

# Index

| A   | Sec. No.                  |  | Sec. No. |
|---|---------------------------|--|----------|
| A.I. series of patents  | 901.04                    |  |          |
| Abandoned Application ( <i>see also</i> Abandonment).             |                           |  |          |
| Accessibility to public   | 103                       |  |          |
| Counting  | 711.04(a)                 |  |          |
| Definition  | 203.05                    |  |          |
| Destruction of  | 711.04                    |  |          |
| Disposal  | 103, 711.04               |  |          |
| Fee on petition to revive   | 711.03(c)                 |  |          |
| Issue fee, failure to pay   | 203.07, 712               |  |          |
| Listed  | 711.04(a)                 |  |          |
| Matter reproduced in substitute                                   | 201.09                    |  |          |
| Ordering  | 711.04(b), 905.03         |  |          |
| Petition, Period for response after                               | 1002                      |  |          |
| Reference use   | 901.02                    |  |          |
| Referred to in issued patent                                      | 103                       |  |          |
| Retention label   | 1302.07                   |  |          |
| Revival   | 711.03(c)                 |  |          |
| Stored  | 711.04(a)                 |  |          |
| When open to the public   | 103                       |  |          |
| Abandoned file. ( <i>See</i> Abandoned application; Abandonment.) |                           |  |          |
| Abandonment ( <i>see also</i> Abandoned application)              | 711                       |  |          |
| After allowance   | 711.05                    |  |          |
| Amendment late  | 711, 711.02, 714.17       |  |          |
| Appeal dismissal  | 1215.04                   |  |          |
| Appeal withdrawal   | 1215.01 to 1215.03        |  |          |
| Assignee must consent   | 711.01                    |  |          |
| Court case  | 1215.05                   |  |          |
| Destroys continuity   | 201.11                    |  |          |
| Express   | 711, 711.01               |  |          |
| Counted as action   | 1705                      |  |          |
| Issue fee not paid  | 711.05, 712               |  |          |
| Failure to pay Issue fee  | 712                       |  |          |
| Failure to prosecute  | 711.02                    |  |          |
| Following forfeiture  | 712                       |  |          |
| Forwarding  | 711.04(a)                 |  |          |
| Incomplete response   | 711.03(a)                 |  |          |
| Incomplete response, Review by Primary                            | 1004                      |  |          |
| No response   | 711, 711.02               |  |          |
| Notification of   | 711.02                    |  |          |
| Of appeal   | 1210                      |  |          |
| Of invention  | 706.03(s)                 |  |          |
| Petition to revive  | 711.03(c)                 |  |          |
| Examiner's statement  | 711.03(d)                 |  |          |
| Pulling   | 711.04(a)                 |  |          |
| Reconsideration   | 711.03(a), 711.03(b)      |  |          |
| Reissue   | 1401.04                   |  |          |
| Revival   | 711.03(c)                 |  |          |
| Abandonment—Continued   |                           |  |          |
| Shortened time limit  | 710.02                    |  |          |
| Shortened statutory period expired                                | 710.02(d)                 |  |          |
| Undelivered action  | 707.13                    |  |          |
| Abbreviation, Periodical citation                                 | 707.05(e)                 |  |          |
| Abbreviature and Abstract publication                             | 711.06                    |  |          |
| Citation  | 711.06(a)                 |  |          |
| Ordering copies   | 901.06(d)                 |  |          |
| Publication opens file to inspection                              | 103                       |  |          |
| Abstract for Defensive Publication                                | 711.06                    |  |          |
| Abstract of the disclosure  | 608.01(b)                 |  |          |
| Abstract publication  | 711.06                    |  |          |
| Accelerated Examination   | 708.02                    |  |          |
| Access ( <i>see also</i> Inspection; Power of attorney).          |                           |  |          |
| Authorized by Commissioner  | 104                       |  |          |
| Disbarred attorney  | 105                       |  |          |
| Pending application   | 101, 106                  |  |          |
| Petition  | 103                       |  |          |
| Accident or inadvertence ( <i>see also</i> Reissue application)   | 1401, 1401.08             |  |          |
| Act. ( <i>See</i> Statutes; Statutes, revised.)                   |                           |  |          |
| Action ( <i>see also</i> Letter, Examiner's).                     |                           |  |          |
| After Board decision  | 1214.01 to 1214.07        |  |          |
| After Board decision reversing Examiner                           | 1214.04                   |  |          |
| After Board decision sustaining Examiner                          | 1214.06                   |  |          |
| After correspondence under Rule 202                               | 1101.01(i)                |  |          |
| Amendment after final rejection                                   | 714.13                    |  |          |
| Claim summary   | 707.07(i)                 |  |          |
| Claims in excess of filing fee                                    | 714.10                    |  |          |
| Completeness  | 707.07                    |  |          |
| Correction, Period for response                                   | 710.06                    |  |          |
| Correspondence under Rule 202 not counted                         | 1101.01(f)                |  |          |
| Counted   | 1705                      |  |          |
| Crosses amendment   | 714.05                    |  |          |
| Date  | 707.11                    |  |          |
| Examiner's  | 707                       |  |          |
| File wrapper endorsement  | 707.10, 717.01            |  |          |
| Final action  | 705.01(a), 706.07, 713.09 |  |          |
| Incorrect citation  | 710.06                    |  |          |
| Informal application  | 702.01                    |  |          |
| Patentability report not counted                                  | 705.01(c)                 |  |          |
| Piecemeal   | 707.07(a)                 |  |          |
| Primary Examiner's personal attention                             | 1004                      |  |          |
| Priority determination  | 201.15                    |  |          |
| Reopening prosecution   | 1003                      |  |          |
| Response time computation   | 710.01(a)                 |  |          |
| Restriction requirement   | Chapter 800               |  |          |
| Returned  | 707.13                    |  |          |
| Review  | Introduction              |  |          |

**MANUAL OF PATENT EXAMINING PROCEDURE**

| Action—Continued                                  | Sec. No.                              | Aggregation and subcombination  | Sec. No.                 |
|---|---------------------------------------|---|--------------------------|
| Shortened time limit.....                         | 710.02                                | 806.05 (a),   |                          |
| Supplemental .....                                | 710.06, 714.05                        | 809.03 (a)  |                          |
| Suspension .....                                  | 709                                   | Agricultural Research Service.....                                    | 1609                     |
| Suspension, Primary's attention.....              | 1004                                  | Alien Property Custodian publication.....                             | 901.06 (c)               |
| Suspension, Group Director's attention.....       | 1003                                  | Allowance and issue ( <i>see also</i> Allowed appli-<br>cation) ..... | 1300                     |
| Third, SPE reviews.....                           | 707.02 (a)                            | Abandonment after .....   | 711.05                   |
| Additional improvement series of patents.....     | 901.04                                | Administrator's signature amended.....                                | 605.05 (a)               |
| Address of applicant.....                         | 605.03                                | All claims allowed, Shortened period.....                             | 710.02 (b)               |
| Address of Patent Office.....                     | 501                                   | Amendment, Examiner's .....   | 1302.04                  |
| Administration, Letters of.....                   | 409.01 (b),<br>409.01 (c), 409.01 (e) | Amendment, Examiner's, Case in issue.....                             | 714.16, 1305             |
| Administration of oath.....                       | 604                                   | Amendment, Examiner's, "Printer Waiting".....                         | 1309.01                  |
| Administrator or executor.....                    | 409.01                                | Amendment after. ( <i>See</i> Amendment: After<br>allowance.)         |                          |
| Allowance and Issue.....                          | 409.01 (f)                            | Amendment after allowance of all claims.....                          | 714.14,<br>1303.01       |
| Application by, After discharge.....              | 409.01 (c)                            | Amendment after D-10 notice.....                                      | 107.02, 1304.01          |
| Assigned application, Inventor dies.....          | 409.01 (e)                            | Amendment at time of.....   | 714.15                   |
| Authority .....                                   | 409.01 (b)                            | Amendment crossing .....  | 714.15                   |
| Consular certificate .....                        | 409.01 (d)                            | Assigned application .....  | 306, 308                 |
| Foreign country .....                             | 409.01 (d)                            | Assignment Division.....  | 306, 409.01 (b), 1302.11 |
| Heir .....  | 409.01, 409.01 (a), 409.01 (d)        | Blue Slip .....   | 903.07, 903.07 (b)       |
| Prosecution by.....                               | 409.01 (a)                            | Cancel nonelected claim by Examiner's<br>amendment .....              | 821.01, 821.02           |
| Signature .....                                   | 605.05 (a)                            | Cancellation of claims after appeal.....                              | 1302.04 (e)              |
| Specification form .....                          | 605.05                                | Cancellation of claim lost in interference.....                       | 1302.04 (d)              |
| Advantages over prior art.....                    | 707.07 (f)                            | Cancellation of non-statutory claim.....                              | 1302.04 (b)              |
| Adverse recommendation under Rule 312.....        | 714.16 (d)                            | Claim copied from patent.....   | 1101.02 (g)              |
| Affidavit. ( <i>See</i> Oath.)                    |                                       | Claim for Official Gazette.....                                       | 1302.09                  |
| Affidavit, Antedating reference, Rule 131.....    | 715                                   | Claim renumbering .....   | 608.01 (j)               |
| Acts in this country.....                         | 715.07 (c)                            | Claim renumbering, Dependent claim.....                               | 608.01 (n),<br>1302.01   |
| After appeal .....                                | 1212                                  | Classification .....  | 903.07, 903.07 (b)       |
| Assignee .....                                    | 715.04                                | Classification change after allowance.....                            | 903.07                   |
| Chemical case .....                               | 715.03                                | Classification in other Group.....                                    | 903.07 (b)               |
| Conception .....                                  | 715.07                                | Classification slip notation.....                                     | 1302.10                  |
| Constructive reduction .....                      | 715.07                                | Companion application referred to.....                                | 1302.07                  |
| Dates to be overcome.....                         | 715, 715.01                           | Pending Application:  |                          |
| Diligence .....                                   | 715.07, 715.07 (a)                    | File wrapper notations.....   | 202.02, 1302.09          |
| Exhibit .....                                     | 715, 715.07                           | Parent case data.....   | 1302.04 (f)              |
| Exhibit, Disposition .....                        | 715.07 (d)                            | Retention label .....   | 1302.07                  |
| Facts and evidence.....                           | 715.07                                | Correction of error after allowance.....                              | 714.10                   |
| Foreign filing date.....                          | 715.01                                | Cross reference .....   | 903.07 (a)               |
| Generic claim .....                               | 715.02                                | D-10 notice.....  | 107.02, 1304             |
| Generic claim, Chemical case.....                 | 715.03                                | D-10 notice, Amendment after.....                                     | 1304.01                  |
| Interference, Oath sealed.....                    | 715.06                                | Deceased inventor, Notice of allowance.....                           | 1303.03                  |
| Interference testimony equivalent to.....         | 715.07 (b)                            | Design application .....  | 1505                     |
| Joint inventor makes.....                         | 715.04                                | Disclosure restriction .....  | 1302.01                  |
| New matter in reference.....                      | 715                                   | Drawing, Draftsman's stamp.....                                       | 608.02                   |
| Patent claims same invention.....                 | 715.05, 1101.02 (a)                   | Drawing correction .....  | 608.02 (s), 1302.04      |
| Patent shows single species.....                  | 715.03                                | Drawing correction, Examiner's amend-<br>ment .....                   | 608.02 (w)               |
| Primary decides sufficiency.....                  | 715.08, 1004                          | Drawing correction, "Special" slip.....                               | 608.02 (x),<br>1302.05   |
| Reduction to practice.....                        | 715.07                                | Drawing in patented file.....   | 608.02 (i), 905.03       |
| Sealing prior to interference.....                | 715.06                                | Drawing notations .....   | 1302.10                  |
| Sealing requires Primary's attention.....         | 1004                                  | Erasure of markings.....  | 1302.01                  |
| Seasonable presentation .....                     | 715.09                                | Examiner's amendment. ( <i>See</i> Examiner's<br>amendment.)          |                          |
| When used .....                                   | 715                                   |   |                          |
| Who may make.....                                 | 715.04                                |   |                          |
| Affidavit, Traversing rejection, Rule 132.....    | 716                                   |   |                          |
| Affirmation. ( <i>See</i> Oath.)                  |                                       |   |                          |
| Agent. ( <i>See</i> Attorney; Power of attorney.) |                                       |   |                          |
| Aggregation .....                                 | 706.03 (1)                            |   |                          |
| Aggregation, Design application.....              | 1504                                  |   |                          |

