

05/03/2006 16:02

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To: Robert Clarke  
United States Patent and Trademark Office  
FAX: 571-273-7735  
Date: May 3, 2006  
Pages: 1  
Re: Proposed rules re claim practice (71 FR 61)

From: Anonymous

Dear Mr. Clarke:

Further to my prior e-mail, I have the following additional comments:

1. I generally oppose the proposal.
2. Doubtless, there will be numerous petitions disputing whether a statement pursuant to proposed rule 1.261 is needed or defective. There should be a procedure for having those petitions heard and staying the requirement pending the outcome of the petition, or at least giving applicants sufficient time for the petition to be heard.
3. The FAX I sent to you a couple of hours ago had the wrong subject line. It should have read "Proposed rules re claim practice (71 FR 61)" instead of "Proposed rules re continuation patent applications (71 FR 61)".
4. As I earlier said, one month is too short a time period to reply to requirements for a new or revised statement under rule 1.261. Consider the fact an attorney may have to a) commission a search, e.g. by an outside firm that may or may not be able to turn the search around in a timely fashion; and b) the attorney will have to look at the references and draft a statement. 3 months sounds more reasonable.