sheet 608.02(j)
 Defensive Publication 711.06
 Reissue application 608.02(k)
 Transfer of reexamination 2237
 Transfer of rights to patent or application 509.02
 Transfer of specification prohibited 608.01(t)
 Transfer of U.S. patent 903.05
 Translation, Foreign application
 for foreign priority document 201.15

Translations, available, index 901.06(a)
 Translator, Patent and Trademark Office ... 901.05(d), 901.06(a)
 Transmittal Fee-PCT 1827
 Traverse-Answer all matters 707.07(f)
 Traverse, Division or species requirement 818,
 818.03 to 818.03(d), 821.01, 821.02
 Traverse, Rejection of linking claim 818.03(d)
 Treaties 201.13
 Trial Voluntary Protest Program 202.02
 Tubers 1601
 Two month delay period in reissues 1441
 Two periods for response running 710.04
 Type of applications 201

U

Unavailable inventor 409, 409.03
 Unclaimed disclosure, Reservation 608.01(e)
 Undelivered mail 707.13, 1303.02
 Undue breadth rejection 706.03(n), 706.03(z)
 United Kingdom priority document 201.15
 United States Code (see also Statutes) ... Introduction
 "United States of America"
 foreign language names 901.05(a)
 Unity of invention 803, 823, 1850, 1875, 1893.03(d)
 University or other institution of
 higher learning 509.02
 Unmatched papers 508.03
 Unofficial subclasses and digests 903.02(c)
 Unscheduled closing 201.13
 Unsigned amendment 711, 714.01(a)
 Untimely filed paper prior to Order
 for Reexamination 2225
 Untimely response to reexamination 2266
 Updating prior art statement 2003.03(a)
 UPOV Convention 612
 Use, Public 2120, 2121, 2122, 2125.02
 "User" pass 510
 Utility-disclosure in drug cases 608.01(p)
 Utility lacking, Rejection 706.03(p)
 Utility mode 1201.13, 202.03, 901.05(b)
 Utility patent 201, 901.04
 Utility required 608.01(p)

V

Vague and indefinite rejection 706.03(d)
 Validity, Examiner comments 1701
 Venue 604.02
 Verification 201.03

INDEX

Verified statement of facts (Rule 48) 201.03
 Verified statement, small entity status 509.03
 Violation of duty of disclosure 1901.03
 Argued in protest 1901.02, 1901.05
 Visitors to Office 510

W

Waived patent rights—defensive publication 711.06
 Warning to inventors 1706
 Washington representatives of attorneys 408
 West Germany priority document 901.05(b)
 When disclosure is made 2003
 Who has duty to disclose 2001.01
 WIPO 201.13, 901.04, 1801
 Withdrawal from issue 1308
 Amendment crossing allowance 714.15
 Claim presented corresponding to
 claim of patent 2307.03
 Commissioner's approval 1003, 1308
 Interference purposes 1308.02
 Petition for 1002.02(b), 1308
 Quality Review 1308.03

Withdrawal from issue—Continued
 Rejection 706.04, 1308.01
 Suggesting claims for interference 2305.04
 Withdrawal of appeal 1215.01
 Withdrawal of appeal claim 1214.05, 1215.03
 Withdrawal of attorney 402.05, 402.06
 Withdrawal of claims:
 To nonelected invention 821.01, 821.02, 821.03
 To species 809.02(c), 821.01, 821.02
 Withdrawal of final rejection 706.07(e)
 Before appeal hearing 1208.02
 Premature final 706.07(d)
 Primary decides 1004
 Withdrawal of holding of abandonment . 711.03(c),711.04(c)
 Withdrawal of power of attorney in patent 2223
 Withhold from issue petition 1002.02(a)
 Witness, Examiner as 1701.01
 Wrapper (see also File wrapper) 717
 Writing, Disclosures must be in 2002.02
 Wrong Group, Papers sent to 508.01

X

X-series of patents 901.04

MANUAL OF PATENT EXAMINING PROCEDURE