**INDEX**

| Allowance and issue—Continued                        | Sec. No.                | Allowance and issue—Continued                          | Sec. No.                     |
|--|-------------------------|--|------------------------------|
| File wrapper notation                                | 1302.09                 | Supplemental oath after                                | 603.01                       |
| Final review   | 1302                    | Terminology correspondence of specification and claims | 1302.01                      |
| First action—cite pertinent art.                     | 1302.12                 | Title of invention                                     | 1302.01, 1302.04(a)          |
| Foreign application                                  | 1302.06                 | Title change by Examiner                               | 606.01, 1302.04(a)           |
| Forfeited application                                | 712                     | Title search, Continuing application                   | 202.02                       |
| Formal matters                                       | 714.16, 1302.01         | Transfer   | 903.08                       |
| Formal matters, Examiner's amendment and changes     | 714.16, 1302.04         | Undelivered notice of allowance                        | 1303.02                      |
| Formal matters, Specification rewritten              | 1302.02                 | Withdrawal from issue. (See Withdrawal from issue.)    |                              |
| Full first or middle name required                   | 605.04(b)               | Withholding from issue. "Secrecy order" case           | 1304                         |
| General review                                       | 1302.01                 | Allowed application (see also Allowance and issue).    |                              |
| Interference   | 1101.01(c)              | Custody of Issue and Gazette Branch                    | 203.04                       |
| Interference, Notation                               | 1101.01(c)              | Definition   | 203.04                       |
| Interference search                                  | 1302.08                 | File wrapper data                                      | 1302.09                      |
| International classification                         | 903.09                  | Rejection  | 1101.01(i), 1308.01          |
| Intervention by executor                             | 409.01(f)               | Suggesting claim for interference                      | 1003, 1101.01(o)             |
| Issue and Gazette Division                           | 1309                    | Allowed claim, Rejection                               | 706.04                       |
| Issue and Gazette Division, Jurisdiction of case     | 1305                    | Alteration of application before execution             | 608.01                       |
| Issue in another Group without transfer              | 903.07(b)               | Alternative phrase in claim                            | 706.03(d)                    |
| Junior party, Correspondence Rule 202                | 1101.01(i)              | Amended application                                    | 203.03                       |
| Jurisdiction of case                                 | 1305                    | Amended application, Inspection for transfer           | 903.08(c)                    |
| Letter of allowability                               | 714.13                  | Amendment (see also Response)                          | 714                          |
| Listing of references                                | 1302.12                 | Accidental entry                                       | 714.21                       |
| Motion to add to interference                        | 1105.03                 | After abandonment                                      | 711.02, 714.17               |
| Nonelected claims, Canceled by Examiner's amendment  | 821.02                  | After all claims allowed                               | 714.14                       |
| Notice of allowance. (See also Notice of allowance.) | 1303                    | After allowance:                                       |                              |
| Patentability report, Print disposal                 | 608.02(n), 705.01(d)    | Canceling claim  | 714.16                       |
| Plant application                                    | 1611                    | Claim copied from patent                               | 714.16(a), 1101.02(g)        |
| "Printer Waiting"                                    | 1309.01                 | Commissioner's approval                                | 714.16, 1003                 |
| Protest against issue                                | 1309.02                 | Entry in part  | 714.16(e)                    |
| Record room  | 905.03                  | Examiner's action                                      | 714.16, 714.16(d), 714.16(e) |
| Reference listing                                    | 1302.12                 | Excess claims  | 714.16(c)                    |
| Reissue application                                  | 1401.11                 | Formal matters   | 714.16, 714.16(d)            |
| Rejection after allowance                            | 1101.01(i), 1308.01     | Handling   | 714.16(d)                    |
| Related applications, File wrapper notations         | 202.02, 1302.09         | Mailed before allowance                                | 714.15                       |
| Related applications, Parent case data               | 1302.04(f)              | Motion under Rule 231                                  | 714.16(b), 1105.03           |
| Related applications, Retention label                | 1302.07                 | Order 3311   | 714.16(d)                    |
| Reopening prosecution                                | 1303.01, 1308.01        | Patentability pointed out                              | 714.16                       |
| Retention labels                                     | 1302.07                 | Reason for adverse action                              | 714.16                       |
| Review by Examiner                                   | 1302.01, 1302.13        | Renumbering claims                                     | 714.16(e)                    |
| Review by Primary                                    | 903.07                  | "Secrecy order" case                                   | 107.02                       |
| Rewritten specification requirement                  | 1302.02                 | Supplemental oath                                      | 603.01, 714.16               |
| Secret case  | 107.02, 1304            | After appeal, After Examiner's answer                  | 1210                         |
| Senior party in correspondence under Rule 202        | 1101.01(i)              | After appeal, Before Examiner's answer                 | 1207                         |
| Signatures inconsistent                              | 605.04(b)               | After Board decision                                   | 1214.01, 1214.07             |
| Signing file wrapper                                 | 1302.13                 | After death of attorney                                | 406                          |
| Slip   | 903.07                  | After final rejection                                  | 714.12, 714.13               |
| Special  | 708.01, 710.02(b), 1301 | After final rejection, Entered in part                 | 714.20                       |
| Specification, Clean copy required                   | 608.01(g), 1302.02      | Amendment of   | 714.24                       |
| Statement of invention                               | 1302.01                 | Appeal, After Examiner's answer                        | 1210                         |
| Status letter of allowability                        | 1302.03                 | Appeal before or with                                  | 1207                         |
| Suggestion of claims                                 | 1101.01(o)              | At allowance   | 714.15                       |
|  |                         | Attorney not of record                                 | 405                          |
|  |                         | Basis in disclosure                                    | 608                          |
|  |                         | Before first action                                    | 608.04(b), 707.04, 714.09    |

**MANUAL OF PATENT EXAMINING PROCEDURE**

| <b>Amendment—Continued</b>   | <b>Sec. No.</b>             |
|--|-----------------------------|
| Before first action, Adding excess claims.....                           | 714.10                      |
| Board rejection avoided.....   | 1214.01                     |
| Brackets required.....   | 714.22                      |
| Canceled matter restored.....  | 608.01(s)                   |
| Canceling all claims.....  | 711.01                      |
| Canceling appealed claims.....   | 1215.01 to 1215.03          |
| Claim added, Terminology basis.....                                      | 608.01(o)                   |
| Claim numbering.....   | 608.01(j)                   |
| Claims added in excess of filing fee.....                                | 714.10                      |
| Complete response required.....  | 714.02, 714.04              |
| Copying patent claim. (See Claim copied from patent.)                    |                             |
| Crossing allowance.....  | 714.15                      |
| D-10 notice preceding.....   | 107.02                      |
| Date of receipt.....   | 710.01(a), 714.18           |
| Date stamp, Group receipt.....   | 714.18                      |
| Date stamp, Mail Branch.....   | 505, 710.01(a), 714.18      |
| Declaration.....   | 602.01                      |
| Defective directions for entry.....                                      | 714.23                      |
| Depositing.....  | 502                         |
| Direction for entry.....   | 714.22, 714.23              |
| Discourteous.....  | 714.19, 714.25              |
| Drawing.....   | 608.02(p), 608.02(q)        |
| Drawing, Disposition.....  | 608.02(x)                   |
| Drawing, New matter.....   | 608.04, 714.19              |
| Duplicate.....   | 717.01(a)                   |
| Easily erasable paper forbidden.....                                     | 714.07                      |
| Entered in part.....   | 714.20                      |
| Entered in part, After allowance, Rule 312.....                          | 714.16(e)                   |
| Entry.....   | 714.18, 717.01(a)           |
| Entry denied.....  | 714.17, 714.19              |
| Entry denied, Appeal case.....   | 1207, 1214.07               |
| Entry denied, Defective directions.....                                  | 714.23                      |
| Entry denied, Drawing correction.....                                    | 608.02(x)                   |
| Entry denied, Drawing new matter.....                                    | 608.04                      |
| Entry denied, List.....  | 714.19                      |
| Entry denied, Paper number.....  | 714.21                      |
| Entry denied, Period for response expired.....                           | 714.17                      |
| Entry denied, Substitute specification unnecessary.....                  | 714.19, 714.20              |
| Entry directions.....  | 714.22, 714.23              |
| Entry inadvertent.....   | 714.21                      |
| Entry of amendment filed in connection with motions in interference..... | 1108                        |
| Examiner's (See also Examiner's amendment.).....                         | 1302.04                     |
| Excess claims added.....   | 714.10                      |
| File wrapper endorsement.....  | 714.18, 717.01              |
| Formal matters.....  | 714.02                      |
| Fully responsive.....  | 714.02                      |
| Heading.....   | 502                         |
| Immediate inspection.....  | 714.05                      |
| Improper signature.....  | 714.01(a) to 714.01(d)      |
| Improper signature, Ratification.....                                    | 711                         |
| Incomplete response.....   | 711.02(a), 714.02 to 714.04 |
| Incomplete response, Time for completing.....                            | 710.02(c), 711, 714.03      |
| Increasing claims in excess of fee under Rule 312.....                   | 714.16(c)                   |

| <b>Amendment—Continued</b>                           | <b>Sec. No.</b>             |
|--|-----------------------------|
| Ink, Not permanent.....                              | 714.07                      |
| Inspection.....                                      | 714.05                      |
| Interference.....                                    | 1111.05                     |
| Joint to sole.....                                   | 201.03                      |
| Joint to sole, Interference.....                     | 1111.07                     |
| Jurisdiction of case not with Examiner.....          | 714.19                      |
| Late.....  | 710.02(d), 711, 714.17      |
| Literature citation in specification.....            | 608.01(p)                   |
| Motion under Rule 231, Case in issue.....            | 714.16(b)                   |
| Name change on file wrapper.....                     | 717.02(b)                   |
| New matter.....                                      | 608.04                      |
| Nonentry. (See also Amendment, entry denied.).....   | 714.19                      |
| Nonresponsive.....                                   | 714.02 to 714.04            |
| Nonresponsive, Time to perfect response.....         | 710.02(c), 714.03           |
| "Not entered".....                                   | 714.21                      |
| Oath, Original.....                                  | 602.01                      |
| Objectionable remarks.....                           | 714.19, 714.25              |
| Office date stamp.....                               | 505, 710.01(a), 714.18      |
| Paper number.....                                    | 714.18                      |
| Patentability pointed out.....                       | 714.02, 714.04              |
| Period for response ends Sunday or holiday.....      | 710.05                      |
| Permanent ink required.....                          | 714.07                      |
| Plant application.....                               | 1610                        |
| Post Office address, Applicant.....                  | 605.03                      |
| Preliminary.....                                     | 714.09                      |
| Preliminary, Excess claims.....                      | 714.10                      |
| Preliminary, New matter.....                         | 608.04(b)                   |
| Purpose of appeal.....                               | 714.12                      |
| Ratification, Death of attorney.....                 | 406                         |
| Ratification, Death of inventor.....                 | 409.01                      |
| Ratification, Signature defective.....               | 711, 714.01(a)              |
| Ratification, Telegram.....                          | 714.08                      |
| Receipt.....   | 501 to 505                  |
| Received after allowance.....                        | 714.15                      |
| Recommendation by Board.....                         | 1213.01                     |
| Reinstatement of canceled matter.....                | 714.24                      |
| Requirements of.....                                 | 714.02                      |
| Residence change.....                                | 717.02(b)                   |
| Responsive.....                                      | 714.02, 714.04              |
| Return, After entry on file wrapper.....             | 717.01                      |
| Rule 312. (See also Amendment after allowance.)..... | 714.16                      |
| Several same day.....                                | 714.18                      |
| Signature improper.....                              | 711, 714.01(a) to 714.01(d) |
| Signature missing.....                               | 711, 714.01(a)              |
| Signature required.....                              | 714.01                      |
| Signed by applicant, Not by attorney of record.....  | 714.01(d)                   |
| Signed by attorney not of record.....                | 405                         |
| Solicitor has application.....                       | 714.18                      |
| Support by original claim.....                       | 608.01(l)                   |
| Telegram.....  | 714.08                      |
| Telephone number.....                                | 714.01                      |
| Unsigned.....  | 714.01(a)                   |
| Unsigned, Ratification of.....                       | 711, 714.01(a)              |
| Wrong Group.....                                     | 508.01                      |

