

United States Patent and Trademark Office Official Gazette Notice**Electronic Signatures and Initials by Office Personnel Permitted in Application, Patent, and Reexamination Proceeding Matters**

Electronically applied signatures and initials may be used by patent examiners, other Office employees, and contractors under the Commissioner of Patents for any of the following:

- (1) papers that are part of the Official electronic file record associated with a patent application, patent, or reexamination proceeding; or
- (2) other matters involving applications, patents, or reexamination proceedings.

The ability to use an electronic signature and electronic initials supports the Office's initiatives. These efforts began with issuance of new rules providing for alternative signatures as part of the 21st Century Strategic Plan. 37 CFR § 1.4(d)(2) sets forth requirements for the optional use of an S-signature (an electronically applied signature inserted between single forward slash marks) together with the signer's name and registration number if signed by a practitioner in a representative capacity, for correspondence filed with the Office, such as by applicants and practitioners.

Electronic Signatures in Papers Other Than Information Disclosure Statements

The requirements for electronic signatures for examiners, other employees, and contractors under the Commissioner of Patents are similar to the requirements of § 1.4(d)(2). For use of an electronic signature, the electronic signature must be placed between single forward slash marks, and the signer's name and official job title must be provided. For use of electronic initials, the electronic initials must be placed between single forward slash marks. Corresponding with Office practice, an individual's official job title denotes the presence of the authority required to take the action being electronically signed (e.g., a Notice of Allowance is signed by a Primary Examiner or Supervisory Patent Examiner ("SPE") in their official capacity and additional titles or designations are not authorized). Matters in which a delegation of authority (including partial signatory authority) within the Office of Commissioner of Patents has been made are discussed at MPEP §§ 1002.02(b)-(e), (l), and (o)-(s); and §§ 1003-1005 (8th Ed., Rev. 5).

Electronic Signatures in Information Disclosure Statements (Initial Limited Deployment of Alternate Method and Current Method)

While examiners are currently authorized to electronically sign information disclosure statements using the method described in *Electronic Processing of Information Disclosure Statement*, 1303 *Off. Gaz. Pat. Office* 109 (February 21, 2006), the Office is concurrently making an initial limited deployment of an alternate electronic signature method for information disclosure statements that is anticipated to be deployed Office-wide with an expected release date of October 1, 2007. This initial limited deployment is scheduled for the following Art Units: 1771, 2814, 2911, and 3641 and is effective as of the date of signature of this notice. This deployment is expected to facilitate examination in an electronic environment.

Under this deployment, examiners will no longer initial each reference citation considered, but will continue to strikethrough each citation not considered. Each page of reference citations will be stamped by the examiner with the phrase "All references considered except where lined through" along with the examiner's electronic initials, and the final page of reference citations will include the examiner's electronic signature.

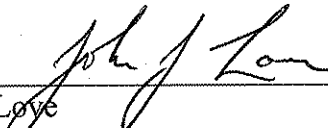
The new signature procedures will be incorporated in an upcoming revision of the MPEP. Note however, examiners may still continue to physically sign papers and paper copies of information disclosure statements.

Changes Do Not Alter Use of S-Signatures by Applicants

The public is reminded that this change in internal policy does not alter the rules regarding use of S-signatures by applicants and their representatives, as specified in § 1.4(d)(2).

Questions related to electronic initials and signatures should be directed to: Mark Polutta, Senior Legal Advisor, Office of Patent Legal Administration (OPLA), at (571) 272-7709 or Mark.Polutta@uspto.gov or Samuel Broda, Legal Advisor, Office of Patent Legal Administration (OPLA) at (571) 272-7711 or Samuel.Broda@uspto.gov.

Date: Aug 20, 2007



John Love
Deputy Commissioner
for Patent Examination Policy