

INDEX

A4 size paper — Accounts, Deposit

	Sec. No.	Sec. No.
A		
A4 size paper (See also: Paper size) .	608.01 , 608.02 , 1825	
A.I. series of patents (See also: Patent)	901.04	
Abandoned application (See also: Abandonment)		
Accessibility to public.....	103 , 711.04	
Counting, when processed.....	711.04(a)	
Definition.....	203.05	
Failure to provide timely notice of foreign filing when nonpublication requested.....	1124	
Fee on petition to revive.....	711.03(c)	
Issue fee, failure to pay.....	711.03(c)	
Ordering.....	711.04(b) , 905.03	
Papers received, handling.....	508.02	
Provisional application.....	201.04 , 211.01(a)	
Reference use.....	901.02 , 2127 , 2136.02	
Referred to in issued patent.....	103	
Revival.....	711.03(c) , 1893.02	
Provisional application.....	711.03(c)	
Storage.....	711.04(b)	
When open to the public.....	103	
Abandoned file (See also: Abandoned application) Abandonment)		
Abandoned files repository.....	711.04(b) , 901.01(a)	
Abandonment (See also: Abandoned application)	711	
After allowance.....	711.05	
After payment of issue fee.....	711.01	
Amendment late.....	711.02 , 714.17	
Appeal dismissal.....	1215.04	
Appeal withdrawal.....	1215.01 to 1215.03	
Change of address.....	711.03(c)	
Counted as a disposal.....	1705	
Date of.....	711.04(a)	
Destroys continuity.....	211.01 , 211.01(b)	
Express.....	711 , 711.01	
Continued prosecution application (CPA).....	201.06(d)	
Issue fee paid.....	711.01 , 711.05	
Failure to file property rights statement.....	150	
Failure to pay issue fee.....	711.03(c)	
Failure to prosecute.....	711.02	
Failure to provide timely notice of foreign filing after non-publication request.....	1124	
Formal.....	711 , 711.01	
Incomplete reply.....	711.03(a)	
No reply.....	711 , 711.02	
Notification of.....	711.02 , 711.04(c)	
Of appeal.....	1210	
Of invention.....	2134 , 2138.03	
Papers received after.....	508.02	
Petition to revive... 711.03(c) , 711.04(c) , 1002.02(b) , 1002.02(f) , 1002.02(p)		
Petition to withdraw holding of examiner's statement....	711.03(c) , 711.03(d)	
Prior application.....	201.06(c)	
Provisional application.....	201.04 , 211.01(a)	
Pulling.....	711.04(a)	
Reconsideration.....	711.03 , 711.03(c)	
Failure to respond.....	711.03(b)	
Insufficiency of response.....	711.03(a)	
Reissue		
Return of surrendered patent.....	1416	
Revival.....	711.03 , 711.03(c)	
Shortened statutory period expired.....	710.02(d) , 711.04(a)	
Special situations.....	711.02(b)	
Termination of proceedings.....	211.01(a) , 211.01(b) , 711.02(c)	
Undelivered action.....	707.13	
Unintentional (See also: Petition)	711.03(c) , 1124	
Withdrawal of holding.....	711.03(c)	
Abbreviation, periodical citation.....	707.05(e)	
Abbreviature and abstract publication.....	711.06	
Citation.....	711.06(a)	
Abstract for defensive publication.....	711.06	
Abstract of international application.....	1826	
Abstract of the disclosure.....	608.01(b) , 1302.04	
Abstract publication.....	711.06	
Accelerated examination.....	708.02	
Access (See also: Inspection) Power of attorney)		
Attorney not of record.....	402 , 405	
Authority to grant access to an application.....	104	
Authorized by Director.....	104	
Continued Prosecution Application (CPA).....	103	
<i>Ex parte</i> reexamination file.....	2232	
Excluded attorney or agent.....	105	
<i>Inter partes</i> reexamination file.....	2609 , 2632.01	
Image file wrapper application.....	103	
International application.....	110	
Pending application.. 101 , 103 , 104 , 106 , 724.04 , 724.04(a) , 1128 , 1132		
Petition.....	103	
Protested application.....	1901.05 , 1901.07	
Provisional application.....	103 , 104	
Published application.....	103 , 1128 , 1130 , 1132	
Reissue application.....	103 , 724.04(b) , 1430	
Supplemental examination.....	2803.02	
Suspended attorney or agent.....	103	
Unpublished, Abandoned, and pending applications.....	105	
Accounts, Deposit (See also: Deposit account)		

MANUAL OF PATENT EXAMINING PROCEDURE

Acknowledgment of protest — Affidavit of attribution or prior disclosure to overcome a 35 U.S.C. 1...

	Sec. No.		Sec. No.
Acknowledgment of protest.....	1901.05	Third, SPE reviews.....	707.02
Act (See also: Statutes)		Time limit.....	710.02 , 710.02(c)
Action (See also: Letter , Examiner's)		Address, Change of correspondence.....	601.03(a) , 601.03(b) , 711.03(c)
Advisory action.....	706.07(f) , 714.13 , 717.01(f)	After Allowance.....	2501 , 2542
After another examiner's action.....	706.04	Address, Correspondence (See also: Mail Stop) ...	403 , 403.01(a) , 403.01(b) , 2542
After Board decision... 1214.01 , 1214.03 to 1214.07		Address, Fee.....	2540
After Board decision reversing examiner.....	1214.04	Address of applicant.....	605.01
After Board decision sustaining examiner.....	1214.06	Address of U.S. Patent and Trademark Office.....	501 , 502
After interference.....	2308	Address of patent owner.....	2222 , 2622 , 2805
Amendment after final rejection.....	706.07(f) , 714.12 , 714.13	Address of unavailable inventor.....	409.03(e)
Citation of references.....	707.05 , 710.06	Administration, Letters of.....	409.01(b)
Claim summary.....	707.07(i)	Administrative instructions, PCT.....	AI
Claims in excess of number of claims previously paid for.....	714.10	Administrative Patent Judges (See also: Patent Trial and Appeal Board (PTAB))	
Closing prosecution in <i>inter partes</i> reexamination (See also: Reexamination , Inter partes: Action closing prosecution)		Administrator or executor.....	409.01
Completeness.....	707.07 , 707.07(a)	Allowance and issue.....	409.01(b)
Copy to applicant.....	707.12	Application by, After discharge.....	409.01(b)
Copies of references.....	707.05(a)	Assigned application, Inventor dies.....	409.01(b)
Correctness, resetting or restarting period for reply.....	710.06	Authority.....	409.01(b)
Counted.....	1705	Consular certificate.....	409.01(b)
Crosses amendment.....	714.05	Foreign country.....	409.01(b)
Date.....	707.11	Heir.....	409.01 , 409.01(a) , 409.01(b)
Domestic benefit determination.....	210 to 211.05	Prosecution by.....	409.01(a) , 409.01(b)
Examiner's.....	707	Intervention not required.....	409.01(b)
Final rejection.....	706.07 to 706.07(f) , 713.09	Refuses to sign.....	409.03 , 409.03(b) , 409.03(c)
In reissue applications.....	1444 , 1453	Admissions by applicant.....	2121.02 , 2129 , 2133.03 , 2133.03(c) , 2145 , 2152.03
Foreign priority determination.....	210 , 213 to 217	Jepson claim.....	2129
Formal matter.....	707.07(a) , 707.07(e) , 707.07(j) , 714.02	Admissions in reexamination <i>Ex Parte</i>	2217 , 2258
Forms used.....	707	Advantages over prior art.....	707.07(f)
Incorrect citation of references.....	710.06	Adverse recommendation under 37 CFR 1.312.....	714.16(d) , 714.16(e) , 714.19
Informal application.....	702.01	Advisory action.....	706.07(f) , 714.13
Mailing.....	707.12	Affidavit (See also: Oath Declaration)	
Original in image file wrapper.....	707.12	Affidavit, disqualifying commonly owned patent or patent application publication as prior art to overcome a pre-AIA 35 U.S.C. 102 or 103 rejection (37 CFR 1.131).....	718
Patentability report.....	705 to 705.01(f)	Affidavit of attribution or prior disclosure to overcome a 35 U.S.C. 102 or 103 rejection (37 CFR 1.130).....	717.01 to 717.01(f) , 2155
Piecemeal examination.....	707.07(g)	Enablement.....	2155.04
Primary examiner's personal attention..	707.01 , 1004	Evaluation of..	717.01(a)(1) , 717.01(b)(1) , 717.01(e)
Priority determination, foreign.....	210 , 213 to 217	Formal requirements.....	717.01(c)
Reply time computation.....	710.01(a) , 710.05	Showing Disclosure was made by inventor..	717.01(a) , 2155.01
Restriction requirement.....	800	Showing Prior disclosure was subject matter by inventor.....	717.01(b) , 2154.02 et seq. , 2155.02
Returned.....	707.13	Showing disclosure was subject matter obtained from inventor.....	717.01(b)(2) , 2155.03
Shortened statutory period.....	710.02 , 710.02(b)		
SPE's personal attention.....	707.02		
Supplemental.....	710.06 , 714.05		
Suspension of (See also: Suspension)	709		
Suspension of, primary examiner's attention.....	1004		
Suspension of, second or subsequent.....	1002.02(c)		
Suspension of, TC Director's attention.....	1003		

INDEX

Affidavit of attribution or prior disclosure to overcome a 35 U.S.C. 1... — Affidavits, traversing rejections (37 CFR 1.132)

	Sec. No.		Sec. No.
Timely presentation.....	717.01(f)	Affidavits, traversing rejections (37 CFR 1.132).....	716.2136.05.
When available.....	717.01. 2155.06	Attorney arguments.....	716.01(c)
When not required.....	717.01	Inoperability of references.....	716.07. 2145
When unavailable.....	717.01. 2155.06	Reference attributed to applicant.....	716.10
Who may file.....	717.01(c). 2155.05	Attribution, of reference to applicant.....	716.10
Affidavit of prior invention to overcome a pre-AIA 35 U.S.C. 102 or 103 rejection (37 CFR 1.131(a))..	715. 2132.01. 2136.05. 2136.05(a). 2136.05(b)	Commercial success, evidence.....	716.03
Acts relied upon, NAFTA/WTO/U.S.....	715.07(c). 2121.02. 2139.02	Commensurate in scope with claimed invention.....	716.03(a)
Best mode, failure to disclose.....	715.10	Derived from claimed invention.....	716.03(b)
Co-authorship.....	715.01(c)	Design applications.....	716.03(b). 1504.03
Common assignee, reference and application.....	715.01(b). 718	Sales figures.....	716.03(b)
Compared to Rule 1.132 affidavit.....	715.01	Commonly owned patent.....	718. 804.03
Completion of invention.....	715	Commonly owned patent application publication... ..	718. 804.03
Conception (See also: Conception)	715	Comparison with closest prior art.....	716.02(e)
Continuing application.....	201.06(c). 201.06(d)	Computer programming cases.....	2164.06(c)
Copies from prior applications.....	201.06(c)	Continuing application.....	201.06(c). 201.06(d)
Dedication to public.....	715	Copying, evidence.....	716.06. 1504.03
Derivation.....	715.07(c)	Disclosure, sufficiency.....	716.09
Diligence (See also: Diligence)	715	Disclosure, utility and operability.....	716.08
Effective filing date.....	715	Enablement rejections.....	2164.05
Exhibit, Disposition.....	715.07(d)	Evidence	
Formal requirements.....	715.04	Consideration of.....	716.01
Facts and documentary evidence.....	715.07	Publications.....	716
Timely presented.....	715.09	Nexus requirement.....	716.01(b)
Genus-species.....	715.03	Objective.....	716.01(a)
Generic claim.....	715.02	Compared to opinion evidence.....	716.01(c)
Interference testimony used.....	715.07(b)	Probative value.....	716.01(c)
Overcome patent or publication.....	715	Weighing against <i>prima facie</i> case... ..	716.01(d). 716.05
Petition regarding sufficiency.....	1002.02(c)	Timeliness.....	716.01
Prior public use/sale.....	715.10	Indefiniteness rejection.....	2173.05(b)
Priority time charts.....	2138.01	Long-felt need.....	716.04
Proper use of.....	715	Means/Step plus function.....	2184
Reduction to practice (See also: Reduction to practice)	715	Petition regarding sufficiency.....	1002.02(c)
Reexamination,, <i>ex parte</i>	2258	Reexamination, <i>ex parte</i>	2258
Reexamination, <i>inter partes</i>	2658	Reexamination, <i>inter partes</i>	2658
Reference date to be overcome.....	715	Reference attributed to applicant.....	716.10
Reference is		Sufficiency of.....	716.09
Common assignee.....	715.01(b). 717.02. 718	Synergism.....	716.02(a)
Joint patent or published application to applicant and another.....	715.01(a)	Skepticism of experts.....	716.05
Patent or application publication claiming same invention.....	715.05. 2138.01	Timeliness.....	716.01
Publication of applicant's own invention....	715.01(c)	Unexpected results, allegations.....	716.02
Sufficiency of.....	715.08. 2136.05	Unexpected results, evidence.....	716.02(a)
When used.....	715. 2132.01. 2133.02(a). 2136.05(a). 2146.03	Advantages not disclosed or inherent.....	716.02(f)
Who may make affidavit.....	715.04. 2121.01	Burden on applicant.....	716.02(b)
Withdrawn rejection.....	715	Commensurate in scope with claimed invention.....	716.02(d)
		Genus or species.....	716.02(d)
		Range, claimed.....	716.02(d)

MANUAL OF PATENT EXAMINING PROCEDURE

Affidavits, traversing rejections (37 CFR 1.132) — Allowance and issue

	Sec. No.		Sec. No.
Weighing evidence of.....	716.02(c)	Examiner's amendment (See also: Examiner's amendment)	
Affidavits submitted with prior art under 35 U.S.C. 301 in patented files.....	2205	Extension of Time.....	1302.04 , 706.07(f)
Affirmation (See also: Oath) Declaration)		File wrapper notation.....	1302.09
After final practice.....	706.07(f)	Final review.....	1302
In transitional application.....	706.07(g)	Formal matters.....	714.16 , 1302.01
In <i>ex parte</i> reexamination.....	2272	Formal matters, examiner's amendment and changes... 714.16 , 1302.04	
Agent (See also: Attorney or agent) Power of attorney)		Formal matters, specification rewritten.....	1302.02
Agent for international application.....	1807 , 1864.04	General review.....	1302.01
Aggregation.....	2173.05(k)	Interference.....	2303.01
Agriculture, Department of, Plant patents... 1608 , 1609		Interference search.....	1302.08 , 2304.01(a)
Agricultural Research Service.....	1608 , 1609	International classification.....	906
Algorithms... 2106 , 2106.04 , 2106.04(a)(2) , 2161.01 , 2164.06(c) , 2181		Intervention by executor.....	409.01(b)
Alien Property Custodian (A.P.C.) publications (See also: Citation of prior art)	901.06(c)	Issue classification notations.....	1302.10
Allowance and issue (See also: Allowed application)	1300	Issue to applicant.....	308
Abandonment after.....	711.05	Issue to a non-applicant assignee.....	307
Amendment, Examiner's.....	1302.04	Jurisdiction of application.....	1305
Amendment, Examiner's, Rule 1.312.....	1305	Listing of references.....	1302.12
Amendment after (See also: Amendment: After allowance)		Locarno classification designations.....	907
Amendment after allowance of all claims.....	714.14 , 1303.01	Non-compliant amendment, treatment of.....	714 , 1302.04
Amendment after D-10 notice.....	130	Nonelected claims canceled by examiner's amendment.....	821.01 , 821.02
Amendment at time of.....	714.15	Nonelected claims eligible for rejoinder.....	821 to 821.02
Amendment crossing in mail.....	714.15	Notice of Allowability.....	1302.03
Assignment Division.....	409.01(b)	Notice of allowance (See also: Form letters and forms: Notice of allowance)	
Cancellation of claims after appeal.....	1214.05 , 1214.06 , 1215.03	Patentability report, print disposal.....	608.02(n)
Cancellation of nonelected claim by examiner's amendment.....	821.01 , 821.02	Plant application.....	1611
Citation of prior art.....	1302.12	Printer Rush.....	1309.02
Claim for <i>Official Gazette</i>	1302.09	<i>Pro se</i>	707.07(j)
Claim renumbering... 608.01(j) , 1302.01 , 1302.04(g)		Protest against issue.....	1901
Claim renumbering, dependent claim.....	608.01(n) , 1302.01	Reasons for allowance (See also: Reasons for allowance)	
Classification of design/plant application.....	903.07	Reference listing.....	1302.12
Classification of utility application.....	905.03	Reissue application.....	1455
Classification change after allowance.....	903.07	Rejection after allowance.. 706.04 , 706.05 , 1308.01	
Cooperative Patent Classification Notation.....	905.01	Rejoinder of claims.....	821.04 , 1302.04(h)
Coping application		Related applications, file wrapper/history notations.....	202 , 1302.09
File wrapper/history notations.....	202 , 1302.09	Reopening prosecution.....	1308.01
Parent application data.....	1302.04	Review by examiner.....	1302.01
Correction of error after notice of allowance.....	714.16	Rewritten specification requirement.....	1302.02
Correction of formal matters, shortened statutory period for.....	710.02(b)	Secret application.....	130 , 1304.01
Cross-reference in USPC.....	903.07(a)	Signing file wrapper.....	1302.13
D-10 notice.....	130	Special.....	708.01 , 710.02(b) , 1301
Deceased inventor, notice of allowance.....	1303.03	Specification, clean copy required.....	1302.02
Drawing correction.....	608.02(z) , 1302.04 , 1303.01	Statement of invention.....	1302.01
		Supplemental oath after.....	603.01

INDEX

Allowance and issue — Amendment

Sec. No.	Sec. No.		
Terminology correspondence of specification and claims.....	1302.01	After death of attorney or agent.....	406
Title of invention.....	1302.01	After final rejection.....	706.07(f) , 714.12 , 714.13
Title change by examiner.....	606.01	Examiner determines compliance with 1.121.....	714.18
Title search, continuing application.....	306	Non-compliant amendment, treatment of.....	714
Transfer.....	909.01 , 909.02	After final rejection, entered in part.....	714.20
Undelivered notice of allowance.....	1303.02	Applicants must sign.....	714.01(a)
Withdrawal from issue (See also: Withdrawal from issue)		At allowance.....	714.15
Withholding from issue, secrecy order application.....	130 , 1304.01	Attorney not of record.....	402 , 405 , 408 , 714.01(c)
Allowance, Reasons for (See also: Reasons for allowance)		Basis in disclosure....	608 , 2163.03 , 2163.07 , 2166
Allowed application (See also: Allowance and issue)		Before first action.....	608.04(b) , 714.01(e)
Definition.....	203.04	Board rejection avoided.....	1214.01
Express abandonment of.....	711.01	By replacement paragraph or section.....	714
File wrapper data.....	1302.09	By substitute specification.....	714
Rejection.....	1308.01	Canceled matter restored.....	608.01(s) , 714
Allowed claim, rejection.....	706.04	Canceling all claims.....	706.07(h) , 711.01 , 714.19
By Patent Trial and Appeal Board.....	1213.02	Canceling appealed claims.....	1215.01 to 1215.03
Alpha subclass.....	903.07	Claim added, terminology basis..	608.01(o) , 2163.03 , 2163.07
Alteration of application.....	506	Claim numbering.....	608.01(j) , 1302.01 , 1302.04(g)
After execution prohibited.....	608.01	Claims	
Before execution of oath or declaration.....	601.01(a) , 602 , 714.21	Added in excess of number of claims previously paid for.....	607 , 714.10 , 714.16(c)
Alternative phrase in claim (See also: Indefinite claim)		Clean version.....	714 , 714.13 , 714.16
.....	2117 , 2173.01 , 2173.05(h) , 2173.05(i)	Marked-up version.....	714
Amended application.....	203.03	Status Identifiers.....	714
Amended application, inspection for transfer...	909.01(c)	Complete reply required.....	714.02 , 714.04
Amendment (See also: Reply)	714	Consolidating pending claims..	714 , 714.13 , 714.16
Accidental entry.....	714.21	Copying patent claim (See also: Claim presented corresponding to claim of patent)	
Adding excess claims.....	714.10	Crossing mailing of allowance.....	714.15
After abandonment.....	711.02 , 714.17	D-10 notice preceding.....	130
After all claims allowed.....	714.14	Date of receipt.....	505 , 710.01(a) , 714.18
After allowance		Date of receipt stamp	
Approval.....	714.16 , 1002.02(d)	Office date.....	505 , 710.01(a) , 714.18
Canceling claim.....	714.16	Declaration.....	602
Entry in part.....	714.16(e)	Defective, directions for entry.....	714.20
Examiner's action...	714.16 , 714.16(d) , 714.16(e)	Discharged attorney or agent.....	714.19
Excess claims fees.....	607 , 714.16(c)	Disapproval of preliminary amendment.....	714.01(e) , 1002.02(d)
Formal matters.....	714.16 , 714.16(d)	Disapproval of second or subsequent reply..	714.03(a)
Handling.....	714.16(d)	Discourteous.....	714.19 , 714.25 , 1002.02(b)
Mailed before allowance.....	714.15	Drawing.....	608.02(p) , 1302.05 , 1303.01
Motion under Rule 41.208(c)(2).....	714.16(b)	In reissue application.....	1413 , 1453
Patentability pointed out.....	714.16	Drawing, disposition.....	608.02(x)
Reason for adverse action.....	714.16 , 714.16(d)	Drawing, new matter.....	608.04(a) , 714.19
Renumbering claims.....	714.16(e)	Easily erasable paper.....	714.07
Secrecy order application.....	130 , 1304.01	Entered in part.....	714.20
After examiner's answer.....	1210	Entered in part, after allowance, 37 CFR 1.312.....	714.16(e)
After appeal, before examiner's answer....	714 , 1206	Entry.....	714.18
After Board decision.....	1002.02(d) , 1214.01 , 1214.06 , 1214.07		

MANUAL OF PATENT EXAMINING PROCEDURE

Amendment — Amendment

	Sec. No.		Sec. No.
Entry denied.....	714.17 , 714.19 , 714.21	Not entered.....	714.19 , 714.21
Appeal case.....	1206 , 1214.07	Not fully responsive.....	714.02 to 714.04 , 2266.01 , 2666.30 , 2671
Drawing correction.....	608.02(x)	Not fully responsive, time to perfect reply.....	710.02(c) , 714.03 , 2266.01 , 2666.30
Drawing new matter.....	608.04	Oath, Original.....	602
List.....	714.19	Objectionable remarks.....	714.19 , 714.25
Paper number.....	714.21	Of claims.....	714
Period for reply expired.....	714.17	Of specification.....	714
Preliminary amendment.....	714.01(e)	Office date stamp.....	505 , 706.07(f) , 710.02(e) , 710.06 , 714.16(d) , 714.18 , 724.04
Second (or subsequent) supplemental reply.....	714.03(a)	Paper number.....	714.18
Substitute specification unnecessary.....	714.19 , 714.20	Patentability pointed out.....	714.02 , 714.04
Unduly interferes with preparation of Office action.....	714.03(a)	Period for reply ends Sunday or holiday.....	505 , 513 , 710.01(a) , 710.05
Entry directions.....	714	Permanent ink required.....	714.07
Defective.....	714	Petition non-entry.....	1002.02(c)
Entry inadvertent.....	714.21	Plant application.....	1610
Entry in <i>ex parte</i> reexamination.....	2234	Post Office address, Applicant.....	602.08(a)
Entry in <i>inter partes</i> reexamination.....	2670	Preliminary.....	506 , 714.01(e)
Examiner's (See also: Examiner's amendment)		Canceling all claims.....	601.01(e) , 711.01
Excess claims added.....	607 , 714.10 , 714.16(c)	Denial of entry.....	714.01(e)
Facsimile.....	502.01	Excess claims.....	506 , 714.10
Fees, additional.....	710.02(c)	Filed with application.....	714.01(e)
File wrapper endorsement.....	714.21	Manner of making.....	714.01(e)
Filed with application.....	601.01(a)	New matter added.. 601.01(a) , 608.04(b) , 702.01	
Formal matters, compliance with.....	714.02	Non-compliant amendment, treatment of.....	714
Fully responsive.....	714.02	PG-Pub application.....	1121
Heading.....	502	To lessen filing fee.....	607
Immediate inspection.....	714.05	Ratification	
Improper signature. 714.01(a) , 714.01(c) , 714.01(d)		Signature defective.....	714.01(a)
Ratification.....	714.01(a)	Receipt.....	501 to 505 , 511 , 512
Incomplete reply..... 711.02(a) , 711.03(a) , 714.02 to 714.04 , 2266.01 , 2666.30 , 2671		Received after allowance.....	714.15 , 1303.01
Time for completing.. 710.02(c) , 714.03 , 2266.01 , 2666.30		Reexamination.....	2250 , 2666.01 , 2672
Increasing claims in excess of number of claims previously paid for.....	714.10 , 714.16(c)	Reissue.....	714 , 1453
Ink, not permanent.....	714.07	Requirements of.....	714.02
Inspection by examiner.....	714.05	Residence change.....	719.02
Inventorship (See also: Correction of inventorship)		Responsive.....	714.02 , 714.04
Jurisdiction of application not with examiner.... 714.16 , 714.19 , 1305		Return, after entry in file wrapper.....	719.01
Late.....	710.02(d) , 711 , 714.17	Rule 1.312 (See also: Amendment: After allowance)	
Literature citation in specification.....	608.01(p)	Second (or subsequent) supplemental reply.....	714.03(a)
Manner of making.....	714	Several filed on same day.....	714.18
Motion under 37 CFR 41.208(c)(2), Application in issue.....	714.16(b)	Signature improper.....	714.01(a) , 714.01(c) , 714.01(d)
New matter.....	608.04 , 608.04(a) , 2163.06	Signature missing.....	714.01(a)
Non-compliant amendment, treatment of.....	714 , 1302.04	Signature required.....	714.01(a)
Nonentry (See also: Amendment: Entry denied)	714.03(a) , 714.19	Signed by applicant, not by attorney or agent of record.....	714.01(d)
		Signed by attorney or agent not of record.....	402 , 402.03 , 714.01(c)
		Statement of allowability by Board.....	1213.01

INDEX

Amendment — Appeal

Sec. No.	Sec. No.
Supplemental..... 714.03(a)	Appeal..... 1200
Support by claims present on the filing date.. 608.01(l)	Abandonment..... 1210
Telephone number..... 714.01	Actions subsequent to examiner's answer..... 1210
Unduly interferes with preparation of Office action..... 714.03(a)	Administrative handling..... 1203
Unsigned..... 714.01(a)	Affidavit after appeal..... 1206 , 1208 , 1211.03
Ratification of..... 710.02(c) , 714.01(a)	Amendment after examiner's answer.. 1210 , 1211.01
America Invents Act (AIA) (See also: Statutes: Public Law 112-129)	Amendment before examiner's answer..... 1206
American Inventors Protection Act (AIPA) (See also: Statutes: Public Law 106-113)	Amendment for purpose of..... 714.12 , 714.13
American National Standards Institute (ANSI)..... 608.02	Amendment makes application allowable..... 1206
Amino acid sequence (See also: Biotechnology Nucleotide sequences)	Answer, Examiner's (See also: Examiner's answer)
Analogous Art..... 904.01(c) , 1302.14 , 1504.02 , 1504.03 , 2131.05 , 2141.01(a) , 2143 , 2143.01	Appealable issue..... 1201
Analysis of claims..... 904.01	Brief..... 1206
Answer, Examiner's (See also: Examiner's answer)	In <i>ex parte</i> reexamination..... 2274
Answer all matters traversed..... 707.07(f)	In <i>inter partes</i> reexamination..... 2675 , 2675.01
Antecedent lacking (See also: Indefinite claim) 1302.01 , 2173.03 , 2173.05(e) , 2175	In reissue..... 1454
Anticipation rejection..... 1504.02 , 2120.01 , 2131 , 2132 , 2133 , 2136 , 2152 , 2154	By patent owner..... 1204
Affidavit to overcome a pre-AIA 35 U.S.C. 102(a) or (e) rejection..... 715 , 2132.01 , 2136.05 , 2136.05(a) , 2136.05(b)	Cancellation of withdrawn claims..... 1214.05
Analogous art..... 1504.03 , 2131.05	Civil litigation..... 1216.02
Definition of..... 2131 , 2152	Claims copied from patent, time limit..... 710.02(c)
Exceptions to..... 2153 , 2154.02	Claims included..... 1204 , 1205 , 1205.02
Genus-species..... 2131.02	Claims not appealed... 711.02(b) , 1215.01 , 1215.02
Generic chemical formula..... 2131.02	Partial..... 1214.05 , 1215.03
Grace Period..... 2133 , 2153 to 2153.01(a)	Composition of the Board..... 1202
Meaning of	Concurrently with interference..... 1210
"By others"..... 2132 , 2154.02 , 2154.02(a) , 2154.02(b)	Concurrently with prosecution before examiner... 1210
"In this country"..... 2132	Conference..... 1207.01 , 1302.14
"Known or used"..... 2132 , 2133.03(a)	In <i>inter partes</i> reexamination..... 2676 , 2677
"Patented in this or a foreign country"..... 2132 , 2152.02(a)	Correspondence address for litigation... 501 , 1216.01
Multiple references, when permitted..... 2131.01	Court..... 1216
On sale (See also: On sale)	Court, Federal Circuit..... 1216.01
Ranges claimed..... 2131.03	Of an <i>inter partes</i> reexamination..... 2682 , 2683
Rejections based on publications and patents..... 2133.02 , 2152.02(a) , 2152.02(b)	Decision by Board..... 1213
<i>Prima facie</i> case..... 2132.01 , 2152	Of an <i>inter partes</i> reexamination..... 2681 , 2682
Public use (See also: Public use)	Dismissal..... 1215.04
Secondary considerations, evidence of..... 2131.04	Examiner reversed..... 1214.04
A.P.C. publications (See also: Alien Property Custodian (A.P.C.) publications)	Examiner sustained..... 1214.06
Apostille (See also: Oath Declaration) 301 , 409.01(b) , 409.03(a) , 409.03(d) , 602.04	Examiner's answer..... 1207
Apparatus, Process or product and..... 806.05(e) to 806.05(g)	Failure to prosecute appeal..... 1215.04

MANUAL OF PATENT EXAMINING PROCEDURE

Appeal — Application

	Sec. No.		Sec. No.
New ground of rejection by examiner in examiner's answer.....	1207.01 , 1207.02 , 1207.03 , 1207.03(a) , 1207.03(b) , 1207.03(c)	Citizenship...	601 , 601.05(b) , 602.08(a) , 602.08(b) , 608.01
New matter affecting claim.....	608.04(c)	Common, at least one.....	211.01 , 2136.01 , 2146 to 2146.03(a) , 2154.01(d)
Notice of.....	1204	Comments on statement of reasons for allowance.....	1302.14
Oral hearing.....	1209	Discourtesy.....	714.19 , 714.25
Reexamination, <i>ex parte</i>	2276	Health, special status.....	708.02
Reexamination, <i>inter partes</i>	2680	Heir.....	409.01(a) , 409.01(b)
Order for compliance.....	1205.03 , 1210	International application.....	1806 , 1820 , 1821
Patentability report case.....	705.01(a)	Joint.....	201.02 , 2109 , 2151
Pre-appeal brief conference pilot program.....	1204.02	Mailing address.....	601.01 , 601.01(a) , 601.03(a) , 601.03(b) , 601.05(a) , 601.05(b) , 602.01(b) , 602.01(c)(1) , 602.08(b) , 603 , 604
Primary examiner's attention.....	1004	Micro Entity Status.....	509.04
Procedure after Board decision.....	1214 , 1214.01 , 1214.03 to 1214.07	Name change.....	602.01(c) , 605.01
Protestor participation.....	1901.07	Other than inventor.....	409.01(b) , 409.03(b)
Publication of Board decision.....	1213.03	Post Office address.....	602.08(a)
Real party in interest.....	1205.02 , 1207.02	Power to inspect.....	104 , 106
Record on appeal.....	1204.04	Reply (See also: Amendment) Reply)	
Rehearing by Board.....	1214.01 , 1214.03	Requirements.....	2109 , 2151
Reexamination, <i>ex parte</i>	2273	Self-prosecuted application... ..	401 , 707.07(j) , 713.01
Reexamination, <i>inter partes</i>	2674 to 2680	Signature.....	602.08(b)
Remand by Board.....	1208 , 1210 , 1211 , 1211.01 , 1211.02 , 1211.03 , 1212 , 1213 , 1213.02 , 1214.01 , 1302.14 , 2143.03 , 2274 , 2275 , 2681 , 2682	Small entity status.....	509.02
Remand by Federal Circuit.....	1216.01	Sole.....	201.02
Remanded application made special.....	708.01	Application	
Reopening of prosecution..	1207.05 , 1208 , 1214.07 , 1211.01 , 1213 , 1213.02 , 1214.01 , 1214.04 , 1214.07	Abandoned (See also: Abandoned application)	
Reply brief to examiner's answer.....	1208	Abstract of the disclosure.....	608.01(b)
Requirement by board to address matter.....	1212	Acceptance of 37 CFR 1.47.....	409.03(h) , 409.03(j)
Secrecy order application.....	130 , 1304.01	Acknowledgment.....	502.05 , 503
Statement of allowability by Board.....	1213.01	Address missing.....	403
Substitute appeal brief.....	1207.02	Allowable except as to form.....	706 , 710.02(b)
Substitute examiner's answer.....	1207.05 , 1211 , 1211.01	Allowed	
Suspension pending civil action or federal circuit appeal in related case.....	1213	Definition.....	203.04
Time for filing brief.....	1205.01	File wrapper data.....	1302.09
Waiver of any challenge.....	1203 , 1205.02	Rejection.....	706.05 , 1308.01
Withdrawal of final rejection.....	1207	Amended definition.....	203.03
Withdrawal, partial.....	1214.05 , 1215.03	Arrangement.....	601 , 608.01(a)
Appealable matter not petitionable.....	1002 , 1201	Design application.....	1503 , 1503.01 , 1503.02
Appendix, computer program listing (See also: Computer Program Listing Appendix)	601 , 608.05 , 608.05(a) , 1121	Assigned (See also: Assignee) Assignment)	
Appendix, multiple claim sets.....	1121	Access.....	106
Applicant (See also: Inventor) Pro se applicant)	605	Allowance	
Abandonment notification.....	711.04(c)	Non-Applicant.....	307
Administrator or executor.....	409.01(b)	Applicant.....	308
Age, special status.....	708.02	Conflicting subject matter.....	822 , 2304.05
		Inventor deceased.....	409 , 409.01(a) , 409.01(b)
		Assignment for examination	
		Office of Patent Application Processing).....	504
		Assignment to examiner for examination.....	909.01(a) , 909.02(b)
		Assignment to Technology Center for examination.....	
		504 , 909.01 , 909.02 , 909.02(e)

INDEX

Application — Application

Sec. No.	Sec. No.		
Background of the invention.....	608.01(c)	Facsimile transmission.....	608.01
Best mode.....	608.01(h) , 2166	Fee, filing (See also: Fee)	607
Brief description of the drawings.....	608.01(f)	Field of the invention.....	608.01(c)
Brief summary of the invention.....	608.01(d)	File wrapper continuing (FWC).....	201.06(b)
British English spellings.....	608.01	Filing date.....	211.02 , 503 , 505 , 511
Certified copy.....	608.01	EFS-Web.....	502.05
Claim omitted.....	601.01(a) , 601.01(e) , 702	Filing receipt (See also: Postcard, self-addressed)	503
Claim terminology.....	608.01(o)	Filing requirements.....	601.01(a) , 702
Claims.....	608.01(i) to 608.01(n) , 608.01(m)	Five year pendency.....	707.02 , 708.01
Classification in Technology Center.....	909.01(b) , 909.02(b)	Font.....	608.01
Classification challenge.....	909.01(d)	Foreign (See also: Foreign application) ...	210 to 217
Common ownership.....	324 , 325 , 709.01 , 822 , 2136.01 , 2141.01 , 2146 , 2146.01 , 2146.02 , 2146.03 , 2146.03(a) , 2148 , 2152.06 , 2154.01(d) , 2154.02(c) , 2158 , 2158.01	Form.....	600
Completeness.....	201.06(c) , 506 , 601.01 to 608.01(p)	Incomplete.....	203.06 , 506 , 601.01(d) , 601.01(e) , 601.01(f) , 601.01(g)
Conflicting, same applicant.....	709.01 , 804 , 822	Definition.....	203.06 , 506
Content.....	600	Informal.....	506 , 702.01
Continuation (See also: Continuation)	201.07	Definition.....	506
Continuation-in-part (See also: Continuation-in-part)	201.08	Special.....	708.01
Design.....	1504.20	Inspection.....	103
Continued prosecution (CPA) (See also: Continued prosecution application (CPA))		International (See also: International application)	
Design.....	201.06(d) , 1502.01	International Convention (35 U.S.C. 119).....	213
Continuity between applications.....	211.01(b)	Invalid oath.....	602.03
Control of access.....	101 , 103 , 106	Issue fee not paid (abandoned).....	711.03(c)
Copendency.....	211.01(b)	Issue simultaneously with another application.....	1306.02
Copending, Design.....	1504.20	Jurisdiction.....	1305
Correction of inventorship.....	602.01(c)	Mode of operation.....	608.01(h)
Cross-noting		National application.....	201
Data of parent application in file wrapper or PALM bib-data sheet or PALM database.....	202 , 1302.09	National stage application.....	201
Data of related application, updating.....	211.02(a)	New, definition.....	203.01
Foreign application, file wrapper/history notation.....	202	Nonprovisional.....	506 , 601 , 601.01 , 601.01(a) , 601.01(c)
Foreign application, oath.....	202 , 214.03	Number.....	502 , 503 , 506
Description of the related art.....	608.01(c)	Status of application using.....	101 , 102
Design (See also: Design application)		Omitted items.....	217 , 601.01(d) , 601.01(f) , 601.01(g)
Detailed description.....	608.01(g)	Order of examination.....	708 , 708.01
Distribution.....	508	Overlapping	
Divisional (See also: Divisional application)	201.06	Common ownership... ..	709.01 , 715.01(b) , 804.03 , 822 , 2136.01 , 2141.01 , 2146 , 2146.01 , 2146.02 , 2146.03 , 2146.03(a) , 2148 , 2152.06 , 2154.01(d) , 2154.02(c) , 2158 , 2158.01
Design.....	1504.20	Same applicant.....	709.01 , 804 , 822
Drawings.....	601.01(f) , 608.02 , 702	Subject to joint research agreement..	804 , 804.02 , 804.03 , 2136.01 , 2137 , 2141.01 , 2146 , 2146.01 , 2146.02 , 2146.03 , 2146.03(a) , 2151 , 2152.07 , 2154.02(c) , 2156 , 2158 , 2158.01
Missing figures.....	601.01(g)	Pages missing.....	601.01(d)
Effective filing date.....	2120.01 , 2139.01 , 2152.01	Parent.....	904
Electronic submission of (EFS-Web).....	502.05	Parts.....	600
English language.....	608.01	Pending five years.....	707.02
Examination.....	700		
Examples.....	608.01(p) , 707.07(l)		

MANUAL OF PATENT EXAMINING PROCEDURE

Application — Assignee

	Sec. No.		Sec. No.
Plant (See also: Plant patent)	1600	Application Assistance Unit.....	102 , 103 , 711.03(d) , 711.06 , 1730
Prior art.....	2121 to 2129 , 2152 , 2154 , 2158	Application Data Sheet (ADS).....	211.02 , 601 , 601.01(a) , 601.01(b) , 601.03(a) , 601.03(b) , 601.05 , 602.01 , 605.01 , 606 , 608.01 , 608.01(a) , 1130 , 1405 , 1410 , 1410.01 , 1417 , 1451 , 1481.03 , 1490 , 2136.05(a) , 2152.06 , 2214 , 2266 , 2666
Prior art effect of international publication.....	2136 , 2136.03 , 2139.02 , 2152.05 , 2154.01(a)	Supplemental ADS.....	601.05
Priority		Application Division (See also: Office of Initial Patent Examination (Office of Patent Application Processing))	
Foreign application.....	213 , 214 , 214.01 , 1402 , 1504.02 , 1504.10 , 2120 , 2132.01 , 2133.02(a) , 2136.03 , 2136.05 , 2152.01 , 2152.06	Application publication.....	901.03
Protest.....	1901	Citation of.....	707.05(e)
Provisional (See also: Provisional application)	201.04 , 601 , 601.01 , 601.01(b) , 601.01(c) , 602 , 702 , 2127 , 2136	Disqualifying/excepted as prior art, commonly owned... 717.02 to 717.02(c) , 718 , 804.03 , 2146 , 2154.02(c) , 2156	
Public inspection.....	103	Prior art effect.....	901.03 , 2120.01 , 2136 , 2136.03 , 2152.02(b) , 2154.01
Publication (See also: Pre-Grant Publication (PG-Pub))		Arbitration awards notice.....	311
Publication of abstract.....	711.06 , 711.06(a)	Argument for allowability lacking in amendment... 714.04	
Receipt and handling.....	500	Arrangement of application.....	601 , 608.01(a)
Reconstruction.....	508.04	Arrangement of art in Technology Centers.....	901.07
Recording and tracking in Technology Center.....	1704	Art unit number on papers.....	502
Reference Filing.....	601.01(a)	Artifacts in IFW application.....	608.02
Reissue (See also: Reissue application)	1401 to 1470	Asexual plants (See also: Plant patent)	1600
Rejected definition.....	203.02	Assigned application	
Relating to atomic energy.....	115 , 150 , 151	Allowance	
Review.....	506	Non-Applicant.....	307
Right to inspect.....	103	Applicant.....	308
Right of priority, foreign application.....	213	Conflicting subject matter.....	608.01(m) , 822
Rule 1.60.....	201.06(a)	Inventor deceased.....	409.01(b)
Rule 1.62.....	201.06(b)	Nonprovisional application claiming benefit of provisional application.....	306.01
Secrecy order.....	120 , 121 , 130	Provisional application.....	302.03
Serial number.....	502 , 503	Title report.....	320
Size fee....	502.05 , 506 , 509 , 607 , 608.05 , 1415 , 1893.01(c) , 2422.03(a)	Assignee (See also: Assigned application) Assignment)	
calculations for EFS-Web submissions.....	502.05	Access to an application.....	104 , 106 , 301.01
Special (See also: Special application)	707.02 , 708 to 708.03	Address.....	302.05
List.....	708.01	Affidavits under 37 CFR 1.130....	717.01 to 717.01(f) , 2155
Priority in patent printing.....	1308	Affidavits under 37 CFR 1.131.....	715.04
Status.....	102 , 203 , 1730	Can appoint new power of attorney.....	402.07
Inquiries.....	203.08	Certificate of correction.....	307 , 1480 to 1485
Substitute		Change of inventorship, consent.....	602.01(c) , 1412.04 , 1412.05
Does not carry ownership from parent.....	306	Common....	709.01 , 822 , 2136.01 , 2141.01 , 2146 to 2146.03(a) , 2148 , 2152.06 , 2154.01(d) , 2154.02(c) , 2158 , 2158.01
File wrapper/history notation.....	202	Consent in reissue.....	1410.01 , 1410.02 , 1412.04 , 1412.05 , 1443 , 1451
Table submitted on read-only optical disc or via EFS-Web as ASCII text file.....	608.05 , 608.05(b) , 2422.03 , 2422.03(a)	Double patenting, same assignee.....	804 , 822 , 2146.03(a)
Terminology, Claim.....	608.01(o)	Duty of disclosure.....	2001.01
Title of invention.....	606	Employees, property interest in patent.....	309 , 1702
Title of invention, change.....	606.01 , 1302.01 , 1302.04		
Transfer procedure.....	909.01(d) , 909.02(d)		
Types (See also: Patent)	201		
Utility (See also: Patent)	201		

INDEX

Assignee — Attorney or agent

Sec. No.	Sec. No.
Entire interest, control.... 106 , 301 , 324 , 325 , 402 , 402.02 , 402.05 , 402.07	Multiple assignees..... 324 , 325
Establishing right to take action in applications.... 324 , 325	Nonprovisional claiming benefit of provisional... 306.01
Foreign..... 302.04	Not endorsed on pending applications..... 303
Interfering applications, same assignee..... 709.01	One of several overlapping applications..... 709.01 , 715.01(b)
Intervention.. 106 , 324 , 325 , 409.01(a) , 409.01(b)	Parent application..... 306
Micro entity status..... 509.04	Part interest.... 106.01 , 301.01 , 717.02(a) , 2146.02
Multiple Assignees..... 324 , 325	Patent..... 301 , 301.01 , 302.03
Obligated assignee or person who otherwise shows sufficient proprietary interest 409.05	Patent and trademark assignment system..... 302.09 , 302.10
Part interest..... 106.01	Pending applications..... 301.01 , 302.07 , 303 , 717.02(a) , 2146.02 , 2146.03
Patent issues to	Plural items..... 301.01
Non-Applicant..... 307	Printing on patent..... 307 , 1309
Applicant..... 308	Proof of..... 717.02(a) , 2146.02
Permitted to take action under 37 CFR 3.73(b).... 324 , 325	Provisional application..... 302.03 , 306.01
Power to inspect..... 104	Recording..... 301 , 302 , 313 , 314 , 315
Printed on PG-Pub..... 1121	Recording fee..... 302.06
Revocation of power of attorney... 324 , 325 , 402.05 , 402.07	Records not kept in application file..... 303 , 320
Showing sufficient proprietary interest..... 409.05	Search facilities..... 1730
Small entity..... 509.02	Security interests..... 302.07 , 313
Assignment..... 300	Title reports..... 303 , 320
Access..... 301.01 , 1730	Transfer of rights from/to small entity..... 509.02
Allowance of application..... 307 , 308	Translation..... 302.02
Assignment identification requirements..... 302.03	Assignment Division..... 320 , 602.08(b) , 1121 , 1730
Automated Patent and Trademark Assignment System..... 502.01	Administrator and executor authority checked..... 409.01(b)
Change of name..... 314	Certified Abstract of Title..... 320
Conflicting statements of ownership under 37 CFR 3.73(b)..... 324 , 325	Contact information..... 1730
Continuing application..... 306 , 324 , 325	Information available from PALM..... 320
Copy..... 301.01 , 302.01	Mailing address..... 501
Corrections in recorded assignment..... 307 , 323 , 323.01 , 323.01(b) , 323.01(c) , 323.01(d)	Title report..... 320
Cover sheet..... 302.07	Assignment of application for examination..... 504
Corrections..... 317.02 , 323.01 , 323.01(a) , 323.01(c)	Assignment of reexamination to examiner
Date of recording..... 317.01	<i>Ex parte</i> 2236 , 2285 , 2822
Effect of recording..... 317.03	<i>Inter partes</i> 2636 , 2648 , 2655
Electronic submission of (EPAS)..... 302.10 , 502.01 , 502.05 , 1730	Assignment to examiner for examination..... 909.01(b) , 909.02(b)
Employees, property interest in patent..... 309	Assistant Commissioner for Patents (See also: Commissioner for Patents)
Expungement of assignment records.. 323 , 323.01(d)	Assistant Commissioner for Trademarks (See also: Commissioner for Trademarks)
Facsimile submission..... 302.09 , 502.01 , 1730	Assistant examiner (See also: Examiner)
Foreign language translation..... 302.02	Associate attorney..... 402.02
Indexing..... 315	Atomic Energy Act of 1954..... 120 , 2104 , 2104.01
International application..... 301	Atomic energy application..... 150
Licenses..... 301 , 313	Attorney or agent
Mailing address..... 302.05 , 302.08 , 501	Appointment by assignee of entire interest..... 106
Mergers..... 302.07 , 314	Associate..... 402.02
	Compliance with duty of disclosure..... 2004
	Continuing application..... 201.06(c)
	Change of correspondence address..... 601.03

MANUAL OF PATENT EXAMINING PROCEDURE

Attorney or agent — Biological material

	Sec. No.	Sec. No.
Correspondence with.....	403 , 403.01(a) , 403.01(b)	AuthorIn program (See also: Sequence rules) 2430
Death.....	406	Authority of administrator or executor..... 409.01(b)
Discourtesy.....	714.25	Authority of Director, Delegation of..... 1001.01
Duty of disclosure.....	2001.01 , 2002.01	Authority of Director, Statutory..... 1001
Duty to inform patent owner of <i>inter partes</i> reexamination.....	2622	Authority to inspect pending application..... 103
Excluded from practice.....	105	Authorization
Inspection.....	104	Credit card payments..... 509
Interfering applications.....	402.08	Deposit accounts..... 509.01 , 1730
International application.....	402.09 , 1807 , 1808 , 1820	Internet electronic mail (e-mail)..... 502.03
Interview.....	405 , 408 , 713 to 713.10 , 1302.14	Power of attorney..... 402
Limited recognition.....	402.01 , 402.09	Authorship..... 715.01(c) , 716.10
More than one for same applicant.....	403.02	Automated Patent and Trademark Assignment System.... 502.01 , 502.05
Name on patent.....	1309	Avoiding double patenting rejection..... 804.02 , 1490 , 2129 , 2146.03(a) , 2158
Name on reexamination certificate.....	2287	
Not of record.....	402 , 405	
Notarizing oath.....	602	
Office cannot aid in selection of.....	401	
Petition to reinstate.....	1002.02(m)	
Post Office address.....	601.02	
Power of (See also: Power of attorney) 402 , 406 , 407 , 2501		
In <i>ex parte</i> reexamination.....	2213 , 2222	
In <i>inter partes</i> reexamination.....	2613 , 2622	
In supplemental examination.....	2804	
Proof of authority in <i>inter partes</i> reexamination... 2613		
Reexamination, <i>ex parte</i> 2213		
Reexamination, <i>inter partes</i> 2622 , 2623		
Registered.....	401 , 402	
Request for limited recognition.... 402.01 , 1002.02(m)		
Roster of attorneys and agents.....	601.03 , 1730	
Selection.....	401	
Signature of.....	402 , 402.03	
Substitute.....	406	
Suspended or excluded..... 105 , 407 , 714.01(a) , 714.19		
Communication with.....	105	
Inspection by.....	105	
Interview.....	105 , 713.05	
Telephone number on letters.....	714.01	
Telephoned by examiner.....	408 , 713.01 , 1302.14	
Two patent practioners for same application.... 403.02		
Unregistered.....	402	
Washington, D.C. area representative.....	408	
Withdrawal..... 402.06 , 1002.02(s) , 1808 , 2804.01		
Withdrawal after patent granted.... 2223 , 2560 , 2623		
Australian Patent Office (IP Australia)... 1840 , 1840.03 , 1860 , 1865		
Authentication of oath.....	602.04	
Authentication of e-mail sender.....	502.03	

B

Background of the invention (See also: Specification) 608.01(c)
Bacteria..... 1601
Bar, Statutory (See also: Statutory bar)
Base claim canceled..... 608.01(n)
Base claim rejected..... 608.01(n)
Benefit of domestic application (See also: Cross-noting) 211.01(a) , 211.01(b)
Adding benefit claim after filing..... 211.02(a)
Correcting benefit claim after filing..... 211.02(a)
Correcting benefit claim after patenting..... 1405 , 1481.03
Deleting benefit claim after filing..... 211.01(a)
Benefit of foreign priority (See also: Foreign application)
Correcting benefit claim after patenting..... 1402 , 1481.03
Benelux Designs Convention (See also: Treaties) 213.01 , 1504.10
Best mode..... 608.01(h) , 2165 to 2165.04
Affidavit or declaration..... 715.10
Compared to enablement..... 2165.02
Computer cases..... 2161.01
Considerations relevant to..... 2165.01
Evidence of concealment..... 2165 , 2165.04
Form paragraphs used to reject..... 2166
Requirements for rejection for lack of..... 2165.03
Bibliographic Information..... 601.05
Biological material.... 2164.06(a) , 2164.06(b) , 2402 , 2403

INDEX

Biotechnology — Certificate of correction

Sec. No.	Sec. No.
Biotechnology (See also: Nucleotide sequences)	CAFC (See also: Court of Appeals for the Federal Circuit (CAFC))
2400	Canceled matter, before papers executed.... 602.08(b)
Deposit of biological material..... 2403	Canceled matter, cannot be recaptured in reissue.....
Deposit rules..... 2402	1412.02
Deposit term..... 2408	Canceled matter, Restoring..... 608.01(s)
Enablement..... 2164.06(a) , 2402	Canceled matter in patented file..... 901.01
Examination of applications, deposit issue..... 2411 , 2411.01	Canceling claim after issue..... 714.16
Patent In computer program..... 2430	Canceling claims not appealed..... 1214.05
Process claims under pre-AIA 35 U.S.C. 103(b).....	Canceling drawing..... 608.02(t)
2147	Cancellation of drawing figures..... 608.02(t)
Samples..... 2410	Candor, Duty of (See also: Duty of candor and good faith)
Sequence rules (See also: Sequence rules) ... 2412 to 2416 , 2418 to 2419.03 , 2422 to 2422.04 , 2422.06 , 2422.07 , 2422.08 , 2423 to 2431 , 2433 , 2434 , 2435	2001 , 2001.03
Written description..... 2163 , 2402	Carbon copy, application papers..... 608.01
Board of Patent Appeals and Interferences (See also: Patent Trial and Appeal Board (PTAB))	Carbon copy of amendment..... 714.07
Books in library..... 901.06(a)	Card catalog in library..... 901.06(a)
Borrowed publications..... 901.06(a) , 901.06(b)	Caricatures, Offensive..... 608 , 1504.01(e)
Box, Mail (See also: Correspondence) Mail Stop)	Catalog and circulars..... 901.06(a)
Breadth, Undue (See also: Undue breadth rejection)	Central Facsimile Number..... 502 , 502.01
Brief, filed on appeal..... 1205	Central Reexamination Unit (CRU) (See also: Office of Patent Legal Administration (OPLA))
<i>Ex parte</i> reexamination..... 2274	103 , 1002.02(c)(4) , 2212.01 , 2224 , 2227 , 2229 , 2231 , 2233 , 2235 to 2237 , 2239 , 2240 , 2242 , 2245 to 2249 , 2258.01 , 2262 , 2265 , 2267 , 2270 , 2271.01 , 2274 , 2281 , 2283 to 2287 , 2289 , 2294 , 2295 , 2624 , 2634 to 2636 , 2646 , 2647 , 2647.01 , 2648 , 2660 , 2662 , 2664 , 2666.06 , 2667 , 2670 , 2671 , 2671.01 , 2671.02 , 2671.03 , 2674 to 2679 , 2682 , 2686.01 , 2686.03 , 2686.04 , 2687 , 2687.01 , 2689 , 2694 , 2803.01 , 2812 , 2812.02 , 2812.03 , 2816 , 2816.02 , 2817.01 , 2819 , 2822
<i>Inter partes</i> reexamination..... 2662 , 2665 , 2675	Certificate, derivation..... 901.04
Defective..... 2675 , 2675.02	Certificate effect of signature..... 402.03 , 410
Brief description of the drawings (See also: Specification)	Certificate, <i>Ex parte</i> Reexamination..... 2288
608.01(f)	Format..... 2290
Brief summary of invention..... 608.01(d) , 1302.01	Certificate, <i>Inter partes</i> Reexamination.. 2688 , 2690 , 2694
British English spelling..... 608.01	Distribution..... 2692
British specification, provisional..... 214.03	Format..... 2690
Broadening claims in reissue..... 1412.03	Reissue patent as..... 2688 , 2694
Browser executable code in specification..... 608.01 , 608.01(p)	Certificate, <i>Inter Partes review</i>
Budapest Treaty (See also: Microorganisms) Treaties) 901.05(b) , 2402 , 2404.01 , 2405 , 2408 , 2409 , 2410.01 , 2410.02 , 2411.01	901.04
Depositories..... 2405	Certificate of correction..... 1480 to 1485
Bulletin, Classification (See also: Classification) Orders)	Applicant's mistake..... 1481
Burden of proof..... 2107.02 , 2112 , 2113 , 2163.04 , 2164.04 , 2182 to 2184	Assignee's name..... 307 , 1481.01
Business hours of USPTO..... 510	Branch..... 1002.02(l)
	Copy required in reexamination
	<i>Ex parte</i>
	Date of issuance..... 1485
	Domestic priority..... 211.01(a) , 211.01(b) , 1003 , 1402 , 1481 , 1481.03