**INDEX**

|   | Sec. No.                 |   | Sec. No.                          |
|---|--------------------------|---|-----------------------------------|
| Analogous art .....                           | 904.01 (c)               | Appeal—Continued                                |                                   |
| Analysis of claims .....                      | 904.01                   | Recommendation of Board .....                   | 1213.01                           |
| Answer all matters traversed .....            | 707.07 (f)               | Reconsideration by Board .....                  | 1212, 1214.01, 1214.03            |
| Answer on remand .....                        | 1212                     | Reference, newly discovered, before brief ..... | 1207                              |
| Antecedent lacking .....                      | 706.03 (d)               | Remand by Board .....                           | 1208, 1210, 1211, 1212            |
| Apparatus, Process or product and .....       | 806.05 (e)               | Remand by C.C.P.A. ....                         | 1216.01                           |
|   | to 806.05 (g)            | Remanded case special .....                     | 708.01                            |
| Appeal .....                                  | Chapter 1200             | Reopening of prosecution .....                  | 706.03 (1), 1207, 1214.07         |
| Abandonment .....                             | 1210                     | Reply brief to Examiner's answer .....          | 1208                              |
| Actions subsequent to Examiner's answer ..... | 1210                     | "Secrecy order" case .....                      | 107.02                            |
| Administrative handling .....                 | 1204                     | Time for filing brief .....                     | 1206                              |
| Affidavit after appeal .....                  | 1212                     | Withdrawal .....                                | 711.02 (b), 1215.01, 1215.02      |
| Amendment after Board decision .....          | 1213.01,                 | Withdrawal of final rejection .....             | 1208.02                           |
|   | 1214.01, 1214.07         | Withdrawal, Partial .....                       | 1214.05, 1215.03                  |
| Amendment after Examiner's answer .....       | 1210, 1211               | Appealable matter not petitionable .....        | 1002, 1201                        |
| Amendment before Examiner's answer .....      | 1207                     | Applicant (see also Inventor) .....             | 605                               |
| Amendment for purpose of .....                | 714.12, 714.13           | Administrator or executor .....                 | 605.05                            |
| Amendment makes case allowable .....          | 1206                     | Citizenship .....                               | 605.01                            |
| Answer, Examiner's .....                      | 1208                     | Discourtesy .....                               | 714.25                            |
| Better reference before brief .....           | 1207                     | Heir .....                                      | 409.01 (a), 409.01 (d)            |
| Board remands case to Examiner .....          | 1208, 1210               | Joint .....                                     | 201.02, 201.03, 605               |
| Brief .....                                   | 1206                     | Other than inventor .....                       | 409.03                            |
| Cancellation of withdrawn claims .....        | 1214.05                  | Post Office address .....                       | 605.03                            |
| Civil Suits .....                             | 1216.02                  | Power to inspect .....                          | 104                               |
| Claims copied from patent, Time limit .....   | 710.02 (c)               | Reply (see Amendment, Response)                 |                                   |
| Claims included .....                         | 1205                     | Residence .....                                 | 605.02                            |
| Concurrently with Interference .....          | 1103, 1205, 1210         | Self prosecuted case .....                      | 707.07 (j)                        |
| Concurrently with prosecution before Ex-      |                          | Signature .....                                 | 605.04                            |
| aminer .....                                  | 1205, 1210               | Applicants, Card index .....                    | 504                               |
| Conference .....                              | 1208                     | Application                                     |                                   |
| Constitution of the Board .....               | 1203                     | Abandoned. (See Abandoned application.)         |                                   |
| Court .....                                   | 1214.01, 1216            | Abstract of the disclosure .....                | 608.01 (b)                        |
| Court, C.C.P.A. ....                          | 1216.01                  | Act of 1883 .....                               | 201.17                            |
| Decision by Board .....                       | 1213                     | Allowable except as to form .....               | 710.02 (b)                        |
| Dismissal .....                               | 1215.04                  | Allowed:  |                                   |
| Examiner reversed .....                       | 1214.04                  | Custody of Issue and Gazette Branch .....       | 203.04                            |
| Examiner sustained .....                      | 1214.06                  | Definition .....                                | 203.04                            |
| Examiner's answer .....                       | 1208                     | File wrapper data .....                         | 1302.09                           |
| Ex parte review of merits .....               | 1202                     | Rejection .....                                 | 1101.01 (i), 1308.01              |
| Failure to prosecute appeal .....             | 1215.04                  | Suggesting claim for interference .....         | 1101.01 (o)                       |
| Form 41 .....                                 | 1205                     | Amended .....                                   | 203.03                            |
| From Board of Appeals .....                   | 1214.01, 1216 to 1216.02 | Arrangement .....                               | 608.01 (a)                        |
| Hearing .....                                 | 1209                     | Assigned. (See also Assignee; Assignment.)      |                                   |
| Introduction .....                            | 1201                     | Access .....                                    | 106                               |
| Jurisdiction .....                            | 1210                     | Allowance .....                                 | 308                               |
| Matter subject to .....                       | Introduction, 706.01     | Conflicting subject matter .....                | 304,                              |
| Multiplicity rejection .....                  | 706.03 (1)               |   | 305, 706.03 (k), 822, 1101.01 (b) |
| New ground of rejection by Board .....        | 1214.01                  | Inventor applies for .....                      | 605                               |
| New ground of rejection by Examiner in Ex-    |                          | Inventor deceased .....                         | 409.01 (e)                        |
| aminer's answer .....                         | 1208.01                  | Rejection of other application .....            | 304                               |
| New matter affecting claim .....              | 608.04 (c)               | Assignment to Group for examination .....       | 903.08,                           |
| New reference before brief .....              | 1207                     |   | 903.08 (e)                        |
| New rejection by Board .....                  | 1214.01                  | Assignment to Examiner for examination .....    | 903.08 (b)                        |
| Oral hearing .....                            | 1209                     | Background of the invention .....               | 608.01 (c)                        |
| Patentability report case .....               | 705.01 (a)               | Best mode .....                                 | 608.01 (h)                        |
| Prerequisite .....                            | 1205                     | Brief summary of the invention .....            | 608.01 (d)                        |
| Primary Examiner's attention .....            | 1004                     | Claim terminology .....                         | 608.01 (o)                        |
| Procedure after decision .....                | 1214.02                  | Claims .....                                    | 608.01 (1)                        |
| Publication of decision .....                 | 1214                     | Clarity and completeness .....                  | 707.07                            |
|   |                          | Classification in examining Group .....         | 903.08 (b)                        |

**MANUAL OF PATENT EXAMINING PROCEDURE**

| <b>Application—Continued</b>                         | <b>Sec. No.</b> |
|--|-----------------|
| Common ownership .....                               | 305,            |
| 706.03(k), 709.01, 822, 1101.01(b)                   |                 |
| Complete .....                                       | 506, 600        |
| Conflicting, same applicant .....                    | 304, 706.03(k), |
| 709.01, 804, 822, 822.01                             |                 |
| Content .....  | Chapter 600     |
| Continuation. (See also Continuation.) .....         | 201.07          |
| Continuation-in-part. (See also Continuation-        |                 |
| in-part) .....                                       | 201.08          |
| Continuing .....                                     | 201.11          |
| Convertibility .....                                 | 201.03          |
| Copendency .....                                     | 201.11          |
| Copending, Design .....                              | 1504            |
| Copy furnished .....                                 | Chapter 600     |
| Cross-noting:  |                 |
| Data of parent application on file wrapper .....     | 202.02,         |
| 1302.09  |                 |
| Data of related application brought up to            |                 |
| date .....   | 1302.04(f)      |
| Data of related application in specification .....   | 201.11,         |
| 202.01   |                 |
| Foreign application, Application oath .....          | 202.04          |
| Foreign application, File wrapper .....              | 202.03          |
| In original patent file of reissue application ..... | 202.05          |
| Depositing .....                                     | 502             |
| Description of the prior art .....                   | 608.01(c)       |
| Design. (See also Design application.) .....         | 1503            |
| Detailed description .....                           | 608.01(g)       |
| Distribution .....                                   | 508             |
| Division. (See also Divisional application.) .....   | 201.06          |
| English language .....                               | 608.01          |
| Fee exempt .....                                     | 201.17, 607.01  |
| Fee filed .....                                      | 607             |
| Field of the invention .....                         | 608.01(c)       |
| Filing receipt .....                                 | 503             |
| Filing date .....                                    | 503, 505        |
| Five year pendency .....                             | 707.02(a)       |
| Foreign. (See also Foreign application.) .....       | 201.14          |
| Form .....   | Chapter 600     |
| Government-owned:                                    |                 |
| "Act of 1883" .....                                  | 210.17          |
| Special .....  | 708.01          |
| 35 U.S.C. 266 .....                                  | 607.01          |
| Incomplete .....                                     | 506             |
| Completed .....                                      | 506.01          |
| Drawing .....  | 507             |
| Invalid oath .....                                   | 604.06          |
| Return .....   | 506.01          |
| Return of filing fee .....                           | 506.01          |
| Using again .....                                    | 608.01(u)       |
| Informal .....                                       | 506, 702.01     |
| Informal, Primary's attention required .....         | 1004            |
| Informal, Search .....                               | 704             |
| Informal, Special .....                              | 708.01          |
| Inspection .....                                     | 101, 103        |
| International Convention .....                       | 201.13          |
| Issue, Definition .....                              | 203.04          |
| Issue fee not paid .....                             | 203.07, 712     |
| Joint .....  | 201.02          |

| <b>Application—Continued</b>                   | <b>Sec. No.</b>   |
|--|-------------------|
| Joint to sole .....                            | 201.08            |
| Joint to sole, Interference .....              | 1111.07           |
| Jurisdiction .....                             | 1305              |
| "Mechanical" .....                             | 201               |
| Mode of operation .....                        | 608.01(h)         |
| New .....                                      | 203.01            |
| Old .....                                      | 203.03            |
| Original .....                                 | 201.04, 506       |
| Overlapping, Same applicant .....              | 706.03(k),        |
| 709.01, 804, 822, 822.01, 1101.01(b)           |                   |
| Overlapping, Common ownership .....            | 305,              |
| 706.03(k), 709.01, 822, 1101.01(b)             |                   |
| Papers, Arrangement .....                      | 717.01(a)         |
| Parent .....                                   | 201.04            |
| Parts .....                                    | Chapter 600       |
| Pending five years .....                       | 707.02(a)         |
| Plant. (See also Plant application.) .....     | Chapter 1600      |
| Public inspection .....                        | 103               |
| Publication of abstract .....                  | 711.06, 711.06(a) |
| Receipt and handling .....                     | Chapter 500       |
| Recording in examining Group .....             | 1704              |
| Referred to in Patent, Information as to       |                   |
| status .....                                   | 102               |
| Refile .....                                   | 201.10            |
| Register, Application Division .....           | 504               |
| Reissue. (See also Reissue application.) ..... | Chapter 1400      |
| 203.02   |                   |
| Rejected .....                                 | 108               |
| Relating to atomic energy .....                | 702               |
| Requisites .....                               | Chapter 600       |
| Returning .....                                | 101, 103          |
| Right to inspect .....                         | 107, 107.02       |
| "Secrecy order" .....                          | 503               |
| Serial number .....                            | 201.01            |
| Sole .....                                     | 201.03            |
| Sole to joint .....                            | 708 to 708.03     |
| Special .....                                  | 708.01            |
| Special, List .....                            | 203               |
| Status .....                                   |                   |
| Substitute:                                    |                   |
| Carries ownership from parent .....            | 201.12            |
| Copendency lacking .....                       | 201.11            |
| Definition .....                               | 201.09            |
| File wrapper notation .....                    | 202.02            |
| Reference to parent application .....          | 201.11            |
| Refile .....                                   | 201.10            |
| Terminology, Claim .....                       | 608.01(o)         |
| Title of invention .....                       | 606               |
| Title of invention, Change .....               | 606.01            |
| Types .....                                    | 201               |
| Unclaimed subject matter .....                 | 305.01            |
| "Utility" .....                                | 201               |
| Wrong Group .....                              | 508.01            |
| Application Division .....                     | 503 to 506, 508   |
| Argument in amendment .....                    | 714.04            |
| Arrangement of art in examining groups .....   | 901.07            |
| Arrangement of application .....               | 608.01(a)         |
| Arrangement, Papers in file wrapper .....      | 717.01(a)         |

