

Subject: Proposed rule making

I would like the PTO to consider amending 37 CFR 1.14(e) (2) so as to open to the public unpublished, pending US applications that have been incorporated by reference into published US applications or published PCT applications designating the US.

Currently, if I read the rules correctly, only abandoned applications become available upon being referenced in a published application. As things stand now, a published application may incorporate by reference material in a pending application that is not available to the public, which makes the publication incomplete in terms of informing the public about what the scope of the claimed invention might be. The proposed amendment, by giving the public complete notice of the contents of an application, would better serve the purpose of publication under 35 USC 122 (b) .

Thanks, and best regards,

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