MANUAL OF PATENT EXAMINING PROCEDURE

Certificate of correction — Citation of prior art

Sec. No.	Sec. No.
Electronic publication.....	1485
Expedited issuance.....	1480.01
Foreign priority.....	216.01, 1481, 1481.03
Form PTO-1050.....	1480, 1480.01, 1485
Form PTO/SB/44.....	1480, 1480.01, 1485
Handling of request for.....	1485
International application priority.....	1481.03
Inventorship.....	1412.04, 1481, 1481.02
Matters requiring TC Director's attention.....	1003
Office's mistake.....	1480, 1480.01
<i>Official Gazette</i> listing.....	1480, 1485
Patent in litigation.....	1003
Petition of refusal to issue.....	1002.02(c)
Reissue application.....	1411.01, 1443
Report by examiner.....	1485
Third party standing.....	1480
Certificate of mailing or transmission (37 CFR 1.8).....	502.01, 511, 512, 513
<i>Ex parte</i> reexamination.....	2224, 2265, 2266
Information disclosure statement.....	609
<i>Inter partes</i> reexamination... ..	2624, 2666, 2666.05
International application.....	1805, 1834, 1865, 1893.01(a)(1)
Maintenance fee.....	2510
Overcoming abandonment.....	711.03(c), 711.04(c)
Period for reply.....	714.17
Certificate of service	
<i>Ex parte</i> reexamination.....	2220
<i>Inter partes</i> reexamination.....	2666.06
Certificate, post grant review.....	901.04
Certified copies	
Abstract of Title.....	320
Appeal to federal circuit.....	1216.01
Application as filed.....	608.01, 1730
Certified Copy Center.....	501, 502, 1730, 2209, 2232, 2435, 2803.02
Civil litigation.....	1216
Facsimile submission not permitted.....	502.02
Facsimile requests for.....	1730
Foreign application... ..	213.04, 215, 502.02, 1402, 1417, 1481.03, 1504.10, 1893.03(c), 2138.06
MPEP.....	1730
Orders for.....	1730
Patent copies.....	1730
Patent related file wrappers.....	1730
PCT application.....	1801, 1828, 1893.03(c), 1895.01, 1896
Photocopies not permitted.....	502.02
Provisional application.....	103, 104
Reexamination	file
<i>Ex parte</i>	2232
<i>Inter partes</i>	2632
Change from small entity status (See also: Small entity status)	509.03(b)
Change of correspondence address.....	601.03, 711.03(c)
Characteristic feature in design applications..	1503.01, 1504.01(a)
Chemical compound.....	608.01(b)
Chemical practice	
Enablement.....	2164.06(b)
Generic chemical formula.....	2131.02, 2144.08
Markush.....	803.02, 2117, 2173.05(h)
Chief Administrative Patent Judge.....	1002.02(f)
Circulars (See also: Publication)	
Citation of prior art	
A.P.C. publications.....	901.06(c)
Abbreviations.....	711.06, 711.06(a)
Abstract.....	711.06, 711.06(a), 2120
Allowance, Listing at.....	1302.12
Applicant's.....	707.05(b), 707.05(d), 1302.12
Complete data.....	707.05(e)
Copies furnished.....	707.05(a)
Correction.....	707.05(g)
Correction, period for reply.....	710.06
Cross references.....	707.05(e)
Data used.....	707.05(e)
Decisions, orders, notices, memoranda.....	707.06
Defensive publications.....	711.06, 711.06(a)
Electronic Resources.....	707.05(e)
Examiner's answer.....	1207
Foreign language documents.....	2120
Foreign patent data.....	707.05(e), 901.05(a)
Foreign printed applications.....	901.05(b)
Form PTO-892 reproduced.....	707.05(a)
Incorrect.....	707.05(g), 710.06
Literature, in specification.....	608.01(p)
Mailing copy to patent owner.....	2206, 2208
Memorandum.....	707.06
Notices.....	707.06
Order of listing.....	707.05(c)
Orders.....	707.06
Patents series, U.S. (See also: Patent)	901.04
Periodical.....	707.05(e), 901.06
Prior art effect of international application... ..	2136.03, 2139.02, 2152.05, 2154.01(a)
Prior art in application.....	707.05(b), 1302.12

INDEX

Citation of prior art — Claim

Sec. No.	Sec. No.
Prior art in patent.....	1920 , 2200
Confidentiality.....	2202 , 2203
Content.....	2205
Court decision.....	2207
Filing and handling.....	2206
Parties who may cite.....	2203
Service on patent owner.....	2208
Time for filing.....	2204
Publications.....	707.05(e)
References.....	707.05
Allowance in first action.....	1302.12
From applicant.....	707.05(b) , 1302.12
Citizenship of applicant.....	601.05
Civil action under 35 U.S.C. 145.....	1214.07 , 1216 , 1216.02
Civil action under 35 U.S.C. 146.....	1216
Claim.....	608.01(i) , 608.01(k)
“Adapted for” clauses in...	2103 , 2111.04 , 2143.03
“Adapted to” clauses in...	2103 , 2111.04 , 2143.03
Added by amendment.....	608.01(o)
Results in change of inventorship.....	602.09
Added in excess of number of claims previously paid for.....	714.10
After prosecution closed.....	714.16 , 714.19
After prosecution closed, near end of time period.....	714.20
Aggregation.....	2173.05(k)
All allowed.....	710.02(b)
All canceled.....	711.01
Allowable except as to form.....	706 , 707.07(a) , 707.07(j)
Allowed, Rejection of.....	706.04 , 706.05
Allowed, Withdrawn appeal.....	1215.02
Alternative phrase (See also: Indefinite claim)	2117 , 2173.01 , 2173.05(h) , 2173.05(i)
Amendment of (See also: Amendment)	714
Analysis.....	904.01
Antecedent basis (See also: Indefinite claim)	2173.03 , 2173.05(e)
Basis in description.....	608.01(o) , 2171
Basis in disclosure.....	608 , 2163.03
Breadth.....	2163.05 , 2164.08 , 2173.04
Broadening in reissue application.....	1412.02 , 1412.03
Dependent claim.....	1412.03
Cancellation by examiner after appeal.....	1214.05
Cancellation results in change of inventorship.....	602.01(c)
Change after Board statement of allowability.....	1213.01
Combination, old.....	2173.05(j)
Combination and subcombination.....	806.05(a)
Combination Sets.....	905.03
Comprising.....	2111.03 , 2173.05(h)
Considered in deciding reexamination request.....	2243 , 2643
Consisting essentially of.....	2111.03
Consisting of.....	2111.03 , 2173.05(h)
Construed in light of specification...	608.01(o) , 804 , 2103 , 2106 , 2111 to 2111.03 , 2129 , 2145 , 2164.08 , 2173.02 to 2173.05(c) , 2181 , 2184
Contingent limitations.....	2111.04
Copied from patent (See also: Claim presented corresponding to claim of patent)	
Correspondence with disclosure.	1302.01 , 2173.03
Defined by specification, term.....	2111.01
Dependent.....	608.01(n)
Dependent, objected to when improper....	608.01(n) , 706.01
Dependent on canceled or rejected claim.....	608.01(n) , 706.01 , 707.07(j) , 1214.06
Design application.....	1503 , 1503.01
Differing only by functional statement.....	2114 , 2173.05(g)
Diminishing scope.....	2173.05(h)
Disclaimer.....	710.02(d) , 2304.04(c)
Domestic benefit.....	210 to 211.05 , 217
Double inclusion.....	2173.05(o)
Duplicate.....	608.01(m) , 2173.05(o)
Each mentioned in letter.....	707.07(i)
Equivalence.....	2183
Excess added by preliminary amendment over number of claims previously paid for.....	714.10
Excess over fee after notice of allowance..	714.16(c)
Fees, dependent.....	608.01(n)
File wrapper notation.....	1302.09
Foreign priority (See also: Foreign application)	210 , 213 to 217
Form.....	608.01(m)
Function of machine.....	2173.05(v)
Functional.....	2103 , 2114 , 2173.05(g)
Generic (See also: Generic claim)	806.04(d) , 2173.05(h)
Illustrated by drawing.....	608.02(d) , 2173.05(s)
Improvement (i.e., Jepson claim).....	2129
Inaccurate.....	2173.03
Incomplete.....	2172.01

MANUAL OF PATENT EXAMINING PROCEDURE

Claim — Claiming same invention

Sec. No.	Sec. No.
Indefinite.....	2173 , 2175
Independent.....	608.01(n)
Index.....	719.04
Informal.....	702.01
International application.....	1824
Interpretation..	2111 , 2111.01 , 2111.02 , 2111.03
Jepson.....	2129
Linking.....	806.04 , 806.05(c) , 809 , 809.03 , 821.04(a)
Linking, Generic.....	806.04 , 821.04(a)
Markush.....	2117
Generic.....	803.02
Improper.....	2117
Indefinite.....	2111.03 , 2173.05(h)
Subgenus.....	2173.05(h)
Support.....	608.01(p)
Material or article worked upon.....	2115
Means (See also: Means)	2181 to 2185
Missing.....	601.01(e)
Multiple dependent.....	608.01(n)
Multiplicity.....	2173.05(h) , 2173.05(n)
Negative limitation.....	2173.05(i)
New matter.....	608.04 , 608.04(a) , 2163.06
Reissue application.....	1411.02
Nonelected invention.....	803.02 , 821.01 , 821.02 , 821.04(a)
Nonelected invention, Added.....	821.03
Nonstatutory.....	2104 to 2107
Novel, nonobvious starting material or end product....	2116.01
Numbering.....	608.01(j)
Objection contrasted with rejection.....	706.01
<i>Official Gazette</i> (O.G.).....	1302.09
Omnibus claim.....	2173.05(r)
Ordinary and customary meaning....	2106 , 2111.01
Patentably distinct.....	608.01(m)
Plain meaning of claim term.....	2111.01
Plant application.....	1605 , 1610
Present on Filing Date.....	608.01(l) , 1410
Priority (See also: Foreign application)	210 , 213 to 217
Product, Functional.....	2114
Product by process.....	2113 , 2173.05(p)
Prolix (See also: Indefinite claim)	2173.05(m)
Ranges.....	2131.01 , 2131.03 , 2144.05 , 2163.05 , 2173.05(c)
Reference numerals included.....	608.01(m) , 2173.05(s)
Reissue	application
Numbering.....	1453 , 1455
Original claim subject to examination.....	1440
Printed in <i>Official Gazette</i>	1455
Same invention as original patent.....	1412.01
Underlining and bracketing.....	1453 , 1455
Rejection.....	706 , 2121 to 2187
Relative terminology.....	2173.05(b)
Renumbering at issue.....	608.01(j) , 1302.01
Renumbering dependent.....	608.01(n) , 1302.01
Single means.....	2164.08(a) , 2173.05(g) , 2181
Single sentence.....	608.01(m)
Species, how recognized.....	806.04(e) , 806.04(f)
Species (plural) added.....	818.02(b)
Statutory requirement.....	608.01(k)
Subgenus (Markush type).....	2173.05(h)
Subject matter eligibility.....	2104 , 2106 to 2106.07(c)
Suggested for interference... ..	2304.03 to 2304.04(b)
Failure to make.....	2304.04(c)
Time limit.....	710.02(c)
Summary of invention, consistent.....	608.01(d)
Terminology basis in description.....	608.01(o) , 2163.02 , 2163.05 , 2173.01 , 2173.05(a)
Unsupported.....	2163.01 , 2173.03
Use claims.....	2173.05(q)
Vague (See also: Indefinite claim)	706.03 , 2171 to 2173
Varying scope.....	608.01(m)
“Whereby” clauses in.....	2103 , 2111.04 , 2143.03
“Wherein” clauses in.....	2103 , 2111.04 , 2143.03
With motion granted in part.....	714.20
Withdrawal of appealed claim by cancellation.....	1214.05 , 1215.03
Claim presented corresponding to claim of patent (See also: Interference)	710.04(a) , 2304.4(a)
Appeal of rejection.....	1200
Disclaimer rejection.....	2304.04(c)
Late amendment.....	714.19
Not a reply to Office action.....	711.02(b)
Patent in different Technology Center.....	2304.01(b)
Period for reply.....	710.02(c) , 710.04(a)
Prosecution closed.....	714.19
Rejection.....	2303
TC Director’s attention.....	1003
Rejection, Failure to reply to.....	2304.04(c)
Special.....	708.01
Claiming same invention.....	715 , 715.05 , 2104 , 2107.01 , 2135 , 2135.01 , 2136.01 , 2136.05(a) , 2139.03 , 2146 to 2146.03(a) , 2152.07 , 2154.01(d)

INDEX

Class, scope — Common representative for international application

	Sec. No.		Sec. No.
Class, scope.....	903.02(b)	Transfer to another Technology Center.....	909.01(d)
Class definitions.....	902.02	Classifier, Post.....	909.02(e) , 903.10
Classification (See also: Patent classification)	900	Clean copy of specification.....	608.01(q) , 1302.02
Application (See also: Classification of application)		Clearance for new law interpretation... ..	1003 , 1207.02
Basis.....	903.02	Closed prosecution except for formal matters.....	
Cooperative Patent Classification System (See also: Cooperative Patent Classification)	902 , 905.02	707.07(j) , 710.02(b) , 714.14	
Definitions		Prosecution not closed.....	707.07(j)
For CPC.....	905.02	Closing of U.S. Patent and Trademark Office....	213.03 , 510
For USPC.....	902.02 , 902.02(a)	Code of Federal Regulations (CFR) (See also: Rules, Patent (Code of Federal Regulations))	
Design.....	907 , 1503.01	Coinventor, Power of attorney.....	402.10
Examiner (See also: Classification examiner)		Collateral estoppel (See also: Estoppel)	2012.01
Foreign patents.....	903.03	<i>Ex-parte</i> reexamination.....	2259
Harmonized subclasses.....	903.06	<i>Inter partes</i> reexamination.....	2659
Index to U.S. Patent Classification.....	906	Combination and aggregation.....	2173.05(j) , 2173.05(k)
Classification, International		Combination and subcombination.....	806.05(a) , 806.05(c) , 903.02(b)
Indices.....	902.03	Comments on tests or examples.....	707.07(l)
Information.....	902.03(a)	Commercial activity or exploitation as on sale (See also: On sale)	2120.02 , 2133.03 to 2133.03(e)(7) , 2139.02 , 2152.02(d)
International.....	906	Commercial success of invention, affidavit alleging (See also: Affidavits, traversing rejections (37 CFR 1.132))	716.03 , 1504.03
Issue classification form/sheet/slip.....	903.07 , 907 , 1302.09 , 1302.10 , 1302.13	Commissioner for Patents (See also: Office of the Commissioner for Patents)	409.03 , 708.01
Locarno International.....	907	Duty of Disclosure to.....	2001.03
Mandatory.....	903.07	Mailing address.....	501
Manual for USPC.....	902.01	Statutory basis.....	1001
Patent classification Home Page on the Internet.....	902.03(a)	Commissioner initiated reexamination (See also: Director initiated Reexamination)	
Nonpatent literature.....	901.06	Commissioner for Trademarks	
Patent, Change of.....	903.05	Petitions decided by.....	1002.02(j)
Patent Classification Home Page on the USPTO Intranet.....	902.03(b)	Commodity Control List (CCL).....	120
Principles.....	903.02	Common applicants....	709.01 , 715.01(a) , 717.02 to 717.02(d) , 2136.01 , 2137 , 2139.03 , 2146 to 2146.03(a) , 2148 , 2152.07 , 2154.01(d) , 2158.01
Revision.....	903.02(b)	Common knowledge, use in rejections.....	2143 , 2144.03
Statutory authority.....	903.01	Common ownership..	717.02 to 717.02(d) , 2136.01 , 2137 , 2144.01 , 2146 to 2146.03(a) , 2154.02(c) , 2156
Classification examiner		Conflicting claims..	303 , 608.01(m) , 709.01 , 804 , 822 , 2136.01 , 2139.03 , 2146.03 , 2152.07 , 2154.01(d) , 2158.01 , 2304.05
Patentability report.....	705.01(a)	Requirements to establish....	717.02(a) , 717.02(b) , 2146.02
Classification of application.....	900	Common representative for international application....	402.09 , 1807
Allowed application.....	903.07 , 1004 , 1302.10		
Amendment affecting.....	909.01(c)		
By applicant.....	601		
Cross-referencing.....	903.07(a)		
Disputed.....	909.01(d) , 909.02(d)		
File wrapper data.....	719.03		
Improperly classified.....	909.01(d) , 909.02(d)		
New application, by Office of Patent Application Processing.....	909.01(a) , 909.02(a)		
New application, by SPE.....	909.01(b) , 909.02(b)		
Post classifier.....	909.02(e) , 903.10		
Preliminary.....	601		
Rules governing.....	909.02(e)		

MANUAL OF PATENT EXAMINING PROCEDURE

Communication with suspended or excluded attorney or agent — Continuation

Sec. No.

Sec. No.

Communication with suspended or excluded attorney or agent.....	105	Conflicting applications, same assignee.....	709.01 , 715.01(b) , 804.03 , 822 , 2136.01 , 2141.01 , 2146 , 2146.01 , 2146.02 , 2146.03 , 2146.03(a) , 2148 , 2152.06 , 2154.01(d) , 2154.02(c) , 2158 , 2158.01
Communications, official mailing address for.....	501	Conflicting oaths or declarations.....	602.01(c)
Communication via Internet e-mail.....	502.03	Congress, Inquiry on status of application by member of.....	203.08(a)
Comparative tests (See also: Affidavits, traversing rejections (37 CFR 1.132))	716.02(b)	Conservator, unavailable joint inventor.....	409.02
Complete application.....	506 , 601.01 to 601.01(g)	“Consisting essentially of” as transitional phrase.....	2111.03
Complete British specification.....	214.03	“Consisting of” as transitional phrase.....	2111.03
“Comprising” as transitional phrase.....	2111.03	“Consisting of” in Markush claim.....	2111.03 , 2173.05(h)
“Comprising” in Markush claim... ..	2111.03 , 2173.05(h)	Constitutional basis for patents.....	
Computer generated icons.....	1504.01(a)	Constructive election (See also: Election of species)	818.02(a) , 818.02(c)
Computer programs or software		Constructive notice to patent owner of request for reexamination.....	2230 , 2654
Adequate disclosure.....	2164.06(c) , 2181	Constructive reduction to practice.....	715.07
Affidavit practice.....	2164.06(c)	Consular certificate.....	602.04
Best mode.....	2161.01	Consular certificate, Foreign executor or administrator..	409.01(b)
Computer Program Listing Appendix... ..	601 , 608.05 , 608.05(a)	Consular certificate, Omission of.....	602.04
Deposit of listings.....	608.05 , 608.05(a)	Consular officer.....	602.04
Enablement.....	2161.01 , 2164.06(c)	Content of <i>ex-parte</i> reexamination request.....	2214
Patentable subject matter.....	2106 , 2106.04(a)(1) , 2106.04(a)(2) , 2106.05 to 2106.05(h)	Continuation.....	201.06(c) , 201.07 , 601.01(a)
Printed in PG-Pub.....	1121	Abandonment of prior nonprovisional application	201.06(c)
Undue experimentation.....	2164.06(c)	Affidavits, copies of.....	201.06(c)
Written description.....	2161.01	Assignment carried from parent.....	306
Concealment.....	608.01(h) , 2138.03 , 2165.04	Change of attorney/correspondence address.....	201.06(c)
Conception.....	715.07 , 2136.03 to 2137 , 2138 to 2138.06 , 2163	Continued prosecution application (CPA)... ..	201.06(d)
Concordance, International and United States classification.....	906	Copolymer.....	211.01(b)
Concurrent Office proceedings.....	2282 to 2286.01 , 2820	Cross-reference to prior application.....	202 , 211
Conduct in public information facilities.....	510	Definition.....	201.07
Conduct of <i>ex parte</i> reexamination proceedings.....	2254	Design.....	1504.20
Conduct of <i>inter partes</i> reexamination proceedings.....	2654	Effective filing date.....	211.02
Confidential material.....	121 , 724 to 724.05	Examination.....	201.06(c)
Confidential material submission.....	121 , 724.02	Extension of time.....	201.06(c)
Confidential party of interest.....	2202 , 2203	File wrapper continuing (FWC).....	201.06(b)
Confidential status of application.....	101 , 2136.01 , 2154.01(d)	File wrapper/history notation.....	202
Same applicant.....	608.01(m) , 709.01 , 804 , 822 , 2120.02 , 2136.01 , 2146.03 , 2154.01(d)	Final rejection on first action.....	706.07(b)
Rule 1.53(d).....	201.06(d)	Incorporation by reference.....	201.06(c)
Confidential submission of prior art and section 301 written statements.....	2202 , 2203	Identification on letter of transmittal.....	506
Confidentiality, pending applications.....	100	Inspection of parent.....	103
Confidentiality of international applications.....	110	International application.....	1828.02
Confirmation number.....	503	International application as parent.....	211.01(c) , 1895
		Inventor, at least one in common.....	211.01

INDEX

Continuation — Cooperative Patent Classification System (CPC)

Sec. No.	Sec. No.
Inventorship.....	201.06(c)
New matter.....	201.07 , 608.04(b)
Oath.....	201.06(c) , 602.05(a) , 602.05(b)
Parent application data noted in file history/wrapper... 202 , 1302.04	
Reference to parent application.....	202 , 211
Reference to parent application inadvertently omitted.....	1302.04
Reissue.....	1402 , 1410.01 , 1410.02 , 1412.03 , 1415.01 , 1441 , 1451 , 1455 , 1460 , 1481.03
Restriction.....	819
Rule 1.53(b).....	201.06(c)
Rule 1.53(d).....	201.06(d)
Rule 1.60 application, Former.....	201.06(a)
Rule 1.62 application, Former.....	201.06(b)
Small or micro entity status.....	201.06(c)
Specification and drawings.....	201.06(c)
Substitute statement under 37 CFR 1.64... 201.06(c)	
Terminal disclaimer, effect in.....	1490
Time for filing.....	211.03
When patented, opens parent application to public inspection.....	103
Written description requirement.....	211.05
Continuation-in-part.....	201.08 , 601.01(a)
Assignment from parent does not apply.....	306
Copendency.....	211.01(b)
Cross reference to parent application.....	202 , 211
Definition.....	201.08
Design application.....	1504.20
Effective filing date.....	211.02 , 2133.01 , 2139.01 , 2146.03(a) , 2151 , 2152.01
File wrapper continuing procedure.....	201.06(b)
File wrapper/history notation.....	202
Filed by assignee.....	324
Identification on letter of transmittal.....	506
Inspection of parent.....	103
International application used as mechanism to file.... 1828.02	
International application as parent.....	211.01(c)
Inventor, at least one in common.....	211.01
Ownership.....	306
Reference to parent application.....	211.02
Rejection over publication of parent application..... 2133.01 , 2154.01(b)	
Rejection over published priority document..... 2154.01(b)	
Rule 1.53(b).....	201.06(c)
Rule 1.62, Former.....	201.06(b)
Time for filing.....	211.03
When patented, opens parent application to public inspection.....	103
Continued Prosecution Application (CPA).....	201.01 , 201.06 , 201.06(d)
Amendments before first Office action.....	714.01(e)
Application number.....	503
Assignee right to take action.....	324 , 325
Certificate of mailing or transmission.....	512
Complete non-provisional application.....	601.01 , 601.01(a)
Continuation-in-part not permitted.....	201.08
Continuity with parent.....	211.01(b)
Correspondence.....	502 , 502.01
Cross reference to previous application.....	202
Design application.....	201.06(d) , 1502.01
Eliminated for utility and plant applications..... 201.06(d)	
Express abandonment of prior application.... 711.01 , 711.02(b)	
Extension of time.....	201.06(d)
Filing date.....	201.06(d)
Improper CPA treated as RCE... 201.6(d), 706.07(h)	
Information disclosure statement in parent.... 609.02 , 707.05	
Inventorship.....	201.06(d)
Patent term.....	1303 , 2701
Plant application, no longer available.....	201.06(d)
Public access to.....	201.06(d)
Published as PG-Pub.....	1120
Reissue.....	1430 , 1470
Reference to domestic benefit claims.....	1302.04
Restriction requirement in prior application.....	819
Signature Requirements.....	201.06(d)
Small or micro entity status.....	201.06(d)
Suspension of action.....	709
Terminal disclaimer, effect in.....	1490
Utility application, no longer available.....	201.06(d)
Continuing application.....	210 , 211 , 1302.12 , 1302.04
Specific reference.....	202 , 211
Continuing data (See also: Cross-noting)	202
Continuity between applications.....	211.01(b)
Control of inspection by assignee.....	104 , 106
Convention, International (See also: Treaties)	213.03
Converting nonprovisional and provisional applications.....	201.04 , 601.01(c)
Cooperative Patent Classification System (CPC)..... 902 , 905	

MANUAL OF PATENT EXAMINING PROCEDURE

Cooperative Patent Classification System (CPC) — Court decision

Sec. No.	Sec. No.
Classification in..... 905.03 , 905.04(b)	By a certificate of correction..... 602.01(c) , 1402 , 1481 , 1481.02
Combination Sets..... 905.03	By filing a reissue application..... 1402 , 1412.04 , 1412.05
Definition..... 905.02	Misjoinder..... 1402 , 1412.04
References in Definitions..... 905.01(a)(1)	Correction of name..... 602.01(c) , 602.08(b)
Scheme..... 905.01	Correction of patent..... 1400
Warnings in Definitions..... 905.01(a)(3)	By reexamination (See also: Reexamination, Ex parte) Reexamination, Inter partes)
Copendency..... 211.01(b)	By reissue (See also: Reissue application) 1401 to 1470
Copending U.S. application	By supplemental examination (See also: Supplemental examination) 2809.01
Common ownership..... 717.02(a) , 2136.01 , 2146 , 2146.02 , 2146.03 , 2146.03(a) , 2148 , 2152.05 , 2152.06 , 2154.01(c) , 2156 , 2158 , 2158.01	Certificate of correction..... 1480 to 1485
Design application..... 1504.20	Statutory disclaimer (See also: Disclaimer) Terminal disclaimer) 1490
Different inventive entities..... 717.02(a) , 2136.01 , 2136.04 , 2136.05(b) , 2146.03 , 2146.03(a) , 2152.07 , 2154.01(d)	Correction of PG-Pub..... 1130
Duty of disclosure in..... 2001.06(b)	Correction of reference citation..... 707.05(g) , 710.06
Terminal disclaimer practice..... 1490	Correspondence (See also: Mail stop)
Copied patent claim (See also: Claim presented corresponding to claim of patent)	Address of PTO..... 501 , 502
Copier copies..... 714.07	Address in secrecy order applications..... 120
Copies of prior art with reexamination request <i>Ex parte</i> 2218	Address of patent owner..... 2622 , 2805
Copies of published applications..... 1128	Address, official mailing..... 501
Copy of foreign application, certified..... 215	Address of an attorney.. 403 , 403.01(a) , 403.01(b)
Copy of printed patent in reexamination <i>Ex parte</i> 2219	Boxes (See also: Mail stop)
Copying <i>ex-parte</i> reexamination file by public..... 2232	Continuing application..... 201.06(c)
Copying <i>inter partes</i> reexamination file by public..... 2632	Crossing in mail..... 714.05
Copyrights..... 608.01(v)	Duplicate filings.. 402.10 , 403 , 502.04 , 714.01(a)
Relationship to design patents..... 1512	Electronic mail..... 502.03 , 713 , 713.01 , 713.04
Correction of drawing..... 608.02(p) , 1302.05	Facsimile transmission..... 502.01 , 2510 , 2515
Annotated sheets..... 608.02(v)	Identifying with issue batch number (no longer required)..... 1303.01
Approval by examiner..... 608.02(x)	Maintenance fee..... 2510 , 2515 , 2542
Deferrable..... 608.02(b) , 608.02(p)	Plural attorneys..... 402.10 , 403.02
Marked-up copy..... 608.02(v)	Post Allowance..... 502 , 1306
New matter..... 608.04	Published application..... 1134
Not approved..... 608.02(x)	Receipt and handling..... 500
Order for..... 608.02(x)	Reexamination, <i>ex parte</i> 2224
Replacement sheets..... 1302.05 , 1303.01	Reexamination, <i>inter partes</i> 2624
Correction of inventorship	Signature requirements..... 502.02
Application..... 601.01(d) to 601.01(g) , 602.01(c) , 605.04(g)	Third party, application published..... 1134
Consent of assignee..... 602.01(c)	With whom held..... 403
Continuing application..... 602.01(c)	Counter terrorism inventions, special status..... 708.02
During <i>ex parte</i> reexamination..... 2250.02	Counting actions..... 1705
During <i>inter partes</i> reexamination... 2658 , 2666.03	Countries for foreign priority..... 213.01
In a patent	Country codes..... 1851
	Coupons.....
	Court decision
	Citation of..... 707.06

INDEX

Court decision — Deceptive intent

Sec. No.	Sec. No.
Dissemination of.....	1720
Entry in patent file.....	2207
Treatment of.....	1721
Unpublished decisions.....	2677
Court of Appeals for the Federal Circuit (CAFC).....	
704.11(a) , 706.07(h) , 710.02 , 710.02(e) , 711.02(b) , 716.01(a) , 716.03 , 716.06 , 1002.02(k)(1) , 1002.02(k)(3) , 1214.06 , 1216 , 1216.01	
Appeal to, from an <i>ex parte</i> reexamination.....	2279
Appeal to, in an <i>inter partes</i> reexamination.....	2682 , 2683
Court ordered <i>inter partes</i> reexamination.....	2686.04
Court papers, service on Director.....	1216
Cover sheet — provisional application.....	201.04
CREATE Act (See also: Joint Research Agreement)	
Credit Card Payment Form PTO-2038 reproduced.....	509
Criteria for deciding <i>ex parte</i> reexamination request.....	2242
Criteria for deciding <i>inter partes</i> reexamination request.....	2642
Cross appeal to the Patent Trial and Appeal Board in <i>inter partes</i> reexamination.....	2674
Cross appeal to the Federal Circuit in <i>inter partes</i> reexamination.....	2683
Cross-noting	
Data of parent application on file wrapper/history.....	202 , 1302.09
Data of provisional application in specification.....	1302.04
Data of provisional application on file wrapper/history.....	202
Data of related application in application data sheet... 211.02 , 1302.04	
Foreign application cited in an application oath.....	202 , 214.03
Foreign application, file wrapper/history.....	202
In original patent file of reissue application.....	202
Reissue applications.....	1451 , 1455 , 1481.03
Specific reference.....	202 , 211
Cross-reference	
Another application (See also: Cross-noting)	608.01(p) , 1302.04
At allowance.....	903.07 , 1302.04
Citing.....	707.05(e)
Noted during examination.....	903.07(a)
Required for all claimed disclosure.....	903.07(a)
Crossed mailings.....	714.05
Current Employee Restrictions.....	1702
Customary meaning of claim term.....	2111 , 2111.01 , 2173.01
Customer Numbers.....	402 , 403 , 711.04(c) , 1807 , 2515 , 2540
Change of address.....	601.03
Correspondence relating to.....	403
Customer Service Center.....	104 , 508.04 , 714.13 , 1730
Customer Service Window.....	101 , 103 , 501 , 502 , 505 , 710.02(e) , 714.13 , 714.16(d) , 724.02 , 2413.03 , 2433
D	
D-10 notice.....	130 , 1304.01
Damage, Proof of irreparable.....	409.03(g)
Databases (See also: Electronic databases)	
Date	
Amendment..	505 , 511 , 512 , 710.01(a) , 710.05 , 714.18
Citation of foreign patent.....	901.05(a) , 901.05(b)
Convention.....	213.01
Filing.....	211.02 , 502 , 503 , 505 , 506 , 506.02 , 1002.02(b)
of EFS-Web transmissions.....	502.05
Filing, Refusal to accord.....	506.02
Foreign application (priority).....	210 , 213 to 217
Invention.....	2137 , 2138
Maintenance fees due.....	2506
Office action.....	707.11
Office stamp.....	502 , 505 , 506 , 512 , 714.18
Reference.....	707.05(e) , 715 , 715.01 , 715.01(c) , 2120 , 2120.01
Date of execution of oath.....	602.03
Death of attorney.....	406
Death of inventor (See also: Administrator or executor)	409 , 409.01(a) , 409.01(b)
Deceased inventor	
Allowance not withdrawn.....	1303.03
Legal representative as applicant.....	409.01(a) , 409.01(b) , 1806
Proof of authority of.....	409.01(b)
Legal representative refuses to sign.....	409.03(c)
Deceptive intent (See also: Fraud) Inequitable conduct)	
Foreign filing licenses.....	140
Inventorship.....	602.01(c)

MANUAL OF PATENT EXAMINING PROCEDURE

Deceptive intent — Deposit rules

Sec. No.	Sec. No.
Reissue..... 1401 , 1412.02 , 1412.03 , 1412.04 , 1414 , 1414.02 , 1414.03 , 1444 , 1448 , 1451 , 1457 , 1481.02 , 1490 , 2012	Dedication to the public..... 715 , 1490
Decision	Defective oath..... 602.03
By Patent Trial and Appeal Board..... 1213 , 1302.14	In reissue application..... 1414 to 1414.03
Dissemination of..... 1720	Defects, correction of, in request for <i>ex parte</i> reexamination..... 2227 , 2231
<i>Ex-parte</i> reexamination..... 2277	Defense, applications affecting..... 115 , 120 , 130 , 140
<i>Inter partes</i> reexamination..... 2681 , 2682	Defensive publication citation..... 711.06(a)
Reconsideration of..... 1214.03	Defensive publication program..... 711.06
Treatment of..... 1721	Deferral of examination..... 709
Citation..... 707.06	Definition of USPC class..... 902.02
Denying <i>ex parte</i> reexamination request..... 2247	Delegation of Director's authority..... 1001.01 , 1002 , 1002.02
<i>Ex-parte</i> reexamination review petition..... 2240	Demonstration at interview..... 713.08
Governs examiner's action.....	Denial of request for reexamination.... 2247 , 2247.01 , 2647 , 2647.01
Listed..... II	Department of Energy (DOE).. 115 , 140 , 150 , 151 , 2104.01
Ordering <i>ex-parte</i> reexamination..... 2246	Dependent claim..... 608.01(n)
Ordering <i>inter partes</i> reexamination (See also: Reexamination, Inter partes: Decision on the request for reexamination)	Objected to when base claim is canceled..... 608.01(n) , 707.07(j)
Public availability..... 103	Reissue..... 1402 , 1412.03 , 1415 , 1453 , 1455
Publication of..... 707.06	Treatment in <i>inter partes</i> reexamination.... 2660.03
Declaration (See also: Oath) 602	Dependent claim, objected to when improper..... 608.01(n) , 706.01
Amendment..... 602.01	Deposit account..... 509.01
Attached to specification..... 602 , 602.08(c)	Authorizations..... 509.01 , 1302.04
Change of inventorship..... 602.01(c)	Extensions of time..... 706.07(f)
Copies, filing of..... 602	International applications..... 1850 , 1875.01
Copies from prior application..... 201.06(c)	Issue fee..... 1303 , 1306 , 1308.01
Date of execution..... 602.03	Maintenance fee..... 2510 , 2515 , 2522
Defective..... 602.03	Overdrawn..... 509.01
Delayed filing..... 506 , 601.01(a)	Petition fee..... 711.03(c)
Executed before alterations made..... 602.08(b)	Refunds..... 509 , 509.01 , 607.02
Facsimile transmission..... 502.01 , 602	Replenishment..... 509.01 , 1730
Foreign priority applications listed..... 202 , 214	Mailing address..... 501
International application..... 1820 , 1893.01 , 1893.01(a) , 1893.01(a)(1) , 1893.01(a)(2) , 1893.01(a)(3) , 1893.01(e) , 1893.03(a) , 1893.03(b) , 1893.03(g) , 1895	Deposit Account Division..... 509.01
Inventor refuses to sign or cannot be found..... 602.08(b)	Deposit of microorganisms (See also: Biotechnology) 1605 , 1823.01 , 2402 to 2411.05
Minor, by..... 409	Deposit of correspondence..... 502
Non-English..... 602.06	Depositions
Plant patent application..... 1604	Evidence..... 1901.02 , 2013
Refers to preliminary amendment..... 601.01(a) , 602.01(b)	Of examiner..... 1701.01
Reissue application..... 1405 , 1410.01 to 1414 , 1414.01 to 1414.03 , 1418 , 1444 , 1451 , 1455	Deposit rules (See also: Biotechnology) 2400
Signed before alteration..... 602.08	Acceptable depository..... 2405
Substitute..... 602.02	Biological material, definition..... 2402 , 2403
Declarations, conflicting..... 602.01(c)	Biological material, made or isolated without undue experimentation..... 2404.02

INDEX

Deposit rules — Design application

Sec. No.	Sec. No.
Budapest Treaty depositories.....	2405
Depositories, Current list of Budapest Treaty.....	2405
Examination procedures.....	2411 , 2411.01
After grant.....	2407.02
Application in condition for allowance except for deposit.....	2411.03
Certificate of correction.....	2407.02
Content of application regarding deposited material.....	2411.05
Need for 37 CFR 1.312 amendment.....	2411.03
Reissue.....	2407.02
Rejections based on deposit issue.....	2411.01
Responses from applicant.....	2411.02
Furnishing of samples.....	2410
Access to deposits.....	2410.01
Certification of availability of deposit.....	2410.02
Conditions of deposit.....	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 , 2410.02
Health, safety restrictions.....	2404.01
Indicia of “known and readily available”.....	2404.01
Material capable of self-replication.....	2403.01
Direct self-replication.....	2403.01
Indirect self-replication.....	2403.01
Need for a deposit.....	2402 , 2403 , 2404
Non-Budapest Treaty deposit.....	2404.01
Plant material.....	2403.02
Plant Patent Act, Relation to.....	2403.02
Reference to deposit in application... ..	2404 , 2404.03
Implication, presumption.....	2404 , 2404.03
Requirements of 35 U.S.C. 112.....	2163 , 2164.06(a) , 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.....	2407.01
Reason for replacement.....	2407.04
Replacement not recognized.....	2407.06
Request for certificate of correction.....	2407.02
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 regarding 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 , 2406.03
New matter.....	2406.01
Patent Cooperation Treaty applications....	1823.01
Post-issuance deposits.....	2406
Viability of deposit.....	2409
Viability statement.....	2409
35 U.S.C. 112 requirements.....	2402 , 2403 , 2404
Deputy Director of Patents and Trademarks.....	1002.02(o) , 1202
Derivation proceedings.....	2310
Action once instituted.....	2313
Action after decision.....	2315
Board action.....	2314
Certificate.....	901.04
Definition.....	2310.02
Jurisdiction.....	2312
Statutory basis.....	2310.01
Technology Center practice specialist... ..	2311 , 2315
Derogatory remark regarding prior art.....	608.01(r)
Description	
Basis for claim.....	608.01(o) , 2161 , 2163 , 2166
Computer programming.....	2161.01
Detailed.....	608.01(g)
International application.....	1823
Design application.....	1500
Analogous art.....	1504.02 , 1504.03
Anticipation.....	1504.02
Application, elements of.....	1503
Articles, design comprising multiple.....	1504.01(b)
“Average observer” test.....	1504.02
Benefit under 35 U.S.C. 120..	211.01(a) , 211.01(b) , 1504.20
Benelux Designs Convention (See also: Treaties)	213.01 , 1504.10
Characteristic feature.....	1503.01 , 1504.01(a)
Claim.....	1503 , 1503.01
Combining references.....	1504.03
Commercial success.....	1504.03
Computer generated icons.....	1504.01(a)

MANUAL OF PATENT EXAMINING PROCEDURE

Design application — Design application

Sec. No.	Sec. No.
Continuation application.....	1504.20
Continuation-in-part (CIP) application.....	1504.20
Continued Prosecution Application (CPA)....	1502.01
Convention, International.....	213.01 , 1504.10
Copending applications.....	1504.06 , 1504.20
Copying, evidence of, to rebut obviousness.....	1504.03
Copyright, Relationship to.....	1512
Definition.....	1502
Description.....	1503 , 1503.01
Disclaimer.....	1503.01 , 1503.02 , 1504.04
Disclosure.....	1503.01 , 1503.02 , 1504.04
Divisional application.....	201.06 , 1504.20
Double patenting.....	804 , 1504.06
Patent Term Filing Date.....	804 , 1490
Drawing.....	1503 , 1503.01 , 1503.02 , 1504.04
Broken lines.....	1503.01 , 1503.02 , 1504.04
Color.....	1503.02
Trademarks.....	1512
EFS-Web.....	502.05 , 1730
Embodiments, alternate or multiple.....	1503.01 , 1504.01(b) , 1504.05
Enablement.....	1503.02 , 1504.04
European Community Design treaty.....	1504.10
Examination... ..	1504 , 1504.01 , 1504.02 , 1504.03 , 1504.04
Expedited Examination.....	501 , 1002.02(c)(3) , 1504.30
Reissue.....	1457
Expert testimony.....	1504.03
Feature emphasized.....	1503.01
Fee, filing.....	607
Reissue.....	1457
Fee, issue.....	1306
Font, type.....	1504.01(a)
Foreign priority.....	210 , 213 , 215 , 1504.02 , 1504.10
More than six months before U.S. filing....	1504.02
Functionality.....	1504.01(c)
Obviousness and.....	1504.03
Hague Agreement (See also: Treaties)	213.01 , 1504.10 , Chapter 2900
Hidden end use.....	1504.01(c)
Hidden feature.....	1504.02 , 1504.03 , 1504.04
Icon, computer generated.....	1504.01(a)
International (See also: International design application)	
Global design database.....	707.05(e)
Publication.....	1120
Status Information for.....	1128
Indefiniteness.....	1503.01 , 1503.02 , 1504.04
Library collections relating to.....	901.06(a)
Modification, description.....	1503.01
Multiple embodiments.....	1504.05
Multiple parts of article.....	1504.01(b)
New matter.....	1503.01 , 1503.02 , 1504.01(a) , 1504.04
Object, Design for.....	1502
Obviousness.....	1504.03
Obviousness-type (nonstatutory) double patenting (ODP).....	1504.06
Offensive subject matter.....	1504.01(e)
Ornamentality lacking.....	1504.01(c)
Patent Cooperation Treaty.....	1501 , 1502.01
Patentability... ..	1504.01 , 1504.01(a) to 1504.01(e) , 1504.02 , 1504.03 , 1504.04
Petition, Special Status.....	708.02 , 1504.30
Petition to accept color drawings or photographs.....	608.02 , 1503.02
Photographs.....	1503.02 , 1504.04
Preamble.....	1503.01
Priority under 35 U.S.C. 119....	210 , 215 , 1504.02 , 1504.10
References supplied.....	707.05(a) , 1513
Quayle action.....	1504
Registration abroad.....	1504.02 , 1504.10
Reissue.....	1457 , 1509
Request for Continued Examination (RCE)..	1502.01
Request for Expedited Examination.....	1504.30
Restriction.....	1504.05
Reissue.....	1457
Rules applicable.....	1501
Scope of claim.....	1503.01 , 1504.04 , 1504.05 , 1504.06
Search.....	1504 , 1504.02 , 1504.03
Secondary considerations.....	1504.03
Simulation.....	1504.01(d)
Specification.....	1503.01
Use of Copyrights in.....	1512
Use of Trademarks in.....	1512
Statutory subject matter.....	1502 , 1504.01
Surface ornamentation... ..	1502 , 1502.01 , 1503.02 , 1504.01 , 1504.01(a) , 1504.01(c) , 1504.03
Surface treatment or indicia.....	1503.02
Term of.....	1457 , 1502.01 , 1505
Title.....	1503.01 , 1504.01(a)
Amendment of.....	1503.01
Use of Trademarks in.....	1512

INDEX

Design application — Disclosure

Sec. No.	Sec. No.
Trademark, relationship to.....	1512
Type fonts.....	1504.01(a)
Utility patent, relationship to.....	1502.01
Views.....	1503.02 , 1504.04
Visual characteristics.....	1502
Written description lacking.....	1503.01 , 1503.02 , 1504.01(a) , 1504.04
Design patent series (See also: Patent)	901.04
Designated office.....	1801 , 1803 , 1893.01(a)
Designation of states.....	1821
Detailed description (See also: Specification)	
Determination of public use or on sale.....	2120.02 , 2133.03 to 2133.03(e)(7) , 2139.02 , 2152.02(c) , 2152.02(d)
Determining if a Reexamination Was Filed for a Patent.....	2632.01
Determining whether an application is subject to first to invent provisions of AIA.....	2159 to 2159.04
Digest (See also: Cross-reference: Art collection)	
Dictionary as a source for the ordinary and customary meaning of a claim term.....	2111.01 , 2173.02 , 2173.05(a)
Diligence	
Charts for priority.....	2138.01
Filing application.....	2138.06
Filing reissue.....	1403
Interference practice.....	2138.01
Of actions during regulatory review.....	2001.06(e) , 2004 , 2015 , 2757.01
Reasonable.....	2138.03 , 2138.06
Shown in 37 CFR 1.131 affidavit.....	715.07 , 715.07(a)
To overcome a rejection.....	2136.05
Director of Technology Center.....	714.13 , 714.14 , 714.16 , 714.25 , 715.08 , 804.04 , 1002.02 , 1002.02(c) , 1207.01 , 1207.02 , 1207.03 , 1207.05 , 1208 , 1214.04 , 1308 , 1308.01 , 1901.06 , 2242 , 2258.01 , 2265 , 2267 , 2274 , 2284 to 2286 , 2648 , 2667 , 2682 , 2686.01
Functions.....	1002.02(c) , 1003
TC 2900.....	1002.02(c)(3)
TC Director Who Oversees Licensing and Review.....	710 , 1002.02(c)(1)
Director of the USPTO	
Authority and functions.....	708.01 , 709 , 711.02 , 714 , 719.01 , 1001 , 1002 , 2104.01 , 2209 , 2212 , 2239 , 2240 , 2242 , 2244 , 2246 , 2258.01 , 2258.02 , 2265 , 2266 , 2284 , 2286.01
Publication of confidential decisions.....	103
Withdrawal from issue.....	1308
Decisions.....	
Mailing address.....	501
Notices (See also: Publication)	707.06
Orders (See also: Publication)	707.06
Director initiated reexamination.....	2212 , 2239
Disbarred attorney (See also: Attorney or agent: Suspended or excluded)	
Disciplinary proceedings.....	402 , 410
Mailing address.....	501
Disclaimer (See also: Terminal disclaimer)	
Co-author of publication.....	715.01(c)
Copy required in reexamination <i>Ex parte</i>	2214
Correction or withdrawal of.....	1490
Defensive publication.....	711.06
Design application.....	1503.01 , 1503.02 , 1504.04
Effect.....	1490
Forms.....	1490
Processing.....	1490
Rejection.....	710.02(d) , 2136.05(a) , 2139.03 , 2141 , 2146.02 , 2146.03 , 2146.03(a) , 2148 , 2152.07
Requirements.....	1490
Statutory.....	1490
Terminal.....	804 , 804.02 , 1490 , 2136.05(a) , 2139.03 , 2141.01 , 2146.02 , 2146.03 , 2146.03(a) , 2148 , 2152.07
Disclosure (See also: Duty of disclosure) Specification)	
Abstract.....	608.01(b)
Amendment.....	608.04 , 1302.02
Amendment, Preliminary.....	608.04(b)
Best Mode (See also: Best Mode)	608.01(h) , 2165
Chemical compound.....	608.01(p)
Claim Present on Filing Date.....	608.01(l) , 1410 , 2163.01
Claimed.....	901.03
Common, parent and continuing applications.....	211.05
Completeness.....	608.01(p) , 2163 , 2164
Computer programming cases.....	2164.06(c) , 2161.01 , 2181
Correspondence with claims.....	2163.05 , 2163.07 , 2173.03
Design application.....	1503 , 1503.01
Detailed description.....	608.01(g)
Duty of.....	2000
Enablement (See also: Enablement)	2164
Foreign application.....	211.05
Implicit.....	2144.01

MANUAL OF PATENT EXAMINING PROCEDURE

Disclosure — Domestic benefit

Sec. No.	Sec. No.
Incomplete..... 608.01(p) , 2161 to 2165 , 2175	Inventor, at least one in common..... 211.01
Incomprehensible..... 702.01	Inventorship..... 201.06(c)
Incorporation by reference (See also: Incorporation by reference) 217 , 608.01(p)	New matter..... 201.06
Insufficient..... 608.01(p) , 702.01 , 2175	Oath..... 201.06(c) , 602.05
Later filed application..... 608.01(p)	Patented, Opens parent application to inspection..... 103
Operability..... 716.07 , 2164.08(b)	Reference to parent application..... 211.02 , 1302.04
Preliminary amendment..... 608.04(b)	Reissue..... 1402 , 1410.01 , 1410.02 , 1414 , 1415.01 , 1441 , 1450 , 1451 , 1460 , 1481.03
Reasonable inquiry..... 2001	Rule 1.53(b)..... 201.06(c)
Related applications..... 608.01(p) , 1302.04	Rule 1.53(d)..... 201.06(d)
Requirements for..... 2161	Rule 1.60, Former..... 201.06(a)
Secrecy order, Material subject to..... 120	Rule 1.62, Former..... 201.06(b)
Specification (See also: Specification) 608.01	Signature..... 201.06(d)
Sufficiency for continuity..... 211.05	Small or micro entity status..... 201.06(c)
Sufficiency of..... 716 , 716.09	Specification and drawings..... 201.06(c)
Support for claims..... 2163.01	Substitute statement under 37 CFR 1.64... 201.06(c)
Trade name..... 608.01(v)	Time for filing..... 211.03
Trademark..... 608.01(v)	Written description requirement..... 211.05
Utility..... 608.01(p) , 2104 , 2107 to 2107.03	DNA (See also: Biotechnology) Nucleotide sequences) 2400
Written (See also: Written description) 2163	Enablement..... 2164.08
Discourtesy..... 714.19 , 714.25	Searching..... 901.06(a)
Dismissal of appeal..... 1215.04	Docket report..... 1704
Disposals counted..... 1705	Doctrine of collateral estoppel (See also: Estoppel) 715
Distinct, definition..... 802.01	Doctrine of dedication to the public..... 715
Distinct inventions..... 802 , 802.01 , 803 , 806.05	Doctrine of equivalents... 2138.05 , 2173.05(b) , 2186
Apparatus and product made..... 806.05(g)	Doctrine of segregable parts..... 1504.05
Distinct processes..... 806.05(j)	Doctrine of unclean hands..... 2010
Distinct products..... 806.05(j)	Document, Disclosure..... 1706
Process and apparatus for its practice..... 806.05(e)	Electronic (See also: Electronic publications) 707.05(e)
Process and product made..... 806.05(f)	DoD Directive 5230.25..... 120
Divisional application..... 201.06 , 601.01(a)	DoD Security Agreement..... 120
Abandonment of prior nonprovisional application..... 201.06(c)	Domestic benefit
Assignment carried from parent application..... 306	Claiming in continued prosecution application..... 201.06(d) , 1302.04
Change of attorney/correspondence address..... 201.06(c)	Claiming in <i>ex parte</i> reexamination..... 2258.02
Continued prosecution application (CPA)... 201.06(d)	Claiming in <i>inter partes</i> reexamination..... 2658
Copendency..... 211.01(b)	Claiming in reissue application.. 1402 , 1405 , 1410
Design application..... 201.06 , 1504.20	Correction in a patent..... 1481.03
Drawing, Transfer of..... 608.02(i)	Entitlement to..... 211.05
Effective date..... 211	Formal requirements..... 210 , 211.05 , 2136 , 2139.01 , 2152.01
Examination..... 201.06(c)	Incorporation by reference to earlier application..... 201.06(c) , 217 , 608.01(p)
Extensions of time..... 201.06(c)	International application..... 211.01(c) , 211.01(d)
Filed by assignee..... 324 , 325	Corrected by certificate of correction..... 1481
File wrapper continuation (FWC)..... 201.06(b)	Patent printing..... 1302.09
File wrapper/history notation..... 202 , 1302.04	
Incorporation by reference..... 201.06(c)	
Inspection of parent application..... 103	

INDEX

Domestic benefit — Drawings

Sec. No.	Sec. No.
Petition for unintentionally delayed claim to benefit of prior U.S. application.....	211.04 , 214.02
Prior to U.S. application.....	211 to 211.05
Corrected by Certificate of Correction... ..	211.02(a) , 1481
Design application.....	1504.20
In <i>ex parte</i> reexamination.....	2258.02
In <i>inter partes</i> reexamination.....	2658
Provisional application.....	211.01(a) , 2139.01 , 2152.01
Time for filing.....	211.03
Domestic representative.....	302.04
Double correspondence.....	403
Double inclusion in claim.....	2173.05(o)
Double patenting.....	800
Avoiding rejection.....	804.02 , 2146.03 , 2146.03(a)
Basis.....	804
Between one or more applications and a published application that has not been abandoned.....	804
Between a patent and a reissue application or a patent under reexamination.....	804
Claimed subject matter.....	806.01
Commonly owned cases, treatment.....	717.02(c) , 804.03
Coping applications.....	804 , 2127 , 2136.01 , 2146.03(a) , 2148 , 2152.07 , 2154.01(d) , 2158.01
Definition.....	804
Design applications/patents.....	804 , 1504.06
Different inventive entities.....	804.03 , 2109 , 2136.01 , 2136.04 , 2146.02 , 2146.03 , 2146.03(a) , 2152.07 , 2154.01(d)
Distinct and independent inventions.....	804.01
Domination.....	804
Impact of patent term extension.....	804.05
International applications.....	804
Obviousness type (ODP).....	804
Design application.....	1504.06
Plant applications.....	1601
Reexamination.....	804 , 2217 , 2258
Rejection.....	804
Nonstatutory.....	804
Obvious.....	804
Prohibition, 35 U.S.C. 121.....	804.01 , 821.04(b)
Provisional... ..	804 , 2136.01 , 2139.03 , 2146.03 , 2146.03(a) , 2148 , 2152.07 , 2154.01(d) , 2158.01
Specification, use of.....	804
Statutory.....	804 , 804.03
Rejection nullification.....	804.01
Restriction previously required.....	804.04 , 1003
Same assignee.. ..	804.03 , 822 , 2136.01 , 2141.01 , 2146 to 2146.03(a) , 2148 , 2152.06 , 2154.02(c) , 2158 , 2158.01
Same inventor.....	806.04(h) , 806.04(i) , 806.05 , 822
Species and genus.....	806.04(h) , 806.04(i)
Subject matter not patentably distinct.....	804
Subject to joint research agreement....	804 , 804.02 , 804.03
Submissions to TC director.....	804.04
Terminal disclaimer effect.....	804 , 804.02 , 1451 , 1490 , 2146.03(a)
In a reissue application.....	1451
Drawings.....	507 , 608.02
Amendment.....	608.02(p) , 714 , 1302.04
In <i>ex parte</i> reexamination.....	2250.01
In <i>inter partes</i> reexamination.....	2666.02
In reissue application.....	1413 , 1453
Prior to publication of PG-Pub.....	1121
Amendment, Disposition of orders for.....	608.02(x)
Amendment support by claim present on filing date....	608.04(a)
Annotated sheets.....	608.02(v) , 608.02(w)
Brief description.....	608.01(f)
Canceled figure.....	608.02(t)
Canceled sheet.....	608.02(t)
Canceled sheet, patent.....	608.02(t)
Canceled sheet, transfer.....	608.02(i)
Color.....	608.01(f) , 608.02 , 1503.02
Colored plant.....	1606
Complete illustration.....	608.02(d)
Completeness.....	608.02(e)
Computer lists.....	608.05
Consistency.....	608.02(e)
Content of.....	608.02(d)
Correction (See also: Correction of drawing)	608.02(p) , 1302.05
Incorporated into PG-Pub.....	1120 , 1121
Reversed figure numbers.....	1302.04
Design application.....	1503 , 1503.01 , 1503.02 , 1504.04
Disclosure.....	608
Divisional application.....	608.02 , 608.02(i)
EFS-Web.....	502.05
Examiner determines completeness.....	608.02(e)
Illustrates claim.....	608.02(e)
Informal.....	507
International application.....	1825

MANUAL OF PATENT EXAMINING PROCEDURE

Drawings — Duty of disclosure

Sec. No.	Sec. No.		
Kept in application.....	608.02(c)	Marked-up copy..	608.02(b) , 608.02(v) , 608.02(w)
Location.....	608.02(c)	New matter.....	608.04
Modification illustrated.....	608.02(f)	Order for.....	608.02(x)
Marked-up copy..	608.02(b) , 608.02(v) , 608.02(w)	PG-Pub.....	1120 , 1121
Necessary for filing date.....	506 , 608.02 , 702	Replacement sheets.....	502 , 608.02(h) , 1302.05
New drawings required.....	608.02(a)	Required.....	507 , 707.07(a)
New, handling.....	608.02(a)	Due Care Showing.....	2734
New matter.....	608.04 , 608.04(a)	Duplicate claims.....	608.01(m)
New, when required.....	608.02(a)	Duplicate foreign patents.....	903.03
Not received.....	608.02(h) , 1825	Duplicate papers for plant applications....	1603 , 1605 , 1606 , 1609
Not required.....	608.02	Duty of candor and good faith.....	2001 , 2001.03 , 2001.04 , 2733 , 2762
Not returned.....	608.02(y)	Compared to duty to disclose material information....	2001.04
Objection.....	608.02 , 608.02(a) , 608.02(b) , 608.02(d) to 608.02(f) , 608.04(a) , 1503.02 , 1504.04	inconsistent information between agencies..	2001.04
Official Gazette figure.....	1302.09	Information disclosure.....	609
Omitted drawings.....	601.01(g)	Reexamination.....	2280
Patented file.....	901.01(a)	Duty of disclosure.....	2000
Petition to transfer from another application.....	608.02(i)	After patent grant.....	2003.01
Photographs.....	502.05 , 507 , 608.01(f) , 608.02 , 1503.02	Aids to compliance.....	2004
Plant application.....	1603 , 1606	By whom.....	2002 , 2002.01
Prior art.....	608.02(g) , 2125	Checklist.....	2004
Provisional application.....	601	Compared to requirement for information.	704.12(a) , 2005
Reference characters.....	608.02 , 608.02(e)	Compliance with.....	2004
Reference characters, change.....	608.02(w)	Continuing applications.....	2001.04 , 2004
Reissue application.....	1411 , 1413	Coping applications.....	2001.06(b) , 2004
No longer transferred from original patent.....	1413	Copied claims.....	2001.06(d)
Replacement drawings for publication in PG-Pub.....	1121	Duration of.....	2001.04 , 2003.01
Replacement.....	608.02(h) , 1302.05	Foreign applications.....	2001.06(a)
Reversed figure numbers.....	1302.04	Information material to patentability.....	2001.04 , 2001.05 , 2001.06(e)
Review by Office of Patent Application Processing (OPAP).....	507	Litigation information and/or Trial Proceedings.....	2001.06(c)
Required by examiner.....	608.02	Materiality.....	2000 , 2001.04 , 2001.05
Requirements.....	608.02	Questionnaire.....	2004
Return.....	608.02(y)	Reexamination	
Section lines.....	608.01 , 608.02(w)	<i>Ex parte</i>	2014 , 2280
Security markings.....	121	<i>Inter partes</i>	2003.01 , 2684
Sequences.....	2412.06	Regulatory review.....	2001.06(e) , 2004 , 2015
Substitute.....	502 , 608.02 , 608.02(h)	Reissue application.....	1406 , 1418 , 1448 , 2001.06(c) , 2003
Sufficiency, determined by examiner.....	608.02(e)	Related application	
Symbols.....	608.02	Foreign.....	2001.06(a)
Trademarks.....	1512	U.S.....	2001.06(b)
Unacceptable for publication.....	608.02 , 608.02(b)	Sources of information.....	2001.06
Drawing correction.....	507 , 608.02(p)	Timing.....	2003 , 2003.01
Annotated sheets.....	608.02(v) , 608.02(w)	To whom owed.....	2001.03
Approval by examiner.....	608.02(x)		

INDEX

Duty of disclosure — Electronic filing system, USPTO Patent (Patent Center or EFS-Web)

Sec. No.	Sec. No.
Violation of.....	2010
Claims invalidated.....	2016
Protest.....	2013
Reexamination.....	2014
Reissue.....	2012
Rejection of claims in reissue application.....	1448
Who has.....	2001.01
Duty of Reasonable inquiry.....	2001. 2001.06(e)
E	
Easily erasable paper.....	608.01. 714.07
Effective date of reference patent.....	707.05(e). 715. 901.05(b). 2121.01. 2139.01. 2152.01
Effective filing date	
Claimed invention.....	804. 2152.01
Continuing application.....	211.02. 708. 804. 2139.01. 2152.01. 2159.03
Continuation-in-part....	2133.01. 2135.01. 2159.03
Foreign priority effect.....	2139.01. 2152.01
International convention (See also: Foreign application) Treaties)	213.01
Provisional application.....	2139.01. 2152.01
Publication.....	715.01(c)
Reissue application.....	804. 1440
Eighteen-month publication (See also: Pre-Grant Publication) (PG-Pub))	
Election (See also: Restriction) Election of species) ...	800
Action on nonelected claims.....	819
After multiplicity rejection.....	2173.05(n)
After restriction.....	818
Between applications, Conflicting claims... ..	804. 822
Constructive.....	818.02(a). 818.02(c)
In reissue application.....	1440. 1450. 1457
Fixed by action on merits.....	818.01. 818.02(a)
Implied.....	818.02(a). 818.02(c)
Interference.....	819
Optional cancellation.....	818.02(c)
Original presentation.....	818.02(a)
Shift.....	819
Treatment of nonelected claims.....	803.02. 821 to 821.03
In reissue application.....	1450
With traverse.....	818. 821.01
Without traverse.....	821.02
Election of species	
Allowable generic claim lacking.....	809.02(a)
Basis.....	806.04. 808.01(a)
Canceling species claims.....	818.02(c). 821.01. 821.02
Design application.....	1504.05
Implied.....	818.02(a). 818.02(c)
Reissue application.....	1450
Requirement.....	806.01. 809.02(a)
Requirement, prior to search.....	808.01(a)
Species claims lacking.....	806.01. 818.02(b)
Electronic access to published applications.....	1128
Electronic databases (See also: PALM) PAIR)	707.05(e). 719.05. 901.06(a). 902.03(e). 1730
Chemical abstracts services.....	901.05. 901.07
Derwent's World Patents Index (WPI).....	901.05. 901.07
Dialog.....	719.05. 901.07
e- <i>Official Gazette – Patents</i> (eOG:P).....	1703
EAST.....	719.05. 902.03(e)
Full-text and full-page images of U.S. patent related databases.....	1730
International Patent Documentation Center (INPADOC).....	901.05. 901.07
Lexis-Nexis.....	719.05
<i>Official Gazette Notices</i>	1703
Patent Grants Database.....	1703. 1730
Questel-Orbit.....	719.05. 901.07
SEARCH (PE2E).....	902.03(e)
TESS (Trademark Electronic Search System)..	1703. 1730
WEST.....	719.05. 902.03(e)
Electronic Business Center (EBC).....	1730
Electronic document.....	707.05(e)
Electronic filing system, USPTO Patent (Patent Center or EFS-Web).....	502.05. 503. 708.02(a)
Actions permitted by registered users.....	502.05
Actions permitted by unregistered users.....	502.05
Alternatives to using EFS-Web.....	502.05
During unscheduled outages (EFS-Web Contingency Option).....	502.05
Certificate of Transmission.....	512
Document description codes.....	502.05
Document formats.....	502.05
Electronic Acknowledgement Receipt.....	502.05
<i>Ex parte</i> reexamination request and follow-on papers.....	502.05. 2224

MANUAL OF PATENT EXAMINING PROCEDURE

Electronic filing system, USPTO Patent (Patent Center or EFS-Web) — Estoppel

Sec. No.