**INDEX**

|  | Sec. No.                                  | Attorney—Continued                                      | Sec. No.                    |
|--|---|---|-----------------------------|
| Assigned application :   |   | Changed, Drawing unchanged.....                         | 608.02 (u)                  |
| Access .....   | 106                                       | Conflicting parties have same.....                      | 404                         |
| Allowance .....  | 308                                       | Correspondence with associate.....                      | 403.01                      |
| Conflicting subject matter.....  | 304,                                      | Death .....   | 406                         |
| 305, 706.03 (k), 822, 1101.01 (b)  |   | Disbarred. Inspection by.....                           | 105                         |
| Endorsing assignments.....   | 303                                       | Disbarred. Interview .....                              | 105, 713.05                 |
| Inventor applies for.....  | 605                                       | Discourtesy .....                                       | 714.25                      |
| Inventor deceased .....  | 409.01 (e)                                | Excluded from practice.....                             | 105                         |
| Rejection of other application.....  | 304                                       | Inspection .....  | 101, 104                    |
| Assignee (see also Assigned application, Assign-<br>ment.)   |   | Interfering cases..... 402.08, 1101.01 (k), 1102.01 (a) |                             |
| Affidavits under Rule 131.....   | 715.04                                    | Interview .....   | 713                         |
| Certificate of correction.....   | 1402                                      | Limited recognition .....                               | 402.01                      |
| Common .....   | 105, 706.03 (k), 709.01, 822, 1101.01 (b) | More than one for same applicant.....                   | 403.02                      |
| Conflicting .....  | 306                                       | Not of record.....                                      | 405                         |
| Double patenting, Same assignee.....   | 706.03 (k), 822                           | Notarizing oath .....                                   | 604.06                      |
| Entire interest, Control.....  | 106                                       | Patent Office cannot aid in selection.....              | 401                         |
| Interfering cases, Same assignee.....  | 709.01, 1101.01 (b)                       | Post Office address.....                                | 601.02                      |
| Intervention .....   | 106, 409.01 (e)                           | Power. (See also Power of attorney.).....               | 402                         |
| Part interest .....  | 106.01                                    | Registration .....                                      | 402                         |
| Patent issues to.....  | 307                                       | Roster of attorneys.....                                | 408                         |
| Power to inspect.....  | 101, 104                                  | Same in conflicting cases..... 1101.01 (k), 1102.01 (a) |                             |
| Reissue application .....  | 1401.02                                   | Selection .....   | 401                         |
| Revocation of power of attorney.....   | 402.07                                    | Substitute .....  | 402.03                      |
| Assignment .....   | 301                                       | Suspended .....   | 105                         |
| Access .....   | 301.01                                    | Telephoned by Examiner.....                             | 408, 713.01                 |
| Allowance of application.....  | 308                                       | Telephone number on letters.....                        | 713.01                      |
| Conflicting .....  | 306                                       | Washington representative .....                         | 408                         |
| Continuing application .....   | 301.01, 306                               | Withdrawal .....  | 402.06                      |
| Conveys ownership .....  | 201.12                                    | Authentication of oath.....                             | 604.04 (a)                  |
| Date of recording.....   | 307                                       | Authority of Administrator or Executor.....             | 409.01 (b)                  |
| Effect of recording.....   | 302                                       | Authority of Commissioner, Delegation.....              | 1001.01                     |
| File wrapper endorsement.....  | 303                                       | to 1002.02 (m)  |                             |
| One of several overlapping applications.....   | 706.03 (t)                                | Authority of Commissioner, Statutory.....               | 1001                        |
| Parent application .....   | 306                                       | Authority to inspect pending application.....           | 101                         |
| Part interest .....  | 106.01                                    | Authorization .....                                     | 402                         |
| Patent .....   | 301                                       |   |                             |
| Pending applications.....  | 301, 303                                  | <b>B</b>  |                             |
| Recording .....  | 302                                       | Background of the invention.....                        | 608.01 (c)                  |
| Assignment Division :  |   | Bacteria .....  | 1601                        |
| Administrator and executor authority   |   | Bar, Statutory.....                                     | 201.13, 706.03 (s)          |
| checked .....  | 409.01 (b)                                | Base claim canceled.....                                | 608.01 (h)                  |
| Allowance and issue.....   | 306, 1302.11                              | Base claim rejected.....                                | 608.01 (n)                  |
| File wrapper endorsement.....  | 303                                       | B.I.R.P.I. ....   | 201.13                      |
| Title search .....   | 202.02                                    | Blue slip .....   | 902.03 (b), 903.07, 1302.10 |
| Assignment to Examiner for examination.....  | 903.08 (b)                                | Blue slip, Signatures.....                              | 903.07 (b)                  |
| Assistant Commissioner for Appeals, Legisla-<br>tion and Trademarks, Petitions decided<br>by ..... | 1002.02 (i)                               | Blueprint, Correction of drawing.....                   | 608.02 (v)                  |
| Assistant Commissioner for Patent Examining,<br>Petitions decided by.....                          | 1002.02 (a)                               | Board of Appeals (see also Appeal).<br>Appeal from..... | 1214.01, 1216 to 1216.02    |
| Associate attorney .....   | 402.02, 406                               | Constitution and duties.....                            | 1203                        |
| Associate attorney, Correspondence with.....   | 403.01                                    | Decision .....  | 1213                        |
| Associate of unregistered attorney.....  | 402                                       | Hearing .....   | 1209                        |
| Atomic Energy Act of 1954.....   | 108, 706.03 (b)                           | Jurisdiction .....                                      | 1210                        |
| Atomic energy application.....   | 108                                       | New ground of rejection by.....                         | 1214.01                     |
| Attorney :   |   | Recommendation .....                                    | 1213.01                     |
| Appointment by assignee of entire interest.....  | 106                                       | Reconsideration and rehearing by.....                   | 1214.01, 1214.03            |
| Associate .....  | 402.02, 406                               | Remand to Examiner.....                                 | 1208, 1210, 1211            |
| Associate of unregistered.....   | 402                                       | Books in library.....                                   | 901.06 (a)                  |
|  |   | Borderline classification.....                          | 903.08 (a)                  |
|  |   | Borrowed publications.....                              | 901.06 (b)                  |
|  |   | Borrowing references from Examining Group.....          | 901.08                      |

**MANUAL OF PATENT EXAMINING PROCEDURE**

|   | Sec. No.                   |
|---|----------------------------|
| Box at Patent Office for depositing papers.....       | 502                        |
| Branch:   |                            |
| Application.....                                      | 503 to 506.01, 508, 508.01 |
| Drafting.....   | 507                        |
| Mail.....   | 501                        |
| Breadth, Undue.....                                   | 706.03(z)                  |
| Brief, Filed on appeal.....                           | 1206                       |
| Extension of time.....                                | 1215.04                    |
| Brief on motion.....                                  | 1105.01                    |
| Brief summary of invention.....                       | 608.01(d)                  |
| British patent with exponent, Citing.....             | 901.05(b)                  |
| British specification, "Provisional," "Complete"..... | 201.15                     |
| Bulletin, Classification.....                         | 902.04                     |
| Business, Method of doing.....                        | 706.03(a)                  |

**C**

|   |                        |
|---|------------------------|
| C. C. P. A., Appeal to.....                           | 1214.01, 1216, 1216.01 |
| Cancellation of drawing figures.....                  | 608.02(t)              |
| Canceled matter, Before papers executed.....          | 608.01                 |
| Canceled matter, Restoring.....                       | 608.01(s), 714.24      |
| Canceled matter in patented file.....                 | 901.01                 |
| Canceling claim after issue.....                      | 714.16                 |
| Canceling claim withdrawn after appeal.....           | 1214.05                |
| Canceling drawing.....                                | 608.02(t)              |
| Carbon copy, Application papers.....                  | 608.01                 |
| Carbon copy of amendment.....                         | 714.07                 |
| Card catalog in library.....                          | 901.06(a)              |
| Card system summarized.....                           | 1704                   |
| Catalogs and circulars.....                           | 901.06(a)              |
| Certificate of correction.....                        | 1402                   |
| Applicant's mistake.....                              | 1402.01                |
| Form.....   | 1402.02                |
| Handling.....   | 1402.02                |
| Report by Examiner.....                               | 1402.02                |
| Certified copy of foreign application.....            | 201.14                 |
| Certiorari.....                                       | 1202                   |
| Changing joint to sole.....                           | 201.03                 |
| In interference.....                                  | 1111.07                |
| Reissue.....  | 1401.02                |
| Changing sole to joint.....                           | 201.03                 |
| Charge for pending applications.....                  | 905.05                 |
| Checklist of pages.....                               | vi                     |
| Chemical compound.....                                | 608.01(p)              |
| Chemical practice.....                                | 715.03                 |
| Circulars, Purpose.....                               | Introduction           |
| Citation:   |                        |
| Abstract.....   | 711.06(a)              |
| A. P. C. publication.....                             | 901.06(c)              |
| Allowance, Listing at.....                            | 1302.12                |
| Applicant's.....                                      | 707.05(b), 1302.12     |
| Correction.....                                       | 707.05(g)              |
| Correction, Period for response.....                  | 710.06                 |
| Cross references.....                                 | 707.05(e)              |
| Decisions, Orders, Notices.....                       | 707.06                 |
| Defensive publications.....                           | 711.06, 711.06(a)      |
| English language patent corresponding to foreign..... | 707.05(e)              |

|   | Sec. No.                        |
|---|---------------------------------|
| Citation—Continued  |                                 |
| Examiner's answer.....                                      | 1208                            |
| Foreign patent data.....                                    | 901.05(a)                       |
| Foreign printed applications.....                           | 901.05(b)                       |
| Incorrect.....  | 707.05(g), 710.06               |
| Literature, In specification.....                           | 608.01(p)                       |
| Memorandum.....   | 707.06                          |
| Notices.....  | 707.06                          |
| Orders.....   | 707.06                          |
| Patents, U.S.....   | 901.04                          |
| Publications.....   | 707.05(e)                       |
| Periodical.....   | 707.05(e), 901.06               |
| References.....   | 707.05                          |
| Allowance in first action.....                              | 1302.12                         |
| By applicant.....   | 707.05(b), 1302.12              |
| Restriction requirement, Art.....                           | 813, 817                        |
| Statutes.....   | Introduction                    |
| Unofficial cross references.....                            | 707.05(e)                       |
| U.S. patent data.....                                       | 901.04                          |
| Citizenship of applicant.....                               | 605.01                          |
| Civil action under 35 U.S.C. 145.....                       | 1214.01, 1215.05, 1216.02       |
| Civil action under 35 U.S.C. 146.....                       | 1109, 1109.01, 1109.02, 1111.09 |
| Claim.....  | 608.01(i), 608.01(k)            |
| Added by amendment.....                                     | 608.01(o)                       |
| Added by preliminary amendment in excess of filing fee..... | 714.10                          |
| After prosecution closed.....                               | 714.19                          |
| After prosecution closed, Near end of time period.....      | 714.20                          |
| Aggregative.....  | 706.03(i)                       |
| All allowed.....  | 710.02(b)                       |
| All canceled.....   | 711.01                          |
| Allowable except as to form.....                            | 707.07(j)                       |
| Allowed, Rejection of.....                                  | 706.04                          |
| Allowed, Withdrawn appeal.....                              | 1215.02                         |
| Alternative phrase.....                                     | 706.03(d)                       |
| Analysis.....   | 904.01                          |
| Basis in description.....                                   | 608.01(g)                       |
| Basis in disclosure.....                                    | 608                             |
| Breadth.....  | 706.03(n)                       |
| Cancellation by Examiner after appeal.....                  | 1214.05                         |
| Change, After Board recommendation.....                     | 1213.01                         |
| Combination.....  | 706.03(i), 706.03(j)            |
| Combination and subcombination.....                         | 806.04(c)                       |
| Construed in light of specification.....                    | 608.01(o)                       |
| Copied from Patent. (See Claim copied from patent.).....    |                                 |
| Correspondence with disclosure.....                         | 706.03(n)                       |
| Dependent.....  | 608.01(n)                       |
| Dependent, Objected to when improper.....                   | 706.01                          |
| Dependent on canceled or rejected claim.....                | 707.07(j)                       |
| Design application.....                                     | 1503.01                         |
| Differing only by functional statement.....                 | 706.03(e)                       |
| Duplicate.....  | 706.03(k)                       |
| Each mentioned in letter.....                               | 707.07(i)                       |
| Excess over fee added by preliminary amendment.....         | 714.10                          |
| Excess over fee after notice of allowance.....              | 714.16(c)                       |

**INDEX**

| Claim—Continued                                     | Sec. No.                                   |
|---|--|
| Fees, dependent.....                                | 608.01 (n)                                 |
| File wrapper notation.....                          | 1302.09                                    |
| Filing fee insufficient.....                        | 506  |
| Form.....   | 608.01 (m)                                 |
| Functional.....                                     | 706.03 (c)                                 |
| Generic. (See also Generic claim.).....             | 806.04 (d)                                 |
| Illustrated by drawing.....                         | 608.02 (e), 706.03 (n)                     |
| Inaccurate.....                                     | 706.03 (n)                                 |
| Incomplete.....                                     | 706.03 (f), 707.07 (j)                     |
| Indefinite.....                                     | 706.03 (d)                                 |
| Independent.....                                    | 608.01 (n)                                 |
| Index.....  | 717.04                                     |
| Indirect limitation.....                            | 706.03 (d)                                 |
| Interference, Construed.....                        | 1101                                       |
| Linking.....  | 809, 809.03, 809.04                        |
| Linking, Traverse of rejection.....                 | 818.03 (d)                                 |
| "Markush".....                                      | 706.03 (y)                                 |
| "Markush," Support.....                             | 608.01 (p)                                 |
| Multiplied.....                                     | 706.03 (k), 706.03 (l)                     |
| Negative limitation.....                            | 706.03 (d)                                 |
| New matter.....                                     | 608.04, 706.03 (o)                         |
| Nonelected invention.....                           | 809.04, 821.01, 821.02                     |
| Nonelected invention, Added.....                    | 821.03                                     |
| Nonstatutory.....                                   | 706.03 (h)                                 |
| Nonstatutory, Cancellation.....                     | 1302.04 (b)                                |
| Numbering.....                                      | 608.01 (j)                                 |
| "O.G.".....   | 1302.09                                    |
| Original.....                                       | 608.01 (l), 706.03 (n)                     |
| Patentably distinct.....                            | 706.03 (k)                                 |
| Plant application.....                              | 1605, 1610                                 |
| Priority.....                                       | 201.14 (b)                                 |
| Product, Functional.....                            | 706.03 (c)                                 |
| Product by process.....                             | 706.03 (e)                                 |
| Prolix.....   | 706.03 (g)                                 |
| Reference numerals included.....                    | 608.01 (m), 706.03 (d)                     |
| Reissue application:                                |  |
| Canceled from original application.....             | 1401.08                                    |
| Numbering.....                                      | 1401.06                                    |
| Oath requirement.....                               | 1401.08                                    |
| Original claim subject to reexamination.....        | 1401.09                                    |
| Same invention as original patent.....              | 1401.07                                    |
| Rejection.....                                      | 706  |
| Renumbering at issue.....                           | 608.01 (j), 1302.01                        |
| Renumbering dependent.....                          | 608.01 (n)                                 |
| Rewritten.....                                      | 608.01 (q)                                 |
| Single means.....                                   | 706.03 (c)                                 |
| Single sentence.....                                | 608.01 (m)                                 |
| Species, How recognized.....                        | 806.04 (f)                                 |
| Species (plural) added.....                         | 809.02 (d)                                 |
| Subgenus ("Markush" type).....                      | 706.03 (y)                                 |
| Statutory requirement.....                          | 608.01 (k)                                 |
| Suggested for interference.....                     | 1101.01 (j) to<br>1101.01 (o), 1101.02 (b) |
| Suggested for interference, Failure to<br>make..... | 706.03 (u)                                 |
| Suggested for interference, Time limit.....         | 710.02 (c)                                 |
| Summary of invention, consistent.....               | 608.01 (d)                                 |
| Terminology basis in description.....               | 608.01 (o)                                 |
| Unsupported.....                                    | 706.03 (n)                                 |

