

**Closing of the United States Patent and Trademark Office  
on Friday, December 26, 2008**

The United States Patent and Trademark Office (USPTO) will be closed on Friday, December 26, 2008. Since Thursday, December 25, 2008, is a Federal holiday, the USPTO will consider both Thursday, December 25, 2008, and Friday, December 26, 2008, to be a "Federal holiday within the District of Columbia" under 35 U.S.C. § 21(b) and 37 C.F.R. §§ 1.6, 1.7, 1.9, 2.2(d), 2.195 and 2.196. Any action or fee due on these days will be considered as timely for the purposes of, e.g., 15 U.S.C. §§ 1051(b), 1058, 1059, 1062(b), 1063, 1064, 1126(d), or 35 U.S.C. §§ 119, 120, 133 and 151, if the action is taken, or the fee paid, on the next succeeding business day on which the USPTO is open; that is, Monday, December 29, 2008. 37 C.F.R. §§ 1.7(a) and 2.196.

37 C.F.R. §§ 1.6(a)(2), 2.195(a)(4) and 2.198 provide that correspondence deposited in the Express Mail Service of the United States Postal Service (USPS) in accordance with 37 C.F.R. §§ 1.10 or 2.198 will be considered filed on the date of deposit (as shown by the "date-in" on the Express Mail mailing label) with the USPS. Thus, any paper or fee properly deposited in the Express Mail Service of the USPS on Thursday, December 25, 2008, or Friday, December 26, 2008, in accordance with 37 C.F.R. §§ 1.10 or 2.198 will be considered filed on its respective date of deposit in the Express Mail Service of the USPS (as shown by a "date-in" of December 25, 2008, or December 26, 2008, on the Express Mail mailing label, respectively).

37 C.F.R. § 1.6(a)(4) and 37 C.F.R. § 2.195(a)(2) provide that patent and trademark-related correspondence transmitted electronically to the USPTO will be considered filed in the USPTO on the date the USPTO received the electronic transmission. Thus, any patent and/or trademark-related correspondence transmitted electronically to the USPTO on Thursday, December 25, 2008, or Friday, December 26, 2008, will be considered filed in the USPTO on the date the USPTO received the complete electronic transmission. Correspondence successfully received by the USPTO through the patent Electronic Filing System (EFS-Web) will receive the date indicated on the Acknowledgment Receipt.

DATE: 12/22/08

  
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Stephen S. Smith

Chief Administrative Officer  
United States Patent and Trademark Office