Sec. No.

Inter partes reexamination request and follow-on papers..... [502.05](#), [2624](#)
Legal Framework..... [708.02\(b\)](#)
Petition to accept unintentionally delayed payment of maintenance fee..... [502.05](#), [711.03\(c\)](#), [2590](#)
Pre-grant (eighteen month) publication submissions via..... [502.05](#), [1121](#), [1129](#), [1130](#), [1132](#), [1133](#)
Reissue application and follow-on papers..... [502.05](#), [1410](#)
Sequence listing submissions via..... [215.02\(b\)](#), [2422.03](#), [2422.03\(a\)](#), [2422.04](#)
Electronic funds transfer to replenish deposit account... [509.01](#)
Electronic Information Disclosure Statement (e-IDS)..... [609.07](#)
Electronic mail..... [502.03](#), [713](#), [713.01](#), [713.04](#), [713.05](#)
to notify customer of Office communications (e-Office Action Program)..... [502.05](#), [710.06](#)
Electronic patent assignment system (EPAS).. [302.10](#), [502.01](#), [502.05](#)
Electronic Priority Document Exchange (See also: [PDX](#)) [215.01](#), [215.02\(a\)](#)
Electronic Processing of Information Disclosure Statement..... [609.08](#)
Electronic publications
Availability as prior art..... [2128](#)
Citation of..... [707.05\(e\)](#)
Hyperlinks to..... [608.01](#), [608.01\(p\)](#)
Search for..... [904.02\(c\)](#)
Employee number..... [711.04\(b\)](#)
Employees of U.S. Patent and Trademark Office, property interest in patent..... [309](#)
Enablement..... [2164](#), [2166](#)
Burden on the examiner..... [2164.04](#)
Commensurate in scope with claims..... [2164.08](#)
Critical feature not claimed..... [2164.08\(c\)](#)
Inoperative subject matter..... [2164.08\(b\)](#)
Single means claim..... [2164.08\(a\)](#)
Compared to utility..... [2164.07](#)
Design patent application..... [1503.02](#), [1504.04](#)
Duty or disclosure of information relevant to..... [2001.04](#)
Evidence of..... [2164.05](#)
Examples of enablement issues..... [2164.06 to 2164.06\(c\)](#)
Form paragraphs used to reject..... [2166](#)
How to make the invention..... [2164.01\(b\)](#)
How to use the invention..... [2164.01\(c\)](#)
Quantity of experimentation..... [2164.06](#)

Reduction to practice..... [2164.02](#)
Relationship of predictability..... [2164.03](#)
Specification must be enabling
As of the filing date..... [2164.05\(a\)](#)
To persons of ordinary skill..... [2164.05\(b\)](#)
Test of enablement..... [2164.01](#)
Undue experimentation factors..... [2164.01\(a\)](#)
Working example..... [2164.02](#)
35 U.S.C. 112(f) or pre-AIA 35 U.S.C. 112, sixth paragraph limitations..... [2181](#), [2185](#)
Energy, Department of..... [115](#), [2104.01](#)
Energy, related applications, special status..... [708.02](#)
English language faulty, new specification.... [608.01\(q\)](#)
English language required..... [302.02](#), [608.01](#)
Enrollment and Discipline, Office of (See also: [Office of Enrollment and Discipline](#))
Entity, micro, claiming status as (See also: [Micro entity status](#))
Entity, small, claiming status as (See also: [Small entity status](#))
Entry of amendment (See also: [Amendment](#)) . [714.18](#)
Environmental Quality Program..... [708.02](#)
Equity (civil action)
Under 35 U.S.C. 145..... [1216](#), [1216.02](#)
Under 35 U.S.C. 146..... [1216](#)
Equivalents in art..... [904.01\(b\)](#), [2144](#), [2144.06](#)
Erasable (specially coated) paper..... [608.01](#)
Erasure in specification, before execution..... [608.01](#)
Errors (See also: [Correction of patent](#))
Correction of patents..... [1400](#)
Deceptive intent..... [1401](#), [1412.02](#), [1412.03](#), [1412.04](#), [1414](#), [1414.02](#), [1414.03](#), [1444](#), [1448](#), [1451](#), [1457](#), [1481.02](#), [1490](#), [2022.05](#)
Reissue..... [1401 to 1470](#)
Title documents..... [323](#)
Withdrawal from issue..... [1308](#)
Essential material..... [608.01\(p\)](#)
Establishing right of assignee to take action in application..... [324](#), [325](#)
Estoppel
Abandonment..... [711.03\(c\)](#)
Collateral..... [2012.01](#)
In *ex parte* reexamination..... [2259](#)
In *inter partes* reexamination..... [2659](#)
Defensive publications..... [711.06](#)
Different inventive entities and commonly owned applications..... [804.03](#)
Interference..... [715](#), [2138.01](#)
Reasons for allowance..... [1302.14](#)

INDEX

Estoppel — Examiner's amendment

Sec. No.	Sec. No.
Reissue proceedings.....	2012.01
Terminal disclaimer.....	804 , 804.02
European Community Design treaty (See also: Treaties)	
European Patent Convention (See also: Treaties)	
European Patent Office (EPO).....	120 , 609 , 901.05 , 901.07 , 1801 , 1840 , 1840.01 , 1850 , 1860 , 1865
As a PCT Chapter I international searching authority.	1840.01
Evidence, of public use or on sale.....	2133.03 to 2133.03(b) , 2152.02(c) , 2152.02(d)
Evidence submitted with protest.....	1901.02
Examination guidelines for AIA 35 U.S.C. 102 and 103.....	2150
Examination guidelines for applying reference under pre-AIA 35 U.S.C. 102(e).....	2136 , 2136.01
Examination of application.....	700
Accelerated Examination.....	708.02(a)
Confidentiality during.....	101
Deferral of.....	709 , 1002.02(d)
Order of.....	708 to 708.03
Piecemeal.....	707.07(g)
Purpose.....	701
Reissue.....	1440 , 1443 , 1445
Secrecy order application.....	130
Statutory authority.....	701
Suspension of.....	709
Examiner	
Action.....	707
Action counted.....	1705
Affidavit.....	2144.03
Assignment of application for examination.....	909.01(b) , 909.02(b)
Assignment of <i>ex-parte</i> reexamination.....	2236
Assignment of <i>inter partes</i> reexamination.....	2636
Assistant.....	707.01 , 707.02
Citing prior art in an issued patent inappropriate.....	2203
Classification (See also: Classification examiner)	903
Disposals.....	1705
Duty of candor and good faith to..	2001.03 , 2001.04
Employee number.....	711.04(b) , 905.05
Expressing opinion of validity.....	1701
Name.....	502 , 707.09 , 1302.13
New action indicated by primary.....	707.01
Previous action by another examiner	
Allowed claims.....	706.04
Interview.....	713.01
Search.....	704.10
Primary	
Actions requiring personal attention.....	707.01 , 714.16 , 715.08 , 1004
Name on file wrapper.....	1302.13
Pursuit of bounties prohibited.....	1701
Reasons for allowance.....	1302.14
Resigns, old cases special.....	708.03
Suggestion of allowable claims.....	707.07(j)
Supervisory (See also: Supervisory patent examiner)	
Telephoning attorney.....	408 , 1302.14
Testimony as patent expert.....	1701.01
Time and Activity Report.....	1704 , 1705
Time reporting for <i>ex parte</i> reexamination.....	2238
Time reporting for <i>inter partes</i> reexamination...	2638
Treatment of protest.....	1901.06
Examiner docket, time, and activity recording.....	1704 , 1705
Examiner Reissue Guide and Checklist...	1443 , 1445
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, antecedent basis in description.....	608.01(o)
Claim lost in interference.....	2308
Claim, numbers identifying.....	1302.01 , 1302.04(g)
Claims, nonelected invention, canceled.....	821.01 , 821.02
Defensive publication.....	711.06
Deposit account charge.....	1302.04 , 1730
Drawing correction.....	608.02(w) , 1302.04
Extension of time required for.....	706.07(f)
Formal matters.....	1302.01 , 1302.04
IFW applications.....	1302.04
Informalities corrected.....	1302.04
Non-compliant amendment, treatment of.....	714 , 1302.04
No new matter.....	608.01(o)
Plant patent application practice.....	1610
Reexamination	
<i>Ex parte</i>	2281 , 2287
<i>Inter-partes</i>	
Canceling rejected claims.....	2671 , 2687
Correcting formal matters.....	2687 , 2687.01
In merged reissue/reexamination.....	2686.03
Not permitted if approval required.....	2687.01
To the Title.....	2660.02 , 2686.03 , 2687
Reference citation corrected.....	707.05(g)

MANUAL OF PATENT EXAMINING PROCEDURE

Examiner's amendment — Executor or administrator

Sec. No.	Sec. No.
Title of application.....	606.01
Examiner's Answer	707.06
Appeal conference not held.....	1003 , 1207.01
Counted as a disposal.....	1705
New ground of rejection.....	1207.03
New interpretation of law.....	1207.02
TC Director's attention required.....	1003
Reexamination	
<i>Ex parte</i>	2275
<i>Inter-partes</i>	2677
Reply brief.....	1208
Special status.....	708.01
Examiner's letter (See also: Action)	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) , 714.15
Claim summary.....	707.07(i)
Complete and clear.....	707.07
Copies of references.....	707.05(a)
Copy to applicant.....	707.12
Correction, period for reply.....	707.05(g) , 710.06
Correction of citation.....	707.05(g)
Date stamped.....	707.11
Decisions, cited.....	707.06
Election of species required, concluding paragraph....	809.02(a)
Examiner signature at end of letter.....	707.09
Examiner's amendments.....	706.07(f) , 1302.04
File wrapper entry.....	707.10 , 719.01
Final rejection, clearly stated.....	706.07
Final rejection, concluding statement.....	706.07
Final rejection, patentability report.....	705.01(a)
Formal matters.....	707.07(a) , 707.07(e) , 707.07(j) , 714.02
Informal application.....	702.01
Initialed by examiner.....	707.08
Language in rejecting.....	707.07(d)
Mailing.....	707.12
Memorandum cited.....	707.06
New drawing required.....	608.02(b)
New examiner, primary examiner indicates....	707.01
Notices cited.....	707.06
Numbering of paragraphs.....	707.07(k)
Omnibus rejection.....	2173.05(r) , 2175
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
Preliminary amendment in new case.....	709 , 714.01(e)
Primary examiner'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....	2302
Remailing.....	707.13 , 710.06
Requirement for information.....	704.10 , 2120.02 , 2135 , 2181
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
Examiner's search facilities, use regulations.....	510
Example, Comments on.....	707.07(l)
Example, Operative.....	608.01(p) , 2164.02
Example, Prophetic, simulated or predicted.....	608.01(p) , 2164.02
Excess number of claims for fee, after notice of allowance.....	714.16(c)
Excess number of claims over number of claims previously paid for.....	607 , 714.01(e) , 714.10
Excluded attorney or agent.....	105 , 407 , 713.05 , 714.19
Execution of oath.....	602.08(b)
Executive Order	
No. 5464.....	1608
No. 9424.....	302 , 302.06 , 302.08
No. 10,096.....	509.02
No. 11,582.....	710.05
No. 12,598.....	115 , 120 , 121
No. 13,292.....	115 , 121
Executor or administrator.....	409.01(b)
Allowance and issue.....	409.01(b)

MANUAL OF PATENT EXAMINING PROCEDURE

Federal holiday — File wrapper/history

Sec. No.	Sec. No.
Continuity between applications.....	211.01(b)
Effect on Mail Express Service.....	513
Effect on reference....	2120.01 , 2133.01 , 2135.01 , 2139.02
Filing date.....	502 , 502.01 , 502.05 , 505 , 512 , 513
Foreign application copendency.....	213
Foreign patent.....	2135 , 2135.01
Maintenance fees.....	2504 , 2506
Papers not received.....	502 , 503
Period for reply ending on.....	505 , 710.05
Prior art effective date.....	2120.01 , 2139.02 , 2152.05
Provisional application copendency.....	201.04
PTO business hours.....	510
Reply period.....	710.05
Statutory bar.....	2133 , 2152.02 , 2153.01 to 2153.02
Statutory period.....	710.01(a)
Unscheduled closings.....	213.03
Federal license rights.....	310
Federal Rules of Civil Procedure	
Rule 8(b) cited.....	410
Rule 11(b)	
Cited.....	402.03 , 410
Reproduced.....	410
Fee (See also: Refunds)	
Address.....	2540
Appeal.....	1204
Appeal forwarding fee.....	1208.01
Assignment recording.....	302.06
Credit card payment of.....	509 , 706.07(f)
Current amounts available on USPTO Web site.....	509 , 1730
Document size.....	608.05 , 2810.01
Electronic copy of sequence listing.....	2419.02 , 2419.03 , 2435
Examiner's amendment.....	706.07(f)
Extensions of time.....	706.07(f)
Filing.....	509 , 607
Claims in excess of.....	607
Dependent claims.....	608.01(n)
Deposit account.....	509.01
Inadequate.....	509
International application.....	1805 , 1810 , 1827
Basic national fee for national stage entry.....	502.01 , 502.05 , 509.03 , 512 , 1834.01 , 1893.01(a) , 1893.01(a)(1) , 1893.01(c) , 1893.02
Micro entity status.....	509.04
Non-electronic.....	607
Nonprovisional application.....	601.01(a)
Provisional application.....	601.01(b)
Reduction for micro entities.....	509.04
Reduction for small entities.....	509.02
Reexamination	
<i>Ex parte</i>	2215
Reissue.....	1415
Return Postcard Receipt.....	503 , 607.02
Small entity.....	509.03
Issue (See also: Issue fee)	
Maintenance (See also: Maintenance fees)	
Payment.....	509
by EFS-Web.....	502.05
Petition to revive.....	711.03(c)
Publication fee.....	1126 , 1133 , 1303 , 1306 , 1306.03
Reduction for micro entities.....	509.04
Reduction for small entities.....	509.02
Supplemental examination.....	2810.01
Field of search.....	904 , 904.02 , 904.02(a) , 1701
Notation in file.....	719.05 , 904
Field of search, notation by examiner.....	705.01(a) , 719.05 , 904 , 904.02(a)
Figures (See also: Drawings)	
File Ordering System.....	711.04 , 901.01(a)
File wrapper/history (See also: Image File Wrapper (IFW))	719
Action entered.....	707.10
Allowed case data entered.....	1302.09
Amendment endorsed.....	710.05
Assignment endorsement.....	303
Civil action disposition.....	1216.02
Classification data.....	719.03
Classification history.....	719.03
Completeness.....	724.01
Continuation, Former Rule 1.62 (FWC)	
Public access.....	103
Restriction.....	819
Data entered on.....	710.05 , 1302.09
Field of search.....	719.05
Field of search, patentability report.....	705.01(a)
Foreign application cross-noting....	202 , 1893.03(c) , 1895.01
Foreign filing date entered on.....	719.06 , 1302.06
Index of claims.....	719.04
Licensing and Review stamp.....	140

INDEX

File wrapper/history — First inventor to file provisions of the Leahy Smith America Invents A...

Sec. No.	Sec. No.
Notes to application of another party.....	101
Papers in.....	719.01
Parent application notation on.....	202 , 1302.09
Printout of search history.....	719.05
Relation of application noted on.....	202
Residence changed.....	719.02
Return of paper entered on.....	719.01
“Searched” box entries.....	719.05
“Searched notes” box entries.....	719.05
Signing by primary examiner.....	1302.13
Statutory period ends on nonworking day.....	710.05
Files Repository.....	711.04(b)
Filing date.....	201.06(c) , 502 , 503 , 505 , 506 , 506.02
Continued prosecution application (CPA)...	201.06(d)
Effective, prior application.....	211.02 , 2133.01 , 2139.01 , 2152.01 , 2154.01(b)
EFS-Web.....	502.05
Foreign application, Convention date (See also: Foreign application)	214.03
International application.....	1810
Later filed application as disclosure.....	608.01(p)
Patent Cooperation Treaty (PCT).....	1810
Petition.....	506.02 , 513 , 601.01(b) , 601.01(c) , 601.01(f) , 601.01(g)
Priority Express Mailing date.....	506.02 , 513
Refusal to accord.....	506.02
Review of refusal to accord.....	506.02
Subsequent publication as disclosure.....	608.01(p)
Filing date of reexamination request	
<i>Ex parte</i>	2214 , 2215
Filing date of request for supplemental examination.....	2812.01
Filing fee (See also: Fee Refunds)	607
Continued prosecution application (CPA)...	201.06(d)
Deposit account.....	509.01
Inadequate.....	509
Reduction for micro entity.....	509.04
Reduction for small entities.....	509.02
Reexamination	
<i>Ex parte</i>	2215
Reissue application.....	1415
Return.....	503 , 607.02
Filing receipt (See also: Postcard, self-addressed)	503
Final action (See also: Final rejection)	
Final Board decision in <i>inter partes</i> reexamination.....	2681 , 2682
Final data capture.....	1309
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 of.....	706.07(d)
Primary examiner's attention required.....	1004
Request for continued examination (RCE).....	706.07(h)
Reexamination, <i>ex parte</i>	2271
Reexamination, <i>inter partes</i> (See also: Action: Closing Prosecution in inter partes reexamination)	
Secrecy order application.....	130
Special.....	708.01
Time for reply.....	706.07(f)
Transitional procedure.....	706.07(g)
When proper.....	706.07 , 706.07(a) , 706.07(b)
Withdrawal.....	706.07(e)
Withdrawal, Primary examiner's attention.....	1004 , 1005
Withdrawal of premature.....	706.07(d)
First action final rejection.....	706.07(b)
In an RCE.....	706.07(b) , 706.07(h)
First inventor to file provisions of the Leahy Smith America Invents Act (AIA)	
Affidavits or declarations under 37 CFR 1.130.....	717.01 to 717.01(f) , 2155
Claiming same invention.....	717.01(d)
Enablement.....	2155.04
Evaluation of.....	717.01(a)(1) , 717.01(b)(1) , 717.01(e)
Formal requirements.....	717.01(c)
Showing disclosure was made by inventor.....	717.01(a) , 2155.01
Showing prior disclosure of subject matter by inventor.....	717.01(b) , 2155.02
Showing disclosure was subject matter obtained from inventor.....	717.01(b)(2) , 2155.03
When available.....	717.01 , 2155.06
When not required.....	717.01
When unavailable.....	717.01 , 2155.06
Who may file.....	717.01(c) , 2155.05
Determining whether application is subject to first inventor to file provisions	
Applications filed before March 16, 2013.....	2159.01

MANUAL OF PATENT EXAMINING PROCEDURE

First inventor to file provisions of the Leahy Smith America Invents A... — Foreign executed oath

Sec. No.

Sec. No.

Applications filed on or after March 16, 2013.....		Certified copy to avoid reference... 213 , 2136.05(a) , 2152.06
2159.02		Certified copy not filed..... 214.03(VI)
Applications subject to both pre-AIA 35 U.S.C. 102(g) and AIA 35 U.S.C. 102 and 103....	2159.03	Cross-noting on file wrapper/history..... 202
Transition application.....	2159.04	Date entitled to..... 213
Effective filing date of claimed invention.....	2152.01	Design patents..... 1504.02 , 1504.10
Improper naming of inventors.....	2157	Determination of priority..... 213 , 216
Joint research agreements.....	2156	Disclosure..... 216
Prior art		Duty of disclosure of information cited.... 2001.06(a)
Under AIA 35 U.S.C. 102(a)(1).....	2152.02 to 2152.04	English language translation for benefit of date..... 213 , 213.06 , 216 , 2136.05(a) , 2152.06
Under AIA 35 U.S.C. 102(a)(2).....	2154 to 2154.01(c)	<i>Ex parte</i> reexamination to perfect priority.... 2258.02
Under AIA 35 U.S.C. 102(d).....	2154.01(b)	Filed more than a year before U.S. application... 213 , 214.03
Under AIA 35 U.S.C. 103.....	2158	Filing in foreign country..... 140
Prior art exceptions under AIA 35 U.S.C. 102....	717 to 717.02(d) , 2153 , 2154.02 to 2154.02(c) , 2156	First..... 213.03
Commonly owned or under obligation of assignment.....	717 to 717.02(d) , 2154.02(c)	Great Britain..... 213.03 , 216
Grace period inventor or inventor-originated disclosure....	717 to 717.01(f) , 2151 , 2153.01 , 2153.01(a) , 2153.02 , 2154.02 to 2154.02(b)	Identification..... 214.04
Joint Research Agreements.....	2156	Incorporation by reference in U.S. application.... 217
Overview.....	2151	<i>Inter partes</i> reexamination to perfect priority.... 2658
First Office action form.....	707	License to file..... 140
First action on the merits (FAOM) (See also: Letter Examiner's)		Listed on oath/declaration..... 213.02 , 214
Five year pendency.....	707.02 , 708.01	No claim for priority..... 214.02
Flowchart for		No reference made in declaration..... 214.03
Claim interpretation for a term that does not invoke 35 U.S.C. 112(f).....	2111.01	Notice to Office after nonpublication request.... 1124
Effective date under pre-AIA 35 U.S.C. 102(e).....	2136	Noting earliest date in file history/wrapper..... 202
Examination of computer-related inventions....	2106	Ordering copies..... 901.05(c)
Reexamination provisions, <i>ex parte</i>	2201	Overcoming reference which is..... 216 , 715
Reexamination provisions, <i>inter partes</i>	2601.01	Prior art cited in related..... 2001.06(a)
Reformed PCT System.....	1842	Priority..... 213
Supplemental examination.....	2801	Papers not filed..... 214.03
Transitional after-final procedures (37 CFR 1.129(a)).....	706.07(g)	Petition for unintentionally delayed claim for priority.... 214.02 , 215.02 , 1002.02(b) , 1402 , 1417 , 1481.03 , 2258.02 , 2658
Treatment of applications having conflicting claims....	804	Priority document in parent application..... 214.03 , 215
Flow sheet.....	608.02	Reissue application claiming foreign priority.... 1402 , 1410 , 1417 , 1444
FOIA (See also: Freedom of Information Act (FOIA))		Ribboned..... 608.01
Font, type.....	608.01 , 1504.01(a)	Same invention..... 213
Foreclosure (See also: Assignment: Security interests)		Seal..... 602
Foreign application (See also: International application)		Statutory bar..... 2135 , 2135.01
As prior art.....	2120 , 2127 , 2139.01 , 2152.01	Time limits to submission..... 213.06 , 214
Certificate of correction to perfect priority....	216.01 , 1402 , 1481 , 1481.03	Certificate of correction..... 216.01
		Reissue..... 214 , 215 , 216.01
		Translation required.... 213 , 213.04 , 213.06 , 214 , 215.03 , 216 , 217
		Foreign countries recognized for priority..... 213.01
		Foreign executed oath..... 602.04

INDEX

Foreign filing, Proving priority — Form letters and forms

Sec. No.	Sec. No.
Foreign filing, Proving priority.....	213.02 , 214 , 2136.05(a) , 2152.06
Foreign filing date	
Entitled to.....	216
On file wrapper/history.....	202
Foreign filing license.....	115 , 140
For PCT.....	115 , 1832
Foreign language	
Application.....	608.01 , 609.04(a)
Oath or declaration.....	602.06
Foreign patent	
Art collection.....	901.07
Citation.....	707.05(e) , 901.05(a)
Citation dates and information.....	901.05(a) , 901.05(b) , 1851
Classification.....	903 , 903.03
Country codes.....	1851
Database search.....	2135
Document citation, in PCT.....	1851
Duplicates.....	903.03
Effective date.....	901.05(b)
Family of (INPADOC).....	901.06(a)
In prior art statement.....	609 , 609.01
Individual country overview.....	901.05
Journals.....	901.06(a)
Law overview.....	901.05
Library.....	901.06(a)
Listing at allowance.....	1302.12
Oppositions.....	901.05
Ordering copies.....	901.05(c)
Print of, where obtained.....	901.05(c)
Reference.....	901.05 , 2120 , 2139.01 , 2152.01
Transfer.....	903.05
Translation of.....	901.05(d) , 2120
Unlicensed, same applicant.....	140
Foreign priority (See also: Foreign application)	210 to 217
Design patent applications.....	213 , 1504.02 , 1504.10
U.S. effective filing date or effectively filed date computed....	213.01 , 2136.03 , 2139.01 , 2152.01 , 2154.01(a) , 2154.01(b)
Formal matter	
Allowance and issue... ..	1302.01 , 1302.02 , 1302.04
Amendment of application in issue.....	714.16
Claim allowable except for.....	706 , 707.07(j)
Review of action involving.....	
Right of benefit to prior domestic application.....	210 , 211 , 1402 , 1405 , 1410 , 1481.03
Right of priority to prior foreign application.....	210 , 213 to 217 , 1402 , 1410 , 1417 , 1481.03
Specification format.....	608.01
When taken up.....	707.07(a) , 707.07(e) , 707.07(j) , 714.02
Former employee restrictions.....	1702
Form letters and forms	
Abandonment.....	711.04(c)
Action Closing Prosecution PTOL-2065.....	2671.02 , 2696
Advisory Action.....	706.07(f) , 714.13
Advisory Action – <i>Ex-parte</i> Reexamination PTOL-467.....	2250 , 2265 , 2266.01 , 2266.02 , 2266.03 , 2272 , 2296
Allowability.....	1302.03
Amendment received after allowance.....	608.02(z) , 714.16(d) , 714.16(e)
Amendment after Board decision, refused entry.....	1214.07
Amendment not fully responsive.....	714.03
Amendment unsigned.....	714.01(a)
Certification of Micro Entity Status (Gross Income Basis) PTO/SB/15A	509.04(a)
Certification of Micro Entity Status (Institution of Higher Education Basis)	509.04(b)
Certificate of Correction form PTO/SB/44 or PTO 1050.....	1480 , 1485
Certificate under 37 CFR 3.73(b) PTO/SB/96.....	324
Certificate under 37 CFR 3.73(b) PTO/AIA/96....	325
Change of Correspondence Address, Application PTO/SB/122.....	403 , 2542
Change of Correspondence Address, Patent PTO/SB/123.....	403 , 2542
Cover sheet, assignment document.....	302.07
Cover sheet, provisional application	
Cited.....	201.04 , 601
Reproduced.....	201.04
Credit Card Payment Form PTO-2038 Cited.....	509 , 1302.04 , 1306 , 2510 , 2522
Reproduced.....	509
D-10.....	130 , 1304.01
DD Form 441.....	120
DM/1.....	2905.01 , 2909 , 2909.03 , 2910 , 2920.05(d) , 2920.05(f)
Death of Attorney, Application ready for allowance.....	406
Declaration for Plant Patent Application PTO/AIA/09..	1604
Declaration for Reissue Application by the Assignee PTO/AIA/06.....	1414.01

MANUAL OF PATENT EXAMINING PROCEDURE

Form letters and forms — Form letters and forms

Sec. No.

Sec. No.

Declaration for Reissue Application by the Assignee PTO/SB/52.....	1414.02	<i>Inter Partes</i> Reexamination Communication (Without SSP) PTOL-2072.....	2696
Declaration for Reissue Application by the Inventor PTO/AIA/05.....	1414.01	<i>Inter Partes</i> Reexamination Notification Re Appeal PTOL-2067.....	2662 , 2674 , 2696
Declaration for Reissue Application by the Inventor PTO/AIA/51.....	1414.02	<i>Inter Partes</i> Reexamination Transmittal PTOL-2070....	2646 , 2647 , 2647.02 , 2670 , 2677 , 2696
Declaration for Utility or Design Patent Application PTO/SB/01.....	602.01(b)	Interview Request, Applicant Initiated PTOL-413A....	713.01 , 713.04 , 713.05
Declaration for Utility or Design Patent Application PTO/SB/01A.....	602.01(b)	Interview Summary, PTOL-413/413B.....	713.01 , 713.04 , 714.13
EFS-Web.....	502.05	Interview Summary PTOL-474, Reexamination.....	2281 , 2296
Election of species.....	809.02(a)	Issue Classification, Designs PTO-328.....	903.07 , 907
Examiner Checklist – Reexamination PTOL-1516.....	2287 , 2295 , 2296 , 2687 , 2696	Issue Classification Form/Sheet/Slip... Digests.....	903.07 , 907 , 1302.09 , 1302.10 , 1302.13 , 1611 , 2287 , 903.07
Examiner's action PTOL-326.....	707	Issue Fee Transmittal PTOL-85B....	307 , 308 , 324 , 325 , 512 , 605.01 , 1306.01 , 1306.02 , 1309 , 1481.01
Examiner's answer.....	1207	Maintenance Fee Transmittal PTO/SB/45	
Examiner's Biweekly Time Worksheet PTO-690E.....	2638	Cited.....	2515 , 2595
Fee Address Indication PTO/SB/47		Reproduced.....	2595
Cited.....	2540 , 2595	Nonpublication Request Under 35 USC 122(b)(2)(B)(i) PTO/SB/35	
Reproduced.....	2595	Cited.....	1121 , 1122 , 1123 , 1124 , 1135
Final rejection.....	706.07	Reproduced.....	1135
For Design Applications Only: Continued Prosecution Application (CPA) Request Transmittal PTO/SB/29.....	201.06(d)	Notice of Abandonment PTOL-1432.....	711.02 , 711.04(c)
For Design Applications Only: Receipt For Facsimile Transmitted CPA PTO/SB/29A.....	201.06(d)	Notice of Abandonment under 37 CFR 1.53(f) (CPA) For Design Applications PTO-2019.....	201.06(d)
45-day Letter.....	150	Notice of Allowability PTOL-37...	601.01(a) , 602.03 , 608.02(b) , 608.02(z) , 609.05(b) , 707.05(g) , 710.02(e) , 714.03(a) , 714.13 , 812.01 , 1302.03 , 1302.04 , 1455
General Office Action, <i>Ex Parte</i> Reexamination PTOL-466.....	2262 , 2296	Notice of Allowance and Issue Fee Due PTOL-85....	115 , 203.08 , 509.03 , 605.01 , 708.02(a) , 1126 , 1303 , 1303.03 , 1304.01 , 1305 , 1306 , 1306.02 , 1306.03 , 1308.01 , 1308.03 , 1309 , 1512 , 2001.04 , 2406 , 2411 , 2411.03 , 2540
General(<i>Ex-Parte</i>)ReexamCommunicationPTOL-473 (with SSP).....	2250 , 2266.03 , 2296	Undelivered.....	1303.02
Incorrect citation of references, Correction.....	707.05(g)	Notice of allowance, Secrecy order applications D-10.....	130 , 1304 , 1304.01
Information disclosure statement (IDS) PTO/SB/08		Notice of Appeal from the Examiner to the Patent Trial and Appeal Board PTO/SB/31.....	1204
Cited.....	608.01 , 609 , 609.02 , 609.03 , 609.04(a) , 609.05(a) , 609.05(b) , 609.05(c) , 609.06 , 609.07 , 609.08 , 707.05(d) , 1302.12 , 1406 , 1893.03(g) , 1901.03 , 1901.06 , 2001.04 , 2003 , 2004 , 2214 , 2246 , 2256 , 2257 , 2258.01 , 2287 , 2646 , 2657 , 2687	Notice of Defective Paper – <i>Ex Parte</i> Reexamination PTOL-475.....	2250 , 2266.02 , 2266.03 , 2272 , 2273 , 2295 , 2296
Reproduced.....	609.08	Notice of Defective Paper – <i>Inter Partes</i> Reexamination PTOL-2069.....	2666 , 2666.01 , 2666.04 , 2666.06 , 2666.50 , 2666.60 , 2696
Interference Initial Memorandum.....	2302 , 2304.02 , 2304.04(a)		
Interfering Subject Matter, Secrecy order applications.....	2306		
International application transmittal (PTO-1382).....	1830		
<i>InterPartes</i> ReexaminationCommunication(WithSSP) PTOL-2071.....	2696		

INDEX

Form letters and forms — Form letters and forms

Sec. No.	Sec. No.
Notice of Failure to Comply with Ex <i>Partes</i> Reexamination Request Filing Requirements PTOL-2077.....	CPA for Design Applications PTO-2021 Reproduced.....
2218 , 2227	201.06(d)
Notice of Improper CPA (or FWC) Filing For Utility or Plant Applications Filed Before June 8, 1995 PTO-2011 Reproduced.....	Notice Requiring Inventor's Oath or Declaration, PTOL-2306.....
201.06(d)	710.02(e)
Notice of Improper CPA For Design Applications PTO-2012 Reproduced.....	Notification of Non-Compliant Brief (use of PTOL-462 discontinued).....
201.06(d)	1205.03
Notice of Improper Request for Continued Examination (RCE) PTO-2051.....	Office Action – <i>Ex Parte</i> Reexamination PTOL-466... 2262 , 2296
201.06(d) , 706.07(h)	Office Action - <i>Inter Partes</i> Reexamination PTOL-2064 Cited..... 2647.02 , 2660 , 2671.01 , 2696 Reproduced..... 2660
Notice of Incomplete Nonprovisional Application..... 506 , 601.01(d) , 601.01(e) , 601.01(f) , 601.01(g) , 2731 , 2732	Office Action Summary PTOL-326..... 608.02(h) , 717.01(f)
Notice of Incomplete Reply (CPA) for Design Applications PTO-2018 Reproduced.....	Order Granting/Denying Request for <i>Ex-parte</i> Reexamination PTOL-471.....
201.06(d)	2247 , 2296 Reproduced..... 2247.01
Notice of Intent to Issue <i>Ex Parte</i> Reexamination Certificate (NIRC) PTOL-469.....	Order Granting/Denying Request for <i>Inter Partes</i> Reexamination PTOL 2063 Cited..... 2646 , 2647.02 Reproduced..... 2647.01
2234 , 2250 , 2250.01 , 2256 , 2262 , 2266 , 2273 , 2274 , 2283 , 2285 , 2287 , 2287.01 , 2288 , 2296	Patent Term Adjustment Statement under 37 CFR 1.704(d) PTO/SB/133.....
Notice of Intent to Issue <i>Inter Partes</i> Reexamination Certificate (NIRC) PTOL-2068.....	2732
2687 , 2696	PCT forms (See also: Patent Cooperation Treaty (PCT))
Notice of Non-Acceptance of Patent Maintenance Fee, PTO-2142.....	Petition for express abandonment to Avoid Publication under 37 CFR 1.138(c) Reproduced.....
2531	1135
Notice of Non-Compliant Amendment.....	Petition for Revival of an Application For Application Abandoned for Failure to Notify the Office of a Foreign or International Filing PTO/SB/64a Cited..... 711.03(c) , 1124 , 1135 Reproduced..... 711.03(c) , 1135
714 , 714.01(e) , 714.03	For Application internationally application abandoned Unintentionally PTO/SB/64/PCT.....
Notice of Non-Compliant Supplemental Examination Request.....	711.03(c)
2812.01	For Application Abandoned Unintentionally PTO/SB/64.....
Notice of Non-Recordation.....	711.03(c)
302.09	Plant Patent Application (35 U.S.C. 161) Declaration (37 CFR 1.63) PTO/SB/03.....
Notice of Omitted Items in a Nonprovisional Application PTO-1669.....	1604
201.06(c) , 601.01(d) , 601.01(g) , 2731 , 2732	Power of Attorney For applications filed before 09/16/2012 Power of Attorney or Revocation of Power of Attorney With a New Power of Attorney and Change of Correspondence Address PTO/SB/81 402.05(b) Power of Attorney to Prosecute Applications before the USPTO PTO/SB/80.....
Notice of Overpayment of Patent Maintenance Fee, PTO-211.....	402.07
2550	For applications filed after 09/16/2012 Power of Attorney to Prosecute Applications before the USPTO PTO/SB/80.....
Notice of Recordation.....	402.02(a)
302.09	
Notice of References Cited PTO-892.....	
608.01 , 609.02 , 609.03 , 609.04(a) , 609.05(a) , 609.05(c) , 609.06 , 707 , 707.05 , 707.05(a) , 707.05(c) , 707.05(d) , 707.05(e) , 707.05(f) , 707.05(g) , 2246 , 2257 , 2646 , 2657 , 2687	
Notice of Special Acceptance of Patent Maintenance Fee, PTO-2143.....	
2530	
Notice of Withdrawal from Issue under 37 CFR 1.313(b).....	
1308	
Notice re Appeal and re Defective Brief – <i>Ex Parte</i> Reexamination PTOL-468.....	
2273 , 2274 , 2296	
Notice to Comply With Requirements Applications For Patent Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.....	
2414 , 2421.03 , 2731 , 2732	
Notice To File Missing Parts of Application.....	
601.01(a) , 601.01(c) , 602.05(b) , 607 , 708.02(a) , 708.02(b) , 710.02(d) , 2731 , 2732	

MANUAL OF PATENT EXAMINING PROCEDURE

Form letters and forms — Form letters and forms

Sec. No.

Sec. No.

Transmittal for Power of Attorney to One or More Registered Practitioners PTO/AIA/82	402.02(a)	714.03(a) , 714.13 , 812.01 , 1302.03 , 1302.04 , 1302.12 , 1302.14 , 1455
Provisional application for patent Cover sheet PTO/SB/16.....	201.04	Reproduced..... 1302.03
PTO-271		PTOL-85
Cited.....	1309.02	Cited..... 203.08 , 1303 , 1306 , 1306.02 , 1308 , 1308.03
PTO-303.....	1453	Reproduced..... 1303
PTO-328.....	903.07	PTOL-85B
PTO-690E.....	903.03 , 2638	Cited..... 307 , 308 , 324 , 325 , 509.03 , 512 , 605.01 , 1303 , 1306 , 1306.01 , 1306.02 , 1309 , 1481.01
PTO-850		Reproduced..... 1303
Cited..	1002.02(d) , 2302 , 2304.02 , 2304.04(a)	PTOL-85C Reproduced..... 1303
Reproduced.....	2302	PTOL-90..... 608.02 , 608.02(b) , 609.04(b) , 706.07(h) , 707 , 714.16 , 1207.05 , 1208 , 1209 , 1210
PTO-892		PTO-271..... 714 , 714.16(d) , 714.16(e)
Cited.....	608.01 , 609.02 , 609.03 , 609.04(a) , 609.05(a) , 609.05(c) , 609.06 , 707 , 707.05 , 707.05(a) , 707.05(c) , 707.05(d) , 707.05(e) , 707.05(f) , 707.05(g) , 901.06 , 1302.04 , 1302.12 , 1406 , 1455 , 1901.06 , 2246 , 2257 , 2646 , 2657 , 2687	PTOL-303..... 706.07(f) , 711.03(c) , 714.13
Reproduced.....	707.05(a)	PTOL-306..... 1481.02
PTO-1050.....	1480 , 1480.01 , 1485	PTOL-324..... 714
PTO-1382.....	1830 , 1832	PTOL-326
PTO-1516.....	2287 , 2295 , 2296	Cited.... 214.03 , 215 , 608.02(h) , 706.07 , 707 , 710.02(b) , 714.03(a) , 812.01
PTO-1517.....	2287 , 2295 , 2296	Reproduced..... 707
PTO-1595.....	302.07	PTOL-404..... 1485
PTO-2011.....	201.06(d)	PTOL-413A..... 713.01 , 713.04
PTO-2038		PTOL-413B..... 713.01 , 713.04 , 714.13
Cited.....	509 , 1302.04 , 1306 , 2510	PTOL-461..... 1215.04
Reproduced.....	509	PTOL-462 (discontinued)..... 1205.03
PTO-2051.....	706.07(h)	PTOL-462R (discontinued)..... 2274
PTO-2142.....	2531	PTOL-465..... 2246 , 2262 , 2264 , 2296
PTO-2143.....	2530	PTOL-466..... 2262 , 2296
PTO-2293.....	2296	PTOL-467..... 2250 , 2265 , 2266.01 , 2266.02 , 2266.03 , 2272 , 2296
PTO-2302.....	2818.01	PTOL-467A..... 2266.02 , 2266.03 , 2296
PTO-2311.....	2250.03 , 2266.02 , 2272 , 2273 , 2295 , 2296	PTOL-468..... 2273 , 2274 , 2296
PTO-2320.....	2905.01	PTOL-469.... 2234 , 2250 , 2250.01 , 2256 , 2262 , 2273 , 2274 , 2283 , 2285 , 2287 , 2288 , 2296
PTO/SB/08		PTOL-471D..... 2247.01 , 2296
Cited.....	608.01 , 609 , 609.02 , 609.03 , 609.04(a) , 609.05(a) , 609.05(b) , 609.05(c) , 609.06 , 609.07 , 609.08 , 704.14(c) , 707.05(d) , 1302.12 , 1406 , 1901.03 , 1901.06 , 2214 , 2246 , 2256 , 2257 , 2258.01 , 2287 , 2646 , 2657 , 2687	PTOL-471G..... 2247.01 , 2296
Reproduced.....	609.08	PTOL-473..... 2250 , 2266.03 , 2296
PTOL-37		PTOL-474..... 2281 , 2296
Cited.....	203.08 , 601.01(a) , 608.02(b) , 608.02(z) , 609.05(b) , 707.05(g) , 710.02(e)	PTOL-475..... 2250 , 2266.02 , 2266.03 , 2272 , 2273 , 2295 , 2296
		PTOL-476..... 2287 , 2296 , 2687 , 2696
		PTOL-1432..... 711.02 , 711.04(c)
		PTOL-1516..... 2287 , 2296 , 2687 , 2695 , 2696
		PTOL-1517..... 2287 , 2295 , 2296 , 2687 , 2696
		PTOL-2057..... 2227

INDEX

Form letters and forms — Form letters and forms

Sec. No.	Sec. No.
PTOL-2063	PTO/AIA/80..... 402.02(a)
Cited..... 2646 , 2647.01 , 2647.02	PTO/AIA/81..... 402.02(a)
Reproduced..... 2647.01	PTO/AIA/81A
PTOL-2064	Cited..... 402.02(a) , 402.02(b)
Cited..... 2647.02 , 2660 , 2671.01 , 2696	Reproduced..... 402.02(a)
Reproduced..... 2660	PTO/AIA/81B (reproduced)..... 2222 , 2622 , 2805
PTOL-2065..... 2671.02 , 2696	PTO/AIA/82..... 402.02(a)
PTOL-2066..... 2673.02 , 2696	PTO/AIA/83..... 402.06 , 2223
PTOL-2067..... 2662 , 2674 , 2696	PTO/AIA/96..... 325 , 402.02(a)
PTOL-2068..... 2687 , 2696	PTO/SB/01 through PTO/SB/04
PTOL-2069	Cited..... 602.01(b)
Cited..... 2666 , 2666.01 , 2666.04 , 2666.06 , 2666.50 , 2666.60 , 2696	PTO/SB/03..... 1604
Reproduced..... 2666.50	PTO/SB/08
PTOL 2070.. 2647 , 2647.02 , 2664 , 2670 , 2677 , 2686.01 , 2696	Cited..... 608.01 , 609 , 609.02 , 609.03 , 609.04(a) , 609.05(a) , 609.05(b) , 609.05(c) , 609.06 , 609.07 , 609.08 , 704.14(d) , 707.05(d) , 1302.12 , 1406 , 1901.03 , 1901.06 , 2214 , 2246 , 2256 , 2257 , 2258.01 , 2287 , 2646 , 2657 , 2687
PTOL-2071..... 2666.06 , 2696	PTO/SB/14..... 601.05
PTOL-2072..... 2696	PTO/SB/15A..... 509.04(a)
PTOL-2073..... 2674 , 2696	PTO/SB/15B..... 509.04(b)
PTOL-2077..... 2227	PTO/SB/16..... 201.04
PTOL-2079..... 2227	PTO/SB/24 reproduced..... 711.01
PTOL-2079..... 2249	PTO/SB/24A
PTOL-2306..... 710.02(e)	Cited..... 711.01 , 1125 , 1135
PTOL-2311, reproduced..... 2266.02	Reproduced..... 711.01 , 1135
PTO/AIA/01 through PTO/AIA/11	PTO/SB/24B reproduced..... 711.01
Cited..... 602.01(a)	PTO/SB/25..... 1490
PTO/AIA/05	PTO/SB/26..... 1490
Cited..... 1410.01 , 1414 , 1414.01	PTO/SB/27..... 1504.30
Reproduced..... 1414.01	PTO/SB/29
PTO/AIA/06	Cited..... 201.06(d) , 709
Cited..... 1410.01 , 1414 , 1414.01	PTO/SB/29A Reproduced..... 201.06(d)
Reproduced..... 1414.01	PTO/SB/30 Reproduced..... 706.07(h)
PTO/AIA/07	PTO/SB/31..... 1204
Reproduced..... 1414.01	PTO/SB/35
PTO/AIA/14..... 402.02(a) , 601.05 , 601.05(a)	Cited..... 1122 , 1135
PTO/AIA/25..... 1490	Reproduced..... 1135
PTO/AIA/25a..... 1490	PTO/SB/36
PTO/AIA/26..... 1490	Cited..... 1123 , 1124 , 1135
PTO/AIA/26a..... 1490	Reproduced..... 1135
PTO/AIA/33	PTO/SB/37..... 709
Cited..... 1204.02	PTO/SB/42... 2214 , 2246 , 2257 , 2258.01 , 2287 , 2646 , 2657 , 2687
PTO/AIA/34	PTO/SB/44
Cited..... 1208.01	Cited..... 602.01(c) , 1480 , 1480.01 , 1485
PTO/AIA/40	Reproduced..... 1485
Cited..... 602.01(c)(1)	PTO/SB/45
PTO/AIA/50	
Cited..... 1410 , 1410.02 , 1415 , 1451	
Reproduced..... 1410	

MANUAL OF PATENT EXAMINING PROCEDURE

Form letters and forms — Form letters and forms

Sec. No.	Sec. No.
Cited..... 2515 , 2595	Reasons for Patentability and/or Confirmation PTOL 476..... 2687
Reproduced..... 2595	Recordation Form Cover Sheet PTO-1595.... 302.07 , 323
PTO/SB/47	Reexamination and processing forms listed..... 2296 , 2696
Cited..... 2540 , 2595	Reexamination Clerk Checklist PTOL-1517..... 2287 , 2295 , 2296 , 2687 , 2696
Reproduced..... 2595	Reissue
PTO/SB/50..... 1410.02	Application
PTO/SB/51	Declaration by the Assignee (See also: Form letters and forms: PTO/SB/52) Form letters and forms: PTO/AIA/06) 1410.01
Cited..... 1410.01 , 1414 , 1414.03	Declaration by the Inventor (See also: Form letters and forms: PTO/SB/51) Form letters and forms: PTO/AIA/05) 1410.01
Reproduced..... 1414.02	Fee Transmittal Form 1415 (See also: Form letters and forms: PTO/SB/56) Form letters and forms: PTO/AIA/50)
PTO/SB/51S..... 1414.03	Transmittal (See also: Form letters and forms: PTO/AIA/50) 1410
PTO/SB/52	Request for Customer Number PTO/SB/125..... 403 , 2540
Cited..... 1410.01 , 1414 , 1414.03	Request for Customer Number Data Change PTO/SB/124..... 403
Reproduced..... 1414.02	Request for Deferral of Examination 37 CFR 1.103(d) PTO/SB/37..... 709
PTO/SB/56 1415	Request for <i>Ex Parte</i> Reexamination Transmittal PTO/SB/57..... 2214 , 2215 , 2296
PTO/SB/57	Request for Recalculation of Patent Term Adjustment in view of AIA Technical Correction Act PTO/SB/132.. 2734
Cited..... 2214 , 2215 , 2296	Request for Recalculation of Patent Term Adjustment in view of Safe Harbor Statement under 37 CFR 1.704(d) PTO/SB/134..... 2734
Reproduced..... 2214	Request for Withdrawal as Attorney or Agent PTO/SB/83..... 402.06
PTO/SB/64 reproduced..... 711.03(c)	Request for Withdrawal as Attorney or Agent PTO/SB/83..... 402.06 , 2623
PTO/SB/64a Reproduced..... 711.03(c) , 1135	Rescission of Previous Nonpublication Request (35 U.S.C. 122(b)(2)(B)(iii)) and if Applicable, Notice of Foreign Filing (35 U.S.C. (b)(B)(iii)) PTO/SB/36
PTO/SB/64/PCT reproduced..... 711.03(c)	Cited..... 1122 , 1123 , 1124 , 1135
PTO/SB/66	Reproduced..... 1135
Cited..... 2590 , 2595	Response to Rule 1.312 Communication PTOL-271... 714 , 714.16(d)
Reproduced..... 2595	Restriction requirement..... 817
PTO/SB/67 Cited..... 104	Right of Appeal Notice PTOL-2066.. 2673.02 , 2696
PTO/SB/68	Statements to DOE or NASA..... 151
Cited..... 103 , 711.04	Subject matter admits of illustration..... 608.02(a)
Reproduced..... 103	Substitute Statement in Lieu of a Reissue Oath or Declaration PTO/AIA/07..... 1414.01
PTO/SB/80 Reproduced..... 402.07	
PTO/SB/81	
Cited..... 402 , 1604	
PTO/SB/81C Reproduced..... 2222 , 2622	
PTO/SB/82 Reproduced..... 402.05	
PTO/SB/83	
Cited..... 402.06	
PTO/AIA/83 Reproduced..... 402.06 , 2223	
PTO/SB/83 Reproduced..... 2623	
PTO/SB/84 Reproduced..... 405	
PTO/SB/122..... 403 , 2542	
PTO/SB/123..... 403 , 2542	
PTO/SB/124..... 403	
PTO/SB/125	
Cited..... 403 , 2540 , 2595	
Reproduced..... 2595	
PTO/SB/132..... 2734	
PTO/SB/133..... 2732	
PTO/SB/134..... 2734	
PTO/SB/429..... 1134.01	

INDEX

Form letters and forms — Form paragraphs (Reproduced)