| Claim—Continued   | Sec. No.                              |
|---|---------------------------------------|
| Varying scope.....  | 608.01 (m)                            |
| With motion granted in part.....                            | 714.20                                |
| Withdrawal of appealed claim.....                           | 1214.05, 1215.03                      |
| Claim copied from patent.....                               | 710.04 (a), 1101.02 to<br>1101.02 (g) |
| After allowance.....  | 1101.02 (g)                           |
| Appeal of rejection.....                                    | 1205, 1210                            |
| Commissioner's approval if outside time limit.....          | 1003                                  |
| Denied admission, Time limit for re-<br>sponse.....         | 710.02 (c), 710.04 (a)                |
| Disclaimer rejection.....                                   | 706.03 (n)                            |
| Interference pending.....                                   | 1111.05                               |
| Late amendment.....   | 714.19                                |
| Not a response to Office action.....                        | 711.02 (b),<br>1101.02 (e)            |
| Origin must be stated.....                                  | 1101.02, 1101.02 (d)                  |
| Patent filing date later than that of applica-<br>tion..... | 1101.02 (b)                           |
| Patent in different Group.....                              | 1101.02                               |
| Period for response.....                                    | 710.02 (c), 710.04 (a)                |
| Prosecution closed.....                                     | 714.19, 1101.02 (g)                   |
| Rejection.....  | 1101.02 (f)                           |
| Rejection, Failure to respond to.....                       | 706.03 (u)                            |
| Rejection, Primary's attention.....                         | 1004                                  |
| Special.....  | 708.01                                |
| Class, Scope.....   | 903.02 (b)                            |
| Class, Transfer.....  | 903.05                                |
| Class definitions.....                                      | 902.02                                |
| Classification:   |                                       |
| Application. (See Classification of application.)           |                                       |
| Basis.....  | 903.02                                |
| Bulletin.....   | 902.04                                |
| Definitions.....  | 902.02                                |
| Examiner (See Classification examiner.)                     |                                       |
| Foreign patents.....  | 903.03                                |
| Indices.....  | 902.03                                |
| Manual.....   | 902.01                                |
| Non-patent literature.....                                  | 901.06 (b)                            |
| Numerical index.....  | 902.03 (c)                            |
| Orders.....   | 902.04                                |
| Patent, Change of.....                                      | 903.05                                |
| Patent index.....   | 902.03 (a)                            |
| Principles.....   | 903.02                                |
| Revision.....   | 903.02 (a)                            |
| Rules governing applications.....                           | 903.08 (e)                            |
| Slip.....   | 903.07, 1302.10                       |
| Statutory authority.....                                    | 903.01                                |
| Subclass lists.....   | 902.03 (c)                            |
| Classification examiner:                                    |                                       |
| Decision on classification.....                             | 903.08 (d) to 903.08 (f)              |
| Patentability report.....                                   | 705.01 (a)                            |
| Classification, International.....                          | 903.09                                |
| Classification of application:                              |                                       |
| Allowed application.....                                    | 903.07 to 903.07 (b), 1004            |
| Amendment affecting.....                                    | 903.08 (c)                            |
| Borderline.....   | 903.08 (a)                            |
| Cross-referencing.....                                      | 903.07 (a)                            |
| Decision of classification Examiner.....                    | 903.08 (f)                            |

**MANUAL OF PATENT EXAMINING PROCEDURE**

| Classification of application—Continued                              | Sec. No.  |  | Sec. No.             |
|--|---|--|----------------------|
| Disputed .....   | 903.08(a),<br>903.08(d), 903.08(f), 903.08(g)   | Conservator, Authority recorded.....                                 | 409.02               |
| File wrapper data.....   | 717.08  | Conservator, Insane inventor.....                                    | 409.02               |
| Improperly classified.....   | 903.08(a)                                       | Constitutional basis for patents.....                                | Introduction         |
| In another Group at allowance.....                                   | 903.07(b)                                       | Constructive election.....   | 818.02(a), 818.02(c) |
| New application, By Application Division.....                        | 903.08,<br>903.08(e)                            | Constructive reduction to practice.....                              | 715.07               |
| New application, By Primary.....                                     | 903.08(b)                                       | Consular certificate.....  | 604.04               |
| Post classifier.....   | 903.10  | Consular certificate, Executor or administrator,<br>Foreign .....    | 409.01(d)            |
| Rules governing.....   | 903.08(e)                                       | Consular certificate, Omission.....                                  | 604.04(a)            |
| Transfer to another Group.....                                       | 903.08(a),<br>903.08(d), 903.08(g)              | Consular fee stamp.....  | 604.05               |
| Classification on patent copies.....                                 | 903.04  | Consular officer.....  | 604.04               |
| Classifier, Post.....  | 903.10  | Continuation .....   | 201.07               |
| Clean copy.....  | 608.01(q), 1302.02                              | Assignment carried from parent.....                                  | 201.12               |
| Clerk, Duties. (See the Manual of Clerical<br>Procedure.)            |   | Assignment check.....  | 306                  |
| Closed prosecution except for formal mat-<br>ters .....              | 710.02(b)                                       | Copendency .....   | 201.11               |
| Code of Federal Regulations.....                                     | Introduction                                    | Definition .....   | 201.07               |
| Combination, Old Restriction.....                                    | 806.05(b), 820.01                               | Effective date.....  | 201.11               |
| Combination and aggregation.....                                     | 706.03(i), 706.03(j)                            | File wrapper notation.....   | 202.02               |
| Combination and subcombination.....                                  | 802.01,<br>806.04(c), 806.05(a) to 806.05(c)    | Final rejection on first action.....                                 | 706.07(b)            |
| Commercial success of invention, Affidavit<br>alleging .....         | 716   | Inspection of parent.....  | 103                  |
| Commissioner, action requiring attention of:                         |   | New matter.....  | 201.07               |
| Failure to identify claim as copied from a<br>patent .....           | 1101.02(d)                                      | Oath, Delayed filing.....  | 602.05(a)            |
| List .....   | 1002.02   | Ownership .....  | 201.12               |
| Petition for access.....   | 103   | Parent case data noted on file wrapper.....                          | 202.02               |
| Reissue application of patent in interfer-<br>ence .....             | 1401.12   | Reference to parent case.....  | 201.11               |
| Commissioner's   |   | Sole from joint.....   | 201.07               |
| Approval of power to inspect.....                                    | 104   | Streamlined .....  | 201.07               |
| Authority and functions.....   | 709,<br>714.16, 717.01, 1001, 1002              | Time for filing.....   | 201.11               |
| Decisions .....  | Introduction                                    | When patented, Opens parent application to<br>public inspection..... | 103                  |
| Notices, Purpose.....  | Introduction                                    | Continuation-in-part .....   | 201.08               |
| Orders, Purpose.....   | Introduction                                    | Assignment check.....  | 306                  |
| Committee on Enrollment, Petition to.....                            | 1002.02(m)                                      | Copendency .....   | 201.11               |
| Common disclosure, Parent and continuing<br>applications .....       | 201.11  | Definition .....   | 201.08               |
| Common ownership, Conflicting applications..                         | 305,<br>706.03(k), 709.01, 804, 822, 1101.01(b) | Effective date.....  | 201.11               |
| Communication with disbarred attorney.....                           | 105   | File wrapper notation.....   | 202.02               |
| Companion case, Retention label.....                                 | 1302.07   | Inspection of parent.....  | 103                  |
| "Complete" specification, British.....                               | 201.15  | Ownership .....  | 306                  |
| Conception .....   | 715.07  | Reference to parent case.....  | 201.11               |
| Concordance, International and United States<br>classification ..... | 903.09  | Sole from joint.....   | 201.08               |
| Conflicting applications, Same applicant.....                        | 304,<br>706.03(k), 709.01, 804, 822, 822.01     | Time for filing.....   | 201.11               |
| Conflicting applications, Same assignee.....                         | 305,<br>706.03(k), 709.01, 822, 1101.01(b)      | When patented, Opens parent application to<br>public inspection..... | 103                  |
| Conflicting applications, Same attorney.....                         | 1101.01(k),<br>1102.01(a)                       | Continuing application.....  | 201.11               |
| Congress, Inquiry on status of application by<br>member of.....      | 203.08(a)                                       | Continuity between applications.....                                 | 201.11               |
|  |   | Controller General's Opinion B.-111,648.....                         | 607.01               |
|  |   | Control of inspection by assignee.....                               | 106                  |
|  |   | Convention, International.....                                       | 201.13               |
|  |   | Converting joint to sole... 201.03, 201.06, 201.07, 201.08           |                      |
|  |   | Converting sole to joint.....  | 201.03               |
|  |   | Copendency .....   | 201.11               |
|  |   | Copending application, Reference brought up to<br>date .....         | 1302.04(f)           |
|  |   | Copied patent claim. (See Claim copied from<br>patent.)              |                      |
|  |   | "Copier" copies.....   | 714.07               |
|  |   | Copy of foreign application, Certified.....                          | 201.14               |