Sec. No.	Sec. No.
Terminal Disclaimer to Obviate a Double Patenting Rejection over a Prior Patent, PTO/SB/26m PTO/SB/26a or PTO/AIA/26.....	1490
Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending Second Application, PTO/SB/25, PTO/SB/25a or PTO/AIA/25.....	1490
Third-Party Submission Under 37 CFR 1.290 PTO/SB/429.....	1134.01
Transmittal of Communication to Third Party Requester – <i>Ex Parte</i> Reexamination – PTOL – 465.....	2246 , 2247 , 2262 , 2264 , 2283 , 2296
Form paragraphs (Reproduced)	
2.01.....	201.06
2.03.....	201.06(c)
2.05.....	201.07
2.06.....	201.08
2.07.....	201.02
2.09.....	211.05
2.10.....	211.05
2.10.01.....	211.05
2.11.....	211.01(b)
2.11.01.....	211.01(a)
2.15.....	211.02
2.18.....	213
2.19.....	216
2.20.....	215
2.21.01.....	214.03
2.22.....	215
2.23.....	214.03
2.25.....	215
2.26.....	214.03
2.27.....	214.03
2.30.....	201.06(d)
2.31.....	201.06(d)
2.32.....	201.06(d)
2.33.....	201.06(d)
2.34.....	201.06(d)
2.35.....	201.06(d)
2.38.....	211.01(a)
2.39.....	211.03
2.40.....	211.01
4.01.....	403
4.03.....	406
4.07.....	407
4.08.....	407
4.09.....	402
4.10.....	401
5.01.....	502
5.01.01.....	501
5.02.....	512
5.04.....	512
5.05.....	509.03
6.01.....	608.01(a)
6.02.....	608.01(a)
6.11.....	606.01
6.11.01.....	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)
6.16.01.....	608.01(b)
6.17.....	608.01(j)
6.18.....	608.01(n)
6.18.01.....	608.01(m)
6.19.....	608.01(p)
6.19.01.....	608.01(p)
6.19.02.....	217
6.19.03.....	608.01(p)
6.20.....	608.01(v)
6.21.....	608.02(b)
6.22.....	608.02(b)
6.22.01.....	608.02(d) , 608.02(e)
6.22.02.....	608.02(e)
6.22.03.....	608.02(e)
6.22.04.....	608.02(d)
6.22.05.....	608.02(f)
6.22.06.....	608.02(e)
6.22.07.....	608.02(e)
6.23.....	608.02
6.23.01.....	608.02
6.24.01.....	608.02
6.26.....	608.02(b)
6.27.....	608.02(b)
6.28.....	608.01(q)
6.28.01.....	608.01(q)
6.28.02.....	608.01(q)
6.29.....	608.01
6.30.....	608.01
6.31.....	608.01
6.32.01.....	608.01
6.36.....	608.02(d)
6.36.01.....	608.02(g)
6.37.....	608.02(h)
6.39.....	608.02(p)
6.40.....	608.02(p)

MANUAL OF PATENT EXAMINING PROCEDURE

Form paragraphs (Reproduced) — Form paragraphs (Reproduced)

Sec. No.	Sec. No.		
6.41.....	608.02(p)	7.05.01.....	2106.07(a)(1)
6.42.....	608.02(p)	7.05.016.....	2106.07(a)(1)
6.43.....	608.02(p)	7.05.017.....	2106.07(a)(1)
6.47.....	608.02(p)	7.05.02.....	2107.02
6.48.....	608.03(a)	7.05.03.....	2107.02
6.49.....	609.05(a)	7.05.04.....	2107.02
6.49.01.....	609.05(a)	7.05.05.....	608.01(m)
6.49.02.....	609.05(a)	7.05.06.....	608.01(m)
6.49.03.....	609.05(a)	7.06.....	2139.03 , 2148 , 2152.07 , 2158.01
6.49.05.....	609.05(a)	7.06.01.....	2124.01
6.49.06.....	609.05(a)	7.07.aia.....	2152.07
6.49.07.....	609.05(a)	7.07.fti.....	2139.03
6.49.08.....	609.05(a)	7.08.aia.....	2152.07
6.49.09.....	609.05(a)	7.08.fti.....	2139.03
6.49.10.....	609.05(a)	7.09.fti.....	2139.03
6.51.....	609.04(b)	7.10.fti.....	2139.03
6.52.....	609.04(b)	7.11.fti.....	2139.03
6.53.....	609.03	7.12.aia.....	2152.07
6.54.....	609.03	7.12.fti.....	2139.03
6.55.....	609.03	7.12.01.fti.....	2139.03
6.60.01.....	608.05	7.13.fti.....	2139.03
6.60.02.....	608.05	7.14.aia.....	2152.07
6.61.01.....	608.05	7.14.fti.....	2139.03
6.61.02.....	608.05	7.15.aia.....	804.03 , 2152.07
6.62.....	608.05	7.15.fti.....	2139.03 , 804.03
6.63.01.....	608.05(b)	7.15.01.aia.....	804.03 , 2152.07
6.63.02.....	608.05(b)	7.15.01.fti.....	804.03 , 2139.03
6.64.01.....	608.05(a)	7.15.02.aia.....	804.03 , 2152.07
6.64.02.....	608.05(a)	7.15.02.fti.....	804.03 , 2139.03
6.70.01.....	608.05	7.15.03.aia.....	2152.07
6.70.02.....	608.05	7.15.03.fti.....	2139.03
6.71.01.....	608.05	7.16.aia.....	2152.07
6.71.02.....	608.05	7.16.fti.....	2139.03
6.72.01.....	608.05	7.17.aia.....	2152.07
6.72.02.....	608.05	7.17.fti.....	2139.03
6.72.03.....	608.05	7.18.aia.....	2152.07
6.72.04.....	608.05	7.18.fti.....	2139.03
6.72.05.....	608.05	7.19.fti.....	804.03 , 2139.03
7.01.....	702.01	7.20.aia.....	2158.01
7.02.....	702.01	7.20.fti.....	2148
7.03.aia.....	2120.01	7.20.01.aia.....	717.02(d) , 2158.01
7.03.fti.....	2120.01	7.20.01.fti.....	2148
7.04.01.....	2106.07(a)(1)	7.20.02.aia.....	717.02(d) , 2158.01
7.04.02.aia.....	2157	7.20.02.fti.....	2148
7.04.03.....	2105	7.20.04.aia.....	717.02(d) , 2158.01
7.04.101.aia.....	2157	7.20.04.fti.....	2148
7.04.102.aia.....	2157	7.20.05.aia.....	717.02(d) , 2158.01
7.05.....	2106.07(a)(1)	7.20.05.fti.....	2148

INDEX

Form paragraphs (Reproduced) — Form paragraphs (Reproduced)

Sec. No.	Sec. No.		
7.21.aia.....	804.03 , 2158.01	7.35.01.....	2175
7.21.fti.....	804.03 , 2148	7.36.....	608.01(n)
7.21.01.aia.....	804.03 , 2158.01	7.36.01.....	608.01(n)
7.21.01.fti.....	804.03 , 2148	7.37.....	707.07(f)
7.21.02.aia.....	804.03 , 2158.01	7.37.01.....	707.07(f)
7.21.02.fti.....	804.03 , 2148	7.37.02.....	707.07(f)
7.22.aia.....	804.03 , 2158.01	7.37.03.....	707.07(f)
7.22.fti.....	2148	7.37.04.....	707.07(f)
7.23.aia.....	2158.01	7.37.05.....	707.07(f)
7.23.fti.....	2148	7.37.06.....	707.07(f)
7.27.aia.....	2158.01	7.37.07.....	707.07(f)
7.27.fti.....	2148	7.37.08.....	707.07(f)
7.28.....	608.04(a)	7.37.09.....	707.07(f)
7.29.....	608.01	7.37.10.....	707.07(f)
7.29.01.....	608.01(m)	7.37.11.....	707.07(f)
7.29.02.....	608.01(m)	7.37.12.....	707.07(f)
7.29.03.....	608.01(m)	7.37.13.....	707.07(f)
7.29.04.....	608.01	7.38.....	707.07(f)
7.30.01.....	2166	7.38.01.....	707.07(f)
7.30.02.....	2175	7.38.02.....	707.07(f)
7.30.03.....	2187	7.39.....	706.07
7.30.03.h.....	2187	7.39.01.....	706.07
7.30.05.....	2187	7.40.....	706.07(a)
7.30.06.....	2187	7.40.01.....	706.07(a)
7.30.07.....	2187	7.40.02.aia.....	706.07(a)
7.31.01.....	2166	7.40.02.fti.....	706.07(a)
7.31.02.....	2166	7.41.....	706.07(b)
7.31.03.....	2166	7.41.01.fti.....	706.07(g)
7.31.04.....	2166	7.41.02.fti.....	706.07(g)
7.31.05.....	2166	7.41.03.....	706.07(b)
7.33.01.....	2166	7.42.....	706.07(d)
7.34.....	2175	7.42.01.fti.....	706.07(g)
7.34.01.....	2175	7.42.02.fti.....	706.07(g)
7.34.02.....	2175	7.42.03.fti.....	706.07(g)
7.34.03.....	2175	7.42.031.fti.....	706.07(g)
7.34.04.....	2175	7.42.04.....	706.07(h)
7.34.05.....	2175	7.42.05.....	706.07(h)
7.34.07.....	2175	7.42.06.....	706.07(h)
7.34.08.....	2175	7.42.07.....	706.07(h)
7.34.09.....	2175	7.42.08.....	706.07(h)
7.34.10.....	2175	7.42.08.AE.....	708.02(a)
7.34.12.....	2175	7.42.09.....	706.07(b) , 706.07(h)
7.34.13.....	2175	7.42.10.....	706.07(h)
7.34.14.....	2175	7.42.11.....	706.07(h)
7.34.15.....	2175	7.42.12.....	706.07(h)
7.34.23.....	2187	7.42.13.....	706.07(h)
7.34.24.....	2187	7.42.14.....	706.07(h)
7.35.....	2175	7.42.15.....	706.07(h)

MANUAL OF PATENT EXAMINING PROCEDURE

Form paragraphs (Reproduced) — Form paragraphs (Reproduced)

Sec. No.	Sec. No.		
7.42.16.....	706.07(h)	7.84.AE.....	708.02(a)
7.43.....	608.01(n) , 707.07(j)	7.84.01.....	714.01(a)
7.43.01.....	707.07(j)	7.84.01.AE.....	708.02(a)
7.43.02.....	707.07(j)	7.85.....	714.16(d)
7.43.03.....	707.07(a)	7.86.....	714.16(e)
7.43.04.....	707.07(j)	7.87.....	714.16(d)
7.44.....	608.01(o)	7.90.....	711.02
7.45.....	608.01(n)	7.91.....	711.02(a)
7.46.....	714.01(e)	7.95.....	704.12(c) , 714.03
7.48.aia.....	2304.04(c)	7.95.AE.....	708.02(a)
7.48.fti.....	2304.04(c)	7.95.01.....	714.03
7.49.....	2304.04(c)	7.96.....	707.05
7.50.....	706.04	7.97.....	707.07(j)
7.51.....	714.14	7.98.....	710.02(e)
7.51.AE.....	708.02(a)	7.98.01.....	710.02(e)
7.52.....	709	7.98.02.....	711.02
7.53.....	709	7.100.....	707 , 707.08
7.54.....	709	7.101.....	707 , 707.08
7.54.01.....	709	7.102.....	707 , 707.08
7.54.02.....	709	7.103.....	707
7.56.....	709	7.104.aia.....	2120.02
7.56.01.....	709	7.104.fti.....	2120.02
7.56.02.....	709	7.104.02.....	704.14(a)
7.57.fti.....	715	7.105.....	704.14(a)
7.58.fti.....	715	7.105.01.....	704.14(a)
7.59.fti.....	715	7.105.02.....	704.14(a)
7.60.fti.....	715	7.106.....	704.14(a)
7.61.fti.....	715	7.107.....	704.14(a)
7.62.fti.....	715	7.108.....	704.14(a)
7.63.fti.....	715	7.109.....	704.14(a)
7.64.fti.....	715	7.110.....	704.14(a)
7.65.....	716	7.111.....	704.14(a)
7.66.....	716	7.112.....	704.14(a)
7.66.01.....	716	7.113.....	704.14(a)
7.66.02.....	716	7.114.....	704.14(a)
7.66.03.....	716	7.115.....	704.14(a)
7.66.04.....	716	7.116.....	704.14(a)
7.66.05.....	716	7.117.....	704.14(a)
7.67.aia.....	717.01	7.118.....	704.14(a)
7.68.aia.....	717.01	7.119.....	704.14(a)
7.70.AE.....	708.02(a)	7.120.....	704.14(a)
7.71.AE.....	708.02(a)	7.121.....	704.14(a)
7.81.....	707.05(g)	7.122.....	704.14(a)
7.82.....	707.05(g)	7.123.....	704.14(a)
7.82.01.....	707.05(g)	7.124.....	704.14(a)
7.82.03.....	707.05(a)	7.125.....	704.14(a)
7.83.....	707.05(g)	7.126.....	704.14(a)
7.84.....	713.04	7.126.AE.....	708.02(a)

INDEX

Form paragraphs (Reproduced) — Form paragraphs (Reproduced)

Sec. No.	Sec. No.		
7.127.....	704.14(a)	8.27.aia.....	804.03 , 817
7.147.....	714.03(a)	8.27.fti.....	804.03
7.169.....	714.13	8.28.aia.....	804.03 , 817
7.204.....	724.06	8.28.fti.....	804.03
7.205.....	724.06	8.28.01.aia.....	804.03
7.206.....	724.06	8.28.01.fti.....	804.03
7.207.....	724.06	8.29.....	822
7.208.....	724.06	8.30.....	804
7.209.....	724.06	8.31.....	804
7.210.....	724.06	8.32.....	804
7.211.....	724.06	8.33.....	804
7.212.....	724.06	8.34.....	804
7.213.....	724.06	8.35.....	804
7.214.....	719.01	8.36.....	804
8.01.....	809.02(a)	8.37.....	804
8.02.....	809.02(a)	8.38.....	804
8.03.....	821.01 , 821.04(a)	8.39.....	804
8.04.....	821.03	8.40.....	2117
8.05.....	821.01	8.41.....	803.03
8.06.....	821.02	8.42.....	821.04(b)
8.07.....	821.02	8.43.....	821.04(b)
8.08.....	817	8.45.....	821.04(a)
8.09.....	817	8.46.....	821.04(a)
8.10.....	817	8.47.....	821.04(a)
8.11.....	817	8.47.01.....	821.04(a)
8.12.....	809.03	8.49.....	821.04(a)
8.13.....	817	8.50.....	821.04(a)
8.14.....	806.05(j)	10.01.....	1308
8.14.01.....	806.05(j)	10.13.....	1481.02
8.15.....	806.05(c)	10.14.....	1481.02
8.16.....	806.05(d) , 806.05(j)	10.15.....	1481.02
8.17.....	806.05(e)	10.16.fti.....	1481.02
8.18.....	806.05(f)	10.16.01.....	1481.02
8.19.....	806.05(g)	10.17.....	1481.02
8.20.....	806.05(h)	10.18.....	1481.02
8.20.02.....	806.06	10.19.....	1451
8.20.03.....	806.06	10.20.....	1002
8.21.....	817	10.30.....	1002
8.21.04.....	806.05(f) , 806.05(h) , 1893.03(d)	12.209.....	1205.01 , 1215.04
8.23.....	812.01	12.210.....	1205.01
8.23.01.....	812.01	12.211.....	1205.01
8.23.02.....	817	12.239.....	1207.04
8.23.03.....	812.01	12.249.....	1207.02
8.25.....	821.01	12.254.....	1207.02
8.25.01.....	821.02	12.254.01.....	1207.02
8.25.02.....	818.01(c) , 821.02	12.254.02.....	1207.02
8.26.....	821.03	12.255.....	1207.02
8.26.AE.....	708.02(a)	12.256.....	1207.02

MANUAL OF PATENT EXAMINING PROCEDURE

Form paragraphs (Reproduced) — Form paragraphs (Reproduced)

Sec. No.	Sec. No.		
12.257.....	1207.02	14.16.06.....	1410.02
12.261.....	1207.02	14.17.....	1412.02
12.278.....	1207.02	14.20.01.....	1453
12.279.....	1207.02	14.21.01.....	1453
12.279.01.....	1207.02	14.21.09.fti.....	1448
12.279.02.....	1207.02 , 1215.04	14.22.fti.....	1448
12.279.03.....	1209	14.22.01.....	1411.02
12.285.....	1207.05 , 1211.01	14.23.....	1490
12.286.....	1215.04	14.23.01.....	1490
12.291.....	1214.06	14.24.....	1490
12.292.....	1214.06	14.25.....	1490
12.297.....	1214.06	14.26.....	1490
12.298.....	1214.07	14.26.01.....	1490
13.01.....	1302.02	14.26.02.....	1490
13.02.....	1302.04	14.26.03.....	1490
13.02.01.....	1302.04	14.26.04.....	1490
13.02.02.....	706.07(f) , 1302.04	14.26.05.....	1490
13.03.....	1302.14	14.26.06.fti.....	1490
13.03.01.....	1302.14	14.26.07.....	1490
13.04.....	1308.03	14.26.08.....	1490
13.05.....	1308.03	14.26.09.....	1490
13.06.....	1302.04	14.26.10.....	1490
13.09.....	609.04(b)	14.27.01.....	1490
13.10.....	714.16	14.27.011.....	1490
14.01.....	1401	14.27.02.....	1490
14.01.01.....	1414	14.27.03.....	1490
14.01.02.....	1414	14.27.04.fti.....	1490
14.01.03.....	1414	14.27.04.1.....	1490
14.01.04.fti.....	1414.02	14.27.06.....	1490
14.01.05.....	1414	14.27.07.fti.....	1490
14.01.06.....	1414	14.27.07.1.....	1490
14.05.02.fti.....	1444	14.27.08.....	1490
14.06.....	1442.01	14.28.fti.....	1490
14.07.....	1442.03	14.29.fti.....	1490
14.08.....	1442.02	14.29.02.fti.....	1490
14.09.....	1442.02	14.30.fti.....	1490
14.10.....	1442.02	14.30.01.....	1490
14.11.....	1442.02	14.30.02.fti.....	1490
14.11.01.....	1418	14.32.....	1490
14.12.....	1412.03	14.33.....	1490
14.13.....	1412.03	14.34.....	1490
14.14.....	1414 , 1444	14.35.....	1490
14.15.....	1410.02	14.35.01.....	1490
14.16.....	1410.02	14.36.....	1490
14.16.01.....	1410.02	14.36.01.....	1490
14.16.02.....	1410.02	14.37.....	1490
14.16.03.....	1410.02	14.38.....	1490
14.16.04.fti.....	1410.02	15.01.....	1504.10

INDEX

Form paragraphs (Reproduced) — Form paragraphs (Reproduced)

Sec. No.	Sec. No.		
15.01.01.....	1504.10	15.19.03.aia.....	1504.03
15.02.....	1504.10	15.19.03.fti.....	1504.03
15.03.....	1504.10	15.19.04.fti.....	1504.03
15.03.01.fti.....	1504.02	15.19.05.aia.....	1504.03
15.04.....	1504.10	15.19.05.fti.....	1504.03
15.05.....	1503.01	15.19.06.fti.....	1504.03
15.05.01.....	1503.01 , 2920.04(a)	15.19.07.fti.....	1504.03
15.05.03.....	1503.02	15.20.02.....	1504.04
15.05.04.....	1503.02	15.21.....	1504.04
15.05.041.....	1503.02	15.21.01.....	1504.04
15.05.05.....	1503.02	15.22.....	1504.04
15.07.....	1503.02	15.22.02.....	1504.04
15.07.01.....	1504.01	15.22.03.....	1504.04
15.08.....	1504.01(c)	15.23.....	1504.06
15.08.01.....	1504.01(c)	15.23.01.....	1504.06
15.08.02.....	1504.01(d)	15.23.02.....	1504.06
15.08.03.....	1504.01(d)	15.24.....	1504.06
15.09.....	1504.01	15.24.03.....	1504.06
15.09.01.....	1504.01(e)	15.24.04.....	1504.06
15.09.02.aia.....	1504.02	15.24.05.fti.....	1504.02
15.09.03.aia.....	1504.02	15.24.06.....	1504.06
15.10.aia.....	1504.02	15.24.07.....	1504.06
15.10.fti.....	1504.02	15.24.08.....	1504.06
15.10.15.....	1504.02	15.25.....	1504.06
15.11.aia.....	1504.02	15.26.....	1504.20
15.11.fti.....	1504.02	15.27.....	1504.05
15.12.fti.....	1504.02	15.27.01.....	1504.05
15.13.fti.....	1504.02	15.27.02.....	1504.05
15.14.fti.....	1504.02	15.27.03.....	1504.05
15.15.aia.....	1504.02	15.27.04.....	1504.05
15.15.fti.....	1504.02	15.27.05.....	1504.05
15.15.01.aia.....	1504.02	15.27.06.....	1504.05
15.15.01.fti.....	1504.02	15.27.07.....	1504.05
15.15.02.aia.....	1504.02	15.27.08.....	1504.05
15.15.02.fti.....	1504.02	15.28.....	1504.05
15.15.03.fti.....	1504.02	15.28.01.....	1504.05
15.15.04.aia.....	1504.02	15.28.02.....	1504.05
15.15.04.fti.....	1504.02	15.29.....	1504.05
15.16.fti.....	1504.02	15.30.....	1504.05
15.17.aia.....	1504.02	15.31.....	1504.05
15.17.fti.....	1504.02	15.33.....	1504.05
15.18.aia.....	1504.03	15.34.....	1504.05
15.18.fti.....	1504.03	15.35.....	1504.05
15.19.aia.....	1504.03	15.36.....	1504.05
15.19.fti.....	1504.03	15.37.....	1504.05
15.19.01.....	1504	15.38.....	1504.02 , 1504.03
15.19.02.aia.....	1504.03	15.39.02.aia.....	1504.03
15.19.02.fti.....	1504.03	15.39.02.fti.....	1504.03

MANUAL OF PATENT EXAMINING PROCEDURE

Form paragraphs (Reproduced) — Form paragraphs (Reproduced)

Sec. No.	Sec. No.		
15.40.aia.....	1504.03	16.03.....	1605
15.40.fti.....	1504.03	16.04.....	1610
15.40.01.....	1504.02	16.05.....	1612
15.41.....	1503.01	16.05.01.....	1612
15.42.....	1504.01	16.06.....	1606
15.43.....	1504.01	16.07.....	1606
15.44.....	1504.01	16.08.....	1610
15.46.01.....	1503.01	16.09.....	1605
15.47.....	1503.01	16.10.....	1605
15.47.01.....	1503.01	16.11.....	1606
15.48.....	1503.02	16.12.....	1610
15.50.....	1503.02	16.13.....	1607
15.50.01.....	1503.02	18.01.....	1845.01
15.50.02.....	1503.02	18.02.....	1845.01
15.50.04.....	1503.02	18.02.01.....	1845.01
15.50.05.....	1503.02	18.02.02.....	1845.01
15.51.....	1504.04	18.03.....	1845.01
15.51.01.....	1504.04	18.04.....	1845.01
15.55.....	1512	18.04.01.....	1845.01
15.55.01.....	1512	18.05.....	1850
15.58.....	1504	18.06.....	1850
15.58.01.....	1504.04	18.06.01.....	1850
15.59.....	1503.01, 2920.04(a)	18.06.02.....	1850
15.60.....	1503.01	18.07.....	1850
15.61.....	1503.01	18.07.01.....	1850
15.61.01.....	1503.01, 1503.02	18.07.02.....	1850
15.62.....	1503.01, 2920.04(a)	18.07.03.....	1850
15.63.....	1503.01, 2920.04(a)	18.07.03a.....	1850
15.64.....	1503.01, 2920.04(a)	18.07.03b.....	1850
15.65.....	1504.04	18.07.03c.....	1850
15.66.....	1504	18.08.....	1845.01
15.66.01.....	1504	18.08.01.....	1845.01
15.67.....	1504.03, 1504.06	18.09.....	1845.01
15.68.....	1504.03, 1504.06	18.10.....	1845.01
15.69.01.....	1504.04	18.11.....	1845.01
15.70.aia.....	1504.03	18.12.01.....	1845.01
15.70.fti.....	1504.03	18.13.01.....	1845.01
15.72.....	1504	18.14.01.....	1845.01
15.73.....	1504.04	18.15.....	1845.01
15.74.....	1504.20	18.18.....	1893.03(d)
15.74.01.....	1504.20	18.19.....	1893.03(d)
15.75.fti.....	1504.20	18.20.....	1893.03(d)
15.75.01.fti.....	1504.20	18.21.....	1893.03(d)
15.76.....	1512	18.22.....	1893.03(d)
15.85.....	1504.04	19.01.....	1901.06
15.90.....	1504	19.02.....	1901.06
16.01.....	1605	19.02.AE.....	708.02(a)
16.02.....	1605	22.01.....	2246

INDEX

Form paragraphs (Reproduced) — Form paragraphs (Reproduced)

Sec. No.	Sec. No.		
22.01.01.....	2242 , 2258.01 , 2642	24.17.26.....	2416
22.02.....	2247	24.18.26.....	2416
22.03.....	2258	24.19.26.....	2416
22.04.....	2260	24.20.26.....	2416
22.04.01.....	2265	24.21.26.....	2416
22.05.....	2285 , 2686.03	24.22.26.....	2416
22.06.....	2287	24.23.26.....	2416
22.07.....	2282	24.24.26.....	2416
22.08.....	2282	24.25.26.....	2416
22.09.....	2271	24.26.26.....	2416
22.10.....	2271	24.27.26.....	2416
22.11.....	2258	24.18.26.....	2416
22.12.....	2250 , 2666.01	24.29.26.....	2416
22.13.....	2250	26.01.....	2646
22.14.....	2266.01	26.02.....	2647
22.15.....	2266.03	26.03.....	2658 , 2671.01 , 2671.02
22.16.....	2287	26.03.01.....	2658
22.20.....	2286	26.04.....	2660
22.73.....	2246	26.05.....	2660 , 2671.01
23.01.....	2303	26.05.01.....	2666.01
23.02.....	2308	26.06.....	2666.30
23.04.....	2304.04(b)	26.07.....	2671.02
23.06.....	2304.02	26.08.....	2673.02
23.06.01.....	2304.02	26.67.....	2678
23.06.02.....	2304.02	26.67.01.....	2682
23.06.03.....	2304.02	26.68.....	2666.06
23.06.04.....	2304.02	26.69.....	2687
23.06.05.....	2304.02	26.70.....	2687
23.06.06.....	2304.02	26.73.....	2646 , 2660 , 2671.01 , 2673.02
23.14.....	715.05 , 2304.02(c)	26.75.....	2682
23.14.01.....	715.05 , 2304.02(c)	26.80.....	2686.04
23.19.....	2304.01(c)	28.01.....	2816.03
24.01.....	2427	28.02.....	2816.03
24.02.....	2427	28.03.....	2816.03
24.03.....	2427	28.04.....	2818.01
24.04.....	2427	29.04.....	2920.01
24.05.....	2427	29.10.....	2920.04(b)
24.06.....	2427	29.11.....	2920.04(b)
24.07.....	2427	29.20.....	2920.04(b)
24.08.....	2427	29.21.....	2920.05(c)
24.09.....	2427	29.22.....	2920.04(a)
24.10.....	2427	29.23.....	2920.05(c)
24.11.....	2427	29.24.....	2920.04(a)
24.12.....	2427	29.25.....	2920.05(c)
24.13.....	2427	29.26.....	2920.04(a)
24.14.....	2427	29.27.....	2920.05(c)
24.15.....	2427	29.59.01.....	2920.04(a)
24.16.....	2427	29.59.02.....	2920.04(a)

MANUAL OF PATENT EXAMINING PROCEDURE

Form paragraphs (Reproduced) — Guidelines

Sec. No.

Sec. No.

29.60.02.....	2920.04(a)
29.61.01.....	2920.04(a)
29.100.....	2920.05(a)
29.101.....	2920.05(a)
29.102.....	2920.05(b)
Fraud (See also: Duty of disclosure) Inequitable conduct)	Deceptive intent
Avoiding charge of.....	2004
Civil litigation.....	1216.02 , 2001.06(c)
Claims invalidated.....	2016
Inventorship.....	602.01(c) , 2109 , 2157
Micro entity status.....	509.04
On the U.S. Patent and Trademark Office.....	509.03 , 1448
Protest.....	1901.02 , 1901.06 , 2013
Reexamination	
<i>Ex parte</i>	2014 , 2216 , 2217 , 2258 , 2280
<i>Inter partes</i>	2014 , 2658 , 2684
Reissue.....	1448 , 2012
Supplemental examination.....	2819
Small entity status.....	509.03
Fraudulent.....	2104
Freedom of Information Act (FOIA).....	103 , 1002.02(k)(2)
Frivolous invention.....	2104
Full faith and credit in prior Examiner's action	
Allowed claims.....	706.04
Interview.....	713.01
Search.....	704.01
Full name of applicant.....	602.01(b) , 602.08(b)
Full signatory authority.....	1004
Function of machine rejection.....	2173.05(v)
Functional claim, rejection.....	2114 , 2173.05(g)
Functional equivalents.....	2144.06 , 2183
Functionality in design patent applications..	1504.01(c)

G

Gazette, Official (See also: Official Gazette (O.G.))	
Gazette, PCT.....	Chapter 1800 Introduction , 1801 , 1823.01 , 1857
Gebrauchsmuster.....	901.05(b)
General	Counsel
Hand-delivery of papers to.....	502

Mailing address.....	501
Petitions and matters decided by.....	1002.02(k)(1)
General information.....	1730
General power of attorney for international application..	1807
Generic	claim
Allowable.....	808.01(a) , 821.04(a)
Transitional application.....	803.03(b)
Definition.....	806.04(d)
Markush group.....	803.02
Patentably distinct over other species.....	806.04(h)
Presented after issue of patent.....	806.04(i)
Rejection.....	809.02(a)
Species claims lacking.....	806.01 , 818.02(b)
Support for scope of..	2161.01 , 2163.05 , 2164.03 , 2164.08 , 2166
Generic placeholder.....	2181
Genetic sequence (See also: Biotechnology) Nucleotide sequences)	Sequence rules
Genus and species.....	806.01 , 806.04 , 806.04(b) , 806.04(d) , 806.04(e) , 806.04(f) , 806.04(h) , 806.04(i) , 808.01(a) , 809.02(a)
Anticipation of.....	2131.02 , 2153.02
Obviousness of.....	2144.08
German priority document.....	901.05
Global Dossier Public Access.....	901.05 , 901.05(c) , 901.08 , 1730
Good faith (See also: Duty of candor and good faith)	
Government registers.....	302 , 302.07
Government license clause.....	310
Government-owned application, special.....	708.01
Graphic symbols.....	608.02
Great Britain, complete specification.....	214.03
Great Britain, provisional specification.....	214.03
Group director (See also: Director of Technology Center)	
Group, International classification.....	906
Guardian of unavailable joint inventor.....	409.01(b) , 409.02
Guidelines	
Drafting an application.....	601
Drug disclosures.....	2107.01 , 2107.03
Effective date under pre-AIA 35 U.S.C. 102(e).....	2136
Electronic mail.....	502.03
Examination of computer-related inventions.....	2106
Inventorship.....	602.01
Genus-species.....	2131.02 , 2144.08
Grant of reexamination request.....	2242 , 2246
Handling of citation in patent.....	1920 , 2206

INDEX

Guidelines — Improper naming of inventors

Sec. No.	Sec. No.
Internet Usage.....	502.03 , 904.02(c)
Means/step plus function.....	2181
Patent Subject Matter Eligibility.....	2106 to 2106.07(c)
Utility.....	2107
Legal precedent.....	2107 to 2107.03
Written Description.....	2163
H	
Hague Agreement (See also: Treaties)	213.01 , 1504.10 , 2701 , Chapter 2900
Administrative Instructions	
302 Reproduced.....	2912
401 Reproduced.....	2909.02
402 Reproduced.....	2909.02
403 Reproduced.....	2909.02
404 Reproduced.....	2909.02
405 Reproduced.....	2909.02
408 Reproduced.....	2909
Articles	
3, Reproduced.....	2904
4, Reproduced.....	2905
5 Reproduced.....	2907 , 2909
9 Reproduced.....	2906
10 Reproduced.....	2907 , 2920
12 Reproduced.....	2920 , 2920.05(a)
13 Reproduced.....	2920.05(b)
14 Reproduced.....	2920
16 Reproduced.....	2930
Rules	
1 Reproduced.....	2909.01
3 Reproduced.....	2911
6 Reproduced.....	2906
7 Reproduced.....	2909 , 2909.01
9 Reproduced.....	2909.02
12 Reproduced.....	2910
13 Reproduced.....	2906
14 Reproduced.....	2906
15 Reproduced.....	2907
18 Reproduced.....	2920.05(a)
18bis Reproduced.....	2940
22 Reproduced.....	2930
Hague Convention Apostille.....	602.04
Filing.....	502.05
Hand delivery of application parts.....	501 , 502 , 710.02(e) , 714.13 , 2413.03 , 2422.03(a) , 2433
Handling of mail and papers.....	500
In <i>ex-parte</i> reexamination.....	2270
In <i>inter-partes</i> reexamination.....	2670
Handling and submission of prior art and section 301 written statements.....	2206
Handling of protest.....	1901.06
Hatch-Waxman Act.....	2750
Hearing on appeal.....	1209
Heir as applicant (See also: Administrator or executor)	409.01(b) , 1303.03
Help line (telephone number).....	1730
Hidden end use in design applications.....	1504.01(c)
Hidden feature in design applications	
Anticipation.....	1504.02
Enablement.....	1504.04
Obviousness.....	1504.03
Hours of operation.....	510
Holiday, federal (See also: Federal Holiday)	
Hyperlinks in specification.....	608.01 , 608.01(p)
I	
Icon, computer generated.....	1504.01(a)
Identification of papers.....	502 , 503
Identification of priority application.....	214.04
Identity of inventors under 35 U.S.C. 119.....	216
Idiomatic English.....	608.01(q)
Illustration (See also: Drawings)	
Image File Wrapper (IFW)	
Artifact.....	608.02
Paper scanning.....	508
Power to inspect not accepted.....	104
Public access.....	103 , 1730
Image File Wrapper (IFW) forms	
Issue Classification Form/Sheet/Slip, reproduced.....	1302.09
Cited.....	903.07 , 906 , 1302.10 , 1302.13
Implied election.....	818.02 , 818.02(a) , 818.02(c)
Improper comments, <i>inter partes</i> reexamination.....	2667
Improper joinder, effect on patent.....	805
Improper naming of inventors.....	2109 , 2137 , 2157

MANUAL OF PATENT EXAMINING PROCEDURE

Improper multiple dependent claim — INID codes or numbers

Sec. No.	Sec. No.		
Improper multiple dependent claim.....	608.01(n)	35 U.S.C. 112(6) or pre-AIA 35 U.S.C. 112, sixth paragraph limitations.....	2181 , 2185
Improvement (Jepson claim).....	2129	Independent claim.....	608.01(n)
Inaccurate claim.....	2173.03	Independent, definition.....	802.01
Inappropriate papers in <i>inter partes</i> reexamination.....	2667	Independent inventions..	802 , 802.01 , 803 , 803.02 , 806 , 806.04(b) , 806.06 , 808.01(a)
Incoming-Mail Section (See also: Office of Patent Application Processing)	501	Independent inventor (See also: Applicant Inventor Pro Se applicant)	
Incomplete amendments, time for completing.....	710.02(c) , 714.03	Micro entity status.....	509.04
Incomplete application..	506 , 601.01(d) to 601.01(g)	Small entity status.....	509.02
Claims omitted.....	601.01(e)	Index of claims.....	707.07(i) , 719.04
Definition.....	203.06	Index of patents, Classification, Numerical...	902.03(a)
Drawing.....	506 , 601.01(f)	Index to the U.S. Patent Classification.....	902.01(a)
Invalid oath.....	602.03	Industrial Security Manual (ISM).....	120
Return of filing fee.....	506	Inequitable conduct (See also: Duty of disclosure , Violation of)	2001.06(c) , 2010
Using again.....	608.01(t)	Best mode.....	2165
Incomplete claim, rejection....	2166 , 2172.01 , 2175	Claims invalidated.....	2016
Incomplete protest.....	1901.03	Finding affects all claims.....	2016
Incomplete requests for <i>ex parte</i> reexamination.....	2227	Protest.....	1901 , 1901.02 , 1901.06 , 2013
Incomplete response.....	711.03(a) , 714.03	Reexamination.....	2014
Time for completing.....	710.02(c) , 711 , 714.03	Reissue.....	1448 , 2012
Incorporation by reference..	103 , 201.06(c) , 211.02 , 211.02(a) , 217 , 601 , 608.01(p) , 2163.07 , 2163.07(b) , 2173.05(s)	Informal application.....	506 , 702.01
Foreign priority application..	213.02 , 217 , 2163.07	Primary examiner's attention required.....	1004
In an Examiner's Answer during <i>inter partes</i> reexamination.....	2677	Search.....	702.01 , 704.01
Public access to incorporated application.....	103	Informal drawing (no longer applies)..	507 , 608.02(b) , 608.02(i)
Incorrect citation of reference.....	707.05(g) , 710.06	Informality, Action calling attention to.....	707.07(a) , 707.07(j) , 710.02(b) , 714.14
Indefinite claim.....	2171 to 2174 , 2175 , 2185	Information Center (See also: Scientific and Technical Information Center (STIC))	
Alternative phrase.....	2173.01 , 2173.05(h)	Information Disclosure Statements (See also: Prior art)	201.06(d) , 609 , 1406 , 1410 , 1418 , 1455
Antecedent basis.....	2173.05(e)	Electronic Processing of.....	609.08
Breadth compared.....	2173.04	Relationship to requirement for information.....	704.14(d)
Chemical Formula.....	2173.05(t)	Information material to patentability) (See also: Duty of disclosure)	2001.04 , 2001.05
Comparing 35 U.S.C. 112(a) or pre-AIA 35 U.S.C. 112, first paragraph with 35 U.S.C. 112(b) or pre-AIA 35 U.S.C. 112, second paragraph.....	2174 , 2185	Coping application.....	2001.06(b)
Design applications....	1503.01 , 1503.02 , 1504.04	Copied claims.....	2001.06(d)
Exemplary claim language.....	2173.05(d)	Foreign application.....	2001.06(a)
International application.....	1845.01 , 1874	Litigation.....	2001.06(c)
Multiplicity.....	2173.05(n)	Submitted to Food and Drug Administration.....	2001.04
Must be considered.....	2143.03	Information reasonably necessary for finding prior art...	704.11
Nonelected claims.....	821	Information submitted with protest.....	1901.02
Numerical ranges.....	2173.05(c)	Infringement	action
Practice compact prosecution.....	2173.06	Statute of limitations.....	2204
Prolix.....	2173.05(m)	INID codes or numbers.....	901.04 , 901.05(b) , 2290
Reference to limitations in another claim..	2173.05(f)		
Rejections.....	2175		

INDEX

Initial data capture for printing — Interference

Sec. No.	Sec. No.		
Initial data capture for printing.....	1309	Administrative patent judge handles.....	2301
Initial examiner review of reissue.....	1443	Allowance of losing party's application (Estoppel).....	2308.03
Ink		Applicant suggests interference with patent.....	2304.02
Permanent.....	608.01 , 714.07	Applications in different Technology Centers.....	2304.01(b)
Inoperativeness.....	2164.07 , 2164.08(b)	Basis of practice.....	2138.01 , 2301.03
Affidavit.....	716.07	Between application and patent.....	2301.03
INPADOC.....	901 , 901.06(a) , 901.07	Between applications.....	2301.03
Inquiries, Official and Congressional.....	203.08(a)	Cancellation of losing party's claims.....	2308.03(a)
Inquiries regarding patent search, examination, or validity.....	1701	Claim of foreign priority.....	2304.01(c)
Inquiry as to status of application.....	102 , 203.08	Claim interpretation.....	2301.03
Application published.....	1128 , 1134	Claim presented corresponding to patent claim.....	2301.03 to 2304.05
Insanity.....	409.01(b)	Claims, added or amended.....	2308.02
Inspection		Claims, overlapping in two applications of same party.....	2304.05
Amendment.....	714.05	Claims, suggesting.....	1003 , 2304.04(b)
Application.....	103 , 104	Claims corresponding to count support in specification.....	2163.03
Application Assistance Unit.....	103	Common ownership.....	2304.05
Approval of power.....	104	Conception.....	2138.01 , 2138.04
Assignment.....	301.01	Concurrent with appeal.....	2307.05
Authority to grant.....	104	Copending <i>ex parte</i> reexamination.....	2284
Authorization.....	402 , 409.03(i)	Copending <i>inter partes</i> reexamination.....	2686 , 2686.02
By assignee.....	104 , 106 , 106.01	Copying claims, information relating to....	2001.06(d)
By excluded or suspended attorney or agent.....	105	Count, defined.....	2301.02 , 2301.03 , 2304.02(b)
By inventor.....	106	Counts, formulation of.....	2301.01 , 2304.02(b)
By licensee.....	106.01	Dates, difference in effective filing.....	2303
Control of, By assignee.....	106	TC Director's attention required.....	1003
International application.....	110	Declaration.....	2301
Patent file.....	103	Definitions.....	2301.02
Petition.....	103	Determining priority.....	2138.01 , 2304.02(c)
Record room.....	103	Diligence, reasonable.....	2138.01 , 2138.06
Reissue application.....	103	Disclaimer, statutory.....	710.02(d) , 2304.04(c)
Right of.....	103 , 104 , 106	Disposal credit.....	1705
Insufficient disclosure.....	608.01(p) , 2161 , 2166	Election of invention not affected.....	819
Insufficient reply.....	710.02(c) , 711.02(a) , 711.03(a) , 714.03 , 2266.01 , 2666.30 , 2671	Entry of amendment filed in connection with motion... 2308.02	
Int CI (International Patent Classification).....	906	Estoppel.....	715 , 2138.01 , 2308.03
Intellectual property compared.....	1512	Evidence.....	2138.04 to 2138.06
Intellectual Property and High Technology Technical Amendments Act of 2002 (Pub. L. 107-273)... 2120.01 , 2136 , 2146		Examination, Completion of.....	2303 , 2303.02
Intent to claim.....	706	Examiner suggestion.....	2304.04
Interference.....	2300	Final disposal of claims.....	2308.01
Abandonment, suppression or concealment, notice.... 2138 , 2138.03		Fraud.....	2010
Access to files.....	104 , 2306 , 2307.02	Generic claims.....	2304.04(b)
Action after.....	2308		
Action after <i>ex-parte</i> reexamination.....	2284		
Action after <i>inter partes</i> reexamination.....	2686.02		
Action suggesting claims.....	2304.04		

MANUAL OF PATENT EXAMINING PROCEDURE

Interference — International application

Sec. No.	Sec. No.
Identification of patent, corresponding claims presented.....	2304.02(a)
Inequitable conduct.....	2010
Inter partes questions not to be discussed <i>ex parte</i>	2307.01
Interference Practice Specialist.....	2301 , 2302 , 2303 , 2304 , 2304.04(a) , 2304.04(b) , 2307.04 , 2308.03
Interference-in fact, no.....	2308.03(b)
Interfering Subject Matter.....	2301.03
Judicial review.....	1216 , 1216.01
Jurisdiction over interference.....	2307 , 2308
Limited applicability.....	2301.04
Losing party, may obtain copy of opponent's application.....	2308.03(a)
Losing party, treatment of.....	2308.03(a)
Lost counts.....	715
Motions	
Decision.....	2308.02
Stay.....	2686.02
Suspend.....	2686.02
National Aeronautics and Space Administration or Department of Energy Ownership.....	2309
Order to show cause.....	2305
Patent in different Technology Center.....	2304.01(b)
Patent term adjustment.....	2303 , 2303.01 , 2304.01(d)
Patentee suggestion.....	2304.03
Petition refusal to initiate.....	1002.02(c)
Power of attorney filed.....	402.08
Preparation of papers by examiner.....	2302
Priority time charts.....	2138.01
Provoking	
In <i>ex parte</i> reexamination.....	2284
In <i>inter partes</i> reexamination.....	2686.02
Reduction to practice.....	2138.01 , 2138.05
Reexamination	
<i>Ex parte</i> , copending with interference.....	2284
<i>Inter partes</i> , copending with interference....	2686 , 2686.02
References pertinent to motions, made of record.....	1302.12
Referring an Interference to the Board, Preliminaries to.....	2304.01
Reissue application.....	1449.02 , 2303.02
Reissue application copending with interference on original patent.....	1449.01
Related involved files.....	2304.01(b)
Access to.....	2307.02
Board action in.....	2307.05
Suspension in.....	2307.03
Translation of.....	2304.01(c)
Reply to suggestion for claims.....	710.02(c) , 2304.04(b)
Requirements for interference.....	2302
Requiring a claim.....	2304.04(b)
Requiring a priority showing.....	2305
Revocation of power of attorney.....	402.08
Search.....	1302.08 , 2304.01(a)
Second Interference, no.....	2308.03(c)
Secrecy order application.....	130 , 2306
Sorting claims.....	2304.01(d)
Special dispatch.....	708.01 , 2301
Statutory basis.....	708.01 , 2301.01
Suggestion of interference, general.....	2304
By examiner.....	2304.04
By patentee.....	2304.03
Suggestion of claims.....	2304.02 to 2304.04(b)
Suggestion of claims, time limit.....	710.02(c)
Suspension of action pending outcome of reexamination.....	2284 , 2686.02
Suspension of <i>ex parte</i> prosecution....	709 , 709.01
Suspension of related applications.....	2307.03
Terminated open to public.....	103
Testimony.....	715.07(b)
Transfer of application.....	2304.01(b)
Winning party.....	710.02(b) , 2308
Written Description, Adequate.....	2304.02(d)
Interference practice specialist(s).....	2301 , 2302 , 2304 , 2304.04(a) , 2304.04(b) , 2307.04 , 2308.03
Interlibrary loans.....	901.06(a)
Interlineation in specification before execution..	608.01
Intermediate-final product.....	806.04(b) , 806.05(j)
International application (See also: Foreign application)	
Patent Cooperation Treaty (PCT))	
Abstract.....	1826
Access.....	101 , 110
Agent.....	1807 , 1864.04
Amendment before the designated office.....	1893.01(a)(2) , 1893.01(a)(3)
Amendment of claims before International Bureau....	1853
Amino acid sequence.....	1823.02 , 2412.03(b) , 2412.05(d) , 2422 , 2422.03(a)
Applicant.....	1806 , 1810
Assignment document.....	301
Attorney.....	1807
Attorney file reference number.....	1821

INDEX

International application — International design application

Sec. No.	Sec. No.		
Claims.....	1824	Representation.....	402.09
Common representative.....	402.09 , 1807	Request.....	1821
Confidential status.....	101 , 110	Search copy.....	1801 , 1827.01 , 1840 , 1840.01
Content.....	1812	Search fee.....	1827
Continuation.....	1828.02	Search report.....	707.05 , 1844
Continuation of.....	211.01(c) , 1895	Secrecy order.....	115 , 120 , 1832
Continuation-in-part.....	1828.02	Signature of applicant.....	1820
Correspondence.....	1834	Term, Adjustment of.....	2730 , 2731 , 2732 , 2734
Definition.....	201	Time limits.....	1836 , 1842 , 1843.05 , 1879.01
Deposit accounts.....	509.01	Title.....	1821
Description.....	1823	Translation for U.S. national stage.....	1893.01(d)
Designation of states.....	1821	Transmittal fee.....	1827
Drawings.....	1825 , 1893.03(f)	Transmittal letter.....	1830
Drawings missing.....	1825	Unity of invention....	823 , 1850 , 1875 , 1893.03(d)
Early national stage entry under 35 U.S.C. 371(f).....	1893.01 , 1893.01(a)(2) , 1893.03(b)	Withdrawal.....	1859 , 1880
EFS-Web filing.....	502.05	International classification.....	906
Elements.....	1812	International design application....	201.01 , 211.01(d) , 1501 , 2900
Errors, rectification of.....	1836	Access.....	102 , 103
Fees.....	1827 , 1893.01(c) , 1896	Claiming Priority... ..	213.07 , 2901 , 2909 , 2909.01 , 2909.03 , 2920.05(d) , 2920.05(e)
Filing date.....	1810	Contents of.....	2909
Foreign filing license.....	1805 , 1828.01 , 1832	Conversion.....	2914
Formal requirements.....	1810	Corrections of.....	2930
Forms (See also: Patent Cooperation Treaty (PCT): Forms)		Correspondence address.....	2909.01 , 2912 , 2920.03 , 2920.06
Home copy.....	1801 , 1879.04	Definition.....	2902
International preliminary examination.....	1860	EFS-Web.....	2905.01 , 2909.02 , 2909.02(a)
International search.....	1843	Examination.....	2901 , 2906 , 2909 , 2910 , 2920 , 2920.05 , 2920.06 , 2950
International searching authority... ..	1840 to 1840.06	Fee Calculator.....	2910
Inventor.....	1806 , 1821 , 1893.01(e)	Fees.....	2910
Kinds of protection.....	1821 , 1828.02	Filing date.....	601.01(a) , 2906 , 2907 , 2908
Mail service.....	1834 , 1834.02	Grant of protection.....	2901 , 2940 , 2950
Member states.....	1817	Information disclosure statement..	609.04 , 2909.03 , 2920.05(a) , 2920.05(f)
Microorganism deposit.....	1823.01	Juristic Entity.....	714.01(c) , 2920.01 , 2920.05(a)
National stage.....	1893 to 1896	Naming of inventors... ..	604 , 2909 , 2920 , 2920.01 , 2920.04(c) , 2920.05(b)
Submission via EFS-Web.....	502.05	Non Publication of.....	901.03
Numbering of sheets.....	1812	Processing of.....	2920
Oath.....	1893.01(e)	Publication.....	2901
Parent to national application.....	211.01(c) , 1895	Representation.....	2911
Power of attorney.....	1807	Reproductions (drawings)....	2901 , 2909 , 2909.01 , 2909.02 , 2909.02(a) , 2910 , 2920.04(a) , 2920.04(b) , 2920.05(a) , 2920.05(b) , 2920.05(c)
Prior art effect.....	2127 , 2136.03 , 2154.01(a)	Restriction.....	2920.04(b) , 2920.05 , 2920.05(a) , 2920.05(b)
Priority.....	210 to 217 , 1828	Secrecy Order.....	120
Restoration of.....	1828.01		
Priority document.....	215 , 1828		
Publication.....	1857		
Record copy.....	1801 , 1827.01 , 1828 , 1832		
Rectification of obvious errors.....	1836		
Refund of fees....	1827.01 , 1850 , 1852 , 1875.02		

MANUAL OF PATENT EXAMINING PROCEDURE

International design application — Inventor

Sec. No.	Sec. No.
Time limits.....	2913 , 2914
Where to file.....	2905
Who may file.....	2904
International patent classification.....	719.05 , 906
International Patent Legal Administration....	102 , 103 , 110 , 602.01(c)(3) , 1730
International searching authority.....	1840
International Trade Commission.....	724
International-type search.....	707 , 1852
Internet.....	502.03 , 1730
Address.....	1730
Database collections.....	1730
Electronic mail.....	502.03 , 713 , 713.01 , 713.04
Kids Pages.....	1730
“PatentIn” computer software (See also: Sequence rules)	1730 , 2430
Payment of maintenance fees by.....	1730 , 2510 , 2522
Publication of Board Decisions.....	1213.03
Publication of the <i>Official Gazette</i>	1703
Searching.....	904.02(c)
Usage Policy.....	502.03 , 904.02(c)
World Intellectual Property Office (WIPO)....	1801 , 1851
<i>Inter partes</i> questions.....	713.06
<i>Inter partes</i> review.....	901.04
Interpretation of law, new.....	1207.02
Intervening rights	
In reexamination	
<i>Ex parte</i>	2293
<i>Inter partes</i>	2693
In reinstated patents.....	2591
In reissue.....	1460
Intervention by assignee.....	106 , 324 , 325
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.....	101 , 402.03 , 405 , 408
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
During working days only.....	713.01
Electronic mail.....	502.03 , 713 , 713.01 , 713.04
Excluded or suspended attorney or agent.....	105 , 713.05
Exhibit.....	713.08
Exposure of other cases during.....	101 , 713.07
Field of search.....	713.02
Finally rejected application.....	706.07(f) , 713.09
How conducted.....	713.01
<i>Inter partes</i> questions.....	713.06
Interview summary form.....	713.04 , 2281
Local attorney.....	713.03 , 713.05
Made of record.....	713.01 , 713.04
Merged reissue/ <i>inter partes</i> reexamination.	2686.03
Model.....	713.08
Oral agreement not binding.....	713.04
Patentability report cases.....	713.01
Prior to first Office action.....	706.07(b) , 713.02
Prohibited.....	713.05
Protestor participation.....	1901.07
Question of patent validity.....	1701
Record of substance required.....	713.01 , 713.04
Reexamination	
<i>Ex parte</i>	2281
<i>Inter partes</i>	2666.30 , 2685 , 2686.03 , 2687
Refused.....	713.01 , 713.02 , 713.05 , 713.10
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 , 714.13
Supplemental examination, prohibited in.....	2814
Telephone.....	101 , 408 , 713.01 , 713.05 , 812.01
Time allowed.....	713.01
Video conference.....	713.01 , 713.04 , 713.05
Video showing.....	713.01
Where held.....	713.01
Invention (See also: Patent) Rejection)	
Brief summary.....	608.01(d)
Detailed description.....	608.01(g)
Made in this country.....	2138.02
Mode of operation.....	608.01(h)
Inventive entity, Different....	2109 , 2136.01 , 2136.04 , 2146.02 to 2146.03(a) , 2152.07 , 2154.01(d)
Inventive entity, Same(overlapping subject matter).....	804 , 804.03 , 822
Inventor (See also: Applicant) Pro se applicant)	602.01
Common, at least one.....	211.01 , 2109 , 2136.01 , 2139.03 , 2146.03(a) , 2154.01(b) , 2154.01(d)
Continuing application.....	201.06(c)

INDEX

Inventor — Joint inventor

Sec. No.	Sec. No.
Correction (See also: Correction of inventorship)	IPS (Interference Practice Specialist)..... 2302
Deceased..... 409 , 409.01(a) , 409.01(b) , 1806	Irreparable damage, Proof of..... 409.03(g)
Execution of oath/declaration by legal representative..... 602.08(b)	Issue (See also: Allowance and issue)
Government property rights statement..... 151	Issue batch number (no longer used)..... 1303.01
Duty of disclosure by..... 2001.01 , 2002.01	Issue Classification Form/Sheet/Slip (See also: Form letters and forms) 903.07 , 906 , 907 , 1302.09 , 1302.10 , 1302.13
Foreign priority..... 210 , 213 to 217 , 2152.01	Issue fee..... 1306
Full first or middle name required..... 602.01(b) , 602.08(b)	After payment..... 1306.03
Heirs..... 409.01(a) , 409.01(b)	Credit card payment..... 1306
Improper naming..... 2109 , 2137 , 2157	Deposit account..... 1303 , 1306
Initials as a given name..... 602.08(b)	Failure to pay..... 711.03(c) , 1306
Insane..... 409.01(b)	Late payment..... 711.03(c)
International application..... 1806	Petition to accept late fee..... 711.03(c)
Legally incapacitated..... 409.01(b)	Reissue application..... 1415
Micro entity status..... 509.04	Who may file..... 1306
Name change..... 602.01(c) , 602.08b(b)	Israel Patent Office (ILPO)..... 1840 , 1840.05 , 1860 , 1865
Correction..... 201.05 , 602.01(c) , 602.08b(b)	Issue of patent..... 1309
Order..... 602.01(c) , 602.08b(b)	Deferred..... 1306.01
Petition..... 602.01(c)(3)	Request for simultaneous issuance..... 1306.02
Typographical, translation error... 602 , 602.01(c) , 602.08(b)	Issue of patent to applicant..... 308
None available..... 409 , 409.02 , 409.03(b) , 602.08(b)	Issue of patent to non-applicant assignee..... 307
Proof..... 409.03(a) , 409.03(b) , 409.03(d)	Item of information in supplemental examination..... 2809
Proof of irreparable damage..... 409.03(g)	
Proof of proprietary interest..... 409.03(f) , 409.05	
Order of..... 602.01(c) , 602.08b(b)	
<i>Pro se</i> 401 , 707.07(j) , 713.01	
Refuses to sign..... 402.03 , 409.03 , 409.03(d) , 602.08(b)	
Execution of oath..... 602.01(c) , 602.08(b) , 604	
Representative of..... 400	
Requirements..... 2109 , 2157	
Residence..... 602.08(b)	
Rule 1.53(b)..... 201.06(c)	
Rule 1.53(d)..... 201.06(d)	
Self-prosecuted case..... 707.07(j) , 713.01	
Small entity status..... 509.02	
Unavailable..... 409 , 409.02 , 409.03 , 602.08(b)	
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) , 409.05	
Inventor's certificate	
Priority benefit..... 213.05	
Rejection based on..... 2135	
Inventors Assistance Center..... 1730	
	J
	Jacket (See also: File wrapper/history)
	Japan Patent Office (JPO)..... 1840 , 1840.06 , 1860 , 1865
	Japanese year system..... 901.05(a)
	Jepson claim..... 2129
	Joinder, Improper..... 805
	Joinder, generic or linking claim allowable... 821.04(a)
	Joinder, product claim allowable..... 821.04(b)
	Joinder of inventors..... 409.03(j)
	Joint application, definition..... 201.02
	Joint application, original oath..... 602.01 , 602.09
	Joint inventor
	Oath..... 602.01 , 602.09
	Power of attorney to..... 402 , 402.01 , 402.02
	Refuses to sign application..... 409.02 , 409.03 , 409.03(a)
	Rights of nonsigning..... 409.03(i)

MANUAL OF PATENT EXAMINING PROCEDURE

Joint inventors — Living matter

Sec. No.

Sec. No.

Joint inventors..... [201.02](#), [602.09](#), [609](#), [2109](#), [2109.01](#)
Change in order of names..... [602.01\(c\)](#)
Correction..... [602.01\(c\)](#)
Provisional application..... [602.09](#)
Joint owners..... [301](#), [301.01](#)
Joint research agreement..... [302](#), [302.07](#), [2141.01](#), [2146](#), [2156](#)
Common ownership..... [2136.01](#), [2136.02](#), [2137](#), [2146 to 2146.03\(a\)](#), [2151](#), [2152.07](#), [2154.02\(c\)](#), [2156](#), [2158](#), [2158.01](#)
Double patenting rejection based on excepted subject matter or disqualified prior art..... [804](#), [804.02](#), [804.03](#), [2146.03](#), [2154.02\(c\)](#), [2158](#)
Invoking prior art exception under 35 U.S.C. 102(b)(2)(C)..... [717.02 to 717.02\(d\)](#), [2154.02\(c\)](#), [2156](#)
Prior art disqualification under pre-AIA 35 U.S.C. 103(c)..... [2136.01](#), [2141.01](#), [2146 to 2146.03\(a\)](#)
Requirements to establish..... [717.02\(a\)](#), [717.02\(b\)](#), [2141.01](#), [2146](#), [2146.02](#), [2156](#)
Statutory basis under pre-AIA 35 U.S.C. 103(c)..... [2120](#)
Joint venture..... [717.02\(a\)](#), [2146.02](#)
Judicial notice..... [2144.03](#)
Judicial review
Ex parte reexamination proceedings..... [1216](#)
Patent applications..... [1216](#)
Standards of review by the Federal Circuit... [1216.01](#)
Jurisdiction
Allowed application..... [714.16](#), [1305](#)
Appealed application..... [1203](#), [1210](#)
Application before court..... [1216](#)
Interference..... [2307.02](#), [2308](#)

K

Kind Codes..... [901.04\(a\)](#)
Kinds of patent documents..... [1851](#)
Korean Intellectual Property Office (KIPO)..... [1840](#), [1840.02](#), [1860](#), [1865](#)

L

Laches..... [2190](#)
Lack of unity of invention..... [823](#), [1844.01](#), [1845.01](#), [1850](#)
Lack of utility..... [608.01\(p\)](#), [2104](#), [2107](#)
Language, Offensive..... [608](#), [1504.01\(e\)](#)
Language of papers..... [608.01](#)
Large Tables..... [608.05](#), [608.05\(b\)](#)
Late payment of issue fee..... [711.03\(c\)](#)
Law, new interpretation of..... [1207](#)
Laws, Patent (See also: [Statutes](#))
Legal representative refuses to sign..... [409.03\(c\)](#)
Letter (See also: [Action](#)) [Form letters and forms](#)) [Letter, Examiner's](#)
Abandoned after allowance..... [711.05](#)
Congressional inquiry..... [203.08\(a\)](#)
Drawing transfer..... [608.02\(i\)](#)
Official inquiry..... [203.08\(a\)](#)
Status..... [203.08](#)
Letter, Examiner's (See also: [Examiner's Letter](#))
Letters, receipt and handling..... [500](#)
Letters of administration..... [409.01\(b\)](#)
Letters testamentary..... [409.01\(b\)](#)
Library, Scientific (See also: [Scientific and Technical Information Center](#) (STIC))
Library services..... [901.06\(a\)](#)
License agreements under patent..... [301](#)
Recording of..... [310](#), [313](#)
License rights clause..... [310](#)
License to file foreign application..... [115](#), [140](#)
License to file international application..... [140](#), [1832](#)
Licensee, access..... [106.01](#)
Licensing and Review... [115](#), [120](#), [140](#), [150](#), [502](#), [502.01](#), [709](#), [710](#), [2104.01](#)
Linking claim..... [806.04](#), [806.05\(c\)](#), [809](#), [809.03](#), [821.04\(a\)](#)
Transitional application..... [803.03\(a\)](#)
List of countries giving right of priority..... [213.01](#)
List of decisions..... [II](#)
List of prior art in reexamination..... [2257](#), [2657](#)
Literature citation in specification..... [608.01\(p\)](#)
Litigation information, Duty to disclose..... [2001.06\(c\)](#)
Litigation not stayed in reissue..... [1442.02](#), [1442.04](#)
Litigation, reexamination copending
Ex parte [2286](#)
Inter partes [2640](#), [2681](#), [2686](#), [2686.04](#)
Litigation related reissue.. [1404](#), [1442.01 to 1442.05](#)
Litigation, stays..... [1442.03](#), [1442.05](#), [2686.04](#)
Living matter (See also: [Biotechnology](#)) [2105](#)

INDEX

Local representative of attorneys — Maintenance fees

Sec. No.	Sec. No.
Local representative of attorneys.....	408
Locarno international classification designation.....	907
M	
Machine, process or product.....	806.05(e) , 806.05(f) , 806.05(g)
Machine Translation.....	901.05(d) , 2120
Mail (See also: Mail Stop)	
Address.....	501
Depositing correspondence.....	502
Distribution.....	501 , 508
Express.....	502 , 513 , 711.03(c)
Identification.....	502 , 503
Receipt and handling.....	500
Undelivered.....	707.13 , 1303.02
Zip code.....	502
Mail date as filing date.....	513
Mail stop.....	501
Mail Stop 8 (Solicitor).....	501 , 1216 , 1216.01
Mail Stop 10.....	1232
Mail Stop 16 (Refunds).....	509.03
Mail Stop AF.....	714.13
Mail Stop Assignment Recordation.....	501 , 302.08
Mail Stop Conversion.....	601.01(c)
Mail Stop EBC.....	403
Mail Stop <i>Ex Parte</i> Reexam.....	501 , 2222 , 2224 , 2226 , 2231 , 2246 , 2806
Mail Stop Expedited Design.....	1504.30
Mail Stop Express Abandonment..	1002.02(r) , 1125
Mail Stop Hatch-Waxman PTE.....	501 , 1002.02(b) , 2753 , 2754
Mail Stop <i>Inter partes</i> Reexam...	501 , 2622 , 2624
Mail Stop Issue Fee.....	502 , 1306 , 1306.02
Mail Stop L&R.....	120
Mail Stop Maintenance Fee.....	501 , 2510
Mail Stop MPEP.....	
Mail Stop OED.....	402 , 407
Mail Stop Patent Ext.....	2720
Mail Stop Patent and Trademark Copy Fulfillment Branch.....	501 , 2232 , 2632 , 2803.02
Mail Stop PCT.....	501 , 1808 , 1821 , 1864 , 1865
Mail Stop Petition.....	1002.02(b) , 1308 , 1901.03 , 2580 , 2590
Mail Stop PGPUB.....	1126
Mail Stop Post Issue.....	2222 , 2501 , 2622 , 2805
Mail Stop Reissue.....	1410
Mail Stop Sequence (Box SEQUENCE).....	2429 , 2433
Mail Stop supplemental examination.....	2806 , 2812.03
Mailing action.....	707.12
In <i>ex parte</i> reexamination.....	2264
In <i>inter parte</i> reexamination.....	2664
Mailing, Certificate of (See also: Certificate of mailing or transmission (37 CFR 1.8))	
Maintenance Fee Branch.....	2501 , 2515 , 2520 , 2540
Contact information.....	1730
Maintenance fees (See also: Fee Refunds)	1730 , 2500
Attorney or agent	
Handling of requests to withdraw.....	2560
Revocation of power of attorney.....	2501 , 2560
Change of correspondence address.....	2501 , 2542
Credit card used for payment of.....	2510 , 2522
Due dates for payment.....	2506
Duplicate Payment.....	2532
Facsimile submission.....	2510 , 2515
Fee address.....	2540 , 2542
Fee amounts.....	2501 , 2520
Forms.....	2595
Information available from Maintenance Fee Branch...	2501 , 2570
Information required with payment.....	2515 , 2530
Insufficient.....	2531
Internet submission.....	2510 , 2522
Intervening rights in reinstated patents.....	2591
Late.....	2531
Mailing address for maintenance fee documents.....	501 , 2501 , 2510
Mailing address for payments.....	501 , 2501 , 2510
Maintenance Fee Branch.....	2501 , 2515 , 2520 , 2540
Method of payment.....	2522
Micro entity status requirement.....	2550
Notices – Expiration, Receipt, Reminder.....	2575
Obligation to pay while reissue is pending...	1415.01 , 2504 , 2506 , 2515
Overpayment.....	2550
Patents subject to payment of.....	2504
Payment informalities.....	2530
Petition to accept.....	2515 , 2530 , 2531 , 2550 , 2590

MANUAL OF PATENT EXAMINING PROCEDURE

Maintenance fees — Munitions Lists of the International Traffic Arms Regulation (ITAR)

Sec. No.

Sec. No.

Reexamination..... [2506](#)
Refusal to accept and record payments, Review of.....
[2580](#)
Reinstatement, delayed payment..... [2590](#)
Reissue patents..... [1415.01](#), [1443](#), [2504](#), [2506](#)
Saturday, Sunday or Federal holiday, due on... [2504](#),
[2506](#)
Small entity status requirements..... [2550](#)
Special Acceptance..... [2530](#)
Status requests..... [1730](#), [2570](#)
Mandatory Classification..... [903.07](#), [905.03\(a\)](#)
Manual, authority of.....
Manual of Classification for USPC..... [902.01](#)
Manuscript decision..... [707.06](#)
Margin, application papers..... [608.01](#)
Mark of applicant..... [602.08\(b\)](#)
Marking, Security..... [121](#)
Markush claim..... [803.02](#), [2117](#), [2173.05\(h\)](#)
 Antedating reference for..... [715.03](#)
 Supporting disclosure..... [2163.05](#), [2164.03](#)
Material mistake by Office in published PG-Pub.. [1130](#)
Materiality of information regarding patentability (See
also: [Duty of disclosure](#))
Mathematical algorithms..... [2014](#), [2106.04](#),
[2106.04\(a\)\(2\)](#), [2106.05\(f\)](#), [2181](#)
Matter not in original disclosure..... [608.04\(a\)](#)
Means..... [2181](#)
 Broadest reasonable interpretation..... [2181](#)
 Equivalent compared to Doctrine of Equivalents.....
[2186](#)
 Obviousness..... [2183](#)
 Prima facie case of equivalence..... [2183](#), [2184](#)
 Related issues under 35 U.S.C. 112(a) and (b) or
pre-AIA 35 U.S.C. 112, first or second paragraphs.....
[2181](#), [2185](#)
 Scope of the identification of prior art..... [2182](#)
 Single means claim..... [2164.08\(a\)](#), [2173.05\(g\)](#),
[2181](#)
Means plus function limitations..... [2106.03](#), [2111.01](#),
[2114](#), [2181 to](#) [2186](#), [2187](#)
Memorandum, citation..... [707.06](#)
Merger of *ex parte* reexamination and reissue.... [2285](#)
Merger of *inter partes* reexamination and reissue.....
[2686.03](#)
Merger of supplemental examination..... [2821](#)
Method of making and apparatus or product.....
[806.05\(e\)](#), [806.05\(f\)](#)
Metric (S.I.) system usage..... [608.01](#)
Micro entity status

Application filing limit..... [509.04\(a\)](#)
Continued obligation to determine micro entity
qualification..... [509.04\(d\)](#)
Correcting errors in micro entity status..... [509.04\(f\)](#)
Gross income basis..... [509.04\(a\)](#)
Institution of higher education basis..... [509.04\(b\)](#)
..... [509.04\(c\)](#)
Previously filed patent application exclusion.....
[509.04\(a\)](#)
Notification of loss of entitlement to micro entity
status..... [509.04\(e\)](#)
..... [509.04](#)
..... [509.04\(a\)](#), [509.04\(b\)](#)
Microorganisms (See also: [Biotechnology](#))
Microorganisms, deposit of..... [1823.01](#), [2402 to](#)
[2411.05](#)
Microorganisms, patentability of..... [2014](#), [2105](#),
[2106.03](#), [2164.01\(b\)](#), [2164.06\(a\)](#)
Militarily Critical Technology List (MCTL)..... [120](#)
Military officer notary..... [602.04](#)
Minor, inventor..... [409](#)
Misjoinder, Effect on patent..... [805](#)
Misjoinder of inventors..... [602.01\(c\)](#), [1402](#), [1412.04](#)
Mistake (See also: [Correction of patent Errors](#))
Mistake by Office in Pre-Grant Publication..... [1130](#)
Mode, Best (See also: [Best Mode](#))
Mode of operation..... [608.01\(h\)](#)
Model..... [608.03](#)
Model, return..... [608.03\(a\)](#)
Model at interview..... [713.08](#)
Motions in interferences (See also: [Interference:
Motions](#))
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\(a\)](#)
Multiplicity of claims..... [707.07\(g\)](#), [714.16](#),
[2173.05\(h\)](#), [2173.05\(n\)](#)
Multiplicity of species..... [806.01](#), [808.01\(a\)](#)
Munitions Lists of the International Traffic Arms
Regulation (ITAR)..... [120](#)

N

INDEX

NAFTA — Nonprofit organizations

Sec. No.	Sec. No.
NAFTA.....	715.07(c)
Name (See also: Applicant Inventor)	
Change.....	602.01(c) , 602.08(b)
Correction.....	602.01(c) , 602.08(b)
Order.....	602.01(c) , 602.08(b)
Petition.....	605.04(c) , 602.01(c)(3)
Translation, typographical error... 602.01(c) , 602.08(b)	
Change, file sent to Office of Patent Application Processing (OPAP).....	602.08(b)
Full first or middle required.....	602.08(b)
Order.....	602.08(b) , 602.01(c)
Signature (See also: Signature)	
Uniformity with signature.....	602.08(b)
Names used in trade.....	608.01(v)
National Aeronautics and Space Administration (NASA).....	115 , 150 , 151
National application.....	201
National security, application affecting.....	115 , 120 , 121 , 130 , 140
National stage application (35 U.S.C. 371).....	201.01 , 1893 to 1896
Compared with national application.....	1896
Continuation or continuation-in-part.....	1895 , 1895.01 , 1896
Drawings.....	1893.03(f)
Filing date.....	1893.03(b)
Information disclosure statement.....	609.03 , 1893.03(g)
Order of examination.....	708 , 1893.03
Petitions related to.....	1002.02(p)
Priority.....	1893.03(c)
Unity of invention.....	1893.03(d)
Naturally occurring article.....	2104 , 2106.04(b)
Negative limitation.....	2173.05(i)
Negotiation authority.....	713.05
New application (definition).....	203.01
Assignment to examiner for examination.. 909.01(b) , 909.02(b)	
Assignment to examiner in TC for examination.....	909.01 , 909.02
Examiner review for completeness.....	702
Transfer.....	909.01(d) , 909.02(d)
New examiner, action by.....	707.01
New ground of rejection by the Patent Trial and Appeal Board.....	706.07(h) , 1214.01
In <i>inter partes</i> reexamination.....	2681 , 2682
New ground of rejection in <i>inter partes</i> reexamination.. 2671.01	
New ground of rejection on appeal.....	1207.03
New matter.....	608.04(a) , 2163.06
Amendment of disclosure.....	608.04 , 1481 , 2163.03 , 2163.04 , 2163.07
Claim.....	608.04 , 608.04(a) , 2163.03
Appealable.....	608.04(c)
Claim terminology.....	608.01(c)
Continued prosecution application (CPA)... 201.06(d)	
Continuing application.. 201.07 , 1481.03 , 2163.03	
Design application.....	1503.01 , 1503.02 , 1504.01(a) , 1504.04
Disclosure.....	608.04 , 2163.06
Divisional application.....	201.06
Drawing.....	608.04 , 608.04(a)
Inherent characteristics.....	608.04(a) , 2163.07(a)
Objection.....	608.04(a) , 2163.07
Petitionable.....	608.04(c) , 2163.06
Preliminary amendment.....	608.04(b) , 714.01(e)
Priority.....	2163.03 , 2163.05
Reexamination, <i>inter partes</i> 2671.01 , 2671.02	
Reissue application.. 1402 , 1411.02 , 1453 , 1457	
Rejection.....	608.04 , 608.04(a) , 2163.06
Specification, petitionable.....	608.04(c)
Substitute specification.....	608.01(g)
Trademark definition.....	608.01(v)
When entered.....	714.19 , 714.20
NIRC (See also: Notice of Intent to Issue Ex Parte Reexamination Certificate (NIRC) PTOL-469 Notice of Intent to Issue Inter Partes Reexamination Certificate (NIRC) PTOL-2068)	
Nonanalogous art.....	904.01(c) , 1302.14 , 2131.05 , 2141.01(a)
Design applications.....	1504.02 , 1504.03
Nonelected invention	
Claims to	
Added.....	821.03
Canceled.....	821.01 , 821.02
Eligible for rejoinder.....	821
Withdrawn.....	821.01 , 821.02
Nonelected species	
Claims to	
Canceled.....	821.01 , 821.02
Eligible for rejoinder.....	821
Withdrawn.....	821.01 , 821.02
Non-English oath or declaration.....	602.06
Nonnaturally occurring manufacture or composition of matter.....	2105
Nonpatent literature.....	901.06
Nonprofit organization, claiming status as.....	509.03
Nonprofit organizations.....	509.02

MANUAL OF PATENT EXAMINING PROCEDURE

Nonprovisional application — Oath, International application

Sec. No.

Sec. No.

Nonprovisional application (See also: [Application](#)) [506](#), [601](#)
Nonpublication request, Application..... [1122](#)
Nonpublication Request Under 35 USC 122(b)(2)(B)(i),
form PTO/SB/35
 Cited..... [1121](#), [1122](#), [1123](#), [1124](#)
 Reproduced..... [1135](#)
Nonreceipt of Office letter..... [711.03\(c\)](#)
Nonsigning inventor's rights..... [409.03\(i\)](#)
Nonstatutory subject matter..... [2104 to 2107.01](#)
Not fully responsive amendment..... [714.02](#), [2266.01](#),
[2666.30](#), [2671](#)
Notary jurisdiction..... [602](#)
Notary jurisdiction, military officer..... [602](#)
Notary jurisdiction, venue agreement..... [602](#)
Notary seal..... [602](#)
Notation on file wrapper/history
 Foreign application..... [202](#)
 Parent application..... [202](#), [211](#), [202](#)
Notice, citation..... [707.06](#)
Notice of allowability..... [717.01\(f\)](#), [1302.03](#)
Notice of allowance (See also: [Allowance and issue](#))
[Form letters and forms: Notice of Allowance and Issue](#)
[Fee Due PTOL-85](#)) [1303](#)
 Assigned application..... [307](#), [308](#)
 Deceased inventor..... [1303.03](#)
 Reissue application. [1441.01](#), [1444](#), [1456](#), [1457](#),
[1481.01](#), [1481.03](#)
 Secrecy order application..... [115](#), [130](#)
 Undelivered..... [1303.02](#)
Notice of appeal..... [1204](#)
 Ex parte reexamination..... [2273](#)
 Inter partes reexamination..... [2662](#), [2667](#), [2674](#)
Notice of cross appeal..... [2662](#), [2674](#), [2674.01](#)
Notice of *Ex Parte* Reexamination Certificate Issuance
in the *Official Gazette* [2291](#)
Notice of *Ex Parte* Request for Reexamination in the
Official Gazette [2229](#)
Notice of foreign filing after nonpublication request.....
[1124](#)
Notice of informal patent application form..... [707.07\(a\)](#)
Notice of Intent to Issue *Ex Parte* Reexamination
Certificate (NIRC) PTOL-469.. [2234](#), [2250](#), [2250.01](#),
[2256](#), [2262](#), [2266](#), [2273](#), [2274](#), [2283](#), [2285](#),
[2287](#), [2287.01](#), [2288](#), [2289](#), [2296](#)
Notice of Intent to Issue *Inter Partes* Reexamination
Certificate (NIRC) PTOL-2068..... [2656](#), [2660.02](#),
[2666](#), [2666.10](#), [2666.20](#), [2671](#), [2671.01](#), [2673.01](#),
[2673.02](#), [2674](#), [2675](#), [2682](#), [2686.01](#), [2687](#),
[2687.01](#), [2694](#), [2696](#)

Notice of *Inter Partes* Reexamination Certificate
Issuance in the *Official Gazette* [2688](#), [2691](#)
Notice of New or Revised Pre-Grant Publication.. [1127](#)
Notice of Non-Compliant amendment..... [714](#),
[714.01\(e\)](#), [714.03](#)
Notice of Pre-Grant Publication..... [1127](#)
Notice of references cited form (PTO-892)..... [609.02](#),
[609.03](#), [609.04\(a\)](#), [609.05\(a\)](#), [609.05\(c\)](#), [609.06](#),
[707.05](#), [707.05\(a\) to 707.05\(g\)](#), [2687](#)
Notices (See also: [Publication](#)) [707.06](#)
Notices, maintenance fees..... [2501](#), [2575](#)
Nuclear material application..... [2104.01](#)
Nucleotide sequences (See also: [Biotechnology](#))
[Sequence rules](#)) [803.04](#), [1823.02](#), [1848](#), [1850](#),
[1877](#), [2400](#)
 Publication on web for PG-Pubs..... [1121](#)
 Restriction practice..... [803.04](#), [1850](#), [2412.07](#),
[2434](#)
Nullification of double patenting rejection..... [804.01](#)
Number, Application..... [503](#), [506](#)
Number, Drawing reference character..... [608.01\(g\)](#)
Number, Serial..... [503](#), [506](#)
Numbering paragraphs of letter..... [707.07\(k\)](#)

O

Oath (See also: [Declaration](#))
 Antedating reference (See also: [Affidavit, of prior invention to overcome a pre-AIA 35 U.S.C. 102 or 103 rejection\(37 CFR 1.131\)](#))
 Non-English..... [602.06](#)
 Original (See also: [Oath, Original, Rule 1.63](#)) [602.01\(a\)](#), [602.01\(b\)](#), [602.01\(c\)](#)
 Plant application (Rule 1.162)..... [1604](#)
 Reissue (Rule 1.175)..... [1410.01](#), [1412.04](#),
[1412.05](#), [1414 to 1414.03](#), [1444](#), [1451](#), [1455](#)
 Supplemental..... [1412.03](#), [1414](#), [1414.02](#),
[1414.03](#), [1444](#)
 Substitute..... [602.02](#)
 Supplemental..... [601.05\(b\)](#), [603](#)
 Supplemental and allowance..... [603.01](#)
 Traversing rejection (Rule 1.132)..... [716](#)
Oath, Antedating reference (See also: [Affidavit, of prior invention to overcome a pre-AIA 35 U.S.C. 102 or 103 rejection \(37 CFR 1.131\)](#)) [715](#)
Oath, International application..... [1893.01\(e\)](#)

INDEX

Oath, Original, Rule 1.63 — Office action in inter partes reexamination

Sec. No.	Sec. No.
Oath, Original, Rule 1.63.....	602.01(a) , 602.01(b) , 602.01(c)
Administering.....	602
Amendment.....	602.01(c)
Attorney administrators.....	602
Consular certificate.....	602.04
Continuing application.....	602.01(c) , 602.05
Copies, filing of.....	602
Date of execution.....	602.05
Declaration in lieu of, Rule 1.68.....	602 , 602.01
Defective.....	602 , 602.01(b) , 602.02 , 602.03
Delayed filing.....	506
Divisional application.....	602.05(a) , 602.05(b)
Executed before alteration of specification.....	602.02
Execution.....	602
Facsimile.....	602
Foreign execution.....	602.04
Foreign-filed applications listed.....	214 , 214.03 , 602.01(b)
Invalid, By attorney in case.....	602
Jurisdiction of notary.....	602 , 602.03
New required.....	602.01 , 602.02
Notary.....	602 , 602.03 , 602.04 , 602.08(b)
Notary certificate.....	602 , 602.03
Notary jurisdiction.....	602
Refers to preliminary amendment.....	602.01(c)
Seal.....	602
Seal, Foreign application.....	602.04
Seal, Not required.....	602
Signed before alteration of specification.....	602.08(b)
Substitute.....	602.02 , 604
Venue.....	602
Oath, Supplemental, Rule 1.67.....	603
After allowance.....	603.01 , 714.16
Change of inventorship.....	602 , 602.01(c)
Oaths, Conflicting.....	201.03 , 602.01(c)
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
Obviously informal application.....	702.01
Obviousness.....	2120 , 2141 to 2146 , 2158
Age of reference.....	2145
Analogous prior art.....	1504.03 , 2141.01(a) , 2145
Chemical compounds..	2144 , 2144.02 to 2144.04 , 2144.08 , 2144.09
Design applications.....	1504.03
Exemplary rationales and examples.....	2143
Form paragraphs used for rejection..	2148 , 2158.01
Number of references.....	2145
Ordinary skill, level of.....	2141 , 2141.03
Parameter.....	2144.05
<i>Prima facie</i> case... ..	2142 to 2143.03 , 2144 , 2158
Predictability.....	2143.02
Rebuttal against.....	2145
Process claims, nonobvious product.....	2116.01
Provisional rejection.....	2136.01 , 2146.03 , 2146.03(a) , 2148 , 2152.07 , 2154.01(d) , 2158.01
Ranges.....	2144.05
Rationale for.....	2144 to 2144.09
Adjustable, making.....	2144.04
Aesthetic design changes.....	2144.04
Automating manual activity.....	2144.04
Duplication of parts.....	2144.04
Elimination of element or step.....	2144.04
Equivalence, art-recognized.....	2144.06
Genus-species.....	2144.08
Integral, making.....	2144.04
Omission of element or step.....	2144.04
Portable, making.....	2144.04
Proportion changes.....	2144.04
Purifying old product.....	2144.04
Ranges.....	2144.05
Rearrangement of parts.....	2144.04
Reversal of parts.....	2144.04
Separable, making.....	2144.04
Sequence, change in.....	2144.04
Shape changes.....	2144.04
Size changes.....	2144.04
Species-genus.....	2144.08
Rebuttal arguments by applicant.....	2144.05 , 2145
Reliance on scientific theory.....	2144.02
Teaching away in prior art.....	2141.02 , 2145
Offenlegungsschriften.....	901.05(b)
Offensive language.....	608 , 1504.01(e)
Redacted in Pre-Grant Publication.....	1132
Offensive subject matter.....	1504.01(e)
Offer to sell.....	2120.02 , 2133.03(b) , 2139.02 , 2152.02(d)
Offer to surrender original patent (not required)... ..	1416
Office action (See also: Action)	
Office action in <i>ex parte</i> reexamination... ..	2260 , 2262
Office action in <i>inter partes</i> reexamination.....	2660 , 2671
Not closing prosecution.....	2671.01

MANUAL OF PATENT EXAMINING PROCEDURE

Office action in inter partes reexamination — Omnibus claim

Sec. No.	Sec. No.
Reopening prosecution after ACP.... 2673 , 2673.01	Mailing address..... 501
Reopening prosecution after Examiner's Answer..... 2679	Office of the Commissioner for Patents..... 1721 , 1901.03 , 1902.01
Reopening prosecution after RAN..... 2676 , 2677	Duty of disclosure to..... 2001.03
Office date stamp..... 505 , 506 , 710.01(a) , 714.18	Office of the Deputy Commissioner for Patent Examination Policy... 410 , 502.03 , 714.19 , 714.25 , 1721 , 2677
Office hours..... 510	Petitions and requests decided by..... 1002.02(b)
Office of Data Management..... 104 , 502 , 502.01 , 603.01 , 608.01(m) , 608.02(z) , 711.01 , 714.16 , 714.16(d) , 724.05 , 903.07 , 1120 , 1121 , 1122 , 1125 , 1126 , 1302.05 , 1302.12 , 1303.01 , 1308 , 1309 , 1309.02 , 1611 , 2229 , 2283 , 2287 , 2295 , 2686.01 , 2687	Official action..... 707
Hand-delivery of papers to..... 502	Official Correspondence (OC)..... 707.05(a) , 719.05 , 1879
Petitions decided..... 1002.02(r)	<i>Official Gazette</i> (O.G.)..... 403 , 409.03 , 409.03(h) , 1703
Pre-Grant Publications Division..... 502 , 502.01 , 1125 , 1126 , 1730	Claim published..... 1302.09
Telephone number..... 1730	Reissue application..... 1455
Office of Electronic Information Products..... 1730	From <i>ex parte</i> reexamination certificate..... 2287
Office of Enrollment and Discipline..... 401 , 402 , 402.01 , 407 , 410 , 502 , 510 , 601.03 , 602 , 714.01(a) , 1002.02(k)(1) , 1002.02(m)	From <i>inter partes</i> reexamination certificate.. 2691
Mailing address..... 501	Copies and Subscriptions..... 1703
Office of General Law..... 1002.02(k)(2)	Defensive publications..... 711.06(a)
Office of Governmental Affairs..... 203.08(a)	Designating classification..... 1302.09
Office of Patent Application Processing (See also: Incoming-Mail Section) 201.03 , 201.06(c) , 201.06(d) , 202 , 203.08 , 402 , 402.01 , 409.03 , 501 , 502 , 503 , 506 , 601 , 601.01(d) , 601.01(f) , 601.01(g) , 602.01 , 602.01(c) , 602.01(c)(1) , 602.01(c)(3) , 602.03 , 602.05(b) , 602.08(b) , 608.01 , 608.01(b) , 608.01(f) , 608.01(n) , 608.02 , 608.02(a) , 608.02(b) , 608.05 , 609.07 , 714.16(d) , 903.08(a) , 1306 , 1410 , 1410.02 , 1414 , 1414.02 , 1451 , 1457 , 2501 , 2542	Drawing figure..... 1302.09
Application Assistance Unit..... 102 , 1730	eOG:P..... 1703
Contact information..... 1730	Issuing as U.S. patent..... 901.05
Petitions handled..... 1002.02(q)	Notice of <i>ex parte</i> reexamination certificate.... 2288 , 2291
Office of Patent Classification..... 903 , 903.05 , 906	Notice of <i>inter partes</i> reexamination certificate..... 2688 , 2691
Office of Patent Legal Administration (OPLA) (See also: Central Reexamination Unit (CRU)) 103 , 506.02 , 1002.02(b) , 1415.01 , 1449.01 , 1457 , 2227 , 2236 , 2239 , 2284 , 2285 , 2287 , 2642 , 2667 , 2668 , 2686.01 to , 2687	Notice of Certificate of Correction..... 1480 , 1485
Office of Patent Quality Assurance..... 1302.04 , 1308.03	<i>Notices</i> 1703
Office of Petitions. 106 , 201.03 , 201.06(c) , 211.04 , 410 , 502 , 601.01(d) , 601.01(g) , 601.02 , 602.01(c)(3) , 609.04(b) , 1002.02(b) , 1308	Notices of maintenance fees due..... 2501 , 2575
Location and phone number..... 1730	Notice of <i>ex parte</i> reexamination request..... 2229
Office of Policy and External Affairs..... 213.01	Online..... 1703
Office of Solicitor..... 311 , 1002.02(k)(3) , 1216.01 , 1216.02 , 1701.01 , 1720 , 1721 , 2207 , 2240 , 2681	<i>Patents</i> 1703
	Published electronically..... 1703
	Publishing disclaimers..... 1490
	Reissue application filing notice..... 1430 , 1441 , 1441.01 , 1443 , 1452 , 1457 , 1470 , 1703
	Statutory Invention Registration (SIR)..... 1111
	<i>Trademarks</i> 1703
	Official inquiries..... 203.08(a)
	Official Notice..... 2144.03
	OIPE (See also: Office of Initial Patent Examination (Office of Patent Application Processing))
	“Old art” use in deciding request for reexamination..... 2242 , 2642
	Old combination..... 2173.05(j)
	Omission in reply, inadvertent..... 710.02(c) , 714.03 , 804 , 2266.01 , 2666.30
	Omnibus claim..... 2173.05(r) , 2175

INDEX

On-line search — Ownership and assignment

Sec. No.	Sec. No.
On-line search (See also: Electronic databases)	Oral hearing in reexamination
901.06(a) , 902.03(e) , 2135	<i>Ex parte</i> 2276
On sale (See also: Public Use) 2120.02 , 2133.03 , 2133.03(b) , 2139.02 , 2152.02(c) , 2152.02(d)	<i>Inter partes</i> 2662 , 2675 , 2677 , 2680
Affidavit or declaration..... 715.10	Open to public..... 2680
Anticipation rejection..... 2133.03(b) , 2152.02(d)	Oral hearing on appeal..... 1209
Buyer..... 2133.03(b)	Order, citation of..... 707.06
Commercial activities..... 2133.03 , 2133.03(c) , 2133.03(e) , 2133.03(e)(1) , 2152.02(d)	Order granting <i>ex parte</i> reexamination..... 2246
Completion of the invention.... 2133.03 , 2133.03(b) , 2133.03(c) , 2133.03(e)(1) , 2133.03(e)(3)	Order granting <i>inter partes</i> reexamination..... 2646 , 2660
Admission of completion by 37 CFR 1.131 affidavit..... 2133.03(c)	Returned as undelivered..... 2654
Definition of..... 2133.03(b) , 2152.02(d)	Order of examination..... 708 to 708.03
Conditional sale..... 2133.03(b)	Patentability report..... 705.01(b)
Nonprofit sale..... 2133.03(b)	Order for compliance..... 1210.01
Sale of rights..... 2133.03(b)	Ordering
Single sale..... 2133.03(b)	Abandoned file..... 711.04(b) , 901.01(a)
Delivery of offered goods..... 2133.03(b)	Foreign patent..... 901.05(c)
Device embodying process..... 2111.02	Patented file..... 711.04(b) , 901.01(a)
Evidence of (prior art publications)..... 2133.03(b)	Publication..... 901.06(b)
Experimental use (See also: Experimental use)	Reexamination, decision
2133.03 , 2133.03(e) to 2133.03(e)(7) , 2152.02(d)	<i>Ex parte</i> 2246 , 2247 , 2247.01
Goods “on hand”..... 2133.03(b)	<i>Inter partes</i> 2646
“In this country”..... 2133.03(d)	Orders (See also: Publication) 707.06
Invention..... 2133.03(c)	Ordinary and customary meaning of claim term. 2106 , 2111 , 2111.01 , 2173.01
Intent to sell..... 2133.03(b) , 2133.03(e)(2)	Evidence of..... 2111.01
Offer for sale..... 2133.03(b)	Original application (See also: Nonprovisional application)
Policy considerations..... 2133.03	Original disclosure, inherent characteristics..... 608.04(a) , 716.02(f)
“Ready for patenting”..... 2133.03(c)	Ornamentality lacking in design applications..... 1504.01(c)
Reduction to practice..... 2133.03(c) , 2133.03(e)	Outstanding requirements..... 707.07(e)
Sale by inventor or associate..... 2133.03(b)	Overcoming a reference, Right of priority..... 216 , 2136.05(a) , 2152.06
Sale by third party..... 2133.03(b)	Overlapping applications
Testing by third party..... 2133.03(e)(5) , 2133.03(e)(7)	Same applicant. 709.01 , 715.01(a) , 804 , 804.02 , 822
Sale of a process..... 2133.03(c)	Same assignee..... 709.01 , 715.01(b) , 822 , 2136.01 , 2146 to 2146.03(a) , 2148 , 2152.06 , 2154.01(d) , 2154.02(c) , 2158 , 2158.01
Sale of “rights”..... 2133.03(b)	Subject to joint research agreement.... 804 , 804.02 , 804.03 , 2136.01 , 2137 , 2141.01 , 2146.01 to 2146.03(a) , 2151 , 2152.07 , 2154.02(c) , 2156 , 2158 , 2158.01
Secrecy..... 2133.03 , 2133.03(b)	Overlapping claims..... 804.02
Supervision and control over invention..... 2133.03(e)(5) , 2133.03(e)(7)	Oversight of <i>inter partes</i> reexamination..... 2689
Test for determining if impermissible sale occurred..... 2133.03(b)	Owner's representative..... 400
One Patent Service Gateway (OPSG)..... 711.01 , 711.03(c)	Ownership and assignment..... 300 , 717.02(a) , 2146.02 , 2146.03 , 2154.02(c)
Operating hours (See also: Hours of operation)	
Operative..... 2164.07 , 2164.08(b)	
Operative example..... 608.01(p)	
Operative, Showing..... 608.03 , 716	
Opposition to issue of patent (See also: Protest)	

MANUAL OF PATENT EXAMINING PROCEDURE

Ownership at time invention made — Patent

Sec. No.

Sec. No.

Ownership at time invention made... [717.02\(a\)](#), [2146](#), [2146.02](#)

Ownership of applications filed subsequent to recording of assignment..... [306](#)

P

PAIR..... [102](#), [104](#), [203.08](#), [1121](#), [1128](#), [1730](#), [2206](#), [2209](#), [2257](#), [2290](#), [2632](#)

Customer number practice..... [403](#)

PALM..... [101](#), [102](#), [711.04\(b\)](#), [1704](#), [1705](#), [1845.02](#), [1893](#), [1893.03\(a\)](#), [1893.03\(b\)](#), [1895.01](#), [2632](#), [2635](#), [2647.02](#), [2648](#), [2660](#), [2664](#), [2670](#), [2687](#), [2689](#)

Application location..... [2635](#)

Application records and reports..... [1704](#)

Application status..... [102](#)

Examiner Docket, Time, and Activity Reports... [1704](#), [1705](#)

“Flag” in reissue application..... [1456](#)

Panel Review in *ex parte* Reexamination..... [2236](#), [2246](#), [2247](#), [2262](#), [2271](#), [2271.01](#), [2275](#), [2281](#), [2287](#), [2289](#)

Paper, easily erasable..... [608.01](#), [714.07](#)

Paper number..... [714.18](#), [714.21](#)

Paper size (See also: [A4 size paper](#))

Application papers..... [608.01](#)

Drawings..... [608.02](#)

Photographs..... [608.02](#)

Substitute drawings..... [608.02\(h\)](#)

Papers (See also: [Return of Papers](#))

Depositing..... [502](#)

Distribution..... [508](#)

File wrapper..... [719.01](#)

Identification..... [502](#), [503](#)

Receipt and handling..... [500](#)

Received after patenting or abandonment.... [508.02](#)

Signature required..... [402](#)

Submitted in reissue litigation..... [1404](#)

Parent application data, Cross-noting..... [202](#), [211](#)

Parent application review..... [707.05](#), [719.05](#), [904](#), [2001.06\(b\)](#)

Paris Convention (See also: [Treaties](#)) [213.01](#)

Article 4 Cited.... [213.01](#), [213.03](#), [213.06](#), [215.03](#)

Partial signatory authority..... [1005](#)

Patent

1836 (present) series..... [901.04](#)

A.I. series..... [901.04](#)

Allowance and issue..... [1300](#)

Application publication..... [1120 to 1135](#)

Arrangement in Examiner’s Search Files..... [901.07](#)

Assignment..... [301](#)

Citation handling..... [1920](#), [2206](#)

Citation of prior art in..... [1920](#), [2202](#)

Claim copied (See also: [Claim presented corresponding to claim of patent](#))

Classification change..... [903.05](#)

Classification indices..... [902.03](#), [902.03\(a\)](#)

Classification Home Page on the Internet.. [902.03\(a\)](#)

Classification Home Page on the USPTO Intranet.... [902.03\(b\)](#)

Copy in *ex parte* reexamination request..... [2219](#)

Double column format..... [2214](#), [2219](#)

Copy Orders..... [1730](#)

Correction of..... [1400](#)

Definition..... [2135.01](#)

Design..... [1500](#)

Design series..... [901.04](#)

Design vs Utility..... [1502.01](#)

Effective date..... [715](#), [715.01](#), [2120.01](#), [2126](#), [2133.01](#), [2136.03](#), [2139.02](#), [2152.02\(a\)](#), [2152.05](#), [2154.01\(b\)](#)

Extension (See also: [Term, Patent](#))

File reconstruction..... [508.04](#)

Files..... [901.01\(a\)](#)

Foreign (See also: [Foreign patent](#))

Issue..... [1300](#)

Issue Notification form..... [1306.03](#)

Interference..... [2304 to 2304.05](#)

Inventorship..... [2109](#), [2157](#)

Jurisdiction..... [1305](#)

Law, opinions not given..... [713.02](#)

Laws (See also: [Statutes](#))

Licensing..... [301](#)

Litigation relating to reissue..... [1442.04](#)

Ordering electronic copy of sequence listing..... [2419.02](#), [2419.03](#), [2435](#)

Ordering soft copy..... [905.02](#)

Owner, appeal by..... [1204](#)

Owner, service of citation on..... [2208](#)

Owner’s address in reexamination..... [2222](#), [2622](#)

Ownership..... [301](#)

Plant series..... [901.04](#), [1600](#)

Post-issuance information updating..... [2501](#)

Prior art citation in..... [2003.01](#)

INDEX

Patent — Patent Cooperation Treaty (PCT)

Sec. No.	Sec. No.
Printing priority.....	1309
Publication of application.....	1120 to 1135
Reconstruction of file.....	508.04
Reference (See also: Reference)	
Reissue series.....	901.04
Reissued, effect of.....	1460
Right to exclude others.....	509.02 , 1111 , 1601 , 2162 , 2173.02
Rules (See also: Rules, Patent (Code of Federal Regulations))	
Simultaneous issue.....	1306.02
Statutory subject matter.....	2104 to 2107.03
Surrender of original in reissue (not required)...	1416
Statutes (See also: Statutes)	
System, Constitutional basis for.....	
Term adjustment.....	2710 to 2736
Terms (See also: Term, Patent)	
Transfer.....	903.05
Transfer of rights in.....	509.02
Type, Design vs utility.....	1502.01
Utility series.....	901.04 , 1502.01
Utility vs design.....	1502.01
X series.....	901.04
Patent and Trademark Assignment System.....	302.09 , 302.10
Patent and Trademark Copy Fulfillment Branch....	103 , 104 , 301 , 501 , 502.01 , 711.04 , 1730 , 2209 , 2232 , 2435 , 2803.02
Patent and Trademark Office (PTO or USPTO)	
Address.....	501 , 502
Business hours.....	510
Employees, property interest in patent.....	309
Employees, unavailable to sign oath or declaration as inventors.....	409
Matters decided by various officials.....	1000
Publications.....	
Attorneys and Agents Registered to Practice Before the United States Patent and Trademark Office....	401
Development and Use of U.S. Patent Classification Systems.....	903.02
Official Gazette of the United States Patent and Trademark Office (See also: Official Gazette (O.G.))	
Receipt and handling of mail.....	500
Telephone numbers.....	1730
Web site.....	1730
Patent Appeal Center.....	1203
Patent Assistance Center (See also: Inventors Assistance Center)	
Patent attorney or agent (See also: Attorney or agent)	
Patent classification in USPC (See also: Classification Prior Art)	900
Classes.....	707.05(e) , 902.01 , 902.02 , 903.02(b)
Cross references.....	903.07 , 903.07(a)
Digests.....	903.07
Issue slip.....	903.07
Manual of Classification for USPC.....	902.01
Post classifier (See also: Post classifier)	
Shoes.....	901.05(c) , 901.07 , 905.04
Statutory authority.....	903.01
Subclasses.....	707.05(e) , 902.01 , 902.02
Patent Center..	102 , 103 , 203.08 , 707 , 707.05(a) , 707.08
Patent Cooperation Treaty (PCT) (See also: International application Treaties)	1800 , T
Administrative Instructions.....	AI
Agent.....	1807
Amendment before the designated office.....	1893.01(a)(2) , 1893.01(a)(3)
Amendment of claims before the International Bureau.....	1853
Applicant.....	1806 , 1821
Applicant for United States Receiving Office....	1805 , 1810 , 1820
Basic flow timeline.....	1842
Classification of subject matter.....	1844.01 , 1879
Common representative.....	1807
Concepts, major.....	1801
Country codes.....	1851
Definitions.....	1802
Design patents.....	1501.01 , 1503.01
Designated office.....	1893.01(a)
Designation of states.....	1821
Fees.....	1827 , 1893.01(c)
Filing date requirements.....	502.05 , 1810
Foreign patent citation codes.....	1851
Forms	
IB/307.....	1893.03(e)
IB/308.....	1893.01(a)(1)
PCT/DO/EO/903.....	1893.01(a)(3) , 1893.03(a) , 1893.03(b) , 1893.03(e) , 1893.03(g) , 1895.01
PCT/DO/EO/905.....	905 , 1893.01(a)(1) , 1893.01(d) , 1893.01(e) , 1893.03(b)
PCT/ISA/203.....	1843.04
PCT/ISA/206.....	1850
PCT/ISA/210.....	1843.04 , 1844 , 1844.01 , 1845.01 , 1845.02 , 1893.03(e)
PCT/ISA/217.....	1836 , 1844.01

MANUAL OF PATENT EXAMINING PROCEDURE

Patent Cooperation Treaty (PCT) — Patent Cooperation Treaty Articles

Sec. No.	Sec. No.
PCT/ISA/220.....	1844, 1845.02
PCT/ISA/237.....	1843.04, 1844, 1845.01, 1845.02
PCT/IPEA/401.....	1864, 1865
PCT/IPEA/405.....	1875, 1875.01
PCT/IPEA/408.....	1860, 1874, 1876, 1878, 1879
PCT/IPEA/409.....	1871, 1874, 1878, 1878.01(a), 1879, 1893.03(e)
PCT/IPEA/410.....	1864.04
PCT/IPEA/411.....	1876
PCT/IPEA/412.....	1836, 1876.01
PCT/IPEA/416.....	1879, 1879.02
PCT/IPEA/420.....	1875.02
PCT/IPEA/428.....	1878.02
PCT/RO/101.....	1801, 1812, 1821, 1828, 1844.01
PCT/RO/117.....	1893.03(e)
PCT/RO/136.....	1893.03(e)
PTO-1382.....	1830, 1832
PTO-1390.....	1893.01(a)(2), 1893.03(a)
USPTO/299.....	1850
USPTO/499.....	1875, 1875.01
Gazette....	1801, 1821, 1823.01, 1857, 1879.02
Help Desk.....	1730
Information sources.....	1730
International Bureau.....	1801
International Patent Legal Administration.....	103, 602.01(c)(3), 1730
International preliminary examination.....	1860
International preliminary examination report.....	1879
International preliminary report on patentability.....	1801, 1845, 1879.03, 1893.03(e)
International publication.....	1857
Prior art effect.....	2136.03, 2154.01(a)
International search report.....	1844
International searching authority.....	1840
Member countries.....	1817
National procedure.....	1893
National stage (See also: National stage application (35 U.S.C. 371))	
Numbering of sheets... 1812, 1893.03(a), 1895.01	
Priority.....	213, 1828, 1893.03(c), 1895
Restoration of.....	1828.01
Priority document.....	213, 1828
Publication.....	1857
Receiving office.....	1801
Receiving office procedure.....	1801
Record copy transmittal.....	1801
Reply to invitation concerning lack of unity of invention.....	1850, 1875.02, 1893.03(d)
Reply to written opinion.....	1878.02
Representation before the designated office.....	402
Revocation of agent.....	1808
Schedule of fees.....	1827
Search report.....	707.05, 1302.14, 1844
Secrecy order.....	120, 1832
Sequence listings.....	1823.02, 1848, 2414.05, 2422.03(a)
Transmitted via EFS-Web.....	502.05, 2422.03(a)
Signature missing.....	1820
Unity of invention....	823, 1850, 1875, 1893.03(d)
Written opinion, preparation.....	1845, 1878
Written opinion, time to reply to.....	1845.01, 1878
Patent Cooperation Treaty Administrative Instructions... Appendix A1	
105 Reproduced.....	1834
204 Reproduced.....	1823
205 Reproduced.....	1824, 1853
208 Reproduced.....	1823.02
209 Reproduced.....	1823
404 Reproduced.....	1857
502 Reproduced.....	1850
513 Reproduced.....	1848
603 Reproduced.....	1875.02
604 Reproduced.....	1879
605 Reproduced.....	1872
606 Reproduced.....	1880
607 Reproduced.....	1876
Patent Cooperation Treaty Articles.....	I
3 Reproduced.....	1812
5 Reproduced.....	1823
6 Reproduced.....	1824
7 Reproduced.....	1825
11 Reproduced.....	1810, 1893.03(b)
17 Reproduced.....	1843
18 Reproduced.....	1844
19 Reproduced.....	1853
21 Reproduced.....	1857
29 Reproduced.....	1857
30 Reproduced.....	110
31 Reproduced....	1864.02, 1864.03, 1865, 1869
32 Reproduced.....	1862
33 Reproduced.....	1878.01(a), 1878.01(a)(1), 1878.01(a)(3)
34 Reproduced.....	1862, 1864.01, 1874, 1875, 1878, 1878.02
35 Reproduced.....	1879

INDEX

Patent Cooperation Treaty Articles — Patent Trial and Appeal Board (PTAB)

Sec. No.	Sec. No.
36 Reproduced.....	1879.02 , 1879.03
37 Reproduced.....	1880
38 Reproduced.....	1879.04
Patent Cooperation Treaty Rules	
4.3 Reproduced.....	1844.01
4.9 Reproduced.....	1821
4.11 Reproduced.....	1828.02
4.12 Reproduced.....	1819
4.15 Reproduced.....	1820
5.1 Reproduced.....	1823
5.2 Reproduced.....	1823.02
6 Reproduced.....	1824
7 Reproduced.....	1825
8 Reproduced.....	1826
8.1 Reproduced.....	1826 , 1844.01
8.2 Reproduced.....	1826 , 1844.01
11.5 Reproduced.....	1825
11.6 Reproduced.....	1825
11.11 Reproduced.....	1825
11.13 Reproduced.....	1825
12 <i>bis</i> Reproduced.....	1819
13 Reproduced.....	1850
13bis Reproduced.....	1823.01
13ter Reproduced.....	1823.02
17 Reproduced.....	213.06
33 Reproduced.....	1843.01
37 Reproduced.....	1844.01
38 Reproduced.....	1844.01
39 Reproduced.....	1843.02
40 Reproduced.....	1850
41 Reproduced.....	1852
43 <i>bis</i> Reproduced.....	1843 , 1845
46 Reproduced.....	1853
54 Reproduced.....	1864.02
60 Reproduced.....	1868
61.2 Reproduced.....	1881
61.3 Reproduced.....	1881
62 Reproduced.....	1871
62 <i>bis</i> Reproduced.....	1871
64 Reproduced.....	1878.01(a)
65 Reproduced.....	1878.01(a)(2)
66.1 Reproduced.....	1843.02
66.1 <i>bis</i> Reproduced.....	1878
66.1 <i>ter</i> Reproduced.....	1878
66.3 Reproduced.....	1878.02
66.4 Reproduced.....	1878
66.4 <i>bis</i> Reproduced.....	1878.02
66.5 Reproduced.....	1878.02
66.6 Reproduced.....	1878.02
66.7 Reproduced.....	1870
66.8 Reproduced.....	1864.01 , 1878.02
69 Reproduced.....	1879.01
70.17 Reproduced.....	1879.03
71 Reproduced.....	1879.02
72 Reproduced.....	1879.03
82 Reproduced.....	1834.02
90.4 Reproduced.....	1807
90.5 Reproduced.....	1807
90.6 Reproduced.....	1808
90 <i>bis</i> .1 Reproduced.....	1859
90 <i>bis</i> .2 Reproduced.....	1859
90 <i>bis</i> .3 Reproduced.....	1859
90 <i>bis</i> .4 Reproduced.....	1880
90 <i>bis</i> .5 Reproduced.....	1859
90 <i>bis</i> .6 Reproduced.....	1859
90 <i>bis</i> .7 Reproduced.....	1859
91 Reproduced.....	1836
92 Reproduced.....	1834
Patent application publication (See also: Pre-Grant Publication (PG-Pub))	
Patent Data Portal (PDP).....	101 , 102 , 711.01 , 711.03(c) , 711.04(b) , 1456 , 1704 , 1705 , 1845.02 , 1893 , 1893.03(a) , 1893.03(b) , 1895.01 , 2632 , 2635 , 2647.02 , 2648 , 2660 , 2664 , 2670 , 2687 , 2689
Application location.....	2635
Application records and reports.....	1704
Application status.....	102
Examiner Docket, Time, and Activity Reports...	1704 , 1705
"Flag" in reissue application.....	1456
Patent Prosecution Highway (PPH) program.....	708.02(c)
Patent search facility.....	103
Hours.....	510 , 1730
Regulations for public use.....	510
Patent Law Treaty.....	702
Patent Law Treaties Implementation Act of 2012 (PLTIA).....	702 , 804.02
Patent term extension/adjustments (See also: Term,Patent) ...	1303 , 2211 , 2250 , 2666.01 , 2700
Patent Trial and Appeal Board (PTAB) (See also: Appeal Interference) ...	707.06 , 707.07(f) , 708.01 , 708.02(a) , 708.02(b) , 710.02 , 710.02(d) , 710.02(e) , 711.02(b) , 711.02(c) , 711.03(c) , 711.04(a) , 715.08 , 715.09 , 717.01(e) , 717.01(f) , 719.05 , 1201 , 1202 , 2190 , 2201 , 2242 , 2246 , 2258 , 2261 , 2265 ,

MANUAL OF PATENT EXAMINING PROCEDURE

Patent Trial and Appeal Board (PTAB) — Period for reply

Sec. No.	Sec. No.
2273 to 2279, 2282, 2284, 2285, 2286, 2286.01, 2287, 2301	
Appeal from..... 1216 to 1216.02	Panel review in <i>inter partes</i> reexamination..... 2671.03
In <i>ex parte</i> reexamination..... 2279	Patentability statement..... 1302.14
In <i>inter partes</i> reexamination..... 2682, 2683	Patentable novelty, pointed out..... 714.04
Constitution and duties..... 1202	Patentable subject matter..... 2104 to 2106.07(c)
Decision	Abstract idea..... 2106.04(a) to 2106.04(a)(1)
Dissemination of..... 1720	Clarifying the record..... 2106.07
Generally..... 1213	Computer programs..... 2106
Publication of..... 1213.03, 2681	Disclosed but not claimed..... 706
Treatment of..... 1721	Eligibility..... 2106 to 2106.07(c)
Duty of disclosure to..... 2001.03, 2001.04	Step 1..... 2106.03
Hearing..... 1209	Step 2..... 2106.04
Interference	Evaluating applicant's response..... 2106.07(b), 2106.07(c)
Declaration of..... 2301	Field of use..... 2106.05(h)
Return of Jurisdiction to Examiner..... 2308	Formulating a rejection..... 2106.07, 2106.07(a)
Jurisdiction..... 706.01, 706.07(c), 1210, 2301, 2308	Improvements to functioning of a computer..... 2106.05(a)
May require appellant to address matter..... 1212	Insignificant extra-solution activity..... 2106.05(g)
New ground of rejection by..... 1214.01	Law of nature..... 2106
In <i>inter partes</i> reexamination..... 2681, 2682	Living subject matter..... 1601, 2105
Non-final decision in <i>inter partes</i> reexamination..... 2681	Markedly different analysis..... 2106.04(c)
Petitions..... 1002.02(g), 1002.02(j)	Mathematical algorithms..... 2106
Rehearing by..... 1002.02(f), 1214.01, 1214.03	Mere instructions..... 2106.05(f)
<i>Inter partes</i> reexamination..... 2682, 2683	Other meaningful limitations..... 2106.05(e)
Service Branch..... 104	Particular machine..... 2106.05(a)
Statement of allowability by..... 1213.01	Particular transformation..... 2106.05(c)
Patentability (See also: Reasons for Allowance Rejection) 2100	Plants..... 1601, 2105
Patentability report..... 705	Requirements of 35 U.S.C. 101..... 2014
Appeal..... 705.01(a)	Significantly more..... 2106.05
Count..... 705.01(c)	Streamline analysis..... 2106.06 to 2106.06(b)
Date status..... 705.01(c)	Well-understood, routine, conventional..... 2106.05(d)
Dispute between examiners..... 705.01(a)	Patented file..... 901.01(a)
Final action..... 705.01(a)	Patented file, ordering..... 711.04(b)
Improper..... 705.01(e)	"PatentIn" computer program (See also: Sequence rules) 1730, 2430
Initiate..... 705.01	Patents of addition, foreign..... 901.05(b)
Interviews..... 705.01(f), 713.01	Payment of fees..... 509
Limitation as to use..... 705.01(e)	Payor number (See also: Customer numbers)
Practice used only in extraordinary situations..... 705	PCT (See also: Patent Cooperation Treaty (PCT))
Purpose..... 705.01(e)	Pending application as prior art (See also: Application publication) 901.03, 2120.01, 2132, 2133, 2136.01, 2146.03(a), 2152.02, 2154.01(d)
Recording..... 705.01(c)	Pending application preserved in confidence..... 101
Restriction, Effect on..... 807	Pending applications as references (See also: Application Publication) 901.03, 2120.01, 2132, 2133, 2136, 2136.01, 2146.03(a), 2152.02, 2154.01(d)
Search..... 705.01(a), 705.01(b)	Period for reply..... 710
Sequence of examination..... 705.01(b)	After Board decision..... 1214.01
Submitted to TC Director..... 705.01, 1003	
Transfer of jurisdiction of application on appeal..... 705.01(a)	