## INDEX

|   | Sec. No.                           | D | Sec. No. |
|---|------------------------------------|---|----------|
| Correction of drawing.....  | 608.02 (p)                         |   |          |
| Approval by Examiner.....   | 608.02 (x)                         |   |          |
| Blueprint.....  | 608.02 (v)                         |   |          |
| "Corrected" stamp.....  | 608.02 (o)                         |   |          |
| Cost.....   | 608.02 (s)                         |   |          |
| Deferrable.....   | 608.02 (b), 608.02 (p), 608.02 (s) |   |          |
| Estimate of cost.....   | 608.02 (s)                         |   |          |
| Examiner's amendment.....   | 608.02 (w)                         |   |          |
| New matter.....   | 608.04                             |   |          |
| Not approved.....   | 608.02 (x)                         |   |          |
| Order for.....  | 608.02 (x)                         |   |          |
| Required.....   | 707.07 (c)                         |   |          |
| Sketch.....   | 608.02 (v)                         |   |          |
| Separate letter.....  | 608.02 (r)                         |   |          |
| Signature, By Examiner's amendment.....                                       | 605.04 (b)                         |   |          |
| "Special" tag.....  | 608.02 (x)                         |   |          |
| Correction of patent.....   | Chapter 1400                       |   |          |
| Certificate of correction.....  | 1402                               |   |          |
| Reissue. ( <i>See</i> Reissue application.).....                              | 1401                               |   |          |
| Statutory disclaimer.....   | 1403                               |   |          |
| Correction of printer's proof.....  | 1309.01                            |   |          |
| Collection of reference citation.....   | 707.05 (g), 710.06                 |   |          |
| Correspondence:   |                                    |   |          |
| Associate attorney.....   | 403.01                             |   |          |
| Crossing.....   | 714.05                             |   |          |
| Double.....   | 403                                |   |          |
| Receipt and handling.....   | Chapter 500                        |   |          |
| With whom held.....   | 403                                |   |          |
| Correspondence and Mail Division.....   | 501                                |   |          |
| Correspondence under rule 202.....  | 1101.01 (d)                        |   |          |
| to 1101.01 (i).....   |                                    |   |          |
| Action following.....   | 1101.01 (h), 1101.01 (i)           |   |          |
| Cases not requiring.....  | 1101.01 (g)                        |   |          |
| Difference in dates necessitating.....  | 1101.01 (g)                        |   |          |
| Junior party fails to make date.....  | 1101.01 (i)                        |   |          |
| Not an action on the case.....  | 1101.01 (f)                        |   |          |
| Statutory period not initiated by.....  | 1101.01 (f)                        |   |          |
| Counting actions.....   | 1705                               |   |          |
| "Count" of subclass.....  | 902.03 (d)                         |   |          |
| Coupons.....  | 509                                |   |          |
| Court decision, certificate of.....   | 1216.01                            |   |          |
| Court decision, Citation.....   | 707.06                             |   |          |
| Cross-noting:   |                                    |   |          |
| Data of parent application on file wrapper.....                               | 202.02, 1302.09                    |   |          |
| Data of related application brought up to date.....                           | 1302.04 (f)                        |   |          |
| Data of related application in specification.....                             | 201.11, 202.01                     |   |          |
| Foreign application. Application oath.....                                    | 202.04                             |   |          |
| Foreign application, File wrapper.....  | 202.03                             |   |          |
| In original patent file of reissue application.....                           | 202.05                             |   |          |
| Cross-reference:  |                                    |   |          |
| Another application.....  | 202.01, 608.01 (p)                 |   |          |
| At allowance.....   | 903.07                             |   |          |
| Citing.....   | 707.05 (e)                         |   |          |
| Establish new.....  | 903.06 (a)                         |   |          |
| Noted during examination.....   | 903.07 (a)                         |   |          |
| Ordering.....   | 903.06                             |   |          |
| Required for all claimed disclosure.....                                      | 903.07 (a)                         |   |          |
| D-10 Notice.....  | 107.02, 1304, 1304.01              |   |          |
| Date:   |                                    |   |          |
| Amendment.....  | 710.01 (a), 714.18                 |   |          |
| Citation of foreign patent.....   | 901.05 (a)                         |   |          |
| Convention.....   | 201.13, 201.14                     |   |          |
| Filing.....   | 201.11, 503, 505, 1002.02          |   |          |
| Foreign application.....  | 201.13, 201.14, 201.15             |   |          |
| Group stamp.....  | 714.18                             |   |          |
| Office action.....  | 707.11                             |   |          |
| Office stamp.....   | 502, 505, 714.18                   |   |          |
| Reference.....  | 706.02, 707.05 (e), 707.05 (f)     |   |          |
| Date entered on drawing.....  | 608.02 (o)                         |   |          |
| Date of execution of oath.....  | 602.05                             |   |          |
| Date stamp, Examining Group.....  | 714.18                             |   |          |
| Death of attorney.....  | 406                                |   |          |
| Death of inventor ( <i>see also</i> Administrator or executor).....           | 409 to 409.01 (f)                  |   |          |
| Decision:   |                                    |   |          |
| By Board of Appeals.....  | 1213                               |   |          |
| By Classification Examiner.....   | 903.08 (f)                         |   |          |
| By Primary on interference motion.....  | 1004                               |   |          |
| Citation.....   | 707.06                             |   |          |
| Governs Examiner's action.....  | Introduction                       |   |          |
| Listed.....   | Appendix II                        |   |          |
| On interference motion.....   | 1105 to 1105.07                    |   |          |
| Publication of.....   | 707.06                             |   |          |
| Declaration.....  | 602                                |   |          |
| Amendment.....  | 602.01                             |   |          |
| Date.....   | 602.05                             |   |          |
| Defective.....  | 602.03                             |   |          |
| Substitute.....   | 602.02                             |   |          |
| Declassified matter.....  | 707.05 (f)                         |   |          |
| Dedication.....   | 715, 1403                          |   |          |
| Defective oath.....   | 602.03                             |   |          |
| Defense, Applications affecting.....  | 107, 108                           |   |          |
| Defensive publication citation.....   | 711.06 (a)                         |   |          |
| Defensive publication program.....  | 711.06                             |   |          |
| Defensive publication requests.....   | 1002.02 (d)                        |   |          |
| Definition of class.....  | 903.02                             |   |          |
| Delayed filing of original oath.....  | 602.05                             |   |          |
| Delayed filing of reissue application.....                                    | 706.03 (x)                         |   |          |
| Delegation of Commissioner's authority.....                                   | 1001.01, 1002, 1002.02             |   |          |
| Demonstration at interview.....   | 713.08                             |   |          |
| Dependent claim.....  | 608.01 (n)                         |   |          |
| Rejected when base claim is canceled.....                                     | 608.01 (n), 707.07 (j)             |   |          |
| Dependent claim, objected to when improper.....                               | 706.01                             |   |          |
| Dependent counts in interference.....   | 1102.01 (a)                        |   |          |
| Deposit accounts.....   | 500                                |   |          |
| Deposit of microorganisms.....  | 608.01 (p)                         |   |          |
| Depositing paper.....   | 502                                |   |          |
| Deposition, Examiner.....   | 1701                               |   |          |
| Deputy Assistant Commissioner for Patent Examining, Petitions decided by..... | 1002.02 (b)                        |   |          |
| Derogatory remark regarding prior art.....                                    | 608.01 (r)                         |   |          |
| Description, Basis for claim.....   | 608.01 (o)                         |   |          |
| Description, Detailed.....  | 608.01 (g)                         |   |          |

**MANUAL OF PATENT EXAMINING PROCEDURE**

|   | Sec. No.                          |   | Sec. No.                 |
|---|-----------------------------------|---|--------------------------|
| <b>Design</b> .....                           | <b>Chapter 1500</b>               | <b>Disclosure</b> .....                                 | <b>608</b>               |
| Aggregation.....                              | 1504                              | Amendment.....  | 608.04                   |
| Allowance.....                                | 1505                              | Amendment, Preliminary.....                             | 608.04(b)                |
| Appearance of object.....                     | 1502                              | Chemical compound.....                                  | 608.01(p)                |
| Application.....                              | 1503                              | Claimed.....  | 901.03                   |
| Claim.....                                    | 1503.01                           | Common, Parent and continuing application.....          | 201.11                   |
| Convention date.....                          | 201.13                            | Completeness.....                                       | 608.01(p)                |
| Copending applications.....                   | 1504                              | Correspondence with claims.....                         | 706.03(n)                |
| Definition.....                               | 1502                              | Detailed description.....                               | 608.01(g)                |
| Delay of issuance.....                        | 1505                              | Document.....   | 1706                     |
| Description.....                              | 1503.01                           | Foreign application.....                                | 201.15                   |
| Disclaimer.....                               | 1503.01                           | Incorporation by reference.....                         | 608.01(p)                |
| Disclosure.....                               | 1504                              | Insufficient.....                                       | 201.11, 608.01(p)        |
| Dominant feature.....                         | 1503.01                           | Later filed application.....                            | 608.01(p)                |
| Double patenting.....                         | 1504                              | Original claim.....                                     | 608.01(1), 706.03(n)     |
| Drawing.....                                  | 1503.02                           | Preliminary amendment.....                              | 608.04(b)                |
| Election of application.....                  | 1504                              | Related applications.....                               | 608.01(p)                |
| Election of species.....                      | 1504                              | Reservation clause.....                                 | 608.01(e)                |
| Examination.....                              | 1504                              | Restricted to claimed subject matter.....               | 1302.01                  |
| Feature emphasized.....                       | 1503.01                           | Specification ( <i>See also</i> Specification).....     | 608.01                   |
| Fee.....                                      | 1505                              | Sufficiency of, Affidavit.....                          | 716                      |
| Foreign priority.....                         | 1506                              | Support for claims.....                                 | 706.03(n)                |
| Invention.....                                | 1501, 1504                        | Trademark.....  | 608.01(v)                |
| Modification.....                             | 1503.01                           | Trade name.....   | 608.01(v)                |
| New matter.....                               | 1503.02                           | Utility.....  | 608.01(p)                |
| Novelty.....                                  | 1504                              | Disclosure Document Program.....                        | 1706                     |
| Object, Design for.....                       | 1502                              | Discourtesy.....  | 714.19, 714.25, 1003     |
| Patentability.....                            | 1504                              | "Distinct", Definition.....                             | 802.01                   |
| Photograph.....                               | 1503.02                           | "Distinct" inventions.....                              | 802.                     |
| Preamble.....                                 | 1503                              |   | 802.01, 803, 806, 806.05 |
| Priority.....                                 | 1506                              | <b>Distinctness</b>                                     |                          |
| Requirement for restriction.....              | 1504                              | Apparatus and product made.....                         | 806.05(g)                |
| Reproducible.....                             | 1502                              | Process and apparatus for its practice.....             | 806.05(e)                |
| Rules applicable.....                         | 1501                              | Process and product made.....                           | 806.05(f)                |
| Sample.....                                   | 1503.02                           | Distribution of mail.....                               | 501                      |
| Search.....                                   | 1504                              | Distribution of papers.....                             | 508                      |
| Simulation.....                               | 1504                              | Division ( <i>see</i> Restriction Election; Election of |                          |
| Single signature form.....                    | 1503                              | species; Divisional Application).....                   | Chapter 800              |
| Specification.....                            | 1503.01                           | Divisional Application.....                             | 201.06                   |
| Species election.....                         | 1504                              | Assignment carried from parent.....                     | 201.12                   |
| Statutory bar, Foreign application.....       | 201.13                            | Assignment check.....                                   | 306                      |
| Subject matter.....                           | 1502                              | Copendency.....   | 201.11                   |
| Term of.....                                  | 1505                              | Delayed filing of oath.....                             | 602.05(a)                |
| Title.....                                    | 1503.01                           | Drawing, Transfer to.....                               | 608.02(j)                |
| Visual characteristics.....                   | 1502                              | Effective date.....                                     | 201.11                   |
| Design patent series.....                     | 901.04                            | File wrapper notation.....                              | 202.02                   |
| Difference between shortened statutory period |                                   | Inspection of parent application.....                   | 103                      |
| and time limit.....                           | 710.02(d)                         | New matter.....   | 201.06                   |
| Diligence in converting application.....      | 201.03                            | Oath.....   | 201.06, 602.05(a)        |
| Diligence of status inquiry.....              | 203.08                            | Ownership carried from parent.....                      | 201.12                   |
| Diligence, Shown in Rule 131 oath.....        | 715.07, 715.07(a)                 | Parent case data notation in specification.....         | 202.02                   |
| Director's functions.....                     | 1003                              | Patented, Opens parent to inspection.....               | 103                      |
| Disbarred attorney.....                       | 105, 407, 714.01(a)               | Reference to parent application.....                    | 201.11                   |
| Disclaimer:                                   |                                   | Reissue.....  | 1401.10(a)               |
| Co-author of publication.....                 | 715.01(c)                         | Rule 60 application.....                                | 201.06                   |
| Converting joint to sole.....                 | 201.03, 201.06                    | Signature omitted.....                                  | 201.06                   |
| Interference.....                             | 1108, 1109.02                     | Sole from joint.....                                    | 201.06                   |
| Rejection.....                                | 706.03(n),                        | Time for filing.....                                    | 201.11                   |
| Statutory.....                                | 710.02(d), 1101.01(m), 1101.02(f) | Document, Disclosure.....                               | 1706                     |
|   |                                   | Double correspondence.....                              | 403                      |