INDEX

Period for reply — Petition

Sec. No.	Sec. No.		
After final.....	706.07(f)	Time limit action, When used.....	710.02(c)
In transitional application.....	706.07(g)	Two periods running.....	710.04 , 710.04(a)
After interference.....	710.02(b)	Withdrawal of attorney or agent during.....	402.06
Amendment after.....	714.17	Periodicals.....	901.06 , 901.06(a)
Claim copied from patent.....	710.04(a)	Period of enforceability.....	2204 , 2211 , 2686.02 , 2808
Claims all allowed....	707.07(a) , 710.02(b) , 714.14	Permanent ink.....	608.01 , 714.07
Computed.....	710.01(a) , 710.05	Perpetual motion.....	608.03 , 707.07(g) , 2014 , 2107.01
Copying claim from patent does not extend statutory period.....	710.04(a)	Persons who may cite prior art relating to an issued patent.....	2203
Correction of citation.....	707.05(g) , 710.06	Pertinent prior art.....	904.02
Date of receipt of amendment....	710.01(a) , 710.05	Petition	
Defective Office action.....	707.05(g) , 710.06	Abandonment holding.....	711.02 , 711.03(c) , 711.03(d) , 1002.02(b) , 1002.02(p) , 1002.02(r)
Difference between shortened statutory period and time limit.....	710.02(d)	Abandonment holding, examiner's statement.....	711.03(d)
Extension.....	710.02(d) , 710.02(e)	Abandonment holding for failure to provide timely notice of foreign filing.....	1124
Extension of time to commence civil action.....	1002.02(k)(1)	Accept color drawings or photographs.....	507 , 1002.02(d) , 1503.02
Extension of time to file notice of appeal at CAFC.....	1002.02(k)(1)	Accepting late issue fee.....	711.03(c)
Full statutory period for reply.....	130	Accept omitted pages.....	1002.02(p)
Holiday, Saturday, or Sunday expiration of time.....	505 , 513 , 710.05 , 710.01(a)	Access to application.....	103 , 1002.02(b) , 1002.02(p)
Incomplete reply.....	710.02(c) , 711.02(a) , 714.03 , 2266.01 , 2666.30	Access to interference agreement.....	1002.02(f)
Less than six months.....	710.02 , 710.02(b) , 710.02(c) , 710.02(d) , 710.02(e)	Access to interference application.....	1002.02(f)
Miscellaneous factors.....	710.06	Add inventor in provisional application....	1002.02(q)
Petition.....	1002	Admit model.....	1002.02(c)
Pilot programs, some.....	710.02(b)	Attorney withdrawal.....	1002.02(b) , 1002.02(p) , 1002.02(q)
Property rights under AEC and NASA Acts.....	150	Biotechnology processes under pre-AIA 35 U.S.C. 103(b).....	2147
Remailing.....	707.13 , 710.06	Board decision in <i>inter partes</i> reexamination...	2681
Restarting.....	710.06	Board involved.....	1002.02(f) , 1002.02(g) , 1002.02(j)
Saturday, Expiration of time.....	505 , 710.01(a) , 710.05	Certificate of Correction.....	1002.02(d) , 1002.02(l)
Secrecy order application.....	130	Change in inventorship.....	1002.02(d) , 1002.02(l) , 1002.02(p) , 1002.02(q) , 1004 , 1481.02
Shortened, Extension.....	710.02(d) , 710.02(e)	Change inventor's name.....	602.01(c) , 602.08(b)
Shortened statutory period.....	710.02 , 710.02(b) , 710.02(e)	Change in order of inventors names.....	602.01(c)
Shortened statutory period, Distinguished from time limit.....	710.02(d)	Color drawings or photographs.....	507 , 1002.02(d) , 1503.02
Shortened statutory period, When used....	710.02(b)	Common ownership situation..	2146.02 , 2146.03(a)
Statutory period.....	710.01	Concurrent <i>ex parte</i> and <i>inter partes</i> prosecution....	1002.02(g)
How computed.....	710.01(a)	Consideration of submission after NIRC in <i>inter partes</i> reexamination.....	2687.01
Suggesting claims.....	710.02(c)	Converting a 111(a) application to a 371 application...	1002.02(p)
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		

MANUAL OF PATENT EXAMINING PROCEDURE

Petition — Petition

Sec. No.	Sec. No.
Converting a 371 application to 111(a) application..... 1002.02(p)	Entry of amendment after RAN in <i>inter partes</i> reexamination..... 2672 , 2673.02 , 2675
Converting a nonprovisional to provisional..... 1002.02(b) , 1002.02(c) , 1002.02(p) , 1002.02(q)	Entry of late paper for revival of <i>ex parte</i> reexamination..... 1002.02(b) , 2268
Correct filing date..... 506.02 , 513 , 601.01(b) , 1002.02(b)	Entry of late papers for revival of <i>inter partes</i> reexamination proceeding..... 1002.02(b) , 2668
Correction of inventorship..... 201.03 , 1002.02(l) , 1002.02(p) , 1002.02(q) , 1004 , 1402 , 1410.01 , 1412.04 , 1412.05 , 1481.02	Expedited examination of design applications.... 501 , 1002.02(c)(3)
In <i>ex parte</i> reexamination..... 2250.02	Express abandonment after payment of issue fee..... 1002.02(b)
In <i>inter partes</i> reexamination..... 2658 , 2666.03	Express abandonment to avoid pre-grant publication.. 502 , 1125 , 1135
Counter terrorism inventions..... 708.02 , 1002.02(s)	Facsimile submission..... 502.01
Decided by	Expunge papers from file... 1002.02(b) , 1002.02(c) , 1002.02(c)(4)
Assigned Staff in the Office of Petitions, Office of Patent Legal Administration and MPEP..... 1002.02(b)	Expunge information..... 724.05 , 1002.02(c) , 1002.02(j)
Central Reexamination Unit..... 1002.02(c)(4)	Extension of time... 710.02(e) , 714.17 , 1002.02(q)
Certificates of Correction Branch..... 1002.02(l)	Application before Office of Patent Legal Administration..... 1002.02(b)
Deputy Commissioner who oversees Office of Petitions..... 1002.02(b)	Application before Office of Petition..... 1002.02(b)
Deputy Director of the USPTO..... 1002.02(o)	Filing date..... 506.02 , 513 , 601.01(b) , 601.01(d) , 601.01(f) , 601.01(g) , 1002.02(b)
Director of International Patent Legal Administration..... 1002.02(p)	Final rejection..... 1002.02(c)
Director of Office of Data Management..... 1002.02(r)	Foreign filing license..... 140 , 1002.02(c)(1)
Director of Office of Patent Application Processing..... 1002.02(g)	Facsimile submission..... 502.01
General Counsel..... 1002.02(k)(1)	Inspection..... 103
General Law..... 1002.02(k)(2)	Interference..... 1002.02(g)
Office of Enrollment and Discipline..... 1002.02(m)	Interview in merged reissue/ <i>inter partes</i> reexamination..... 2686.03
Patent Trial and Appeal Board..... 1002.02(f) , 1002.02(g) , 1002.02(j)	Late domestic benefit claim..... 1002.02(b) , 1402 , 1481.03
Solicitor..... 1002.02(k)(3)	Late foreign priority claim..... 1002.02(b) , 1402 , 1417 , 1481.03
Supervisory Patent Examiners..... 1002.02(d)	Maintenance fees, accept and record..... 1002.02(b) , 2580
Technology Center Directors..... 1002.02(c) , 1002.02(c)(1) , 1002.02(s)	Maintenance fees, delayed payment/reinstatement.... 711.03(c) , 1002.02(b) , 2515 , 2531 , 2590
Defer issuance..... 1002.02(b) , 1306.01	Make special (See also: Special application) 708.02 , 1002.02(s) , 1504.30
Delay, Late filing..... 1002	Matter subject to..... 706.01 , 1002
Delegation of Director's authority..... 1001.01 , 1002.02	Merge reexaminations..... 1002.02(b) , 2283
Denial..... 1002.02	Merge reissue and <i>ex parte</i> reexamination..... 1002.02(b) , 2285
Denial of request for reexamination..... 1002.02(c)	Merge reissue and <i>inter partes</i> reexamination..... 1002.02(b) , 2667 , 2686.03
<i>Ex parte</i> 2240 , 2246 , 2247 , 2247.01 , 2248 , 2255 , 2265	Modification of secrecy order..... 120
<i>Inter partes</i> 2647 , 2648	New matter..... 608.04(c) , 1002.02(c)
Director's duties..... 1002	Nonsigning inventor..... 409.03 , 409.03(d) , 1002.02(b) , 1002.02(p)
Dismissed..... 1002.02	Objection by examiner..... 1002.02(c)
Dismissed without prejudice..... 1002.02	
Divisional reissue..... 1002.02(b)	
Entry of amendment..... 1002.02(d)	

INDEX

Petition — Piecemeal prosecution

Sec. No.	Sec. No.
Patent term extension..... 1002.02(b) , 2720 , 2751 to 2754	Suspension of second or subsequent <i>inter partes</i> reexamination requests..... 2640
Period for filing..... 1002	Time for filing..... 1002
Premature Action Closing Prosecution (ACP) in <i>inter partes</i> reexamination..... 2672	Trademark related..... 1002.02(i)
Premature final rejection..... 706.07(c) , 1002.02(c)	Transfer from another application..... 608.02(i) , 608.02(t)
Preliminary amendment as part of original disclosure..... 608.04(b)	Unintentional delay, withdraw abandonment..... 711.03(c) , 1002.02(b) , 1002.02(c)(3) , 1306
Procedure..... 1002.01	Failure to provide timely notice of foreign filing..... 1124
Public use proceedings..... 720	Unintentionally delayed claim for benefit of a U.S. application..... 201.06(c) , 211.04 , 1002.02(b) , 1417 , 1481.03 , 2258.02 , 2658
Reconsideration of denied petition (<i>ex parte</i> reexamination)..... 2248 , 2268	Unintentionally delayed claim for foreign priority..... 214.02 , 216 , 1002.02(b) , 1402 , 1481.03 , 2258.02 , 2658
Rescission of secrecy order..... 120 , 1002.02(c)(1)	Vacate order granting request for <i>ex parte</i> reexamination..... 2246
Refused assignment..... 313 , 317	Vacate an order granting <i>inter partes</i> reexamination.. 2646
Refusal to enter amendment..... 1002.02(c)	Waive rules..... 1002.02(b)
Refusal to issue Certificate of Correction..... 1002.02(c)	Waive time provisions in <i>ex parte</i> reexamination..... 2265
Registration to practice..... 1002.02(m)	Waive time provisions in <i>inter partes</i> reexamination... 2648 , 2668 , 2672
Reinstate rejection after Board decision... 1002.02(c)	Withdrawal from issue, after issue fee paid..... 502 , 1002.02(b) , 1308
Reinstatement..... 1002.02(m)	Withdrawal from issue, issue fee not paid..... 1002.02(c) , 1308
Relating to PCT international application and/or national stage application..... 1002.02(p)	Withdrawal of a terminal disclaimer..... 1490
Relating to reexamination or reissue..... 1002.02(b) , 1002.02(c) , 1002.02(c)(4)	Withdrawal of abandonment..... 1002.02(b)
Reopen prosecution after Board decision..... 1002.02(c)	Withdrawal of attorney..... 1002.02(s) In interference..... 1002.02(i)
Reopen prosecution after Board decision in <i>inter partes</i> reexamination..... 2682	Withhold from issue, before issue fee paid..... 1002.02(b) , 1002.02(c)
Requirement for information..... 1002.02(c)	Petition for Express Abandonment to Avoid Publication Under 37 CFR 1.138(a) PTO/SB/24A
Resetting period for reply..... 1002.02(c) , 1002.02(t)	Cited..... 1125
Restriction requirement holding..... 821.01 , 1002.02(c)	Reproduced..... 1135
Retroactive foreign filing license..... 140	Petition for Revival of an Application For Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing PTO/SB/64a
Return model..... 1002.02(c)	Cited..... 1124
Revival..... 711.03(c) , 1002.02(b) , 1124	Reproduced..... 1135
Revive PCT application..... 1002.02(p)	Petitionable matter..... 706.01
Rule 1.48 (inventorship)..... 201.03	PG-Pub (See also: Pre-Grant Publication (PG-Pub))
Secrecy order..... 1002.02(c)(1)	Pharmaceutical subject matter
Sequence rules..... 1002.02(c)	Safety review by FDA..... 2107.01 , 2107.03
Special status..... 708.02 , 1002.02(s) , 1504.30	Utility..... 2107.01
Stay <i>ex parte</i> reexamination proceedings..... 2283 , 2284 , 2285 , 2286 , 2286.01	Photograph as drawing..... 507 , 608.02 , 1503.02
Stay <i>inter partes</i> reexamination proceedings.. 2667 , 2686.02 , 2686.03	Piecemeal prosecution..... 707.07(g)
Sufficiency of an affidavit..... 1002.02(c)	
Supervisory authority of Director of the USPTO..... 1002.02(b) , 1002.02(c)	
Suspend action – public safety or defense..... 1002.02(c)(1)	
Suspend rules..... 1002.02(b)	

MANUAL OF PATENT EXAMINING PROCEDURE

Plant Breeder's Rights — Power to inspect, suspended attorney

Sec. No.	Sec. No.		
Plant Breeder's Rights.....	1613	Post Grant Review Certificate.....	901.04
Plant Convention, UPOV.....	1612	Post Office, Depositing papers in.....	502
Plant patent.....	1600	Post Office address (See also: Correspondence) Mail Stop)	
Action.....	1610	Applicant.....	409.03(e)
Advertising.....	1610	Attorney.....	601.02
Affidavit.....	1610	Postal Service interruptions and emergencies.....	511
Agricultural Research Service (ARS)....	1608 , 1609	Postcard, self-addressed.....	203.08 , 503 , 601.01(d) , 601.01(f) , 608.01 , 1204 , 1901 , 1901.05
Allowance.....	1611	Power of attorney.....	402
Application publication.....	1120 to 1135	Acting in a representative capacity.....	402.04 , 405 , 713.05
Asexual reproduction.....	1601 , 1605	Application in interference.....	402.08
Bacteria.....	1601	Application oath or declaration includes.....	601.02
Claim.....	1605 , 1610	Application filed before 09/16/2012.....	402.02(b)
Classification in USPC.....	903.04	Application filed after 09/16/2012.....	402.02(a)
Color drawing.....	1603 , 1606	Assignee appoints.....	402.07
Color identified.....	1605	Assignee revokes.....	402.07
Declaration.....	1604	Associate attorney.....	402.02
Definitions.....	1601	Attorney not of record.....	402 , 405 , 714.01(c)
Department of Agriculture.....	1608 , 1609	Change in plurality of applications or patents.....	402
Deposit.....	1605	Coinventor.....	403
Duplicate papers.....	1603 , 1605 , 1609	Customer Number.....	402 , 1807
Elements of application.....	1603	Death of applicant.....	409 to 409.01(b)
Examination.....	1608	Death of principal attorney.....	406
Examiner's amendment.....	1610	Exception as to registration.....	402.01 , 402.09
Executive Order.....	1608	General, for international application..	402.09 , 1807
Filing not permitted via EFS-Web.....	502.05	General requirement.....	402.02(b)
Issue.....	1611	Ineffective.....	402
Laudatory expressions.....	1610	Joint applicant.....	402.01
Method claim improper.....	1605	Limited recognition.....	402.01
Oath.....	1604	Naming representative.....	402
Parts.....	1603	Notice of revocation.....	402.05
Plant varieties excluded.....	1601	Post Office address.....	601.02
Priority claim.....	1613	Provisional application.....	103
Publication of application.....	1120 to 1135	Registered practitioner.....	402
Report of Agricultural Research Service.....	1608 , 1609	Reexamination, <i>inter partes</i>	2613 , 2622
Rules applicable.....	1602	Revocation.....	402.05 , 402.07 , 402.08 , 402.10
Signature.....	1603	After Allowance.....	2501 , 2560
Specification.....	1605 , 1610	Secrecy order applications.....	120
Specimens.....	1607	Signature requirement.....	402.03
Statutory basis.....	1601	Unregistered attorney or agent.....	402 , 402.01
Term.....	2701	Withdrawal of attorney or agent.....	402.06 , 1808 , 2560
Tubers.....	1601	Withdrawn in patent.....	2223 , 2560
UPOV Convention.....	1612	Power to inspect.....	103 , 104 , 324 , 325 , 402 , 713.05
Plant patent series.....	901.04	Power to inspect, approval.....	104
P.O. Box (See also: Mail stop)		Power to inspect, suspended attorney.....	105
Post classifier.....	903.10 , 906		
Post employment agreement of former Office employee.....	1702		

INDEX

Practitioner — Prior art

Sec. No.	Sec. No.
Practitioner (See also: Attorney or agent)	Rescission of nonpublication request.... 1123 , 1124
Practitioner's names on patents..... 1309	Residence changed..... 719.02
Pre-Grant Publication (PG-Pub)..... 1120 to 1135	Sequences published on Internet..... 1121
Amendments prior to publication..... 1121	Status information of published application..... 1128
Appendices not published..... 1121	Substitute specification required..... 1120
Application in a foreign language..... 608.01	Tables, large..... 608.05 , 608.05(b)
Assignee information published..... 1121	Third party inquiries..... 1134
Certification as to intent to file counterpart applications..... 1122	Voluntary publication..... 1133
Claim sets, multiple..... 1121	When published..... 1120
Computer programs..... 1121	Which applications..... 1120
Content..... 1120 , 1121	Preamble, design application..... 1503.01
Conversion to provisional to avoid publication..... 601.01(c)	Preamble, effect of..... 2111.02
Complete application required..... 1120	Preamble, Jepson claim..... 2129
Copies of published application files..... 1128	Predicted tests in specification..... 608.01(p)
Correction of errors in the PG-Pub..... 1130	Preliminary amendment..... 714.01(e)
Correspondence address..... 1121	Entry denied..... 714.01(e)
Correspondence regarding published application..... 1134	Excess claims..... 506 , 714.01(e) , 714.10
Disparaging remarks not published..... 1120	New matter..... 608.04(b) , 714.01(e)
Drawings..... 507 , 1120 , 1121	Non-compliant amendment, treatment of..... 714
Early publication..... 1129	Preliminary handling of public use or on sale.. 2133.03 to 2133.03(e)(7) , 2152.02(c) , 2152.02(d)
Express abandonment to avoid publication..... 502 , 1125 , 1135	Premature final rejection..... 706.07(c)
Facsimile submission..... 502.01	Premature response in <i>inter partes</i> reexamination..... 2667
Fee, publication..... 1126 , 1133 , 1303 , 1306 , 1306.03	Presentation patents..... 1730
Forms..... 1135	Primary examiner..... 705.01(a) , 706.04 , 706.07(c) , 706.07(d) , 707.01 , 707.09 , 710.02(b) , 710.02(e) , 711.03(a) , 713.01 , 713.02 , 713.10 , 714.16 , 714.16(d) , 714.19 , 715.08 , 716 , 717 , 2236 , 2248 , 2265 , 2271 , 2271.01 , 2636 , 2648 , 2660 , 2671.01 to 2671.03
Inappropriate nonpublication request..... 1122	Actions requiring personal attention..... 705.01(a) , 707.01 , 707.09 , 713.04 , 714.16(d) , 1004
Material mistake by the Office..... 1130	Name on file wrapper..... 1302.13
Nonpublication request..... 1122	Print of drawing (See also: Drawings) 608.02
Notice of foreign filing..... 1124	Additional..... 608.02
Notice of Publication..... 1127	Alteration..... 608.02(w)
Notice of New or Revised Publication..... 1127	Colored..... 608.02
Offensive language not published..... 1120	Examiner's notation on..... 608.02
Public access to published application... 103 , 1128 , 1132	Kept in Technology Center..... 608.02(c)
Publication date, projected..... 1120 , 1122	Marked-up..... 608.02(b) , 608.02(p) , 608.02(t) , 608.02(v)
Publication fee..... 1126 , 1133 , 1303	Marking..... 608.02
RCEs not published..... 1120	Returned drawing..... 608.02(y)
Redacted publication..... 1132	Printed matter..... 2103 , 2111.05 , 2112.01
Refund of publication fee..... 1126	Printer waiting..... 708.01 , 1305 , 1309.02
Replacement drawings prior to publication..... 507 , 1120 , 1121	Printing practitioners names on patents..... 1309
Republication..... 1130	Printing priority..... 1309
Request for early publication..... 1129	Prior art (See also: Reference) 900
Request for nonpublication..... 1122	
Request for redacted publication..... 1132	

MANUAL OF PATENT EXAMINING PROCEDURE

Prior art — Priority Mail Express procedure in inter partes reexamination...

Sec. No.	Sec. No.
Admissions as.....	2120.02 , 2129
Analogous.....	2141.01(a) , 2143
Disqualification under pre-AIA 35 U.S.C. 103(c).....	2136.01 , 2141.01 , 2146 , 2146.01 , 2146.02 , 2146.03 , 2146.03(a)
Duty of disclosure of.....	2001.04
Effects of international application publication..	1857 , 1895.01
Equivalents.....	2144.06 , 2183
Electronic Information Disclosure Statement..	609.07
Filed on Saturday Sunday or a Federal holiday.....	609.04(b)
Foreign application as.....	2135.01 , 2152.02
Information reasonably necessary for finding.....	704.11
International application publication.....	2136 to 2136.05 , 2136.05(a) , 2139.02 , 2152.05 , 2154.01(a) , 2154.01(b)
Kind codes.....	901.04(a)
Level of ordinary skill.....	2141.03
Patents as....	2120.01 , 2126 , 2132 , 2133 , 2136 , 2141 , 2152 , 2154 , 2158
Publications under 35 U.S.C. 122(b).....	1895.01 , 2136 , 2136.03 , 2152.02(b) , 2154.01
Scope and content of.....	2126.02 , 2141.01
Means limitations.....	2182
Search (See also: Search)	900
Statutory Invention Registrations as...	901.02 , 2136
Suitability of.....	2144.07
Third party submissions.....	609 , 1134.01
Used in deciding request for reexamination....	2242 , 2642
Well-known in the art.....	2144.03
Prior art copies in reexamination	
<i>Ex parte</i>	2218
Prior art filed by protestor.....	1901.02 , 1901.03
Prior art on drawing.....	608.02(g) , 2125
Prior art and Section 301 submissions (37 CFR 1.501)	
<i>Ex parte</i>	2202
Content.....	2205
Copies of prior art.....	2205
English translations.....	2205
Explanation of pertinence.....	2205
Filing and handling.....	2206
Sample letter.....	2205
Service on patent owner.....	2208
Time for filing.....	2204
<i>Inter partes</i>	2602 , 2646 , 2654 , 2656 , 2657
After the order to reexamine.....	2602 , 2667
After a Notice of Intent to Issue <i>Inter Partes</i> reexamination Certificate issues.....	2687.01
Before the first Office action.....	2625
Before the order to reexamine.....	2602 , 2654
By another requestor.....	2602 , 2656
By the patent owner.....	2602 , 2656
With the Request.....	2656
With third party's comments.....	2666.05 , 2667
Prior art statement.....	609 , 1893.03(g)
Provisional application.....	609
Reissue application.....	1406 , 1410 , 1418 , 1455
Prior art, statement applying (reexamination).....	2217
Prior art used in determining reexamination request	
<i>Ex parte</i>	2244
<i>Inter partes</i>	2644
Prior examiner's action.....	704.01 , 706.04 , 713.01
Prioritized examination	
in new application (Track I).....	708.02(b)
in RCE (PE-RCE).....	708.02(b)
Priority	
Claiming in <i>ex parte</i> reexamination.....	2258.02
Claiming in <i>inter partes</i> reexamination.....	2658
Claiming in reissue application.....	1402 , 1405 , 1410 , 1417
Entitlement to.....	216
Foreign application (See also: Foreign application)	210 , 213 to 217
Corrected by Certificate of Correction.....	1481 , 1481.03
Design applications.....	1504.02 , 1504.10
<i>Ex parte</i> reexamination.....	2258.02
Incorporation by reference.....	217 , 608.01(p)
<i>Inter partes</i> reexamination.....	2658
Proper identification.....	214.04
Formal requirements.....	210 , 213 to 216
Incorporation by reference to earlier application.....	201.06(c) , 217 , 608.01(p)
International application.....	1828 , 1893.03(c)
Corrected by Certificate of Correction.....	1481
Inventor's certificate.....	213.05
Patent printing.....	1302.09
Time charts.....	2138.01
Time for filing.....	211.03 , 214.01
Priority document (See also: Foreign application)	
Priority Express Mail deposit.....	513
Priority Mail Express procedure in <i>ex parte</i> reexamination.....	2224
Priority Mail Express procedure in <i>inter partes</i> reexamination.....	2624 , 2665 , 2666 , 2666.05

INDEX

Priority Mail Express service — Provisional application

Sec. No.	Sec. No.
Priority Mail Express service.....	502 , 506.02 , 511 , 513 , 711.03(c) , 1216.01 , 2510
Priority practice (See also: Foreign application)	
Private use (See also: Public use)	2133.03(a) , 2152.02(c)
Proceedings, Termination of.....	711.02(c)
Process of making and product made.....	806.05(f)
Processing fee.....	601.01 , 601.01(c)
Processing of reexamination in Technology Center <i>Ex parte</i>	2233
Product and process of using..	806.05(h) , 2173.05(p)
Product by process.....	2113 , 2173.05(p)
Product of human ingenuity.....	2105
Product of nature....	2104 , 2105 , 2106 , 2106.04(b) , 2106.04(c)
Programs, Computer (See also: Computer programs or software)	
Prolix claim.....	2173.05(m)
Proof, burden of.....	2112 , 2112.01 , 2113 , 2131 , 2141 , 2142 , 2150 , 2163.04 , 2164.04 , 2182 , 2183 , 2184
Proof of authority of administrator or executor.....	409.01(b)
Proof of foreign filing.....	214.04
Proof of irreparable damage.....	409.03(g)
Proof of ownership, reissue application.....	1410.02
Proof of unavailability or refusal to sign.....	409.03(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
Prophetic examples in the specification.....	608.01(p) , 2004 , 2164.02
Proprietary interest, Proof of.....	409.03(f) , 409.05
Proprietary materials (See also: Protective order material) Trade secret material)	
<i>Pro se</i> applicant (See also: Applicant) Inventor)	
Appeal brief.....	1205
Certificate of mailing.....	512
Change of address.....	601.03
Death.....	409.01(b)
Duty of disclosure.....	2002.01
Examination of application.....	707.07(j)
Examiner's action.....	707
Interview.....	713.01
Legal representation.....	401
Telephone restriction practice.....	812.01
Prosecution	
Closed, application allowable except for formal matters.....	707.07(j) , 710.02(b) , 714.14
Closed, secrecy order cases.....	130
Prosecution after appeal.....	1207.04
Piecemeal.....	707.07(g)
Reopening after allowance.....	1308.01
Reopening after Board decision.....	1214.07
Prosecution laches.....	2190
Prosecution of Secrecy Order application.....	130
Prosecution reopened after court decision....	1216.01
Protective order material (See also: Trade secret material)	724 to 724.06
Submission.....	724.02
Protest.....	1900
Access by protestor.....	1901.05 , 1901.07
Acknowledgment of protest.....	1901.05
Certificate of service.....	1901.03
Comments of applicant.....	1901.06
Complete.....	1901.03
Copies of documents.....	1901.03
Express consent of applicant required. 1134 , 1901 , 1901.04 , 1901.06	
Filed in reissue where patent is in interference.....	1449 , 1901.06
Handling.....	1901.06
Improper protest.....	1134 , 1901.03
Information which can be relied on.....	1901.02
Involving fraud, lack of good faith or candor, or violation of duty of disclosure.....	1901.02 , 1901.06 , 2013
Multiple papers on same issue.....	1901.07(a)
Reissue application. 1404 , 1430 , 1441 , 1441.01 , 1449 , 1457 , 1901.04	
Reissue litigation.....	1901.03 , 1901.04
Requirement for information.....	1901.06
Review of adverse decision.....	1906
Service on patentee or applicant.....	1901.03
TC Director's attention required.....	1003
Timeliness of protest.....	1901.04
Trade secret information.....	724 , 1901.02
Treatment of.....	1901.06
Unauthorized participation by patent owner....	1907
Under Rule 1.291.....	1901
Who can file.....	1901.01
Protestor participation.....	1901.07
Provisional application.....	201.04
Abandonment.....	201.04 , 211.01(a) , 711.03(c)
Access.....	103 , 104
Assignment of.....	302.03

MANUAL OF PATENT EXAMINING PROCEDURE

Provisional application — Publication

Sec. No.	Sec. No.
Assignment of application claiming benefits of..... 306.01	Public sale (See also: On sale Public use) .. 2133.03 to 2133.03(e)(7) , 2152.02(d)
Benefit of..... 201.04 , 211.01(a)	Public search facility (See also: Patent search facility)
Error in, as reissue grounds..... 1402	Public searchers..... 101
Completeness..... 506 , 601.01(b)	Public use (See also: On sale) 2120.02 , 2133.03 , 2133.03(a) , 2139.02 , 2152.02(d)
Conversion to..... 201.04 , 601.01(c)	Affidavit or declaration..... 715.10
Correction of inventorship..... 201.03	Anticipation..... 2133.03(a) , 2152.02(c)
Cover sheet for..... 201.04	Commercial exploitation. 2133.03(e)(1) , 2152.02(c)
Data, on file wrapper/history of..... 202 , 1302.09	Commercial use..... 2133.03(a) , 2152.02(c)
Data, in specification of..... 1302.04	Completion of the invention.... 2133.03 , 2133.03(c) , 2133.03(e)(1) , 2133.03(e)(3)
Drawing..... 601.01(b) , 608.02	Definition of..... 2133.03(a) , 2152.02(c)
Effective filing date... 601.01(b) , 2139.01 , 2152.01	Evidence.... 2120.02 , 2132 , 2133.03 , 2133.03(a)
EFS-Web filing of..... 502.05	Experimental use (See also: Experimental use) 2133.03 , 2133.03(e)
English language translation for benefit of date..... 211.01	In this country..... 2132 , 2133.03(d) , 2139.02
Filing receipt..... 503	Intent to experiment... 2133.03(e)(2) , 2133.03(e)(3)
Guidelines for drafting..... 601	Invention..... 2133.03(c)
Information disclosure statement..... 609	Policy considerations..... 2133.03
Joint inventors in..... 602.01	Public knowledge or on display..... 2133.03(a)
Last day of pendency..... 201.04	Secrecy..... 2133.03(a)
Micro entity status..... 509.04	Single use..... 2133.03(a)
Ordering of abandoned..... 901.01(a)	Control over invention..... 2133.03(a) , 2133.03(e)(5) , 2133.03(e)(7)
Request to convert to nonprovisional..... 1002.02(b) , 1002.02(q)	Testing by third party.. 2133.03(e)(5) , 2133.03(e)(7)
Revival..... 711.03(c)	Use with expectation of privacy..... 2133.03(a)
Small entity status..... 509.03	Use by inventor or associates..... 2133.03(a)
Specification..... 601.01	Use by independent third parties..... 2133.03(a)
PTO employee restrictions, assignment..... 309	Public use proceedings..... 720
Public access to <i>ex parte</i> reexamination file..... 2232	Publication, Defensive..... 711.06 , 711.06(a) , 1111
Public access to <i>inter partes</i> reexamination file.. 2632	Publication of Statutory Invention Registration..... 1111
Public domain (See also: Public use On sale Disclaimer) 2121.03 , 2124.01 , 2133.03 , 2133.03(a) , 2145	Publication date..... 2120.01
Dedication to public..... 715 , 1490	Publication fee..... 1126 , 1133 , 1303 , 1306 , 1306.03
Public inspection, Application file..... 103 , 1128	Publication of abstracts..... 711.06 , 711.06(a)
<i>Ex parte</i> reexamination..... 103 , 2232	Publication
<i>Inter partes</i> reexamination..... 103 , 2609 , 2632	Board decisions..... 1213.03
Redacted application publication..... 103 , 1132	Citing..... 707.05(e) , 901.06 , 2120.01
Reissue..... 103 , 1430 , 1470	Date of..... 2120.01
Public inspection of assignments..... 301.01 , 1730	Notices..... 707.06 , 1703
Public Law (See also: Statutes)	<i>Official Gazette</i> (O.G.)..... 1703
Public policy..... 2104 , 2141.01 , 2162	Orders..... 707.06 , 1703
Public Records Division..... 103 , 104 , 301 , 501 , 502.01 , 711.04 , 1128 , 1730 , 2209 , 2232 , 2435 , 2803.02	Own, as reference... 715.01(c) , 2132.01 , 2139.02 , 2152.02(f) , 2152.05 , 2153.01(a) , 2154.02
Public right to inspect files..... 103 , 1128	Pre-Grant (See also: Pre-Grant Publication (PG-Pub))
In <i>ex parte</i> reexamination..... 103 , 2232	Prior art effect of international.... 2120.01 , 2136.03 , 2154.01(a)
In <i>inter partes</i> reexamination..... 103 , 2609 , 2632	Rules changes..... 1703

INDEX

Publication — Reclassification

Sec. No.	Sec. No.
Under 35 U.S.C. 122(b) as references..... 2136 , 2136.03 , 2154.01	Death of attorney..... 406
Voluntary..... 1133	Death of inventor..... 409.01(a) , 409.01(b)
Publishing Division (See also: Office of Patent Publications (Office of Data Management))	Signature improper or lacking..... 714.01(a)
Pulling abandonments..... 711.04(a)	Real party in interest..... 1205 , 1207.02
	In <i>ex parte</i> reexamination..... 2202
	In <i>inter partes</i> reexamination..... 2677
	Read-only optical disc submissions..... 608.05 , 708.02(a) , 714.13 , 2413.03 , 2414.02 , 2414.03 , 2421.01 , 2422.03 , 2422.03(a) , 2422.04 , 2422.06 , 2424 , 2425 , 2426
	Amendments to..... 608.05 , 2414.03 , 2426
	Computer programs..... 608.05 , 608.05(a) , 2425
	Requirements..... 608.05
	Sequence Listings... 2422.03 , 2424.01 , 215.02(b) , 708.02(a)
	Tables..... 608.05 , 608.05(b) , 708.02(a) , 2424.01
	Reasons for allowance..... 1302.14
	Amendments after final rejection..... 714.13
	Appeal record..... 1213
	Applicant's comments on..... 1302.14
	Claim narrowing..... 1302.14
	Comments on, <i>ex parte</i> reexamination..... 2287
	Comments on, <i>inter partes</i> reexamination... 2687.01
	Estoppel effect..... 1302.14
	Failure of applicant to comment on..... 1302.14
	Patent Cooperation Treaty application..... 1845.01
	Presumption of acquiescence by applicant.. 1302.14
	Reexamination
	<i>Ex parte</i> 2262 , 2287
	<i>Inter partes</i> 2687
	Rebuttal brief in <i>inter partes</i> reexamination appeal..... 2678 , 2679
	Refused entry..... 2679
	Recapture
	Claimed subject matter..... 1412.02 , 2146.01
	Matter in reissue..... 1412.02
	Of patent rights
	Disclaimed by filing a disclaimer..... 1490
	Waived when SIR published..... 1111
	Receipt of mail and papers..... 500
	Depositing correspondence..... 502
	Entry of amendments..... 714.18
	Filing receipt..... 503
	Office date stamp..... 505
	Period for reply..... 710.01(a)
	Receiving Office PCT procedure..... 1801
	International Bureau..... 1805
	Reciprocal security agreements..... 120
	Reclassification
Q	
Quality Assurance..... 1302.04 , 1308.03 , 1720	
In reexamination..... 2289 , 2689	
Quality Assurance Specialist (QAS)..... 1412.01 , 1415.01 , 1442.02 , 1442.03 , 1443 , 1448 , 1449 , 1449.01 , 1451 , 1455 , 1456 , 1490 , 2212.01 , 2233 , 2270 , 2281 , 2285 , 2286 , 2287 , 2289 , 2294 , 2295 , 2636 , 2664 , 2670 , 2671 , 2671.02 , 2676 , 2677 , 2686.03 , 2687 , 2687.01 , 2689	
Quality control program..... 1308.03	
Quayle practice..... 710.02(b) , 714.14	
Action recording..... 1705	
After final rejection..... 706.07(f)	
Allowance action..... 707.05(a) , 714.14 , 714.15	
Claims later added..... 714.20	
Copies of references..... 707.05(a)	
Design application..... 1504	
Examiner's amendment used instead of.... 608.01(b)	
Formal matters corrected..... 706.07(f) , 812.01	
Information disclosure statement..... 609.01 , 609.04(b)	
Primary examiner signature required..... 1005	
Reexamination, <i>ex parte</i> 2250.01 , 2266.01	
Reissue..... 1444	
Shortened statutory period..... 710.02(b) , 2250.01	
Query Printer Rush..... 1306.03	
R	
Ranges	
Anticipation of..... 2131.03	
Obviousness of..... 2144.05	
Ratification	of papers filed

MANUAL OF PATENT EXAMINING PROCEDURE

Reclassification — Reexamination, Ex parte

Sec. No.	Sec. No.		
Patents.....	905.01(a)(3)	Basic characteristics.....	2209
Reconsideration in <i>ex parte</i> reexamination.....	2269	Certificate of.....	2288 , 2294
Reconsideration of abandonment..	711.03 , 711.03(c)	Reissue patent as.....	2290 , 2294
Based on insufficient reply.....	711.03(a)	Certificate attached to patent copy.....	2292
Based on failure to reply within period.....	711.03(b)	Certificate distribution.....	2292
Record of interview.....	713.01 , 713.04	Certificate format.....	2290
Record system for reexamination		Certificate of mailing or transmission.....	2224
<i>Ex parte</i>	2235	Certificate of prior reexamination in later request.....	2214 , 2219
<i>Inter partes</i>	2635	Certificate of service.....	2220
Recording assignment.....	301 , 302 , 317	Certified copy.....	2232
Recording change of business name.....	314	Citation of prior art.....	2202
Recording government interests.....	302 , 302.07	After first office action.....	2271
Recording of joint research agreement...	302 , 302.07	Claim for <i>Official Gazette</i>	2287
Recording license agreement.....	302.07 , 313	Claim, multiple dependent, preparation for publishing.....	2287
Recording of other documents.....	313 to 317	Claim numbering.....	2250
Recording security interest.....	313	Claims considered.....	2243 , 2258
Redacted publication of an application..	502.05 , 1132	Claims invalid/unenforceable.....	2286
Reduction to practice.....	715.07 , 2133.03(c) , 2133.03(e)(3) , 2138.01 , 2138.05 , 2163	Claims presented for interference.....	2284 , 2304.02
Reexamination, <i>Ex parte</i>	2200	Clerical handling.....	2270
Access to file.....	103 , 724.04(c) , 2209 , 2232	Collateral estoppel.....	2259
Action following Board decision.....	2278	Comments on “Statement of Reasons for Patentability and/or Confirmation”.....	2287
Address of patent owner.....	2222	Conclusion.....	2287
Admissions.....	2217 , 2258	Concurrent proceedings.....	2282 to 2286
Affidavits.....	2205 , 2216 , 2217 , 2258 , 2265	Conduct of proceedings.....	2254
After final practice.....	2272	Consideration of responses.....	2252 , 2253 , 2271 , 2272
Amendment.....	714 , 2234 , 2250 , 2295	Consolidated proceedings.....	2283
Abstract.....	2287	Constructive notice to patent owner.....	2230
After final rejection.....	2272	Content of request.....	2214
Examiner’s.....	2287	Copending proceedings.....	2283 to 2286
Filed with request.....	2221	Copy of patent in request.....	2219
Improper.....	2250	Double column format.....	2214 , 2219
In a merged reissue/ <i>ex parte</i> reexamination.....	2285	Copying of file.....	2232
Prior reexamination certificate issued.....	2250 , 2295	Correction of inventorship.....	2250.02 , 2258
Provisions of Rule 1.312 do not apply.....	2287	Correction of request.....	2231
Reissue patent issued.....	2250	Correspondence.....	2224
Ancillary issues.....	2217 , 2258	Criteria for deciding request.....	2242
Appeal.....	2273	Decision of Patent Trial and Appeal Board.....	2277
Appeal brief.....	2274	Decision on request.....	2240
Appeals to courts.....	1216 , 1216.01 , 2279	Decision ordering reexamination.....	2246
Application data sheet.....	2214 , 2258.02 , 2266	Decision processing.....	2245
Application file location.....	2235	Defective submission.....	2266.02
Assignment.....	301	Denied.....	2240 , 2247 , 2247.01
To an examiner.....	2236 , 2248 , 2255 , 2285	Dependent claim treatment.....	2260.01
Attorney or agent.....	2213 , 2222	Director’s initiative.....	2212 , 2239
Name on certificate.....	2287		

INDEX

Reexamination, Ex parte — Reexamination, Ex parte

Sec. No.	Sec. No.
Domestic benefit.....	2258.02
Double correspondence.....	2224
Double patenting.....	804 , 2217 , 2258
Drawing correction.....	2250.01
Duty of candor and good faith.....	2001.04 , 2280
Duty of disclosure.....	2001.04 , 2003.01 , 2014 , 2280
Electronic copy.....	2209 , 2232
Entry of amendments.....	2234 , 2270
Entry of court decisions in patent file.....	2207
Examiner.....	2236 , 2248 , 2255
Deposition.....	1701.01
Examiner's amendment.....	2234 , 2250 , 2262 , 2287
Examiner's answer.....	2275
Expiration of patent.....	2211 , 2250
Explanation of prior art.....	2217
Extension of time.....	2265
After final rejection.....	2272
For filing appeal brief.....	2274
Failure to timely reply to Office action.....	2266
Fees.....	2215 , 2233 , 2250.03 , 2283 , 2285
Final action.....	706.07(a) , 2265 , 2271
Flowchart.....	2201
Following supplemental examination.....	2201 , 2818.01
Foreign priority.....	2258.02
Forms.....	2296
Granted.....	2246 , 2247.01
Grounds of rejection.....	2217
Identity of requester.....	2212
Inappropriate papers.....	2267
Return of papers.....	2267
Incomplete request.....	2227
Informal submission.....	2266.02
Initial processing.....	2226
Inquiries from persons other than the Patent Owner... 2212.01	
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..	2236 , 2237 , 2241 , 2250 , 2283 , 2285 , 2686.01
Merger with reissue proceedings.....	1449.01 , 2285
Multiple dependent claim handling, preparation for publishing.....	2287
New matter.....	2250 , 2258 , 2270
NIRC (See also: Form letters and forms: Notice of Intent to Issue Ex Parte Reexamination Certificate (NIRC) PTOL-469)	
Notification of Concurrent Proceedings.....	2282 , 2286.01
Of a reexamination.....	2295
Office action.....	2260 , 2262
<i>Official</i>	
Notice of certificate.....	2291
Notice of request.....	2229
"Old art" (i.e., previously considered/cited).....	2242 , 2258.01
Oral hearing.....	2276
Orders for copies of.....	2232
Ordered after supplemental examination.....	2201 , 2265 , 2268 , 2280 , 2290 , 2291 , 2818.01 , 2823
Patent copy in request.....	2219
Double column format.....	2214 , 2219
Patent owner's address.....	2222
Patent owner's statement.....	2249
Patent owner's statement of interview.....	2281
Patentability review conference.....	2236 , 2246 , 2247 , 2262 , 2271 , 2271.01 , 2287
Petition.....	1002.02(b) , 1002.02(c) , 1002.02(c)(4) , 1002.02(f)
Correct inventorship.....	2250.02
Denial of request.....	1002.02(c) , 2248 , 2265
For entry of late papers (revival of terminated proceedings).....	2268
Merge proceedings.....	2283 , 2285
Reconsideration of refusal to revive.....	2268
Stay proceedings pending interference.....	2284
Stay proceedings pending reissue.....	2285
Unintentional delay.....	2268
Vacate order granting request.....	2246
Waive time provisions.....	2265
Power of attorney, withdrawal.....	2223
Preprocessing staff.....	2226 , 2229 , 2239
Printing of certificate.....	2288
Prior art copies.....	2218
Prior art considered.....	2244 , 2256
Prior art previously cited/considered.....	2242 , 2258.01
Prior art, statement applying.....	2217
Proceedings.....	2209

MANUAL OF PATENT EXAMINING PROCEDURE

Reexamination, Ex parte — Reexamination, Inter partes

Sec. No.	Sec. No.
Processing in Central Reexamination Unit and Technology Center.....	2233 , 2245
Clerical handling.....	2270
Project code.....	2238
Public access.....	103 , 2232
Quality Assurance Specialist (QAS).....	2212.01 , 2233 , 2270 , 2281 , 2285 , 2286 , 2287 , 2289 , 2294 , 2295
Quality review.....	2289
Real party in interest.....	2202
Reasons for patentability and/or confirmation..	2262 , 2287
Reconsideration of Office action.....	2269
Record system.....	2235
Refund if request denied.....	2215 , 2247 , 2248 , 2294
Reissue copending.....	1449.01 , 2285
Rejections.....	2242 , 2258 , 2259 , 2260 , 2262 , 2271
Using “old art”.....	2258.01
Reminders.....	2287
Reply by third party requester.....	2251 , 2253
Period for reply cannot be extended.....	2265
Reports.....	2235
Representative of requester.....	2213
Request.....	2210
After reissue patent issues... ..	2240 , 2242 , 2243 , 2258 , 2285
After first reexamination certificate issues.....	2294
Content.....	2214
Correction processing.....	2231
Decision.....	2240 , 2247.01
Decision criteria.....	2242
Denied.....	2247 , 2247.01
After reissue patent issues.....	2240
During interference.....	2284
Facsimile submission not permitted.....	502.01 , 2224
Filing of.....	2210
Filing address.....	2224
Granted.....	2246 , 2247.01
Guidelines.....	2242
“Old art” (previously considered art) involved.....	2242 , 2258.01
Streamlined.....	2214
Response to Office action.....	2266
Restriction improper.....	2258
Review.....	2289
Sample letter requesting reexamination.....	2214
Scope.....	2258
Search.....	2244 , 2258.01
Second or subsequent request.....	2240 , 2283
Prior art considered.....	2240 , 2242
Service by patent owner on requestor of patent owner statement.....	2249
Service of papers.....	2220 , 2266 , 2266.02 , 2266.03
Special status for action.....	2261
Statement applying prior art.....	2217
Statement by owner.....	2249
Statement of Reasons for Patentability and/or Confirmation.....	2262 , 2287
Statutory basis.....	2201
Stay.....	2283 , 2284 , 2285 , 2286
Submission defective or informal.....	2266.02
After final.....	2272
Submission not fully responsive.....	2266.01
After final.....	2272
Substantial new question of patentability.....	2201 , 2214 , 2216 , 2240 , 2242 , 2244 , 2246 , 2247 , 2258 , 2816 , 2816.01 , 2816.02 , 2816.03 , 2818 , 2818.01 , 2818.02
Using “old art”.....	2242 , 2258.01
“Sufficient cause” for extension of time.....	2265
Suspension.....	2283 , 2285
Terminated.....	2294
Terminated files.....	2294
Tickler reports.....	2235
Time for request decision.....	2241
Time for requesting.....	2211
Time for response to actions.....	2263
Time reporting.....	2238
Title report.....	320 , 2287
Transfer.....	2237
Translation required.....	2205 , 2214 , 2218
Untimely filed paper prior to order.....	2225
Untimely filed papers.....	2267
Untimely replies.....	2252
Use of transmittal form (PTOL-465).....	2246 , 2247 , 2262 , 2264
Vacated.....	2210 , 2215 , 2242 , 2246 , 2250.02 , 2286 , 2294
Vacated, claims invalid/unenforceable... ..	2210 , 2286
Who may file request for.....	2212
Withdrawal of attorney during.....	402.06 , 2223
Withdrawal of power of attorney.....	2223
Reexamination, <i>Inter partes</i> (See also: Reexamination, Ex Parte)	2600

INDEX

Reexamination, Inter partes — Reexamination, Inter partes

Sec. No.	Sec. No.
Access by public..... 103 , 724.04(c) , 2609 , 2632	Certificate of prior reexamination in later request..... 2214 , 2219
Action closing prosecution (ACP).... 2660 , 2666.05 , 2666.10 , 2667 , 2660 , 2666.05 , 2671.03 , 2673.02 , 2682	Clerical handling..... 2670
Content..... 2671.02	Collateral estoppel..... 2659
Premature..... 2672	Comments on Statement of Reasons for Patentability and/or Confirmation..... 2687.01
Response to..... 2672	Comments by third party (See also: Reexamination, Inter partes: Response by third party)
Affidavits..... 2658 , 2666 , 2675 , 2677	Concurrent proceedings..... 2686
Amendment by patent owner	Consolidated proceedings..... 2686.05
After a new ground of rejection is issued by the Board..... 2682	Constructive notice of..... 2654
After Action Closing Prosecution (ACP)..... 2671 , 2672 , 2673	Copending proceedings..... 2686
After expiration of the patent..... 2666.01	Copying of the file by the public..... 2632
After Notice of Intent to Issue <i>Inter Partes</i> Reexamination Certificate (NIRC)..... 2687.01	Correction of inventorship..... 2658 , 2666.03
After Right of Appeal Notice (RAN)..... 2673 , 2673.02 , 2675	Correspondence..... 2624
Claims..... 2666.01	Court of Appeals for the Federal Circuit..... 2682 , 2683
Defective..... 2666.50 , 2666.60 , 2667	Court ordered..... 2686.04
Dependent claim..... 2660.03	Cross appeal to the Patent Trial and Appeal Board.... 2674
Drawings..... 2666.02	Cross appeal to the Federal Circuit..... 2683
Entry..... 2670	Decision by the Patent Trial and Appeal Board..... 2681 , 2682
In a merged reexamination proceedings.... 2670 , 2686.01 , 2686.03	Decision on the request for <i>inter partes</i> reexamination..... 2640
Of a reissued patent..... 2686.03	After Court decision..... 2686.04
Title..... 2660.02	Content..... 2646
To provoke an interference..... 2686.02	Criteria for deciding..... 2642
Unsigned..... 2666.50	Denial..... 2640 , 2647 , 2647.01 , 2648 , 2694
Appeal (i.e., Appellant) Brief..... 2675	Grant..... 2640
Defective..... 2675 , 2675.02	“Old art” (previously considered art) used.... 2642
Appeal Conference..... 2676 , 2677	Processing..... 2647 , 2647.01 , 2648
Appeal to the Patent Trial and Appeal Board.... 2674 to 2680	Prior art available..... 2644
Flowchart..... 2601.01	Reissue about to issue..... 2686.03
Appeal to the Court of Appeals for the Federal Circuit..... 2682 , 2683	Dependent claim treatment..... 2660.03
Appeal to the U.S. District Court for the District of Columbia not available..... 2683	Determining if a reexamination was filed for a patent.. 2632.01
Appellant defined..... 2674	Domestic benefit..... 2658
Assignment to examiner..... 2636 , 2648 , 2655	Drawings..... 2666.02
Certificate of <i>inter partes</i> reexamination..... 2688 , 2690 , 2694	Duty of disclosure..... 2003.01 , 2684
Distribution..... 2692	Electronic copy..... 2609 , 2632
Format..... 2690	Enlarging claim scope prohibited.... 2658 , 2666.01
Reissue patent as..... 2688 , 2694	Estoppel, Collateral..... 2659
Certificate of service..... 2666.06	Examination scope..... 2658 , 2671.01 , 2671.02
Certificate of mailing or transmission.... 2624 , 2665 , 2666 , 2666.05	Examiner consultation
	After response by parties..... 2671
	Before appeal..... 2676
	In merged reexamination proceedings.... 2686.01

MANUAL OF PATENT EXAMINING PROCEDURE

Reexamination, Inter partes — Reexamination, Inter partes

Sec. No.	Sec. No.
Regarding multiple reexamination requests..... 2686.01	By the Board of Appeals..... 2681 , 2682
Review of Rebuttal Briefs..... 2679	New matter..... 2671.01 , 2671.02
Examiner's Amendment	NIRC (See also: Form letters and forms: Notice of Intent to Issue Inter Partes Reexamination Certificate (NIRC) PTOL 2068)
Canceling rejected claims..... 2671 , 2687	Non-final Board decision..... 2681
Correcting formal matters..... 2687 , 2687.01	Non-responsive reply by patent owner/third party..... 2666.30 , 2666.50
In merged reissue/reexamination..... 2686.03	Notice of appeal..... 2662 , 2674 , 2674.01
Not permitted if approval required..... 2687.01	Premature..... 2667
To the Title..... 2660.02 , 2686.03 , 2687	Notice of cross appeal..... 2662 , 2674 , 2674.01
Examiner's Answer..... 2677	Notice of <i>Inter Partes</i> Reexamination Certificate Issuance in the <i>Official Gazette</i> 2688 , 2691
Expedited Right of Appeal Notice..... 2671 , 2673.02	Office action..... 2660 , 2671
Extensions of time..... 2665	Not closing prosecution..... 2671.01
After Action Closing Prosecution..... 2672	Reopening prosecution after ACP..... 2673 , 2673.01
To amend the claims after a Board decision containing a new ground of rejection..... 2682	Reopening prosecution after Examiner's Answer.... 2679
To appeal to the Court of Appeals for the Federal Circuit..... 2682	Reopening prosecution after RAN..... 2676 , 2677
To complete a reply held non-responsive..... 2660.30	Oral hearing..... 2662 , 2675 , 2677 , 2680
To petition denial of the Request..... 2648 , 2665	Open to public..... 2680
Facsimile transmission, correspondence by..... 2624	Order granting <i>inter partes</i> reexamination..... 2646 , 2660
Fees..... 2634	Returned as undelivered..... 2654
For a copy of the file on CD..... 2632	Oversight..... 2689
Refund..... 2647 , 2648	Panel Review..... 2671.03
Final Board decision..... 2681 , 2682	Petition..... 1002.02(b) , 1002.02(c)(4) , 1002.02(f)
Flowcharts..... 2601.01	Board decision..... 2681
Foreign priority..... 2658	Consideration of submissions after NIRC..... 2687.01
Forms listed..... 2696	Correct inventorship..... 2658 , 2666.03
Fraud..... 2684	Denial of request for <i>inter partes</i> reexamination.... 1002.02(c) , 2647 , 2648
Improper comments..... 2667	Entry of late papers for revival of reexamination proceeding..... 2668
Inappropriate papers..... 2667	Enter an amendment after RAN.. 2672 , 2673.02 , 2675
Incorporation by reference in Examiner's Answer..... 2677	For an interview in a merged reexamination/reissue..... 2686.03
Interference copending..... 2686 , 2686.02	Merge <i>inter partes</i> reexamination and reissue..... 1002.02(b) , 2667 , 2686.03
Intervening rights..... 2693	Premature Action Closing Prosecution..... 2672
Interviews in a merged reexamination/reissue..... 2686.03	Reopen prosecution after Board decision..... 2682
Interviews not permitted..... 2666.30 , 2685 , 2687	Suspend second or subsequent requests..... 2640
Litigation concurrent..... 2640 , 2681 , 2686 , 2686.04	Stay reexamination..... 2667 , 2686.02 , 2686.03
Litigation search..... 2686.04	Unintentional delay..... 2668
Litigation stayed..... 2686.04	Vacate order granting <i>inter partes</i> reexamination.. 2646
Merger of multiple requests for reexamination..... 2686.01	Waive time provisions..... 2648 , 2668 , 2672
Merger of reissue and <i>inter partes</i> reexamination..... 2686.03	
Multiple requests for reexamination filed..... 2640 , 2686 , 2686.01 , 2695	
New grounds for rejection..... 2671.01	