INDEX

|  | Sec. No.                                      | Drawing—Continued                          | Sec. No.               |
|--|---|--|------------------------|
| Double patenting:                              |   | Informal .....                             | 507, 608.02 (b)        |
| Basis .....                                    | 802   | Informality, Determined by draftsman ..... | 608.02 (a)             |
| Claimed subject matter .....                   | 806.01  | Kept in Examining Group .....              | 608.02 (c)             |
| Design application .....                       | 1504  | Mail Branch stamp .....                    | 608.02 (o)             |
| Definition .....                               | 804   | Modification illustrated .....             | 608.02 (f)             |
| Distinct and independent inventions .....      | 804,  | Name of applicant not permitted .....      | 605.04 (h)             |
|  | 804.01, 806.05                                | Necessary for filing date .....            | 506, 608.02            |
| Rejection .....                                | 706.03 (k),                                   | "New drawings required" .....              | 608.02 (a)             |
|  | 804, 804.01, 804.02                           | New matter .....                           | 608.04                 |
| Rejection nullification .....                  | 804.01  | New, When required .....                   | 608.02 (a), 608.02 (x) |
| Same assignee .....                            | 305-305.02, 706.03 (k), 804.03, 822           | Not received .....                         | 608.02 (h)             |
| Same inventor .....                            | 706.03 (k),                                   | Not returned .....                         | 608.02 (y)             |
|  | 806.04 (h) to 806.04 (j), 806.05, 822, 822.01 | Objection .....                            | 507                    |
| Species and genus .....                        | 806.04 (h) to 806.04 (j)                      | "O.G." .....                               | 1302.09                |
| Submission to Group Director .....             | 804.04  | Patented case .....                        | 905.03                 |
| Terminal disclaimer effect .....               | 804.02  | Photographs .....                          | 608.02                 |
| Draftsman .....                                | 507   | Photoprint .....                           | 608.02 (a)             |
| Draftsman's notation .....                     | 507, 608.02 (a)                               | Plant application .....                    | 1606                   |
| Draftsman's stamp .....                        | 608.02 (a), 608.02 (o)                        | Prepared by Patent Office .....            | 608.02 (x)             |
| Drawing .....                                  | 507, 608.02                                   | Print. (See Print of drawing.) .....       | 608.02 (m)             |
| Additional .....                               | 608.02 (h)                                    | Prior art .....                            | 608.02 (g)             |
| Allowance, Notation on .....                   | 1302.09                                       | Reference characters .....                 | 608.02 (e)             |
| Amendment .....                                | 608.02 (p)                                    | Reference characters, Change .....         | 608.02 (w)             |
| Amendment, Direction for .....                 | 608.02 (q)                                    | Reissue application .....                  | 608.02 (k), 1401.05    |
| Amendment, Disposition .....                   | 608.02 (x)                                    | Removal from Group .....                   | 608.02 (c)             |
| Amendment support by original claim .....      | 608.01 (l)                                    | Required by Examiner .....                 | 608.02                 |
| Approval stamp .....                           | 608.02  | Return .....                               | 608.02 (y)             |
| Attorney's name not permitted .....            | 605.04 (h)                                    | Section lines .....                        | 608.01 (f)             |
| Brief description .....                        | 608.01 (f)                                    | Signature .....                            | 605.04 (h)             |
| Canceled figure .....                          | 608.02 (t)                                    | Signature, Administrator or executor ..... | 605.05 (a)             |
| Canceled sheet .....                           | 608.02 (t)                                    | Signature correction, Examiner's amend-    |                        |
| Canceled sheet, Patent .....                   | 608.02 (i)                                    | ment .....                                 | 605.04 (b)             |
| Canceled sheet, Transfer .....                 | 608.02 (j)                                    | Sketch for correction .....                | 608.02 (v)             |
| Changing name of attorney .....                | 608.02 (u)                                    | Substitute .....                           | 608.02 (h)             |
| Colored plant .....                            | 1606  | Sufficiency, Determined by Examiner .....  | 608.02 (e)             |
| Complete illustration .....                    | 608.02 (d), 706.03 (n)                        | Symbols .....                              | 608.02                 |
| Completeness .....                             | 608.02 (e)                                    | Transfer .....                             | 608.02 (i)             |
| Content of .....                               | 608.02 (d)                                    | Transfer to reissue .....                  | 608.02 (k), 1401.05    |
| Correction. (See also Correction of Draw-      |   | Use in Reissue .....                       | 608.02 (k), 1401.05    |
| ing.) .....                                    | 608.02 (p)                                    | View .....                                 | 608.01 (f)             |
| Corresponds with description .....             | 608.02 (f)                                    | Drawing correction .....                   | 608.02 (p)             |
| Cost of correction .....                       | 608.02 (s)                                    | Approval by Examiner .....                 | 608.02 (x), 608.02 (q) |
| Cutting down size .....                        | 608.02 (h), 608.02 (q)                        | Blueprint .....                            | 608.02 (v)             |
| Date entered on back .....                     | 608.02 (o)                                    | Cost .....                                 | 608.02 (s)             |
| Denied admission .....                         | 608.02 (h)                                    | Deferrable .....                           | 608.02 (b), 608.02 (s) |
| Design application .....                       | 1503.01, 1503.02                              | Examiner's amendment .....                 | 608.02 (w)             |
| Disclosure .....                               | 608   | New matter .....                           | 608.04                 |
| Divisional application .....                   | 608.02 (j)                                    | Only by Office Draftsman .....             | 608.02 (q)             |
| Draftsman's criticism included in first Office |   | Order for .....                            | 608.02 (x)             |
| action .....                                   | 707.07 (c)                                    | Required .....                             | 707.07 (c)             |
| Draftsman's notation .....                     | 507, 608.02 (a)                               | Sketch .....                               | 608.02 (v)             |
| Draftsman's stamp .....                        | 608.02 (a), 608.02 (o)                        | Separate letter .....                      | 608.02 (r)             |
| Duplicate .....                                | 608.02 (h)                                    | Signature, By Examiner's amendment .....   | 605.04 (b)             |
| Estimate of cost of correction .....           | 608.02 (s)                                    | "Special" tag .....                        | 608.02 (x)             |
| Examiner determines completeness .....         | 608.02 (e)                                    | Drug disclosure guidelines .....           | 608.01 (p)             |
| Examiner's amendment .....                     | 608.02 (w)                                    | Duplicate amendments .....                 | 717.01 (a)             |
| Illustrates claim .....                        | 608.02 (e)                                    | Duplicate claims .....                     | 706.03 (k)             |
| Inartistic arrangement .....                   | 608.02 (t)                                    | Duplicate foreign patents .....            | 903.03                 |
| "Inf. A.F.E.," Reissue application .....       | 1401.05                                       | Duplicate papers, Plant application .....  | 1603, 1609, 1610       |

**MANUAL OF PATENT EXAMINING PROCEDURE**

|   | Sec. No.                             |   | Sec. No.                    |
|---|--------------------------------------|---|-----------------------------|
| Duty to inquire.....                              | 203.08                               | Erasure in specification, Before Execution..... | 608.01                      |
| <b>E</b>  |                                      |   |                             |
| "Easily Erasable" paper.....                      | 608.01, 714.07                       | Estimate of cost of correcting drawings.....    | 608.02(w)                   |
| Effective date, Declassified matter.....          | 707.05(f)                            | Estoppel, Defensive publication.....            | 711.06                      |
| Effective date, Reference patent.....             | 706.02,                              | Estoppel, Interference.....                     | 1109.02, 1110, 1110.02      |
|   | 707.05(e), 715, 715.01               | Examination of application:                     |                             |
| Effective filing date, Continuing application..   | 201.11,                              | Order of.....                                   | 708 to 708.03               |
|   | 708                                  | Piecemeal.....                                  | 707.07(g)                   |
| Effective filing date, International Conven-      |                                      | Purpose.....                                    | 701                         |
| tion.....   | 201.13, 201.14, 201.15               | Reissue.....                                    | 1401.09                     |
| Election. (See also Restriction; Election of spe- |                                      | Secrecy during.....                             | 101                         |
| cies.).....                                       | Chapter 800                          | "Secrecy order" case.....                       | 107                         |
| Action on nonelected claims, Election not         |                                      | Statutory authority.....                        | 701                         |
| waived.....                                       | 819                                  | <b>Examiner:</b>                                |                             |
| After multiplicity rejection.....                 | 706.03(1)                            | Affidavit.....                                  | 707.05                      |
| After restriction.....                            | 818                                  | Assignment of application for examination       | 903.08(b)                   |
| After restriction, Treatment of nonelected        |                                      | Classification. (See also Classification ex-    |                             |
| claims.....                                       | 821 to 821.03                        | aminer.).....                                   | 903                         |
| Applicant must make.....                          | 818.03(e)                            | Expressing Opinion on Validity.....             | 1701                        |
| Between applications, Conflicting claims....      | 804,                                 | New, Action indicated by Primary.....           | 707.01                      |
|   | 822 to 822.01                        | Primary, Actions requiring personal atten-      |                             |
| Constructive.....                                 | 818.02(a), 818.02(c)                 | tion.....                                       | 1004                        |
| Fixed by action on merits.....                    | 818.02(a)                            | Primary, Name on file wrapper.....              | 1302.13                     |
| Implied.....                                      | 818.02(a), 818.02(c)                 | Resigns.....                                    | 1702                        |
| Interference.....                                 | 820.02                               | Resigns, old cases special.....                 | 708.03                      |
| Old combination, Election waived.....             | 820.01                               | Suggestion of allowable claims.....             | 707.07(j)                   |
| Optional cancellation.....                        | 818.02(c)                            | Telephoning attorney.....                       | 408                         |
| Original presentation.....                        | 818.02(a)                            | Testimony as patent expert.....                 | 1701                        |
| Shift.....  | 819.01                               | Examiner's action. (See also Action; Letter,    |                             |
| Traverse.....                                     | 818,                                 | Examiner's.).....                               | 707                         |
|   | 818.03, 818.03(b), 818.03(c), 821.01 | Examiner's amendment.....                       | 1302.04                     |
| Election of species:                              |                                      | Abstract changed by.....                        | 608.01(b)                   |
| Action after.....                                 | 809.02(c)                            | By initialing.....                              | 1302.04                     |
| Allowable generic claim lacking.....              | 809.02(a)                            | Claims, Nonelected invention, Canceled....      | 821.01,                     |
| Basis.....  | 809.02                               |   | 821.02                      |
| Canceling species claims.....                     | 818.02(c)                            | Claim, Nonstatutory, Canceled.....              | 1302.04(b)                  |
| Design application.....                           | 1504                                 | Claim, Numbers identifying.....                 | 1302.04(g)                  |
| Implied.....                                      | 818.02(a), 818.02(c)                 | Claim lost in interference, Canceled.....       | 1109.02                     |
| Reissue application.....                          | 1401.10                              | Copending application data brought up to        |                             |
| Requirement.....                                  | 809.02(a), 809.02(b)                 | date.....                                       | 201.11, 1302.01             |
| Species claims lacking.....                       | 809.02(d), 818.02(b)                 | Defensive Publication.....                      | 711.06                      |
| Withdrawal of nonelected species.....             | 809.02(c)                            | Drawing correction.....                         | 608.02(w), 1302.04, 1302.05 |
| Employees of Patent Office, Property interest in  |                                      | Formal matters.....                             | 1302.04                     |
| patent.....                                       | 309                                  | Name on drawing.....                            | 605.04(b)                   |
| English language faulty, New specification..      | 608.01(q)                            | Patented copending application data.....        | 1302.04(f)                  |
| English language required.....                    | 608.01                               | Plant patent practice.....                      | 1610                        |
| English language patent corresponding to          |                                      | "Printer Waiting".....                          | 714.16, 1309.01             |
| foreign.....                                      | 707.05(e)                            | Reference citation corrected.....               | 707.05(g)                   |
| Entry of amendment. (See also Amendment.)..       | 714.18                               | Signature of administrator.....                 | 605.05(a)                   |
| Entry of "Contents" of file wrapper.....          | 717.01                               | Title of application.....                       | 606.01, 1302.04(a)          |
| Entry on Face of file wrapper.....                | 717.02, 717.02(b)                    | Examiner's answer:                              |                             |
| Environmental Quality Program....                 | 708.02, 1002.02(c)                   | Appeal brief.....                               | 1208                        |
| Equity (civil action):                            |                                      | New ground of rejection.....                    | 1208.01                     |
| Under 35 U.S.C. 145.....                          | 1214.01, 1215.05, 1216.02            | Petition.....                                   | 1002                        |
| Under 35 U.S.C. 146.....                          | 1109,                                | Petition for abandonment.....                   | 711.03(d)                   |
|   | 1109.01, 1109.02, 1111.09            | Print of drawing.....                           | 1204                        |
| Equivalents in art.....                           | 904.01(b)                            | Reply brief.....                                | 1208                        |
| Erasable (specially coated) paper.....            | 608.01                               | Special status.....                             | 708.01                      |
| Erasure in specification, Before allowance...     | 1302.01                              | Status letter.....                              | 203.08                      |