INDEX

Reexamination, Inter partes — Reexamination, Inter partes

Sec. No.	Sec. No.
Premature response/comments.....	2625 , 2667
Prior art citation.....	2602 , 2646 , 2654 , 2656 , 2657
After the order to reexamine.....	2602 , 2667
After a Notice of Intent to Issue <i>Inter Partes</i> Reexamination Certificate issues.....	2687.01
Before the first Office action.....	2625
Before the order to reexamine.....	2602 , 2654
By another requestor.....	2656
By the patent owner.....	2656
Storage area.....	2667
With the Request.....	2656
With third party's comments.....	2666.05 , 2667
Priority Mail Express procedure.....	2624 , 2665 , 2666 , 2666.05
Processing.....	2670
After a decision by the Board.....	2682
Amendment.....	2666.01 , 2670 , 2687
Clerical.....	2670
Examiner's Answer.....	2677
Inappropriate papers.....	2667
Merger of multiple reexamination requests.....	2686.01
Merger of reissue and <i>inter partes</i> reexamination..	2686.03
Terminated <i>inter partes</i> reexamination.....	2694
Proof of service (See also: Reexamination, Inter partes: Service of papers)	
Public access.....	103 , 2609 , 2632
Publication.....	2687
Publication of Board decision.....	2681
RAN (See also: Reexamination, Inter partes: Right of Appeal Notice (RAN))	
Real party in interest identification.....	2677
Reasons for Patentability and/or Confirmation..	2687
Rebuttal Brief.....	2678 , 2679
Refused entry.....	2679
Records.....	2635
Reissue copending.....	1449.01 , 2643 , 2686 , 2686.03
Reissue previously issued.....	2640 , 2686
Remand by the Board of Appeals.....	2681 , 2682
Reopening prosecution after an Action Closing Prosecution (ACP).....	2673 , 2673.01
Reopening prosecution after a Board decision..	2682
Representative of requestor.....	2613
Request for extension of time.....	2665
Request for reconsideration by patent owner....	2666
Request for <i>inter partes</i> reexamination	
Claims considered.....	2643
Denied.....	2640 , 2647
Facsimile transmission not permitted.....	502.01 , 2624
Filed after reissue issued.....	2658
Filed while interference pending.....	2686.02
Filing address.....	2624
Granted.....	2640
Second or subsequent filed.....	2640 , 2686.01
Request for Rehearing by the Board.....	2682 , 2683
<i>Res judicata</i>	2259 , 2659
Respondent Brief.....	2675.01
Defective.....	2675.01 , 2675.02
Respondent defined.....	2674
Response by patent owner.....	2666
After Action Closing Prosecution.....	2671 , 2672
Defective.....	2666.30 , 2666.40 , 2667
Improper comments.....	2667
Late (See also: Reexamination, Inter partes: Time periods for response)	2667 , 2668
No proof of service.....	2667
No response filed.....	2666.10 , 2671 , 2671.01 , 2671.02
Not fully responsive.....	2666.30 , 2671
Person not of record.....	2666.50
Premature.....	2625 , 2667
To Notice of Defective Paper... ..	2666.40 , 2666.60
To Office action.....	2666 , 2666.30
Too long.....	2667
Unsigned.....	2666.50 , 2667
Response by third party	
After Action Closing Prosecution.....	2671 , 2672
After patent owner corrects defect.....	2666.40
Comments regarding response by patent owner....	2666.05 , 2666.20 , 2666.30
Defective.....	2666.50 , 2667
Improper comments.....	2666.05 , 2667 , 2671
Late (See also: Reexamination, Inter partes: Time periods for response)	2667 , 2668
No proof of service.....	2667
No response filed.....	2666.20 , 2671
Other than third party requester.....	2667
Period for response.....	2666.05 , 2666.20
Person not of record.....	2666.50
Premature comments.....	2625 , 2667
Premature appeal.....	2667
Prior art submission with.....	2666.05 , 2667
Too long.....	2667

MANUAL OF PATENT EXAMINING PROCEDURE

Reexamination, Inter partes — Reference

Sec. No.	Sec. No.
Unsigned.....	2666.50 , 2667
Review.....	2689
Right of Appeal Notice (RAN).....	2666.05 , 2666.10 , 2667 , 2671 to 2674 , 2677
Content.....	2673.02
Scanning.....	2632
Scope of examination.....	2658 , 2671.01 , 2671.02
Service of papers.....	2666.06
Certificate of.....	2666.06
Proof of service.....	2666.06 , 2666.50 , 2667
To patent owner.....	2654 , 2666.05
To third party requestor....	2654 , 2666 , 2666.05
Special Status.....	2661
Stayed pending litigation outcome.....	2686.04
Stayed pending reissue outcome.....	2686.03
Submissions prior to the first Office action.....	2625
Substantial new question of patentability.....	2640 , 2642 to 2647 , 2648 , 2658 , 2686.01 , 2686.04
'Sufficient cause' for extension of time.....	2665
Suspension of requests for <i>inter partes</i> reexamination.....	2640 , 2686.01
Terminated.....	2694
Third party requestor (See also: Reexamination, Inter partes: Response by third party)	
Time periods after appeal for filing: Amendment after Board decision containing a new ground for rejection.....	2682
Notice of Appeal in the Federal Circuit.....	2682
Notice of Cross Appeal in the Federal Circuit.....	2683
Request for Rehearing.....	2682
Time periods during appeal for filing: Appeal (i.e., Appellant) Brief.....	2675
Corrected/Supplemental Appellant Brief.....	2675 , 2675.02
Corrected/Supplemental Respondent Brief.....	2675.01 , 2675.02
Corrected/Supplemental Rebuttal Brief.....	2679
Notice of Appeal.....	2674
Notice of Cross Appeal.....	2674 , 2674.01
Rebuttal Brief.....	2678
Request for Oral Hearing.....	2680
Respondent Brief.....	2675.01
Time periods for response.....	2662
After Action Closing Prosecution.....	2672
After defective submission.....	2666.30 , 2666.50 , 2666.60
After Office action.....	2662 , 2665 , 2667
To make claims the same in each concurrent reexamination.....	2686.01
Time reporting by Office personnel.....	2638
For a Panel Review.....	2671.03
Title.....	2660.02
Unpublished legal opinions.....	2677
Reference (See also: Prior art)	
A.I. Series patent.....	901.04
A.P.C. publication.....	901.06(c)
Abandoned application.....	901.02 , 2127 , 2134
Abbreviations.....	901.06(d)
Abstracts.....	901.06(d) , 2120
Additional.....	707.05(d)
Admissions.....	2129
Analogous art.....	904.01(c) , 2141.01(a) , 2143 , 2143.01 , 2145
Antedating (See also: Affidavit of prior invention to overcome a pre-AIA 35 U.S.C. 102 or 103 rejection (37 CFR 1.131))	
Applications, domestic and foreign.....	2127
Applying reference under AIA 35 U.S.C. 102(a) and (b).....	2152
Applying reference under pre-AIA 35 U.S.C. 102(e)....	2136
Arrangement in Examiner's Search files.....	901.07
As evidence of inherency.....	2131.01
As evidence in multiple reference, pre-AIA 35 U.S.C. 102 rejection.....	2131.01
Assigned application as.....	804.03
Availability.....	2128
Between applicant's priority date and U.S. filing date..	216 , 2121.01 , 2132.01 , 2133.02(a) , 2136.05 , 2152.06
Citation... 707.05 to 707.05(g) , 901.04 , 901.05(a)	
After allowance.....	1302.12 , 1308.01
After appeal.....	1207.02 , 1207.03 , 1207.04
By applicant.....	707.05(b) , 707.05(c) , 1302.12
Correction.....	707.05(g)
Period for reply.....	710.06
Claims foreign date.....	715.01
Combination of references.....	707.07(f) , 2142
Coping.....	709.01 , 2136.01 , 2138 , 2139.03 , 2146.03(a) , 2148 , 2152.07 , 2154.01(d)
Copies.....	707.05(a)
Cross, how cited.....	707.05(e)
Cross reference addition.....	905.02
Date, determination of.....	2124 , 2126 , 2128 to 2128.02 , 2152 , 2154.01(b)
Date, exception to the rule.....	2124

INDEX

Reference — Reference to related application for disclosure

Sec. No.	Sec. No.
Defensive publications.....	901.06(d)
Design application.....	707.05(a)
Disclosure, broad.....	2123
Disqualification under pre-AIA 35 U.S.C. 103(c).....	2133.03(c) , 2136.01 , 2136.05 , 2136.05(a) , 2138.01 , 2141.01 , 2145 , 2146.03(a) , 2148 , 2152.01 , 2158
Drawings as prior art.....	2125
Effects of international application publication...	1857
Effective date	
Patent.....	707.05(e) , 715 , 2120.01 , 2139.01 , 2139.02 , 2152 , 2152.01 , 2152.05 , 2154.01(b)
Publication.....	715.01(c) , 2120.01 , 2128.02 , 2139.02 , 2152 , 2152.05
Electronic publications.....	707.05(e) , 904.02(c) , 2128
Enabled disclosure.....	2131.01
Enabling, plant genetics.....	2121.03
Enabling, compounds and compositions.....	2121.02
Enabling, apparatus and articles.....	2121.04
Equivalents.....	904.01(b)
Every element rule for anticipation.....	2131 , 2150
Evidencing the meaning of a term used in the primary reference.....	2131.01
Foreign patent....	707.05(e) , 901.05(a) , 901.05(b) , 2120
Forfeited application.....	901.02
From derivation.....	1302.12
From interference.....	1302.12
Incorrect citation.....	707.05(g) , 710.06 , 1302.12
Inoperability.....	716 , 716.07
Internal documents, confidential.....	2128.01
Intervening..	216 , 2132.01 , 2133.02(a) , 2136.05 , 2152.06
Joint patent to applicant and another.....	715.01(a) , 715.01(c)
Listing at allowance.....	1302.12 , 1455
Lost counts in interference.....	2138.01
Multiple reference rejections under 35 USC 102.....	2131.01
Newly discovered after allowance.....	1308.01
Nonanalogous art (See also: Reference: Analogous art)	2131.05 , 2141.01(a) , 2143 , 2143.01
None cited by examiner.....	707.05 , 707.05(a)
Operability.....	2121
Ordering official cross.....	903.06
Overcome	
Under Rule 1.130.....	717.01 to 717.01(f) , 2155 to 2155.06
Under Rule 1.131 (See also: Affidavit, swearing back of reference (37 CFR 1.131))	715 , 1302.14 , 2120 , 2132.01 , 2133.02(a) , 2133.03(c) , 2136.01 , 2136.05 , 2136.05(a) , 2138.01 , 2141.01 , 2145 , 2146.03(a) , 2148 , 2152.01 , 2158
Under Rule 1.131(c).....	718
Under Rule 1.132.....	716 , 2106.05(a) , 2106.07(b) , 2107 , 2107.02 , 2128 , 2132.01 , 2136.01 , 2136.05 , 2136.05(a) , 2136.05(b) , 2137 , 2139.03 , 2141 , 2145 , 2146.03(a) , 2148 , 2152.07 , 2154.01(d) , 2155.01 , 2158.01 , 2164.05 , 2164.06(c) , 2172 , 2173.05(b) , 2184
Overcoming under 35 U.S.C. 119.....	216
Paper, orally presented.....	2128.01 , 2152.02(e)
Patent.....	901.04 , 2126
Patent, date available.....	2126.01
Patent, Foreign (See also: Foreign patent)	
Patent, official number lacking.....	901.04
Patent claiming same invention.....	715.05 , 2301.03
Pending application (See also: Application) ..	901.03
Publication of applicant's invention.....	715.01(a) , 715.01(c) , 2132.01 , 2133.01 , 2153 , 2154.02
Publication, date available.....	2128.02
Publication, printed.....	2128
Publications... ..	707.05(e) , 901.06 , 2120 , 2131.01 , 2132.01 , 2133.01 , 2152.02(b)
Published abstracts of application.....	711.06(a) , 2120 , 2131.01 , 2133.01
Rejection over broad disclosure instead of preferred embodiments.....	2123
Replacement of missing.....	901.09
Same assignee.....	709.01 , 715.01(b) , 2136.01 , 2141.01 , 2146 to 2146.03(a) , 2148 , 2152.06 , 2154.01(d) , 2154.02(c) , 2158 , 2158.01
Selection of pertinent.....	904.02
Statutory bar... ..	2133.02 , 2139.02 , 2152 , 2152.05
Statutory section to use.....	2139.02
Supply procedure.....	707.05(a) , 707.05(g) , 710.06
Swearing back (See also: Affidavit of prior invention to overcome a pre-AIA 35 U.S.C. 102 or 103 rejection (37 CFR 1.131))	715 , 2132.01 , 2133.02 , 2141.01 , 2146.03(a)
Thesis.....	2128.01 , 2152.02(e)
Utility.....	2122
“Well known in the art,” supported by.....	2144.03
Reference characters.....	608.01(g)
Reference to foreign application.....	202 , 901.03
Reference to prior patent.....	608.01(p) , 608.01(r) , 901.03
Reference to related application (See also: Cross-noting)	
Reference to related application for disclosure.....	608.01(p)

MANUAL OF PATENT EXAMINING PROCEDURE

Refile application — Reissue application

Sec. No.

Sec. No.

Refile application (See also: [Application](#) [Substitute application](#))

Refunds (See also: [Fee](#) [Deposit account](#)) [502](#), [502.05](#), [503](#), [506](#), [506.02](#), [509](#), [509.01](#), [509.03](#), [509.03\(b\)](#), [607.02](#)

Additional invention or species..... [803.03\(a\)](#), [803.03\(b\)](#)

Canceled claims..... [506](#)

Correspondence address..... [502](#), [502.05](#), [503](#), [506](#), [506.02](#), [511](#), [512](#), [513](#), [2540](#), [2542](#)

Filing fee..... [201.04](#), [503](#), [506](#), [601.01\(a\)](#)

International applications..... [1002.02\(p\)](#), [1827.01](#), [1850](#), [1864](#)

International search fee..... [707](#), [1827.01](#), [1852](#)

Issue fee..... [1308.01](#), [1308.03](#)

Maintenance fee..... [2504](#), [2520](#), [2540](#), [2550](#), [2580](#), [2590](#)

Oral hearing..... [1209](#)

Publication fee..... [1126](#)

Reexamination

Ex parte [2215](#), [2247](#), [2248](#)

Inter partes [2647](#), [2648](#)

Refund Section, Office of Finance... [509.03](#), [607.02](#)

Petition fee..... [506.02](#), [711.03\(c\)](#)

Small entity fee..... [509.03\(b\)](#), [2550](#)

Registration, Attorney or agent..... [402](#), [1702](#)

Regulations, Technology Center (TC) facilities..... [510](#)

Regulations, office premises..... [510](#)

Regulatory review..... [2001.06\(e\)](#), [2004](#), [2015](#)

Rehearing by Patent Trial and Appeal Board..... [1002.02\(j\)](#), [1214.01](#), [1214.03](#), [1214.04](#)

Reissue application..... [1401 to 1470](#)

 Absolute intervening rights..... [1460](#)

 Access to..... [103](#), [724.04\(b\)](#), [1430](#), [1470](#)

 Acknowledgment of protest..... [1901.05](#)

 Additional information required.... [1442.01](#), [1442.04](#)

 Adjudication of original patent.... [1442.01](#), [1442.04](#)

 Allowance..... [1455](#)

 Amendment..... [714](#), [1410](#), [1411](#), [1453](#), [1455](#)

 Examiner's..... [1455](#)

 Of drawings..... [1413](#), [1453](#)

 So that reissue can be merged with *ex parte* reexamination..... [2285](#)

 So that reissue can be merged with *inter partes* reexamination..... [2686.03](#)

 Amends or corrects original patent... [1400.01](#), [1402](#)

 Appeal brief..... [1454](#)

 Assignee consent..... [1410.02](#), [1443](#), [1451](#)

 Broadened..... [1412.03](#)

Cannot be used to remove terminal disclaimer..... [1490](#)

Certificate of correction..... [1400.01](#), [1402](#), [1410](#), [1411.01](#), [1412.04](#), [1443](#), [1451](#), [1453](#)

Claim

 Broadening..... [1412.02](#), [1412.03](#)

 Dependent..... [1402](#), [1412.03](#), [1455](#)

 Format..... [1411](#), [1453](#)

 Numbering..... [1451](#), [1453](#), [1455](#)

 Oath requirement..... [1414](#)

 Printed in *Official Gazette* [1455](#)

 Same invention as original patent..... [1412.01](#)

 Too narrow..... [1402](#)

Collateral estoppel.... [2012.01](#), [2138.01](#), [2138.02](#)

Consent by assignee..... [1410.02](#), [1443](#), [1451](#)

Content..... [1410](#)

Continuation..... [1410.02](#), [1414](#), [1451](#), [1460](#)

Copending application reference..... [1402](#), [1405](#)

Copending *ex parte* reexamination proceedings..... [1449.01](#), [2285](#)

Copending *inter partes* reexamination proceedings... [1449.01](#), [2686.03](#)

Correct inadequacies..... [1402](#)

Court decision involving original patent..... [1412.01](#), [1418](#), [1442.01](#)

Court ordered..... [1442.05](#)

Cross noting..... [1451](#), [1455](#)

Deceptive intention..... [1401](#), [1412.02](#), [1412.03](#), [1412.04](#), [1414](#), [1414.02](#), [1414.03](#), [1444](#), [1448](#), [1451](#), [1457](#), [1481.02](#), [1490](#)

Declaration.... [1410.01](#), [1412.05](#), [1414](#), [1414.01](#), [1444](#), [1451](#)

 Supplemental..... [1414.03](#), [1444](#), [1455](#)

Defective oath, ground for rejection..... [1414 to 1414.03](#)

Dependent claim..... [1402](#), [1412.03](#), [1455](#)

Design..... [1457](#)

Diligence..... [1403](#)

Disclaimer..... [1400.01](#), [1402](#), [1405](#), [1410](#), [1411.01](#), [1450](#), [1451](#), [1490](#)

Divisional..... [1410.01](#), [1412.01](#), [1414](#), [1450](#), [1451](#), [1457](#)

Domestic benefit, delayed claim..... [211.04](#), [1402](#), [1405](#)

Double patenting..... [1451](#), [1490](#)

Drawings..... [1413](#), [1414](#), [1453](#)

Duty of disclosure.... [1406](#), [1418](#), [1448](#), [2001.04](#), [2001.06\(c\)](#), [2003](#)

Effect of reissue..... [1460](#)

Effective date of claims..... [1440](#)

INDEX

Reissue application — Reissue application

Sec. No.	Sec. No.
EFS-Web filing of.....	502.05 , 1410
Election of species.....	1450
Equitable intervening rights.....	1460
Error correction after allowance..	1414.01 , 1414.03 , 1444
Error in original patent.....	1401 , 1402 , 1412.01 , 1414 , 1414.01
Examination.....	1440 , 1443 , 1445
Review of Oath/Declaration.....	1444
Examiner Reissue Guide and Checklist.....	1443
Expedited examination.....	708.01 , 1410 , 1441 , 1442 , 1442.03
Design.....	1457
Expired patent.....	1415.01 , 1443
Filing fee.....	1415
Final Office action.....	1444
Flowchart on recapture.....	1412.02
Foreign priority claim.....	214 , 215 , 216.01 , 1402 , 1417
Format.....	1410 , 1411 , 1411.01
Fraud.....	1448 , 2012
Grounds for filing.....	1402
Inequitable conduct.....	1448 , 2010
Information disclosure statement.....	1406 , 1418 , 1455 , 2003
Initial examiner review.....	1443
Inoperative or invalid, Oath requirement.....	1414 to 1414.03
Inspection.....	103 , 1430 , 1470
Interference.....	1449.02
Interference on original patent concurrent with.....	1449.01
Intervening rights.....	1460
Inventorship error.....	1402 , 1410.01 , 1412.04 , 1412.05
List of references.....	1406 , 1418 , 1455
Litigation or PTAB trial involved.....	1404 , 1442.01 to 1442.05 , 1443 , 1449.01 , 1449.03
Marking envelope.....	1404
Litigation protest.....	1901.03
Maintenance fees on original patent.....	1415.01
Merger of reissue applications after restriction..	1450
Merger of reissue application with <i>ex parte</i> reexamination.....	2285
Merger of reissue application with <i>inter partes</i> reexamination.....	2686.03
Multiple filings.....	1450 , 1451
New matter.....	1411.02
Numbering of claims.....	1451 , 1453 , 1455
Notice in original file.....	202.05
Oath.....	1414 to 1414.03 , 1444
Primary examiner's decision.....	1004
Supplemental.....	1414.03 , 1444 , 1455
Offer to surrender patent (not required).....	1416
<i>Official</i>	1455
<i>Gazette</i>	1455
Claim to be printed in.....	1455
Filing notice in.....	1430 , 1441 , 1441.01 , 1443 , 1452 , 1457 , 1470
Omission of feature.....	1411.02
Open to public.....	103 , 1430 , 1470
Ordering copies of papers in file.....	1430
Overlooked aspects.....	1412.01 , 1412.02
Ownership.....	1410.01 , 1443
Patent series.....	901.04
Patent term, affect on.....	1405
Petition to merge reissue and <i>ex parte</i> reexamination.....	1002.02(b) , 2285
Petition to merge reissue and <i>inter partes</i> reexamination.....	1002.02(b) , 2686.03
Petition to stay reissue pending <i>ex parte</i> reexamination.....	2285
Petition to stay reissue pending <i>inter partes</i> reexamination.....	2686.03
Print of drawing.....	608.02
Prior art consideration.....	1402
Prior art statement.....	1406 , 1418 , 1455
Priority correction.....	214 , 216.01 , 1402 , 1405 , 1417
Protest.....	1404 , 1441 , 1441.01 , 1443 , 1901
Protest filed in reissue where patent is in interference.....	1443 , 1449
Public access.....	103 , 1430 , 1470
Recapture of matter.....	1412.02 , 2146.01
Reexamination proceedings copending.....	1449.01
<i>Ex parte</i>	2285
<i>Inter partes</i>	2643 , 2686 , 2686.03 , 2695
Rejection.....	1444 , 1445
Request for Continued Examination (RCE).....	1452
Requirement for information.....	1442.04
Restriction.....	1450 , 1451
Design.....	1457
Return of original patent.....	1416
Review.....	1456
Same invention as original patent.....	1412.01
Special for examination.....	708.01 , 1441 , 1442 , 1442.03
Design.....	1457

MANUAL OF PATENT EXAMINING PROCEDURE

Reissue application — Rejection

Sec. No.	Sec. No.
Specification..... 1410 , 1411 , 1411.01 , 1453 , 1455	Board statement on allowed claim..... 1213.02
Status..... 1430 , 1470	Breadth..... 2173.04
Statutory basis..... 1401	Broadening in reissue application..... 1412.03
Statutory disclaimer..... 1490	Broader than the disclosure..... 2173.03
Stayed pending <i>ex parte</i> reexamination..... 2686.03	Chemical practice
Stayed pending <i>inter partes</i> reexamination..... 2686.03	Markush..... 803.02 , 2117
Submission of papers in..... 1404	Undue breadth... 2163.05 , 2173.04 , 2173.05(h)
Suit on original patent..... 1442.01	Claim presented corresponding to claim of patent.... 706.06
Surrendered patent returned to applicant..... 1416	Claim presented corresponding to claim of patent, failure to reply..... 2304.04(c)
Surrender generating limitation..... 1412.02	Claims..... 706
Suspension..... 1450	Combination of references..... 2131.01 , 2142
Terminal disclaimer.. 1402 , 1410.01 , 1411 , 1451 , 1490	Common knowledge..... 2144.03
Transfer of original drawing (prior practice)..... 608.02(i) , 1413	Commonly assigned.... 2146 , 2146.01 , 2154.02(c)
Treatment of protest..... 1901.06	Computer programming cases..... 2106 , 2161.01 , 2164.06(c) , 2181
Twice reissued..... 1411	Conflicting applications... 709.01 , 715.01(b) , 804 , 804.01 , 804.02 , 822 , 2136.01 , 2141.01 , 2146 to 2146.03(a) , 2148 , 2152.06 , 2154.01(d) , 2154.02(c) , 2158 , 2158.01
Two month delay period..... 1441 , 1441.01	Contrasted to objection..... 706.01
Rejected application..... 203.02	Copending applications, different inventive entities..... 2109 , 2136.01 , 2136.04 , 2146 to 2146.03(a) , 2152.07 , 2154.01(d)
Rejection (See also: Anticipation rejection) Indefinite claim) Obviousness) 706	Cumulative..... 706.07(e) , 2120
Abandonment of invention..... 140 , 2134	Dedication..... 715 , 1490
Admission by applicant..... 2103 , 2109 , 2120.02 , 2129 , 2133.03(c) , 2145 , 2146.02 , 2152.03 , 2172	Defective reissue oath..... 1414.03 , 1444
After allowance of application..... 706.04 , 706.05 , 1308.01	Dependent claim..... 608.01(n)
After allowance of claim..... 706.04	Derivation of invention..... 2137
After allowance, primary examiner review of.... 1004	Disclaimer..... 710.02(d) , 2304.04(c)
After appeal, new rejection..... 1207.03 , 1207.04	Double patenting (See also: Double patenting)
After termination of interference..... 2308	Duplicate claims..... 608.01(m)
Against public policy..... 2104	Estoppel, defensive publication..... 711.06
Aggregation..... 2173.05(k)	Estoppel, interference..... 2308.03
All valid grounds..... 707.07(g)	Final (See also: Final rejection) 706.07 to 706.07(h)
Allowed claim by Patent Trial and Appeal Board..... 1213.02	Foreign application, statutory bar..... 2135
Alternative phrases..... 2173.05(h)	Form paragraphs used..... 2106.07(a)(1) , 2107.02 , 2139.03 , 2148 , 2152.07 , 2157 , 2158.01 , 2175 , 2187
Anticipation (See also: Anticipation rejection) 2120.01 , 2131 , 2132 , 2133 , 2136 , 2152 , 2154	Form used..... 707
Art (See also: Prior art) 2120	Fraud upon public..... 2104
Assigned applications, Same applicant..... 804.03	Frivolous invention..... 2104
Atomic Energy Act..... 2104.01	Function of machine..... 2173.05(v)
Authorship..... 2132.01 , 2137 , 2155.01	Functional claim..... 2114 , 2173.05(g)
Backup rejections..... 2120	Functional equivalents..... 2144.06
Bar, Statutory.... 2120.01 , 2133 to 2133.03(e)(7) , 2139.02 , 2152.05	Generic claim..... 715.02 , 806.04 , 809.02(a)
Overcoming..... 2133.02(a) , 2152.06	Genus and species..... 806.04(h) , 806.04(i) , 2131.02 , 2144.08
Board introduces..... 1214.01	

INDEX

Rejection — Remand by Board

Sec. No.	Sec. No.
Ground clearly stated.....	707.07(d) , 2142
Inaccurate.....	2173.03
Incomplete.....	707.07(g) , 2175
Indefinite.....	2175
Inoperativeness.....	2164.08(b)
Insufficient disclosure.....	2166
Insufficient disclosure, trademark.....	608.01(v)
Interference, estoppel.....	2308.03
Interference terminated.....	710.02(b) , 2308
International publication as prior art.....	2136.03 , 2139.02 , 2152.05 , 2154.01(a)
Judicial notice.....	2144.03
Language used.....	707.07(d) , 2142
Linking claim.....	806.04 , 806.05(c) , 809 , 809.03
Markush, improper.....	2117
Multiplicity.....	2173.05(n)
Negative limitation.....	2173.05(i)
New, after appeal.....	1207.03
New, after final rejection.....	706.07(e)
New matter.....	608.04(a) , 2163.06
Nonelected invention.....	803.02
Nonstatutory claim.....	2104 to 2107.03
Nonstatutory subject matter.....	2104 to 2107.03
Not based on prior art.....	706.03
Not inventor.....	2137
Not readable on disclosure.....	2173.03
Oath, defective reissue.....	1414.03 , 1444
Objection distinguished.....	706.01
Obviousness (See also: Obviousness)	2120 , 2142
Official notice.....	2144.03
Old combination.....	2173.05(j)
Omnibus claim.....	2173.05(r) , 2175
Overcoming pre-AIA 35 U.S.C. 102 rejection.....	2132.01 , 2133.02(a) , 2136.05
Overlapping applications.....	709.01 , 715.01(b) , 804 , 804.01 , 804.02 , 822 , 2136.01 , 2141.01 , 2146 to 2146.03(a) , 2148 , 2152.06 , 2154.01(d) , 2154.02(c) , 2158 , 2158.01
Perpetual motion.....	2104 , 2107.01
Personal remarks avoided.....	707.07(d)
Previously allowed claim.....	706.04 , 1004
<i>Prima facie</i> case of obviousness.....	2142
Printed matter.....	2111.05 , 2112.01
Prior art.....	2120
Prior art between applicant's foreign priority date and U.S. filing date.....	216 , 2121.01 , 2132.01 , 2136.05 , 2152.06
Product by process.....	2113 , 2173.05(p)
Product of nature.....	2104 , 2105 , 2106 , 2106.04(b) , 2106.04(c)
Prolix.....	2173.05(m)
Provisional rejection.....	2127 , 2136.01 , 2139.03 , 2146.03 , 2146.03(a) , 2154.01(d) , 2158.01
Public sale (See also: On sale)	2120.02 , 2133.03 , 2133.03(b) to 2133.03(e)(7) , 2139.03 , 2151 , 2152 , 2152.02 , 2152.02(d) , 2152.05 , 2152.07
Public use (See also: Public use)	2120.02 , 2133.03(a) , 2151 , 2152 , 2152.02 , 2152.02(c) , 2152.05 , 2152.07
Ranges.....	2131.03 , 2144.05 , 2148 , 2158.01
Recapture in reissue application.....	1412.02
Reissue application	
Broadened claims.....	1412.03 , 2163.05
Defective oath.....	1414.03 , 1444
Recapture.....	1412.02
<i>Res judicata</i>	2138.02 , 2190
Scientific principle. 2106.04 , 2106.04(b) , 2107.02 , 2164.07	
Secondary considerations.....	2131.04 , 2145
Single means claim.....	2164.08(a) , 2173.05(g) , 2181
Species and genus.....	806.04(h) , 806.04(i) , 2131.02 , 2144.08
Statement of.....	707.07(d)
Statutory bar.....	2120.01 , 2133 to 2133.03(e)(7) , 2139.02 , 2152.05
Suggested claims not made.....	2304.04(c)
Technical.....	706.03
Trademark or trade name.....	608.01(v)
Undue breadth.....	2163.05 , 2173.04
Utility.....	2104 , 2107
Vague.....	2175
Well known in the art.....	2144.03
Rejoinder.....	806.05(c) , 806.05(f) , 806.05(h) , 806.05(i) , 809 , 812.01 , 821 , 821.01 , 821.02 , 821.04 , 821.04(a) , 821.04(b) , 1302.04(h)
Related inventions.....	802.01 , 806.04(b) , 806.05 , 806.05(j) , 808.02 , 809.03
Rejoinder of, generic or linking claim allowable.....	821.04(a)
Rejoinder of, product claim allowable.....	821.04(b)
Related inventions, species.....	806.04(b)
Remailing Office action.....	707.13 , 710.06
Remand by Board	
Affidavit.....	1211.03
Amendment.....	1211.01
Further search.....	1211.04

MANUAL OF PATENT EXAMINING PROCEDURE

Remand by Board — Requirement for information

Sec. No.	Sec. No.		
In general.....	1211	Cannot sign terminal disclaimer.....	1490
<i>Inter partes</i> reexamination.....	2677 , 2681 , 2682	Interviews.....	405
Special.....	708.01	Representative of foreign assignee.....	302.04
Removal of application from Office.....	101	Representative of inventor or owner.....	400
Renumbering claims.....	1302.01	Representative of requester.....	2213
Reopening after allowance.....	1308.01	Representatives of out-of-town attorneys.....	408
Reopening after court decision.....	1216.01	Republication of PG-Pub.....	502.05 , 1130
Reopening prosecution after Action Closing Prosecution in <i>inter partes</i> reexamination.....	2673 , 2673.01	Request for Continued Examination (RCE)...	706.07(h)
Reopening prosecution after Board decision in <i>inter partes</i> reexamination.....	2682	After allowance.....	1308
Replenishment of deposit accounts (See also: Deposit account ; Replenishment)		Conditions for filing.....	706.07(h)
Reply (See also: Amendment) Period for reply)		Design application.....	1502.01
After abandonment.....	714.17	Improper CPA treated as.....	201.06(d)
After Board decision.....	1214.01 , 1214.06	Submission requirement.....	706.07(h)
After final rejection.....	714.12 , 714.13	Suspension of action in.....	709
By filing RCE.....	706.07(h)	Terminal disclaimer, effect in.....	1490
Within 2 months.....	706.07(f)	Request for <i>ex parte</i> reexamination (See also: Reexamination , Ex Parte)	
Attorney arguments.....	716.01(c) , 2145	Request for <i>inter partes</i> reexamination (See also: Reexamination , Inter partes: Request) Reexamination , Inter partes: Decision on the request for reexamination)	
By patent owner in <i>inter partes</i> reexamination (See also: Reexamination , Inter partes: Response by patent owner)		Request form (PCT/RO/101).....	1801 , 1812 , 1821 , 1828 , 1844.01
By third party in <i>inter partes</i> reexamination (See also: Reexamination , Inter partes: Response by third party)		Request for reconsideration of patent term adjustment..	1002.02(b)
Complete.....	714.02 to 714.04	Request for rehearing of Board decision....	1002.02(b) , 1214.01 , 1214.03 , 1214.04
Copying claim from patent not a reply.....	711.02(b)	<i>Inter partes</i> reexamination.....	2682 , 2683
Election requirement.....	809.02(a)	Request for reinstatement of period of patent term adjustment.....	1002.02(b)
Formal matters.....	714.02	Request to convert provisional application to nonprovisional application.....	1002.02(b)
Incomplete.....	710.02(c) , 711.02 , 711.02(a) , 711.03(a) , 714.02 to 714.05 , 2266.01	Request to issue patent in name of assignee after issue fee paid.....	1002.02(b)
In <i>ex parte</i> reexamination.....	2266	Request for supplemental examination.....	2811 to 2811.02
Incomplete, election of species lacking....	809.02(a)	Requirement for information.....	704.10 to 704.14(d) , 1901.06 , 2120.02 , 2135 , 2173.02 , 2181
Incomplete, proceedings not stayed by petition.....	1002	After the first action on the merits.....	704.11(b)
Incomplete, time for completing.....	710.02(c) , 711 , 714.03 , 2266.01	Authority for requirement.....	704.10
Late.....	711 , 711.02	Consideration of information submitted....	704.14(b) , 707.05(b)
Late, excused.....	710.02(d)	Format of requirement.....	704.14(a)
Patentability pointed out.....	714.02 , 714.04 , 2132.01 , 2133.02(a) , 2136.05 , 2152.06	Relation to duty of disclosure... ..	704.12(a) , 2001.04 , 2005
Restart period for.....	710.06	Relationship to information disclosure statements	704.14(d)
Restoration of canceled matter.....	608.01(s)	Reply to.....	704.12
Restriction requirement.....	818 to 819	Elements of a complete reply.....	704.12(b)
Signed by all applicants.....	714.01(a)	Time periods for.....	704.13
Statutory period.....	710.01	Treatment of an incomplete reply.....	704.12(c)
Reply brief.....	1208		
Representative capacity.....	402.04 , 405 , 714.01(c)		
Cannot expressly abandon.....	711 , 711.01		

INDEX

Requirement for information — Restriction

Sec. No.	Sec. No.
What information may be required.....	704.11 , 704.11(a)
When requirement may be made.....	704.11(b)
Requirements must be repeated.....	707.07(e)
Requisites of the application.....	702
<i>Res judicata</i>	2138.02 , 2190 , 2259 , 2659
Rescission of nonpublication request.....	1123 , 1124
Rescission of Previous Nonpublication Request (35 U.S.C. 122(b)(2)(B)(ii)) and if Applicable, Notice of Foreign Filing (35 U.S.C. (b)(B)(iii)) form PTO/SB/36 Cited.....	1123 , 1124
Reproduced.....	1135
Residence, Applicant's.....	602.08(a) , 719.02
Resignation of examiner, old cases special.....	708.03
Respondent Brief in appeal of <i>inter partes</i> reexamination.....	2675.01 , 2675.02
Response (See also: Reply)	
Restriction (See also: Election Election of species) ...	800
Action, examiner's.....	814 to 817
Action after, special.....	708.01
Action on the merits.....	810
Apparatus and process or product.....	806.05(e) to 806.05(g)
Application referred to second examiner.....	815
Basis.....	802
Burden.....	803 , 803.02 , 806.05(c) , 806.05(d) , 806.06 , 808 , 808.01(a) , 808.02 , 811
Claimed subject matter.....	806.01
Claims to divisible inventions added before action.....	818.02(a)
Combination and subcombination.....	806.05(a) , 806.05(c)
Continuation.....	819
Design application.....	1504.05
Definition.....	802.02
Distinct invention.....	802.01 , 806 , 806.05
Distinct processes.....	806.05(j)
Distinct products.....	806.05(j)
Election other than express.....	818.02
Election fixed by action on claim.....	818.01
Final requirement.....	821.01
Grouped in parent application.....	811.04
Improper.....	803 , 806 , 808.02
Independent embodiments.....	802.01 , 806.04(b) , 806.06
Independent inventions.....	802.01 , 803 , 806 , 806.06 , 808.01(a)
Intermediate-final product.....	806.04(b) , 806.05(j)
Introduction.....	801
Linking claim.....	806.04 , 806.05(c) , 809 , 809.03 , 821.04(a)
Markush claims.....	803 , 803.02
Nonelected claims, treatment of.....	821 to 821.03
Eligible for rejoinder.....	821
Reissue application.....	1450
Nonelected invention.....	803.02 , 821.04(a)
Nucleotide sequences.....	803.04 , 2412.07 , 2434
Patentability over prior art.....	809 , 809.03
Patentability report, effect.....	807
Process and product or apparatus.....	806.05(e) , 806.05(g)
Product and process of using.....	806.05(h)
Product, process of making and using.....	806.05(i)
Reasons for holding of independence or distinctness.....	808.01
Reissue application.....	1450 , 1451
Rejection of nonelected claims.....	821 to 821.03
Rejoinder.....	806.05(c) , 806.05(f) , 806.05(h) , 806.05(i) , 809 , 812.01 , 821 , 821.01 , 821.02 , 821.04 , 821.04(a) , 821.04(b) , 1302.04(h)
Related inventions..	802.01 , 803 , 806 , 806.04(b) , 806.05 , 808.02 , 809.03
Rejoinder of, generic or linking claim allowable.....	821.04(a)
Rejoinder of, product claim allowable....	821.04(b)
Requirement.....	812 , 814 to 817
Additional.....	811.02
After election.....	818
With traverse.....	821.01
Without traverse.....	821.02
By group where examinable.....	812
Clear and detailed record.....	814
Completeness.....	815
Concluding paragraph.....	817
Consult other group.....	812.01 , 815
Final.....	810
First action.....	811
Patentability.....	810
Reasons for insisting upon.....	808 , 808.02
Rejection on double patenting following....	804.01
Repeated after withdrawal.....	811.03
Reply to.....	818 to 818.02(d)
Review by examiner with at least partial signatory authority.....	803.01
Submission to TC director.....	804.04
Second requirement.....	811.02
Sequences.....	803.04 , 2434

MANUAL OF PATENT EXAMINING PROCEDURE

Restriction — Rules, Patent (Code of Federal Regulations)

Sec. No.

Sec. No.

Single claim.....	803
Single embodiment.....	806.03
Species may be independent or related inventions.....	806.04(b)
Species of unclaimed genus.....	808.01(a)
Subcombination, Combination.....	806.05(a) , 806.05(c)
When made.....	811 , 811.02
Withdrawal.....	819
Subcombinations usable together.....	806.05(d) , 806.05(j)
Telephone.....	812.01
Transitional application.....	803.03
Traverse of requirement.....	818 , 821.01
Restrictions on employees of Office.....	309 , 1702
Restrictions on former employees of Office.....	1702
Restoration of Priority.....	213.03
Restoration of right to priority claim benefit of provisional application.....	211.01(a)
Retroactive foreign filing license.....	140
Return of Papers	
Discourteous matter...	714.19 , 714.25 , 1002.02(b)
Entered in the file.....	214.03 , 719.01
Return of drawing.....	608.02(y)
Return of filing fee.....	607.02
Return of patent.....	1416
Return of post card (sometimes postcard or post-card).....	503 , 1901.05
Returned Office action.....	707.13
Review at allowance.....	1302.01
Review for national security.....	115
Review for Government property rights.....	115
Revised statutes (See also: Statutes)	
Revival of abandoned application..	711.03 , 711.03(c) , 1002.02(b) , 1002.02(f)
Revocation of agent under PCT.....	1808
Revocation of power of attorney.....	402.05 , 402.07
After Allowance.....	2501
Rewritten specification.....	608.01(q)
Right of Appeal Notice (RAN).....	2666.05 , 2666.10 , 2667 , 2671 to 2674 , 2677
Content.....	2673.02
Right of domestic benefit.....	210 to 211.05
Right of priority (See also: Foreign application)	
Foreign application.....	210 , 213 to 217
Form paragraphs.....	213
Formal requirements.....	214
Overcoming a reference..	213 , 213.04 , 215 , 216 , 2132.01 , 2133.02(a) , 2136.05 , 2152.06

Papers required.....	215
Time for filing papers.....	215.03
Right to exclude others..	509.02 , 1111 , 1601 , 2162
Rights, Transfer of patent or application.....	509.02
RNA (See also: Biotechnology) Nucleotide sequences)	
Roster of attorneys or agents.....	601.03 , 1730
Rospatent (Federal Service for Intellectual Property (Russian Federation)..	1840 , 1840.04 , 1860 , 1865
Rules, Patent (Code of Federal Regulations).....	R
10 CFR 810 Cited.....	140
21 CFR 60.10 Cited.....	2756
21 CFR 60.3(b) Cited.....	2751
21 CFR Ch.1 Cited.....	2757 , 2757.01
21 CFR 312.80-312.88 Cited.....	2107.03
37 CFR:	
1.1 Reproduced.....	501
1.2 Reproduced.....	713.04 , 2002.02
1.3 Reproduced.....	714.25
1.4 Reproduced.....	501 , 502.02 , 502.04 , 509.03 , 2002.02
1.5 Reproduced.....	502
1.6 Reproduced.....	502 , 502.01 , 505 , 513
1.7 Reproduced.....	710.05
1.8 Reproduced.....	512
1.9 (pre-AIA) Reproduced.....	201 , 201.04
1.9 Reproduced..	201.01 , 201.04 , 1893 , 2920
1.10 Reproduced.....	511 , 513
1.11 Reproduced.....	103 , 1430 , 1879.04
1.12 Reproduced.....	301.01
1.14 (pre-AIA) Reproduced.....	104
1.14 Reproduced....	101 , 102 , 103 , 104 , 110 , 150 , 1128 , 1879.04
1.20 Reproduced.....	2666.04
1.22 Reproduced.....	509
1.23 Reproduced.....	509
1.25 Reproduced.....	509.01
1.26 Reproduced.....	509 , 607.02
1.27 Reproduced.....	509.02 , 509.03
1.28 Reproduced.....	509.03
1.29 Reproduced.....	509.04(a) , 509.04(b) , 509.04(d) , 509.04(e) , 509.04(f)
1.31 Reproduced.....	401
1.32 Reproduced.....	402 , 402.02(a)
1.32 (pre-AIA) Reproduced.....	402.02(b)
1.33 (pre-AIA) Reproduced....	403.01(b) , 601.03 , 714.01(a)
1.33 Reproduced....	403.01 , 601.03 , 714.01(a) , 2222 , 2622
1.34 Reproduced.....	402.03

INDEX

Rules, Patent (Code of Federal Regulations) — Rules, Patent (Code of Federal Regulations)

Sec. No.	Sec. No.		
1.36 (pre-AIA) Reproduced.....	402.05(b)	1.85 Reproduced.....	608.02(b) , 608.02(p)
1.36 Reproduced.....	402.05(a) , 402.06	1.91 Reproduced.....	608.03
1.41 Reproduced.....	605.02 , 2920.01	1.93 Reproduced.....	608.03
1.42 (pre-AIA) Reproduced.....	409.01(b)	1.94 Reproduced.....	608.03(a)
1.42 Reproduced.....	409.01(a)	1.95 Reproduced.....	608.03(a)
1.43 (pre-AIA) Reproduced.....	409.01(b)	1.96 Reproduced.....	608.05(a)
1.43 Reproduced.....	409.01(a)	1.97 Reproduced.....	609
1.45 Reproduced.....	409.02	1.98 Reproduced.....	609
1.46 Reproduced.....	308 , 409.05	1.102 Reproduced..	708.01 , 708.02 , 708.02(b)
1.47 (pre-AIA) Reproduced.....	409.03	1.103 Reproduced.....	709
1.48 Reproduced.....	201.03	1.104 Reproduced..	706 , 707 , 707.05 , 707.07 , 717.02(b) , 1302.14 , 1852 , 2146.02
1.51 Reproduced.....	601	1.105 Reproduced.....	704.10
1.52 Reproduced.....	608.01 , 608.05 , 2250	1.111 Reproduced..	201.04 , 714.02 , 714.03(a) , 2266 , 2666
1.53 (pre-AIA) Reproduced....	201.04 , 201.06(d) , 601.01	1.112 Reproduced.....	706
1.53 pre-PLT (AIA) Reproduce.....	601.01	1.113 Reproduced.....	706.07
1.53 Reproduced.....	201.04 , 201.06(c) , 201.06(d) , 506 , 601.01 , 601.01(c) , 2415.02	1.114 Reproduced.....	706.07(h)
1.54 Reproduced.....	503	1.115 Reproduced.....	714.01(e)
1.55 Reproduced.....	213 , 213.04 , 213.05 , 215.02 , 2920.05(d)	1.116 Reproduced.....	714.12
1.56 Reproduced.....	2001 , 2001.01 , 2001.04 , 2001.05 , 2002	1.121 Reproduced.....	608.02(p) , 608.04 , 714 , 1453 , 2234 , 2250 , 2666.01
1.57 Reproduced.....	217 , 608.01(p)	1.125 Reproduced.....	608.01(q)
1.58 Reproduced.....	608.01 , 608.05(b)	1.126 Reproduced.....	608.01(j)
1.59 Reproduced.....	724.06	1.129 Reproduced.....	706.07(g) , 803.03
1.63 (pre-AIA) Reproduced.....	201.06(c)	1.130 Reproduced.....	717.01 , 804.03 , 2155
1.63 Reproduced.....	201.06(c) , 602.01(a)	1.131 Reproduced.....	715 , 718
1.64 Reproduced.....	409.05 , 604	1.132 Reproduced.....	716
1.66 Reproduced.....	602 , 602.04	1.133 Reproduced.....	713.01 , 713.04
1.67 Reproduced.....	603	1.135 Reproduced.....	710.01 , 711 , 711.03(c) , 714.03
1.69 Reproduced.....	602.06 , 2004	1.136 Reproduced.....	710.02 , 710.02(e)
1.71 Reproduced.....	608.01 , 608.01(w) , 717.02(b) , 2146.02	1.137 Reproduced.....	711.03(c) , 1124 , 2268 , 2668
1.72 Reproduced.....	606 , 608.01(b)	1.138 Reproduced.....	711 , 711.01 , 1125
1.73 Reproduced.....	608.01(d)	1.141 Reproduced.....	802 , 806.05(i)
1.74 Reproduced.....	608.01(f)	1.142 Reproduced.....	802
1.75 Reproduced.....	608.01(i) , 608.01(n) , 2173.05(n)	1.143 Reproduced.....	818.01
1.76 Reproduced.....	601.05(a) , 601.05(b)	1.144 Reproduced.....	818.01(c)
1.77 Reproduced.....	608.01(a) , 608.05	1.145 Reproduced.....	821.03
1.78 Reproduced.....	1481.03 , 2920.05(e)	1.146 Reproduced.....	806.04
1.78 in effect on November 29, 2000, Reproduced.....	804.03	1.151 Reproduced.....	1501
1.81 (pre-PLT) Reproduced.....	608.02	1.152 Reproduced.....	1503.02
1.81 Reproduced.....	608.02	1.153 Reproduced.....	1503.01
1.83 Reproduced.....	608.02(d)	1.154 Reproduced.....	1503.01
1.84 Reproduced.....	608.01(f) , 608.01(w) , 608.02 , 1606	1.155 Reproduced.....	1504.30
		1.161 Reproduced.....	1602
		1.162 (pre-AIA) Reproduced.....	1604

MANUAL OF PATENT EXAMINING PROCEDURE

Rules, Patent (Code of Federal Regulations) — Rules, Patent (Code of Federal Regulations)

Sec. No.	Sec. No.
1.162 Reproduced.....	1604 , 1605
1.163 Reproduced.....	1603 , 1605
1.164 Reproduced.....	1605
1.165 Reproduced.....	1606
1.166 Reproduced.....	1607
1.167 Reproduced.....	1609
1.171 Reproduced.....	1410
1.172 Reproduced.....	1410.01
1.172 (pre-AIA) Reproduced.....	1410.01
1.173 Reproduced.....	1410 , 1411 , 1413 , 1453
1.175 Reproduced.....	1410.01 , 1414.01
1.175 (pre-AIA) Reproduced.....	1414.02
1.176 Reproduced.....	1440 , 1450 , 2686.03
1.177 Reproduced.....	1451
1.178 Reproduced.....	1416 , 1418 , 1442.04
1.181 Reproduced.....	711.03(c) , 1002
1.182 Reproduced.....	1002
1.183 Reproduced.....	1002
1.197 Reproduced.....	1214.06
1.198 Reproduced.....	1214.07
1.211 Reproduced.....	1120 , 1126
1.213 Reproduced.....	1122 , 1123 , 1124
1.215 (pre-AIA) Reproduced.....	1121
1.215 Reproduced.....	1121
1.217 Reproduced.....	1132
1.219 Reproduced.....	1129
1.221 Reproduced.....	1130 , 1133
1.248 Reproduced.....	1901
1.251 Reproduced.....	508.04
1.290 Reproduced.....	1134.01
1.291 Reproduced.....	1901
1.297 (pre-AIA) Reproduced.....	1111
1.301 Reproduced.....	1216
1.302 Reproduced.....	1216.01 , 2683
1.303 Reproduced.....	1216
1.304 Reproduced.....	1216 , 2683
1.311 Reproduced.....	1303
1.312 Reproduced.....	714.16
1.313 Reproduced.....	1308
1.314 Reproduced.....	1306.01
1.321 Reproduced.....	1490
1.321 (pre-AIA) Reproduced.....	1490
1.322 Reproduced.....	1480
1.323 Reproduced.....	1481
1.324 Reproduced.....	1481.02
1.324 (pre-AIA) Reproduced.....	1481.02
1.335 Reproduced.....	311
1.362 Reproduced.....	2504
1.363 Reproduced.....	2540
1.366 Reproduced.....	2515
1.377 Reproduced.....	2580
1.378 Reproduced.....	2590
1.413 Reproduced.....	1840
1.414 Reproduced.....	1893.01(a)
1.416 Reproduced.....	1862
1.422 Reproduced.....	1806
1.431 Reproduced.....	1810
1.432 Reproduced.....	1821
1.434 Reproduced.....	1821
1.435 Reproduced.....	1823
1.436 Reproduced.....	1824
1.437 Reproduced.....	1825
1.438 Reproduced.....	1826
1.446 Reproduced.....	1827.01
1.451 Reproduced.....	213.06
1.455 Reproduced.....	402.09 , 1807 , 1808
1.475 Reproduced.....	1850
1.477 Reproduced.....	1850
1.480 Reproduced.....	1864
1.481 Reproduced.....	1867
1.484 Reproduced.....	1878
1.485 Reproduced.....	1864.01 , 1878.02
1.488 Reproduced.....	1875
1.489 Reproduced.....	1875.02
1.491 Reproduced.....	1893.01
1.495 Reproduced.....	1893.01(a)(1)
1.496 Reproduced.....	1893.03
1.497 Reproduced.....	1893.01(e)
1.499 Reproduced.....	1893.03(d)
1.501 Reproduced.....	2202
1.502 Reproduced.....	2202
1.510 Reproduced.....	2210 , 2212 , 2213 , 2214 , 2215 , 2227 , 2266.03
1.515 Reproduced.....	2240 , 2248
1.520 Reproduced.....	2239
1.525 Reproduced.....	2246
1.530 Reproduced.....	2234 , 2249 , 2250 , 2250.01 , 2250.02 , 2666.01 , 2666.02
1.535 Reproduced.....	2251
1.540 Reproduced.....	2252
1.550 Reproduced.....	2254 , 2265 , 2266 , 2266.03
1.552 Reproduced.....	2258
1.555 Reproduced.....	2280
1.560 Reproduced.....	2281

INDEX

Rules, Patent (Code of Federal Regulations) — Rules, Patent (Code of Federal Regulations)

Sec. No.	Sec. No.
1.565 Reproduced....	2282 , 2283 , 2284 , 2285 , 2286
1.570 Reproduced.....	2288
1.601 Reproduced.....	2803 , 2803.01 , 2808 , 2812.02
1.605 Reproduced.....	2809
1.610 Reproduced.....	2810 , 2811 , 2811.01 , 2811.02 , 2812.01 , 2812.02
1.615 Reproduced.....	2807
1.620 Reproduced.....	2813 , 2813.01 , 2814 , 2815 , 2816 , 2816.03 , 2819 , 2820
1.625 Reproduced.....	2258 , 2817 , 2818
1.701 Reproduced.....	2720
1.702 Reproduced.....	2730
1.703 Reproduced.....	2730 , 2731
1.704 Reproduced.....	2730 , 2732
1.705 Reproduced....	2730 , 2733 , 2734 , 2736
1.710 Reproduced.....	2751
1.720 Reproduced.....	2751
1.730 Reproduced.....	2752
1.740 Reproduced.....	2753 , 2754
1.741 Reproduced.....	2754
1.750 Reproduced.....	2755
1.760 Reproduced.....	2755.01
1.765 Reproduced.....	2762 , 2763
1.770 Reproduced.....	2764
1.780 Reproduced.....	2759
1.785 Reproduced.....	2761
1.790 Reproduced.....	2755.02
1.791 Reproduced.....	2755.02
1.801 Reproduced.....	2402
1.802 Reproduced.....	2404
1.803 Reproduced.....	2405
1.804 Reproduced.....	2406
1.805 Reproduced.....	2407
1.806 Reproduced.....	2408
1.807 Reproduced.....	2409
1.808 Reproduced.....	2410
1.809 Reproduced.....	2411
1.821 Reproduced.....	2422
1.822 Reproduced.....	2423
1.823 Reproduced.....	2424
1.824 Reproduced.....	2425
1.825 Reproduced.....	2426
1.831 Reproduced.....	2412.02 , 2412.02(a) , 2412.03 , 2412.03(a) , 2412.03(b) , 2412.03(c) , 2412.03(d) , 2412.03(e) , 2412.04
1.832 Reproduced.....	2412.05(a) , 2412.05(b) , 2412.05(d) , 2412.05(e)
1.833 Reproduced.....	2413.01(a) , 2413.01(b) , 2413.01(c) , 2413.01(d) , 2413.01(e) , 2413.01(f) , 2413.01(g) , 2413.01(h)
1.834 Reproduced..	2413.02 , 2413.03 , 2413.04
1.835 Reproduced.....	2413.04 , 2414.01 , 2414.02 , 2414.03 , 2414.04 , 2414.05 , 2414.06
1.839 Reproduced.....	2412
1.902 Reproduced.....	2202 , 2602 , 2625
1.903 Reproduced.....	2666.06
1.906 Reproduced.....	2658
1.907 Reproduced.....	2612 , 2686.04
1.915 Reproduced.....	2613 , 2666.06
1.923 (In effect for a request filed prior to September 16, 2011) Reproduced.....	2640
1.923 Reproduced.....	2640
1.925 Reproduced.....	2640
1.927 (pre-AIA) Reproduced.....	2640 , 2648
1.927 Reproduced.....	2640 , 2648
1.931 (In effect for a request filed prior to September 16,2011) Reproduced.....	2646
1.931 Reproduced.....	2646
1.933 Reproduced.....	2684
1.935 Reproduced.....	2660
1.937 Reproduced.....	2654 , 2686.03
1.939 Reproduced.....	2625 , 2667
1.941 Reproduced.....	2666.01 , 2666.02
1.945 Reproduced.....	2666
1.947 Reproduced.....	2666.05
1.948 Reproduced.....	2666.05
1.949 Reproduced.....	2671.01 , 2671.02
1.951 Reproduced.....	2672
1.953 Reproduced.....	2673.02
1.955 Reproduced.....	2685
1.956 Reproduced.....	2665
1.957 Reproduced..	2666.10 , 2666.20 , 2666.30
1.959 Reproduced.....	2674
1.981 Reproduced.....	2682
1.985 Reproduced.....	2686
1.987 Reproduced.....	2686.04
1.989 Reproduced.....	2686.01
1.991 Reproduced.....	2686.03
1.993 Reproduced.....	2686.02
1.995 Reproduced.....	2686.03
1.997 Reproduced.....	2686.03 , 2688
1.1061 Reproduced.....	1501
1.1002 Reproduced.....	2905.01
1.1011 Reproduced.....	2905.01
1.1012 Reproduced.....	2905.01

MANUAL OF PATENT EXAMINING PROCEDURE

Rules, Patent (Code of Federal Regulations) — Rules, Patent (Code of Federal Regulations)

Sec. No.	Sec. No.		
1.1021 Reproduced.....	2909 , 2920.04(c)	5.14 Reproduced.....	140
1.1022 Reproduced.....	2909.01	5.15 Reproduced.....	140
1.1023 Reproduced.....	2908	5.18 Reproduced.....	140
1.1025 Reproduced.....	2920.04(a)	5.19 Reproduced.....	140
1.1026 Reproduced.....	2909.02 , 2920.04(b)	5.20 Reproduced.....	140
1.1031 Reproduced.....	2910 , 2950	5.25 Reproduced.....	140
1.1041 Reproduced.....	2911	11.9 Reproduced.....	402.01 , 402.09
1.1042 Reproduced.....	2912	11.10 Reproduced.....	402.01 , 1702
1.1045 Reproduced.....	2905.01	11.18 Reproduced.....	402.03 , 410 , 509.03 , 2203
1.1051 Reproduced.....	2913	11.116 Reproduced.....	402.06
1.1052 Reproduced.....	2914	41.2 Reproduced.....	2301.02
1.1062 Reproduced.....	2920.05	41.6 Reproduced.....	1213.03
1.1063 Reproduced.....	2920.05 , 2920.05(a)	41.11 Reproduced.....	2307.01
1.1064 Reproduced.....	2920.05(b)	41.31 Reproduced.....	1204
1.1065 Reproduced.....	2930	41.33 Reproduced.....	1206
1.1066 Reproduced.....	2920.03	41.37 Reproduced.....	1205
1.1067 Reproduced.....	2920.04(a) , 2920.04(c)	41.39 Reproduced.....	1207 , 2275
1.1068 Reproduced.....	2940	41.41 Reproduced.....	1208
1.1071 Reproduced.....	2950	41.43 Reproduced.....	1207.05 , 1208
2.190 Reproduced.....	501	41.50 Reproduced.....	1207.05
3.1 Reproduced.....	301	41.52 Reproduced.....	1214.03
3.11 Reproduced.....	302	41.54 Reproduced.....	1214
3.21 Reproduced.....	302.03	41.61 Reproduced.....	2674 , 2674.01
3.24 Reproduced.....	302.01	41.66 Reproduced.....	2675 , 2675.01 , 2678
3.26 Reproduced.....	302.02	41.67 Reproduced.....	2675 , 2675.02
3.27 Reproduced.....	302.08	41.68 Reproduced.....	2675.01 , 2675.02
3.28 Reproduced.....	302.07	41.69 Reproduced.....	2677
3.31 Reproduced.....	302.07 , 302.10	41.71 Reproduced.....	2678
3.34 Reproduced.....	323.01	41.73 Reproduced.....	2680
3.41 Reproduced.....	302.06	41.77 Reproduced.....	2681
3.51 Reproduced.....	317.01	41.79 Reproduced.....	2682
3.54 Reproduced.....	317.03	41.8 Reproduced.....	1449.02 , 2284 , 2686.02
3.56 Reproduced.....	317.03	41.81 Reproduced.....	2682
3.58 Reproduced.....	302	41.100 Reproduced.....	2301.02
3.61 Reproduced.....	302.04	41.102 Reproduced.....	2284 , 2303 , 2686.02
3.71 (pre-AIA) Reproduced.....	324 , 402.07	41.103 Reproduced.....	2284 , 2307 , 2686.02
3.71 Reproduced.....	325	41.109 Reproduced.....	2307.02
3.73 (pre-AIA) Reproduced.....	324	41.127 Reproduced.....	2308
3.73 Reproduced.....	325	41.200 Reproduced.....	2301.02
3.81 Reproduced.....	307	41.201 Reproduced.....	2301.02 , 2304.02(d)
5.1 Reproduced.....	120	41.202 Reproduced.....	1449.02 , 2304.02 , 2304.02(a) , 2304.02(b) , 2304.02(c) , 2304.02(d) , 2304.03 , 2305
5.2 Reproduced.....	120	41.203 Reproduced.....	2301.03
5.3 Reproduced.....	120 , 2306	41.206 Reproduced.....	2304.05
5.4 Reproduced.....	120	42.2 Reproduced.....	2310.02
5.5 Reproduced.....	120	42.3 Reproduced.....	2313
5.11 Reproduced.....	140		
5.12 Reproduced.....	140		
5.13 Reproduced.....	140		

INDEX

Rules, Patent (Code of Federal Regulations) — “Secrecy Order” application

Sec. No.	Sec. No.
90.1 Reproduced.....	2683
102.4 Reproduced.....	103
S	
Sale, On (See also: On sale)	
Sample letter on submission of prior art in patent.....	2205
Sanctions.....	410
Saturday, effect on time for reply.....	502 , 502.01 , 502.05 , 505 , 506.02 , 510 , 513 , 710.05 , 2504 , 2506
Scientific and Technical Information Center (STIC).....	901.06(a)
Biotechnology sequence listings.....	2421.03 , 2429
Foreign patents.....	901.05 , 901.05(c) , 903.03 , 901.07 , 2135
Hours.....	1730
Litigation search.....	2240 , 2287 , 2640 , 2686.04
Literature collection.....	719.05 , 901.06(a)
Location and telephone number.....	1730
Translation assistance.....	901.05(d) , 901.06(a)
Scientific principle not patentable..	2106.04 , 2107.02 , 2164.07
Scope of claims.....	904.01(a) , 2163.05 , 2164.08
Design application.....	1503.01 , 1504.04 , 1504.05 , 1504.06
Scope of class.....	903.02(b)
Scope of reexamination	
<i>Ex parte</i>	2258
<i>Inter partes</i>	2658
Screening new application for security review.....	115 , 2104.01
Seal.....	602
Not required.....	602
Venue.....	602
Search.....	900
After reversal by Patent Trial and Appeal Board	1214.04
Aids in Scientific and Technical Information Center (STIC).....	901.06(a)
Analogous art areas.....	904.01(c) , 2141
Claim analysis.....	904.01
Computer.....	719.05
Databases (See also: Electronic databases)	
Electronic documents.....	707.05(e) , 904.02(c)
Fee, PCT.....	1827
Field of.....	904.02 , 904.02(a)
Not to be given for patented inventions.....	1701
File wrapper notation.....	719.05 , 904
Incomprehensible disclosure.....	702.01
In Technology Center, by member of public....	713.02
Informal application.....	702.01 , 704.01
INPADOC.....	901.06(a)
Interference.....	2304.01(a)
Internet.....	707.05(e) , 904.02(c)
Notes in classification definitions.....	902.02(a) , 905.01(a)(2)
Notes in file wrapper.....	705.01(a) , 719.05 , 903.07(a)
Online database (See also: Electronic databases) ...	901.06(a) , 902.03(e)
Outlining.....	904.02(a)
Patentability report.....	705.01(a) , 705.01(b)
Prior examiner's.....	704.01
Procedure.....	704.01 , 904
References in classification definition....	905.01(a)(1)
Related applications.....	904.04
Requirements for information.....	704.11 , 704.11(a) , 2005
Restriction requirement.....	808.02
Scope.....	2103 , 2141
Selecting pertinent references.....	904.03
Title.....	306
Unduly extensive and burdensome.....	806.01 , 808.01(a) , 818.02(b)
Search notes form (PE2E-OC). 704.14(b) , 705.01(a) , 719.05 , 904	
Search facility hours.....	510 , 1730
Search tools, automated.....	902.03(e)
Searched box entries.....	719.05
Secrecy, in general.....	101
Secrecy of international applications.....	120
“Secrecy Order” application.....	115 , 120 , 130
After declassification.....	130
Allowance.....	130
Commodity Control List.....	120
Correspondence.....	120
Facsimile transmission of correspondence not permitted.....	120
Final rejection.....	130
Interference.....	130 , 2306
Petition for rescission or modification.....	120
Prosecution.....	130

MANUAL OF PATENT EXAMINING PROCEDURE

“Secrecy Order” application — Series codes

Sec. No.	Sec. No.
Review.....	115 , 140
Security, Application affecting.....	120 , 121 , 130 , 140
Secret sale (See also: On sale)	
Security interest in patent, recording (See also: Assignment)	313
Security markings.....	121 , 130 , 140 , 724
Security screening of new applications.....	115 , 140
Security, Licensing and Review, applications submitted.....	121 , 130 , 709 , 710 , 1002.02(c)(1)
Self-addressed postcard (See also: Postcard, self-addressed)	503
Sequence listing (See also: Sequence rules)	601 , 608.05 , 608.05(c) , 708.02(a) , 714 , 1823.02 , 2412 to 2416 , 2418 to 2419.03 , 2422 to 2422.04 , 2422.06 , 2422.07 , 2422.08 , 2423 to 2431 , 2433 , 2434 , 2435
WIPO Standard ST.25.....	2422 to 2422.04 , 2422.06 , 2422.07 , 2422.08 , 2423 to 2431 , 2433 , 2434 , 2435
WIPO Standard ST.26 (See also: Sequence Listing XML)	2412 to 2416 , 2418 to 2419.03
EFS-Web submission.....	502.05
Hand delivery.....	2413.03 , 2422.03(a) , 2433
Pre-Grant Publications (PG-Pub).....	1121
Publication.....	2419 , 2419.01 , 2419.02 , 2419.03
Statements.....	2414.02 , 2414.03 , 2422.06
With Interim Copy of Foreign Application... ..	215.02(b)
Sequence rules (See also: Biotechnology)	2400
Amendments to sequence listing and computer readable form	
Initial Add.....	2412.02
Previously existing.....	714 , 2414.03 , 2422.07 , 2426
Amino acid definition.....	2412.03(b) , 2412.03(c) , 2422.01
AuthorIn.....	2430
Coding regions, depiction of.....	2413.01(e) , 2413.01(g) , 2422 , 2423 , 2423.02
Compliance requirement.....	2413.05 , 2414 , 2414.01 , 2422.07 , 2429
Computer readable format requirement.....	502.05 , 2412.02 , 2416 , 2421.01 , 2422.03 , 2422.03(a) , 2422.04 , 2422.06 , 2425 , 2426 , 2433
Definitions for nucleotides/amino acids.....	2412.03 , 2412.03(a) , 2412.03(b) , 2412.03(c) , 2412.03(d) , 2412.03(e) , 2422.01
Definition of sequence listing and CRF.....	2412.02 , 2421.01
Exclusive conformance requirement.....	2412.06 , 2422.02
Extensions of time.....	2414 , 2421.03
Format and symbols....	2412.05(d) , 2423 , 2423.01
Form paragraphs.....	2416 , 2427
Hand-delivery of sequence listings and computer readable forms.....	2413.03 , 2422.03(a) , 2433
Helpful hints for compliance.....	2429
Incorporation by reference.....	601 , 2412 , 2413.04 , 2415.03 , 2422.03
Informational requirements for sequence listings.....	2424 , 2424.01 , 2424.02
Mandatory information items.....	2412 , 2413.01(f) , 2424 , 2424.02
Miscellaneous requirements, information....	2424.03
Notice to comply.....	2414.01 , 2421.03
Nucleotide definition.....	2412.03 , 2412.05(b) , 2422.01
Numbering of sequences.....	2412.05(a) , 2423.02
Numeric identifiers.....	2412.05(a) , 2424 , 2424.02
Oversized Submission Fee.....	608.05 , 2422.03
PatentIn information.....	1730 , 2429 , 2430
Patent Cooperation Treaty (PCT).....	1823.02 , 1844.01 , 1848 , 1893.01(d) , 2422 , 2414.05 , 2422.03(a) , 2430
Presumptions regarding compliance.....	2413.05 , 2422.08
Replacement of sequence listing and computer readable form.....	2414.03 , 2426
Sample sequence listing.....	2431
Sanctions for failure to comply.....	2414.05 , 2422.07
Sequence identifier requirement.....	2412.04 to 2413.01(g) , 2422.01
Sequence presentation.....	2412.05(e) , 2423.03
Sequences in drawings.....	2412.04 , 2412.06 , 2422.02
Statement regarding content of paper and computer readable copies.....	502.05 , 608.05 , 2422 to 2422.04 , 2422.06 , 2426
Statement samples under WIPO ST.25.....	2428
Summary of requirements.....	2412 , 2421.02
Variants of a presented sequence.....	2413.01(g) , 2422.01
WIPO Standard ST. 25.....	2422 to 2422.04 , 2422.07 , 2422.08 , 2423 to 2431 , 2433 , 2434 , 2435
WIPO Standard ST. 26 (See also: Sequence Listing XML)	2412 to 2416 , 2418 to 2419.03
Sequences, restriction.....	803.04 , 2412.07 , 2434
Sequence Listing XML (See also: Sequence Listing WIPO Standard ST.26)	601 , 608.05 , 608.05(c) , 706.02(a) , 2412 to 2416 , 2418 to 2419.03
Series codes.....	503

INDEX

Series of dependent claims — Special application

Sec. No.	Sec. No.
Series of dependent claims.....	608.01(n)
Series, Patent (See also: Patent)	
Service, proof of, in a petition for access.....	103
Service of applicant in a protest.....	1901 , 1901.03
Service of citation in patent.....	2208
Service of court papers on Director.....	1216
Service of patent owner statement on requestor in <i>ex parte</i> reexamination.....	2249 , 2266.03
Service of papers in <i>inter partes</i> reexamination.....	2666.06
Certificate of.....	2666.06
Proof of service.....	2666.06 , 2666.50 , 2667
To patent owner.....	2654 , 2666.05
To third party requestor.....	2654 , 2666 , 2666.05
Shift of election.....	819
Shortened statutory period (See also: Period for reply Statutory period)	710.02 , 710.02(b)
Appeal.....	1205 , 1214.06 , 1215.04
Date of abandonment.....	711.04(a)
Drawings.....	608.02(p) , 608.02(x)
Extension of time.....	710.02(e) , 1002.02(c)
Final rejection.....	706.07 , 706.07(b) , 706.07(f) , 706.07(g) , 714.13
Informal application.....	702.01
Information disclosure statement.....	609.04(b)
Quayle.....	714.14
Reexamination, <i>ex parte</i>	2250.01 , 2263 , 2265 , 2272 , 2273 , 2285 , 2286
Time limits compared.....	710.02(d)
Signatory Authority, Full.....	1004
Signatory Authority, Partial.....	1005
Signature	
Alteration in specification signed.....	608.01
Amendment.....	714.01
Signature improper.....	714.01(a) , 714.01(c) , 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.....	403.01(b)
Applicant.....	602.08(b)
Applicant changes name.....	201.03 , 605.01
Applicant, international application.....	1820
Applicant unable to write.....	602.08(b)
Application papers.....	602.08(b)
Attorney or agent not of record.....	402.03
Certification, effect of.....	401 , 402.03 , 410
Continued prosecution application.....	201.06(d)
Correction of name.....	602.08(b)
Express abandonment.....	711 , 711.01
Facsimile.....	502.01 , 502.02 , 505 , 511 , 512
Full, first or middle name.....	602.08(b)
Required on every paper.....	402 , 402.03
Title with.....	602.08(b)
Uniformity with name.....	602.08(b)
Signing, continued prosecution application... ..	201.06(d)
Signing examiner's letter.....	706.07 , 707.08 , 707.09
Signing file wrapper.....	1302.13
Simulated tests in the specification.....	608.01(p)
Simultaneous issue of patents.....	1306.02
Single means claim....	2164.08(a) , 2173.05(g) , 2181
Size of paper (See also: A4 size paper) Paper size)	
Sketch of subject matter of claims.....	904.01(a)
Small Business Act.....	509.02
Small Business Administration.....	509.02
Small entity status (See also: Fee)	
Change of status.....	509.03 , 509.03(b)
Claiming status.....	509.03
Correcting status.....	509.03 , 509.03(b)
Definition.....	509.02
Established in parent application.....	201.06(c)
Fees.....	509.02
Government organizations.....	509.02
Improper payment.....	509.03
Independent inventor.....	509.02
Maintenance fees.....	509.03 , 2515 , 2531 , 2550
Nonprofit organization.....	509.02 , 509.03
Refund.....	509.03(b) , 607.02
Small business concern.....	509.02
Statement verified.....	509.03
Transfer of invention rights.....	509.02 , 509.04(a) , 509.04(b)
Solicitor's Office (See also: Office of Solicitor)	
Sources of information to disclose.....	2001.06
Special application.....	708 to 708.03
Accelerated examination.....	708.02
Allowable application, except for form.....	707.07(j) , 710.02(b) , 714.14 , 1301
Appealed application.....	1204
Applicant's age, health.....	708.02 , 1002.02(b)
Counter terrorism inventions.....	708.02 , 1002.02(s)
Energy.....	708.02
Environmental Quality Program.....	1002.02(s)
Five year pendency.....	707.02
List.....	708.01
Patent printing priority.....	1309
Petition to make.....	708.02 , 1002.02(s)

MANUAL OF PATENT EXAMINING PROCEDURE

Special application — Statement applying the prior art in an ex parte reexamination...

Sec. No.	Sec. No.
Reexamination	Cross-noting of related applications..... 1302.04
<i>Ex parte</i>	2261
<i>Inter partes</i>	2661
Reissue application.....	Defines claim term..... 2111.01
1442	Derogatory remarks prohibited..... 608.01(r)
Remanded by Board.....	Description..... 608.01(g) , 2163 , 2163.02
708.01	Design application..... 1503.01
Revived applications.....	Detailed description of invention..... 608.01(g)
711.03(c)	Enablement (See also: Enablement)
Special examining procedure.....	2164
708.02	English language..... 608.01
Special Program Examiner (SPRE).....	Facsimile transmission..... 608.01
103 , 1415.01 , 1825 , 1845.01 , 1851	Font..... 608.01
Petitions decided.....	Format..... 608.01(a)
1002.02(s)	Illustrations in..... 608.01
Species.....	Incorporation by reference..... 601 , 2163.07 , 2163.07(b) , 2412 , 2413.04 , 2415.03 , 2422.03
806.01 , 806.04 , 806.04(b) , 806.04(d) , 806.04(e) , 806.04(f) , 806.04(h) , 806.04(i) , 808.01(a) , 809.02(a)	Interlineation prior to filing..... 608.01
Anticipation by a generic chemical formula.. 2131.02	Language faulty..... 608.01 , 608.01(g)
Anticipation of a genus by the species..... 2131.02	Missing pages..... 601.01(d)
Cancellation of species claims..... 821.01 , 821.02	New matter..... 608.04 , 608.04(a) , 2163.06
Claims restricted to..... 806.04(e)	Omitted pages..... 217 , 601.01(d)
Election of (See also: Election of species)	Paragraph numbering..... 608.01 , 608.01(g) , 714
How recognized..... 806.04(f)	Parts..... 608.01(a)
Independent inventions..... 802.01 , 808.01(a)	Provisional application..... 601.01(b)
Mutually exclusive characteristics..... 806.04(f)	Reference characters corrected..... 1302.04
Obviousness of..... 2144.08	Reissue application..... 1411
Patentably distinct..... 806.04(h)	Requirements for..... 2161
Patentability over genus..... 806.04(h)	Return..... 608.01
Plural..... 608.01(m) , 806.04 , 808.01(a)	Rewritten..... 608.01(q) , 1302.02
Reissue..... 1450	Signature..... 602.08(b)
Rejection..... 806.04(h) , 2131.02	Substitute, amendment including..... 714.19 , 714.20
Related..... 806.04(b)	Substitute specification..... 608.01(q) , 714.19 , 714.20
Withdrawal of species claim..... 821.01 , 821.02	Pre-Grant Publication..... 502.05 , 1120
Specification (See also: Disclosure)	Summary of invention..... 608.01(d)
608.01 , 2161	Table submission on compact disc or via EFS-Web as ASCII text file..... 608.05(b) , 2422.03(a)
Amendment, manner of making..... 714	Terminology basis for claims..... 608.01(o) , 2163.07
Arrangement..... 608.01(a)	Title of invention..... 606
Background of the invention..... 608.01(c)	Title of invention changed..... 606.01
Best mode (See also: Best mode)	Trademarks in..... 1512
2165	Transfer to another application..... 608.01(t)
Brief description of drawings..... 608.01(f)	Written description (See also: Written description)
Brief summary of invention..... 608.01(d)	2163
British English spellings in..... 608.01	Specimen, Composition of matter..... 608.03
British provisional and complete..... 214.03	Specimen, Handling..... 608.03(a)
Changes prior to filing..... 601.01 , 608.01	Specimen, Plant application..... 1607
Completeness..... 608.01(p) , 2161 , 2163 to 2165	Stamp
Computer lists..... 608.05	Office date..... 502 , 505 , 506 , 710.01(a) , 714.18
Confused by amendments..... 608.01(q) , 1302.02	Statement applying the prior art in an <i>ex parte</i> reexamination..... 2217
Content of..... 608.01(a)	
Continued prosecution application..... 201.06(d)	
Copyrights in..... 1512	
Correction by examiner's amendment.... 1302.04 to 1302.04(g)	
Correction by initialing..... 1302.04	

INDEX

Statement, Examiner's — Statutes

Sec. No.	Sec. No.
Statement, Examiner's (See also: Action)	
Statement by inventors when changing inventorship..... 201.03	
Statement by owner in <i>ex parte</i> reexamination... 2249	
Statement of allowability by Board..... 1213.01	
Statement of invention, coextensive with claims..... 608.01(d)	
Statement of invention, reviewed on allowance..... 1302.01	
Statement, Prior art (See also: Prior art) 201.06(d) , 609	
Status inquiries..... 102 , 203.08	
Congressional..... 203.08(a)	
Maintenance fees..... 2570	
White House..... 203.08(a)	
Status letter..... 203.08	
Status letter database..... 203.08	
Status of application..... 102 , 203	
Abandoned..... 203.05	
Allowed or in issue..... 203.04	
Amended..... 203.03	
Incomplete..... 203.06	
New..... 203.01	
Parent patent application..... 102 , 211.01(b)	
Priority claims..... 102	
Published application..... 1128	
Referred to in foreign patent..... 102	
Rejected..... 203.02	
Statute of limitations	
Citation of prior art..... 2204	
Term of biological material deposit..... 2408	
Time for requesting <i>ex parte</i> reexamination..... 2211	
Statutes	
Atomic Energy Act Cited.... 120 , 140 , 150 , 2104 , 2104.01	
Freedom of Information Act..... 1002.02(k)(2)	
Public Law 96-517..... 509.02 , 2201 , 2209	
Public Law 97-247..... 509.02 , 509.03 , 711.03(c) , 2265 , 2268	
Public Law 98-622..... 804 , 2109	
Public Law 103-182..... 715 , 2132 , 2138.02	
Public Law 103-465..... 706.07(g) , 707.05 , 715 , 715.07(c) , 803.03 , 804.02 , 2132 , 2138.02	
Public Law 106-113..... 2146 , 2146.01 , 2201 , 2273 , 2279 , 2601	
Public Law 107-273 Cited..... 706.07(a) , 2136 , 2136.01 , 2146 , 2201 , 2242 , 2258.01 , 2273 , 2279 , 2601 , 2642 , 2683	
Public Law 108-199 Cited..... 2105	
Public Law 108-453 Cited..... 804.03 , 2136.01 , 2146 , 2146.01 , 2146.03	
Public Law 112-29 Cited..... 210 , 509.02 , 509.04 , 607 , 1401 , 1440 , 1481.02 , 1490 , 2105 , 2106.03 , 2124.01 , 2150 , 2151 , 2165 , 2201 , 2279 , 2601 , 2602 , 2801	
Public Law 112-211..... 702 , 711.03(c) , 1402	
Revised Statute of..... 1874 , 5 U.S.C. 552(a)..... 2412	
5 U.S.C. 6103(a) Cited..... 710.05	
7 U.S.C. 2321..... 1612	
10 U.S.C. 140(c) Cited..... 120	
15 U.S.C. 15(b) Cited..... 101	
15 U.S.C. 1127 Cited..... 608.01(v)	
17 U.S.C. 401 Cited..... 1512	
17 U.S.C. 909 Cited..... 608.01 , 608.01(w)	
18 U.S.C. Cited.... 402.03 , 410 , 602.01 , 602.01(a) , 604 , 715.04 , 716	1001
Reproduced..... 602	
18 U.S.C. 1905 Cited..... 101	
18 U.S.C. 2071 Reproduced..... 101	
18 U.S.C. 2331..... 708.02	
20 U.S.C. 1000 Cited..... 509.02	
26 U.S.C. 501 Cited..... 509.02	
28 U.S.C. 1745 Cited..... 901.05	
28 U.S.C. Cited..... 602	1746
35 U.S.C. 2 Reproduced..... 1001	
35 U.S.C. 3 Reproduced..... 1001	
35 U.S.C. 4 Reproduced..... 1702	
35 U.S.C. 6 Reproduced..... 1202	
35 U.S.C. 7 Reproduced..... 901.06(a)	
35 U.S.C. 8 Reproduced..... 903.01	
35 U.S.C. 21 Reproduced..... 511 , 513 , 710.05	
35 U.S.C. 22 Reproduced..... 608.01	
35 U.S.C. 25 Reproduced..... 602	
35 U.S.C. 26 Reproduced..... 602	
35 U.S.C. 27 Reproduced... 711.03(c) , 2268 , 2668	
35 U.S.C. 41 Reproduced..... 2268 , 2501 , 2668	
35 U.S.C. 42 Reproduced..... 607.02	
35 U.S.C. 100 Reproduced..... 701	
35 U.S.C. 101 Reproduced..... 201 , 701 , 804 , 2104 , 2107.01	
35 U.S.C. 102 (pre-AIA) Reproduced..... 1504.02 , 2120 , 2132 , 2133 , 2133.03(c) , 2134 , 2135 , 2136 , 2137 , 2138 , 2217 , 2258 , 2301.01	
35 U.S.C. 102 Reproduced..... 2152 , 2156	

MANUAL OF PATENT EXAMINING PROCEDURE

Statutes — Statutes

Sec. No.	Sec. No.
35 U.S.C. 102(e), former (pre-AIA) Reproduced..... 2136.03	35 U.S.C. 163 Reproduced..... 1601
35 U.S.C. 102(g) (pre-AIA) Reproduced..... 2301.01	35 U.S.C. 164 Reproduced..... 1609
35 U.S.C. 103 (pre-AIA) Reproduced.... 2141 , 2146	35 U.S.C. 171 Reproduced.... 201 , 1501 , 1504.01
35 U.S.C. 103 Reproduced.... 804.03 , 2120 , 2141 , 2146 , 2146.01 , 2147	35 U.S.C. 172 Reproduced..... 1504.02 , 1504.10
35 U.S.C. 104 (pre-AIA) Reproduced..... 715.07(c) , 2301.01	35 U.S.C. 173 Reproduced..... 1505 , 2950
35 U.S.C. 111 (pre-AIA) Reproduced..... 201.04	35 U.S.C. 181 Reproduced..... 115
35 U.S.C. 111 pre-PLT (AIA) Reproduced..... 601	35 U.S.C. 182 Reproduced..... 140
35 U.S.C. 111 Reproduced..... 201 , 201.04 , 601	35 U.S.C. 184 Reproduced..... 140
35 U.S.C. 112 (pre-AIA) Reproduced.... 2161 , 2171	35 U.S.C. 185 Reproduced..... 140
35 U.S.C. 112 Reproduced... 1504.04 , 2161 , 2171	35 U.S.C. 186 Reproduced..... 140
35 U.S.C. 113 Reproduced..... 608.02	35 U.S.C. 187 Reproduced..... 140
35 U.S.C. 114 Reproduced..... 608.03	35 U.S.C. 188 Reproduced..... 140
35 U.S.C. 115 (pre-AIA) Reproduced..... 602.01(b)	35 U.S.C. 251 Reproduced.. 1401 , 1403 , 1410.01 , 1412.03 , 1451 , 2766
35 U.S.C. 115 Reproduced..... 602.01(a)	35 U.S.C. 251 (pre-AIA) Reproduced..... 1401 , 1410.01 , 2766
35 U.S.C. 116 (pre-AIA) Reproduced..... 409.03 , 602.09	35 U.S.C. 252 Reproduced..... 1460 , 2766
35 U.S.C. 116 Reproduced..... 602.09	35 U.S.C. 253 Reproduced..... 1490
35 U.S.C. 117 Reproduced.... 409.01(a) , 409.01(b)	35 U.S.C. 254 Reproduced..... 1480
35 U.S.C. 118 (pre-AIA) Reproduced..... 409.03	35 U.S.C. 255 Reproduced..... 1481
35 U.S.C. 118 Reproduced..... 308	35 U.S.C. 256 Reproduced..... 1481.02
35 U.S.C. 119 Reproduced..... 211 , 213	35 U.S.C. 256 (pre-AIA) Reproduced..... 1481.02
35 U.S.C. 120 Reproduced..... 211	35 U.S.C. 257 Reproduced..... 2802 , 2816.03
35 U.S.C. 121 Reproduced..... 802 , 804	35 U.S.C. 261 Reproduced..... 301
35 U.S.C. 122 Reproduced..... 101 , 1120 , 1122 , 1123 , 1124 , 1132 , 1134	35 U.S.C. 262 Reproduced..... 301
35 U.S.C. 131 Reproduced..... 701	35 U.S.C. 267 Reproduced..... 710
35 U.S.C. 132 Reproduced..... 608.04 , 706.07(h) , 2304.04(b)	35 U.S.C. 293 Reproduced..... 302.04
35 U.S.C. 133 Reproduced..... 710 , 2268 , 2668	35 U.S.C. 294 Reproduced..... 311
35 U.S.C. 134 Reproduced..... 1204	35 U.S.C. 301 Reproduced..... 2202
35 U.S.C. 135 (pre-AIA) Reproduced..... 2301.01 , 2304.02(c) , 2310.01	35 U.S.C. 302 Reproduced..... 2210
35 U.S.C. 141 Reproduced..... 1216 , 2683	35 U.S.C. 303 Reproduced..... 2240
35 U.S.C. 142 Reproduced..... 1216.01	35 U.S.C. 304 Reproduced..... 2246
35 U.S.C. 143 Reproduced..... 1216.01	35 U.S.C. 305 Reproduced..... 2254 , 2261
35 U.S.C. 144 Reproduced..... 1216.01	35 U.S.C. 306 Reproduced..... 1216 , 2273
35 U.S.C. 145 Reproduced..... 1216	35 U.S.C. 307 Reproduced..... 2288 , 2293
35 U.S.C. 146 Reproduced..... 1216	35 U.S.C. 312 (In effect for requests filed prior to September 16, 2011) Reproduced..... 2640
35 U.S.C. 152 Reproduced..... 307	35 U.S.C. 312 Reproduced..... 2640
35 U.S.C. 153 Reproduced..... 1309	35 U.S.C. 313 Reproduced..... 2646
35 U.S.C. 154 Reproduced..... 2701 , 2730	35 U.S.C. 314 Reproduced... 2654 , 2661 , 2686.04
35 U.S.C. 154, former, Reproduced..... 2720	35 U.S.C. 315 Reproduced..... 2674
35 U.S.C. 156 Reproduced.. 2751 , 2752 , 2755.01 , 2755.02 , 2758 , 2759 , 2761	35 U.S.C. 316 Reproduced..... 2688 , 2693
35 U.S.C. 161 Reproduced..... 201 , 1601	35 U.S.C. 317 Reproduced..... 2686.04
35 U.S.C. 162 Reproduced..... 804 , 1605	35 U.S.C. 318 Reproduced..... 2686.04
	35 U.S.C. 361 Reproduced..... 1805
	35 U.S.C. 362 Reproduced..... 1840
	35 U.S.C. 363 Reproduced..... 201.01 , 1810
	35 U.S.C. 365 Reproduced..... 213.06

INDEX

Statutes — Sufficiency of disclosure affidavit

Sec. No.	Sec. No.
35 U.S.C. 371 Reproduced.....	1893.01
35 U.S.C. 373 Reproduced.....	1810
35 U.S.C. 374 Reproduced.....	1857
35 U.S.C. 381 reproduced.....	2908
35 U.S.C. 382, reproduced.....	2905.01
35 U.S.C. 383 Reproduced.....	2909
35 U.S.C. 384, reproduced.....	2908 , 2914
35 U.S.C. 386 Reproduced.....	2920.05(d) , 2920.05(e)
35 U.S.C. 387 Reproduced.....	2913
35 U.S.C. 389 Reproduced..	2920 , 2920.05 , 2950
42 U.S.C. 141 Cited.....	120
42 U.S.C. 181 Cited.....	120
42 U.S.C. 2182 Reproduced.....	150
51 U.S.C. 20135 Reproduced.....	150
Statutory authority of Director.....	1001
Statutory bar.....	2120.01 , 2133 to 2133.03(e)(7) , 2139.02 , 2152 , 2152.05
Foreign application.....	1504.02
Overcoming.....	2133.02(a) , 2152.06
Rule 1.131 not available.....	715 , 718
Statutory classes of invention, utility... 2104 , 2106.03 , 2107	
Statutory disclaimer (See also: Disclaimer) Terminal disclaimer)	
Statutory Invention Registration (SIR)..... 409.03(j) , 1100	
Defensive publication compared.....	711.06
Effect of.....	1111
Publication of.....	1111
Rejections using.....	901.02 , 2136
Statutory period (See also: Period for reply: Shortened statutory period) 710.01 , 710.01(a)	
Abandonment for failure to reply..... 711.02 , 711.02(a)	
Appeal.....	1205
Broadening claims in a reissue application... 1412.03	
Computed.....	710.01(a)
Date from which period runs.....	710.06
Date of abandonment.....	711.04(a)
Full statutory period.....	130
Not extendible.....	710.02(e)
Postal service emergency.....	511
Property rights statement.....	150
Reexamination, <i>ex parte</i>	2265 , 2272
Reexamination, <i>inter partes</i>	2662 , 2665
Secrecy order application.....	130
Shortened statutory period (See also: Shortened statutory period)	
Two periods for reply set.....	710.04 , 710.04(a)
Stay of reexamination	
of	
<i>Ex parte</i>	2283 , 2284 , 2285 , 2286 , 2286.01
<i>Inter partes</i>	2686.03 , 2686.04
Stay of reissue.....	1442.02 , 2285
Stockholm Revision, Paris Convention (See also: Treaties)	213 , 213.01 , 213.05
Strasbourg Agreement (See also: Treaties)	906
STIC (See also: Scientific and Technical Information Center (STIC))	1730
Subcombination	
Aggregation and.....	806.05(a)
Combination and.....	802.01
Species.....	806.04(b)
Subgeneric Markush claims.....	803.02 , 2173.05(h)
Subject matter, design patent.....	1502 , 1504.01
Subject matter, nonstatutory.....	2104 , 2106.07(c)
Subject matter combinations.....	903.02(b)
Submission of amendment or showing of facts after Board decision.....	1214.01
Submission of patents or publications, third party..... 1134.01	
Submission to classification unit	
Classification of application.....	909.01(d) , 909.02(d)
Patentability report.....	705.01(a)
Submission of prior art by applicant.....	707.05(b)
Submission of information by applicant.....	704.12(b) , 704.14(b) , 707.05(b)
Subpoena by court, Application file.....	1216.02
Subpoena of examiner.....	1701.01
Substantial new question of patentability	
In <i>ex parte</i> reexamination.....	2201 , 2214 , 2216 , 2240 , 2242 , 2244 , 2246 , 2247 , 2258 , 2258.01 , 2802 , 2809.01 , 2811.02 , 2816 , 2816.01 , 2816.02 , 2816.03 , 2817 , 2818 , 2818.01 , 2818.02 , 2821
In <i>inter partes</i> reexamination.....	2640 , 2642
Substitute application (See also: Application)	
Assignment.....	306
Does not carry ownership from parent.....	306
File wrapper/history notation.....	202
Substitute attorney or agent.....	406
Substitute oath.....	602.02
Substitute page.....	714.20
Substitute specification..	608.01 , 608.01(q) , 714.19 , 714.20
Amendment incorporating.....	714 , 714.19 , 714.20
New matter.....	608.01(q)
Sufficiency of disclosure affidavit.....	716 , 716.09

MANUAL OF PATENT EXAMINING PROCEDURE

'Sufficient cause' for extension of time in ex parte reexa... — Symbols, Drawing

Sec. No.

Sec. No.

'Sufficient cause' for extension of time in <i>ex parte</i> reexamination.....	2265	Inquiries from persons other than patent owner.....	2803.01.	2813
'Sufficient cause' for extension of time in <i>inter partes</i> reexamination.....	2665	Item of information relied upon in the request...	2809	
Suggested claims, Failure to make.....	2304.04(c)	Merger.....	2821	
Suggestion of allowable claims by examiner.....	707.07(j).	Multiple.....	2821	
Suggestion of claims for interference.....	2304.03 to 2304.04(b)	Procedures after conclusion.....	2818.	2818.01.
Suggestion of claims for interference, time limit.....	710.02(c)	Public access to.....	2803.02	
Summary of action PTOL-326.....	707	Representative of patent owner.....	2804.	2804.01
Summary of interview.....	713.01.	Time for filing.....	2808	
Summary of invention.....	608.01(d)	Who may file.....	2803	
Sunday or holiday, effect on time for reply.....	502.	Supplemental Examination Certificate....	2802.	2806.
Sunday or holiday, effect on reference.....	2133.01.	2809.01.	2810.	2813.
Supervisory applications examiner.....	714.13	2815.	2816.	2816.02.
Supervisory patent examiner... ..	705.01.	2816.03.	2816.04.	2817.
708.03.	713.08.	2817.01.	2818.	2818.01.
714.05.	714.13.	2818.	2818.01.	2818.02
714.16.	714.16(d).	Substitute examiner's answer.....	1207.05.	1211.
714.16(e).	812.01.	1211.01		
1207.	1207.01.	Supplemental oath or declaration.....	603	
1207.02.	1207.02.	After allowance.....	603.01.	714.16
1207.03.	1211.01.	Reissue.....	1414.03.	1451
1214.07		Surface ornamentation....	1502.	1502.01.
Petitions decided by.....	1002.02(d)	1503.02.	1504.01.	1504.01(a).
Supervisory patent reexamination specialist..	2212.01.	1504.01(c).	1504.01(c).	1504.03
2227.	2233.	Surrender of patent (not required).....	1416	
2236.	2237.	Suspension		
2240.	2246.	Applicant's request for.....	709	
2248.	2265.	Decided by.....	709.	1002.02(c).
2267.	2270.	Deferral of examination.....	709	
2274.	2281.	<i>Ex parte</i> prosecution during interference....	2307.03	
2283.	2285.	Not permitted if outstanding Office action.....	709	
2286.	2286.01.	Of action, because of litigation.....	1213	
2287.	2289.	Of action, by Office.....	709	
2294.	2295.	Overlapping application.....	709.01	
2636.	2640.	Reexamination		
2646.	2648.	<i>Ex parte</i>	2283.	2284.
2664.	2665.	<i>Inter partes</i>	2640.	2686.01
2667.	2670.	Request for, in CPA.....	709	
2671.	2671.02.	Request for, in RCE.....	709	
2673.02.	2676.	Rules.....	1002	
2676.	2677.	Secrecy order application.....	2306	
2682.	2687.	Supplemental Reply.....	709	
2686.01.	2686.03.	Swearing back of reference (See also: Affidavit or prior invention to overcome a pre-AIA 35 U.S.C. 102 or 103 rejection(37 CFR 1.131)))		
2686.04.	2686.05.	Symbols, Drawing.....	608.02	
2687.01.	2689			
Supervisory review, Rule 1 181.....	711.03(d)			
Supplemental action.....	710.06.			
Supplemental Amendment.....	714.03(a)			
Supplemental Application Data Sheet (ADS)....	601.05			
Supplemental Examination.....	2800			
Assignment of.....	2822			
Consideration of request.....	2816.01.			
Contents of determination.....	2816.02			
Contents of request.....	2816.03			
Correspondence address.....	2811 to 2811.02			
<i>Ex parte</i> reexamination ordered.....	502.			
2816.04.	502.05.			
2818.01	2805			
Duty of Disclosure.....	2816.04.			
Fees.....	2818.01			
Filing date.....	2014			
Format of papers.....	509.01.			
Handling of papers other than a request.....	2810.			
How to file.....	2810.01			
	2812.01			
	2807			
	2813			
	2806			

INDEX

Tables submitted on read-only optical disc or via EFS-Web as ASCII text... — Time for filing petitions

Sec. No.

Sec. No.

T

Tables submitted on read-only optical disc or via EFS-Web as ASCII text file.....	608.05 , 608.05(b) , 2422.03 , 2422.03(a)	Withdrawal.....	2761 , 2764
Technical documents.....	901.06(a)	Foreign.....	901.05
Technical rejections.....	2120	Transitional practice.....	706.07(g) , 803.03
Technology Center Director (See also: Director of Technology Center)		Utility.....	2710
Telephone call, multiplicity rejection.....	2173.05(n)	Terminal disclaimer (See also: Disclaimer)	1490
Telephone numbers.....	1730	Avoiding/obviating double patenting issues... ..	804.02 , 806.04(i) , 1490 , 2146.03 , 2146.03(a) , 2158
Attorney.....	408 , 713.01 , 714.01	Certificate of correction and.....	2701 , 2720
Examiner.....	707.08	Common ownership or joint research agreement.....	1490
General information.....	1730	Continued Prosecution Application (CPA).....	1490
Telephoning of attorney to examiner.....	408 , 713.01	Continuing applications.....	1490
Term, Patent.....	707.05 , 2701	Copending applications procedure.....	1490
Adjustment of....	2701 , 2710 , 2730 , 2731 , 2732 , 2733 , 2734 , 2736	Forms and form paragraphs.....	1490
Determination of.....	2733	Request for Continued Examination (RCE).....	1490
Due care showing.....	2734	Reissue.....	1402 , 1410.02 , 1411 , 1451 , 1490
Grounds for.....	2730	Required for revival.....	711.03(c)
Period of.....	2731	Signature in.....	402.03 , 403.01(a) , 1490
Reductions to.....	2732	Situations where not applicable.....	804.03
Request for reconsideration or reinstatement.....	2730 , 2732 , 2733 , 2734	Withdrawal of.....	1490
Third party papers.....	2736	Terminology in application.....	608.01(g) , 608.01(o) , 1302.01 , 2175
Continued prosecution application.....	2730 , 2732	Termination of proceedings.....	211.01(a) , 211.01(b) , 711.02(c)
Deposit of biological material.....	2408	<i>Ex parte</i> reexamination.....	2265 , 2266.01 , 2268 , 2271 , 2281 , 2285 , 2286.01 , 2294
Design.....	1502.01 , 1505	<i>Inter partes</i> reexamination.....	2694
Divisional.....	201.06	TESS (Trademark Electronic Search System).....	1703
Extension under 35 U.S.C. 156		Test comments.....	707.07(l)
FDA regulatory review and.....	2750 to 2766	Testamentary, Letters (See also: Administrator or executor)	409.01(b)
Deadline.....	2754.01 , 2754.02	Testimony, examiner.....	1701.01
Duty of disclosure and.....	2762 , 2762.01	Tests, comparative (See also: Affidavits, traversing rejections (37 CFR 1.132))	
Petition for stay in processing.....	2765	Third action cases.....	707.02
Interim extension.....	2755.01 , 2755.02	Third party reply in <i>inter partes</i> reexamination (See also: Reexamination, Inter partes: Response by third party)	
Reissue.....	2766	Third party requestor (See also: Reexamination, Inter partes: Response by third party)	
Specific		Third party submissions/inquiries/correspondence in published applications.....	1134 , 1134.01
Products		Time and Activity Report.....	1704 , 1705
Animal drugs.....	2750 , 2751 , 2753 , 2757 , 2758	Time for claiming benefit of earlier application..	211.03
Antibiotic drugs.....	2751 , 2758	Time for deciding Director initiated reexamination.....	2211 , 2239
Color additives	2750 , 2751 , 2754.01 , 2758	Time for deciding reexamination request.....	2241
Food additives.....	2750 , 2751 , 2753 , 2754.01 , 2758	Time for filing papers, right of priority.....	214.01 , 215.02 , 215.03
Medical devices.....	2750 , 2751 , 2753 , 2758	Time for filing petitions.....	1002
Veterinary Biological Products.....	2750 , 2751 , 2756 , 2758		
Third party papers.....	2763		

MANUAL OF PATENT EXAMINING PROCEDURE

Time for requesting reexamination — Traverse, answer all matters

Sec. No.

Sec. No.

Time for requesting reexamination		Reissue under 37 CFR 1.11(b).....	724.04(b)
<i>Ex parte</i>	2210 , 2211	Types of.....	724.03
Time for reply (See also: Period for reply)	702.01 , 710	Trade secret submission label.....	724.02
Time for reply to action in reexamination		Trademark and trade name.....	608.01(v) , 2173.05(u) , 2175 , I
<i>Ex parte</i>	2263	Design patent, relationship to.....	1512
<i>Inter partes</i>	2662	Misuse in patent specification.....	608.01(v)
Time limit.....	710.02 , 710.02(c)	Trademark Manual of Examining Procedure.....	
For making suggested claims.....	710.02(c)	Trademarks, Partial list of.....	I
International preliminary examination report (IPER)....	1879.01	Transfer of application	
International search report (ISR).....	1843.05	After amendment.....	909.01(c)
Period for reply.....	710	Allowable application.....	1305
Permanent ink copy.....	714.07	Divisible inventions.....	812
Prior art filing.....	2204	Interference.....	2304.01(b)
Reply to final rejection.....	706.07(f)	New.....	909.01(a) , 909.02(a)
Restriction requirement.....	811	Primary examiner's authority.....	909.02
Rewrite claims following Board decision.....	1214.06	Procedure.....	909.01(d) , 909.02(a) , 909.02(d)
Shortened statutory period compared to.....	710.02 , 710.02(b) , 710.02(d)	Secrecy order application.....	130
Statutory period.....	710.01 , 710.01(a)	Transfer of class or subclass of design patents.....	903.05
Transfer of application.....	909.01(d) , 909.02(d)	Transfer of drawing.....	608.02(i)
Two periods running.....	710.04	Transfer of reexamination	
Time period for owner's statement.....	2249	<i>Ex parte</i>	2237
Time reporting.....	2238 , 2638	Transfer of rights to patent or application.....	509.02 , 509.04(a) , 509.04(b)
Time to pay maintenance fees.....	2506	Transfer of specification prohibited.....	608.01(t)
Timely submission of protest.....	1901.04	Transfer of U.S. design patent.....	903.05
Title conveyed by assignment.....	300	Transitional application (See also: Application)	
Title documents, handling.....	317	After final practice.....	706.07(g)
Title of invention.....	606 , 1893.03(e)(1)	Generic claim allowable.....	803.03(b)
Change by examiner.....	2660.02 , 2686.03	Linking claim allowable.....	803.03(a)
Design application.....	1503.01 , 1504.01(a)	Patent term.....	2701
Amendment of.....	1503.01	Restriction practice.....	803.03
Use of Trademarks in.....	1512	Transitional phrases.....	2111.03
International application.....	1821	"Characterized by".....	2111.03
Plant patent application.....	1610	"Composed of".....	2111.03
Reviewed at issue.....	606.01 , 1302.01	"Comprising".....	2111.03 , 2173.05(h)
Title report.....	320 , 2287	"Consisting essentially of".....	2111.03
Titles of USPTO Officials.....		"Consisting of".....	2111.03 , 2173.05(h)
Title with signature.....	602.08(b)	"Containing".....	2111.03
Trade secret material.....	724 to 724.05	Translation, foreign application or foreign priority document.....	214 , 215 , 216
Completeness of file wrapper.....	724.01	Translations index in STIC.....	901.06(a)
Materials submitted covered by 35 U.S.C. 122.....	724.04(a)	Translators in the U.S. Patent and Trademark Office.....	901.05(d) , 901.06(a)
Method of submitting.....	724.02	Transmission, certificate of (See also: Certificate of mailing or transmission (37 CFR 1.8))	
Office treatment and handling.....	724.04 , 724.06	Transmittal Fee, PCT.....	1827
After publication.....	724.04(a)	Traverse, answer all matters.....	707.07(f)
Petition to expunge materials.....	724.05		
Reexamination under 37 CFR 1.11(d).....	724.04(c)		

INDEX

Traverse, division or species requirement — Utility required

Sec. No.	Sec. No.
Traverse, division or species requirement.....	818 , 821.01 , 821.02
Traverse, rejection of linking claim.....	818.01(d)
Treaties	
Benelux Designs Convention (See also: Design application)	213.01 , 1504.10
Budapest Treaty (See also: Biotechnology Microorganisms)	901.05(b) , 2402 , 2404.01 , 2405 , 2407.05 , 2408 , 2409 , 2410.01 , 2410.02 , 2411.01
European Community Design.....	1504.10
European Patent Convention.....	901.05
GATT.....	2138.02
Hague Agreement (See also: Design application)	213.01 , 1504.10 , Chapter 2900
Hague Convention.....	409.01(b) , 602.04(a)
NAFTA..	201.04 , 715 , 715.07(c) , 2132 , 2138.02
Paris Convention.....	213 , 1502.01
Patent Cooperation Treaty (PCT).....	1502.01 , 1800 , AI , T
Patent Law.....	702
Strasbourg Agreement.....	906
UPOV Convention (See also: Plant patent)	1612 , 1613
Uruguay Round Agreements Act (URAA).....	201.04 , 715 , 715.07(c) , 804 , 2701 , 2720 , 2730 , 2132
Trial Proceedings, Duty to disclose.....	2001 , 2001.06(c)
TRIPS Agreement (Trade-Related Aspects of Intellectual Property).....	1801
Tubers.....	1601
Twenty year term (See also: Term, Patent)	
Two month delay period in reissues.....	1441
Two periods for reply running.....	710.04
Type font.....	608.01 , 1504.01(a)
United States Code (See also: Statutes)	
Unity of invention.....	803 , 823 , 1850 , 1875 , 1893.03(d)
University or other institution of higher learning.....	509.02 , 509.04(b)
Unlocatable Patent or Application Files.....	508.04
Unscheduled closing.....	213.03
Unsigned amendment.....	711 , 714.01(a)
Untimely filed (premature) paper prior to order for <i>ex parte</i> reexamination.....	2225
Untimely filed (premature) paper prior to order for <i>inter partes</i> reexamination.....	2625
Untimely response to <i>ex parte</i> reexamination.....	2267
Untimely response to <i>inter partes</i> reexamination.....	2667
UPOV Convention (See also: Plant patent) Treaties)	1612 , 1613
Uruguay Round Agreements Act (See also: Treaties)	201.04 , 715 , 715.07(c) , 2701 , 2720 , 2730 , 2132
Use claims.....	2173.05(q)
Use, Public (See also: Public use)	
User pass.....	510
USPTO Contact Center.....	1730
USPTO Patent Electronic Filing System.....	708.02(a) , 708.02(b) , 713.01
Utility, disclosure in drug cases.....	2107.03 , 2164.06 , 2164.06(a) , 2164.07
Utility requirement guidelines.....	2107
Legal precedent for.....	2107 to 2107.03
Relationship of enablement to.....	2164.07
Utility lacking, rejection.....	2104 , 2107
Utility model.....	901.05(b)
Utility patent (See also: Design application) Patent) Plant patent)	901.04 , 1502.01
Application publication.....	1120 to 1135
Copies of.....	707.05(a)
Copyrighted material in.....	608.01(w)
Design patent compared to.....	1502.01
Double patenting.....	804
Drawings / Photographs.....	608.01(f) , 608.02
Elements of.....	600
Expiration date or term.....	1730 , 2211 , 2250
Maintenance fees.....	2506
Period of enforceability.....	2204 , 2211
Specification.....	608.01
Utility required.....	608.01(p) , 2104 , 2107 , 2164.07

U

Unavailable inventor.....	409 , 409.02 , 409.03
Undelivered mail.....	707.13 , 1303.02
Undue breadth rejection....	2164.08 , 2166 , 2173.04 , 2173.05(h)
Unexpected results (See also: Affidavits, traversing rejections (37 CFR 1.132))	716.02 to 716
Unintentional abandonment (See also: Abandonment)	
United Kingdom priority document.....	213.03 , 216

MANUAL OF PATENT EXAMINING PROCEDURE

Vague and indefinite rejection — Written description

Sec. No.

Sec. No.

V

Vague and indefinite rejection (See also: [Indefinite claim](#))
Validity of patent, examiner comments..... [1701](#)
Venue..... [602.01](#)
Video conference center..... [713.01](#)
Violation of duty of disclosure (See also: [Duty of disclosure](#))
 Affect..... [2016](#)
 Argued in protest..... [1901.02](#), [1901.06](#)
 Reissue..... [2012](#)
Visitors to Office..... [510](#)
Voluntary publication..... [502.05](#), [1133](#)

W

Waiver
 Of confidentiality..... [103](#), [201.06\(d\)](#), [1002.02\(k\)\(1\)](#)
 Of patent owner's statement..... [2246](#), [2249](#)
 Of deficiencies in oath or declaration.... [602.01\(c\)\(3\)](#), [602.03](#)
 Of patent rights..... [711.06](#), [1111](#)
 Of rules..... [201.03](#), [402.10](#), [602.01\(c\)](#), [711.03\(c\)](#), [724.06](#), [803.04](#), [1002](#), [1002.02\(b\)](#), [2248](#), [2265](#), [2288](#)
Walk-up customer window..... [501](#), [502](#), [2413.03](#), [2433](#)
Washington D.C. representatives of attorneys..... [408](#)
WebEx (See also: [Interviews](#)) [502.03](#)
When disclosure is made..... [2003](#)
White House inquiry..... [203.08\(a\)](#)
Who has duty to disclose..... [2001.01](#)
WIPO..... [213.01](#), [214.04](#), [901.04](#), [1801](#)
WIPO Sequence Tool..... [2418](#)
WIPO Standards
 ST. 3..... [901.05\(b\)](#), [1851](#)
 ST. 10..... [901.05\(b\)](#)
 ST. 14..... [707.05\(e\)](#), [901.05\(b\)](#)
 ST. 16..... [901.05\(b\)](#), [1851](#), [2424.03](#)
 ST. 25..... [2422 to 2422.04](#), [2422.06](#), [2422.07](#), [2422.08](#), [2423 to 2431](#), [2433](#), [2434](#), [2435](#)
 ST. 26..... [2412 to 2416](#), [2418 to 2419.03](#)
 ST. 34..... [901.05\(b\)](#)
Withdrawal from appeal after remand by Board..... [1002.02\(d\)](#)

Withdrawal from issue..... [1303.01](#), [1308](#)
 Amendment crossing allowance..... [714.15](#)
 Director's approval..... [1003](#), [1308](#)
 Petition for..... [1002.02\(b\)](#), [1002.02\(c\)](#), [1308](#)
 Quality Review..... [1308.03](#)
 Refund of fee..... [1308.01](#)
 Rejection..... [706.04](#), [1308.01](#)
Withdrawal of abandonment (See also: [Abandonment Petition](#))
Withdrawal of appeal..... [1215.01](#)
Withdrawal of appeal by cancelling a claim.... [1214.05](#), [1215.03](#)
Withdrawal of attorney (See also: [Attorney or agent Power of attorney](#)) [402.06](#), [1002.02\(s\)](#), [1808](#), [2223](#), [2560](#)
Withdrawal of claims
 To nonelected invention.... [821.01](#), [821.02](#), [821.03](#)
 To nonelected species..... [821.01](#), [821.02](#)
Withdrawal of final rejection..... [706.07\(e\)](#)
 Premature final..... [706.07\(d\)](#)
 Primary decides..... [1004](#)
Withdrawal of holding of abandonment (See also: [Abandonment Petition](#)) [711.03\(c\)](#), [711.04\(c\)](#)
Withdrawal of power of attorney in patent..... [2223](#), [2623](#)
Withdrawal of terminal disclaimer..... [1490](#)
Withhold from issue petition..... [1002.02\(c\)](#)
Witness, Examiner as..... [1701.01](#)
World Trade Organization member countries.... [213.01](#)
World Wide Web address..... [1730](#)
Writing, Disclosures must be in..... [2002.02](#)
Written description (See also: [Specification](#)) [2163](#), [2166](#)
 Amendments supported by original description..... [2163.07](#)
 Inherent function, theory or advantage..... [2163.07\(a\)](#)
 Incorporation by reference..... [217](#), [608.01\(p\)](#), [2163.07\(b\)](#)
 Burden on the examiner..... [2163.04](#)
 Changes to scope of claims..... [2163.05](#)
 Circumstances when issues arise..... [2163.03](#)
 Design application..... [1503.01](#), [1503.02](#), [1504.01\(a\)](#), [1504.04](#)
 Form paragraphs used to reject..... [2166](#)
 Guidelines for compliance..... [2163](#)
 New matter..... [2163.06](#)
 Requirements for compliance..... [2163.02](#)
 Support for claimed subject matter..... [211.05](#), [2163.01](#)

INDEX

Written description — (No Entry)

Sec. No.

Sec. No.

Corresponding to count in interference..... [2163.03](#)

(No

Y

Entry)

X

X series of patents (See also: [Patent](#)) [901.04](#)

(No

Z

Entry)