**INDEX**

|  | Sec. No.                     | File wrapper—Continued                                    | Sec. No.                     |
|--|------------------------------|---|------------------------------|
| Examiner's letter. (See also Action; Letter, Examiner's.)  | 707                          | Amendment endorsed  | 714.18                       |
| Examiner's statement. (See Examiner's answer.)             |                              | Arrangement of papers                                     | 717.01(a)                    |
| Example, Operative   | 608.01(p)                    | Assignment endorsement                                    | 303                          |
| Excess number of claims for fee, After notice of allowance | 714.16(c)                    | Classification data                                       | 717.03                       |
| Excess number of claims for filing fee                     | 714.10                       | "Contents", Entry in                                      | 717.01                       |
| Execution of oath  | 604                          | Correction of error                                       | 717.02                       |
| Executive Order No. 5464                                   | 160S                         | Data entered on   | 710.05, 717.02, 1302.09      |
| Executor or Administrator                                  | 409.01                       | Equity suit   | 1216.02                      |
| Allowance and Issue  | 409.01(f)                    | Field of search   | 717.05                       |
| Application by, After discharge                            | 409.01(c)                    | Field of search, Patentability report                     | 705.01(a)                    |
| Assigned application, Inventor dies                        | 409.01(e)                    | Foreign application cross-noting                          | 202.03                       |
| Authority  | 409.01(b)                    | Foreign filing date entered on                            | 1302.06                      |
| Consular certificate                                       | 409.01(b)                    | Index of claims   | 717.04                       |
| Foreign country  | 409.01(b)                    | Interference notation                                     | 1101.01(c)                   |
| Heir   | 409.01, 409.01(a), 409.01(d) | "Licensing and Review" stamp                              | 107.01                       |
| Signature  | 605.05(a)                    | Name of applicant changed                                 | 717.02(b)                    |
| Specification form   | 605.05(a)                    | Notation for continuing application                       | 202.02                       |
| Exhausted Combination                                      | 706.03(i), 706.03(j)         | Notes to application of another party                     | 101                          |
| Exhibit  | 608.03                       | Papers in   | 717.01                       |
| Exhibit, Affidavit under Rule 131                          | 715.07, 715.07(d)            | "P.R." Group noted  | 705.01(c)                    |
| Exhibit at interview                                       | 713.08                       | Parent case notation on                                   | 202.02, 1302.09              |
| Exhibit, Handling  | 608.03(a)                    | Print of drawing  | 717.01(b)                    |
| Ex parte questions   | 713.06                       | Relation of application noted on                          | 202.02                       |
| Experimentation, Disclosure requiring                      | 608.01(g)                    | Residence changed   | 717.02(b)                    |
| Exposure of papers during interviews                       | 101, 713.07                  | Return of paper entered on                                | 717.01                       |
| Expounding patent law                                      | 713.02                       | Signing and dating by Primary                             | 1302.13                      |
| Express abandonment  | 711, 711.01                  | Statutory period ends on nonworking day                   | 710.05                       |
| Extension of shortened response period                     | 710.02(e),                   | Filing date   | 503, 505                     |
| Extension of time  | 1002.02(c)                   | Effective   | 201.11                       |
| First request  | 1004                         | Foreign application, Convention date                      | 201.13, 201.14, 201.15       |
| For filing brief   | 1002.02(e), 1208.01, 1215.04 | Later filed application as disclosure                     | 608.01(p)                    |
| Second request   | 1002.02(c)                   | Petition  | 1002.02(h)                   |
| To seek court review                                       | 1002.02(a)                   | Subsequent publication as disclosure                      | 608.01(p)                    |
|  | <b>F</b>                     | Filing fee  | 607                          |
| Fee exempt application                                     | 607.01                       | Claims in excess of                                       | 506, 714.10                  |
| Fee filed application                                      | 607                          | Design application  | 1505                         |
| Fee, Filing  | 607                          | Fee exempt application                                    | 607.01                       |
| Claims in excess of  | 506, 714.10                  | Inadequate  | 506                          |
| Dependent claims   | 608.01(n)                    | Return  | 506.01, 607.02               |
| Design application   | 1505                         | Filing receipt  | 503                          |
| Fee exempt application                                     | 607.01                       | Final action. (See Allowance and issue; Final rejection.) |                              |
| Inadequate   | 506                          | Final action, Special nature of                           | 708.01                       |
| Return   | 506.01, 607.02               | Final fee: (see Issue fee)                                |                              |
| Fee, Issue:  |                              | Final rejection   | 706.07                       |
| Failure to pay   | 712                          | Amendment after   | 714.12, 714.13               |
| Interfering case, Not applied                              | 1101.01(o)                   | Amendment after, Entered in part                          | 714.20                       |
| Petition to accept   | 712                          | First action  | 706.07(b)                    |
| Fee, Petition to revive                                    | 711.03(c)                    | Interview   | 718.09                       |
| Fee stamp: Consular  | 604.05                       | Letter  | 706.07                       |
| Fees, Payment of   | 509                          | Patentability report                                      | 705.01(a)                    |
| Field of search  | 708.03, 904.01(d)            | Petition to vacate  | 1002.02(c)                   |
| Field of search, Notation by Examiner                      | 705.01(a), 717.05, 904.01(d) | Premature   | 706.07(c)                    |
| File wrapper   | 717                          | Premature, Withdrawal                                     | 706.07(d)                    |
| Action entered   | 707.10                       | Primary's attention required                              | 1004                         |
| Allowed case data entered                                  | 1302.09                      | "Secrecy order" application                               | 107.02                       |
|  |                              | Special   | 708.01                       |
|  |                              | When proper   | 706.07, 706.07(a), 706.07(b) |

**MANUAL OF PATENT EXAMINING PROCEDURE**

|   | Sec. No.                  |  | Sec. No.  |
|---|---------------------------|--|---|
| <b>Final rejection—Continued</b>                          |                           |  |   |
| Withdrawal .....  | 706.07 (e)                | <b>Forfeiture (failure to pay issue fee) .....</b> | <b>712</b>  |
| Withdrawal, Primary's attention .....                     | 1004                      | <b>Formal matter:</b>                              |   |
| Withdrawal of premature .....                             | 706.07 (d)                | Allowance and issue .....                          | 1302.01, 1302.02, 1302.04   |
| Withdrawal prior to hearing on appeal .....               | 1208.02                   | Amendment of case in issue .....                   | 714.16  |
| Final restriction requirement .....                       | 818.03                    | Claim allowable except for .....                   | 707.07 (j)  |
| First action final rejection .....                        | 706.07 (b)                | Response to objection .....                        | 714.02  |
| Fissionable material .....                                | 706.03 (b)                | Review of actions involving .....                  | Introduction  |
| Five year pendency .....                                  | 707.02 (a)                | Right of priority .....                            | 201.14  |
| Flow sheet .....  | 608.02                    | Specification format .....                         | 608.01  |
| <b>Foreign application:</b>                               |                           | When taken up .....                                | 707.07 (a), 707.07 (e), 707.07 (j),<br>714.02                                 |
| Certified copy to avoid reference .....                   | 201.14                    | <b>Forms and form letters:</b>                     |   |
| Cross-noting on file wrapper .....                        | 202.03                    | Amendment after Board decision, Refused ..         | 1214.07   |
| Date, Entitled to .....                                   | 201.13, 201.14, 201.15    | Decision on Motion .....                           | 1105.06   |
| Determination of priority .....                           | 201.14, 201.15            | Examiner's answer .....                            | 1208  |
| Disclosure .....  | 201.15                    | Examiner's Statement on appeal .....               | 1208  |
| English language translation for benefit of<br>date ..... | 201.15                    | Final rejection .....                              | 706.07  |
| Filing in foreign country .....                           | 107                       | Interference .....                                 | 1105.06, 1112 to 1112.10  |
| First .....   | 201.13                    | Notice of allowance, Assigned application .....    | 308   |
| Great Britain .....                                       | 201.15                    | Notice of references cited .....                   | 707.05 (a)  |
| License to file .....                                     | 107, 706.03 (s)           | Rejection of claim copied from patent ..           | 1101.02 (f)   |
| Listed in oath .....                                      | 201.14, 602               | Restriction requirement .....                      | 817   |
| More than one .....                                       | 201.14                    | PO-14 .....  | 905.02  |
| Noting earliest date on file wrapper .....                | 202.03, 1302.06           | OF-25 .....  | 905.05  |
| Overcoming reference by .....                             | 201.15, 715               | POL-37 .....                                       | 707.05 (g), 812.01, 1302.04, 1302.12  |
| Priority .....  | 201.13                    | PO-84 .....  | 1208  |
| Ribbioned .....   | 602.04 (a)                | POL-86 .....                                       | 1608  |
| Same invention .....                                      | 201.15                    | PO-97 .....  | 1302.04   |
| Seal .....  | 602.04 (a)                | PO-125 .....                                       | 711.04 (b), 905.03, 905.05  |
| Statutory bar .....                                       | 201.13, 706.03 (s)        | PO-150 .....                                       | 1302.07   |
| Foreign countries recognized for priority .....           | 201.13                    | PO-152 .....                                       | 602.02,<br>602.03, 602.05, 604.02, 605.02, 605.03, 707, 707.07 (a)            |
| Foreign filing. Proving for priority .....                | 201.14                    | PO-205 .....                                       | 1704  |
| Foreign filing date, Entitled to .....                    | 201.13                    | PO-206 .....                                       | 1704  |
| Foreign filing date on file wrapper .....                 | 202.03<br>1302.06         | PO-250 .....                                       | 901.06 (a), 901.06 (b), 905.01, 1706  |
| Foreign language application .....                        | 608.01                    | PO-261 .....                                       | 1112.05   |
| Foreign language names .....                              | 901.05 (a)                | PO-262 .....                                       | 1112.05, 1204   |
| Foreign oath .....  | 602.04                    | PO-270 .....                                       | 902.03 (b), 903.07, 903.09, 1302.10   |
| <b>Foreign patent:</b>                                    |                           | POL-271 .....                                      | 714.16 (d), 714.16 (e), 1101.02 (g)   |
| Citation .....  | 707.05 (e), 901.05 (b)    | PO-290 .....                                       | 1705  |
| Citation dates and information .....                      | 901.05 (a),<br>901.05 (b) | PO-303 .....                                       | 708.02, 714.13  |
| Classification .....                                      | 903.03                    | POL-316 .....                                      | 707.05 (g)  |
| Duplicates .....  | 903.03                    | POL-319 .....                                      | 714.03  |
| Journals .....  | 901.06 (a)                | PO-326 .....                                       | 706.07, 707.04, 710.02 (b), 812.01  |
| Library .....   | 901.06 (a)                | POL-327 .....                                      | 708.02, 710.02 (e), 711.01,<br>711.02, 714.13, 714.17, 1207, 1302.03, 1302.04 |
| Listing at allowance .....                                | 1302.12                   | PO-328 .....                                       | 903.07  |
| Ordering .....  | 901.05 (c)                | PO-333 .....                                       | 1215.04   |
| Print of, Where obtained .....                            | 901.05 (c)                | PO-364 .....                                       | 608.02 (x), 1309  |
| Reference .....   | 901.05                    | PO-447 .....                                       | 903.08 (a), 903.08 (d)  |
| Statutory bar .....                                       | 201.13, 706.03 (s)        | PO-516 .....                                       | 1705  |
| Transfer .....  | 903.03                    | PO-525 .....                                       | 1705  |
| Translation of .....                                      | 901.05 (d)                | PO-526 .....                                       | 1705  |
| Unlicensed, Same applicant .....                          | 706.03 (s)                | PO-531 .....                                       | 1705  |
| Foreign priority .....                                    | 201.13, 201.14            | PO-532 .....                                       | 1705  |
| Foreword .....  | III                       | PO-533 .....                                       | 1705  |
| Forfeited application .....                               | 712                       | PO-690 .....                                       | 1705  |
| Prior art .....   | 901.02                    | PO-690E .....                                      | 903.03, 1705  |
| Retention label .....                                     | 1302.07                   |  |   |

INDEX

| Forms and form letters—Continued                 | Sec. No.  |
|--|---|
| PO-850   | 303, 1101.01(c), 1101.02, 1101.02(a), 1102.01, 1102.01(a), 1106.02, 1112.05 |
| PO-892   | 707, 707.05, 707.05(a), 707.05(b), 707.05(c), 707.05(e), 1208.01            |
| PO-912   | 1705  |
| PO-948   | 507, 608.02, 707, 707.07(a)   |
| PO-952   | 1710.02   |
| PO-1002  | 201.14(b), 201.14(c), 605.02  |
| PO-1050  | 1402.02   |
| POL-1094   | 608.02(a)   |
| Form 1121  | 903.03  |
| PO-1122  | 903.03  |
| Frivolous invention                              | 706.03(p)   |
| Full faith and credit in prior Examiner's action | 704, 706.04   |
| Full name  | 605.04(b)   |
| Full signatory authority                         | 1004  |
| Functional claim, Rejection                      | 706.03(c)   |
| Function of machine rejection                    | 706.03(r)   |

G

|  |                                 |
|--|---------------------------------|
| "General Information Concerning Patents"   | 703                             |
| Generic claim:                             |                                 |
| Definition                                 | 806.04(d)                       |
| Election of application in which presented | 806.04(j)                       |
| Informal                                   | 809.02(e)                       |
| Patentability over species                 | 806.04(h)                       |
| Presented after issue of patent            | 806.04(i)                       |
| Rejection                                  | 806.04(j), 809.02(a), 809.02(c) |
| Species claims lacking                     | 809.02(d), 818.02(b)            |
| Subcombination                             | 806.04(c)                       |
| Traverse of rejection in lieu of election  | 809.02(a)                       |
| Genus and species                          | 806.04(a)                       |
|  | to 806.04(j), 808.01(a), 809.02 |
| German search exchange                     | 1710-1710.02                    |
| Government-owned application:              |                                 |
| "Act of 1883"                              | 201.17                          |
| Special                                    | 708.01                          |
| 35 U.S.C. 266                              | 607.01                          |
| Great Britain, "Complete" specification    | 201.15, 901.05(a)               |
| Great Britain, "Provisional" specification | 201.15                          |
| Group date case held up in Patent Security |                                 |
| Group                                      | 107.01                          |
| Group date receipt and stamp               | 714.18                          |
| Group Director's functions                 | 1002.02(c), 1003                |
| Guardian, Authority recorded               | 409.02                          |
| Guardian of insane inventor                | 409.02                          |
| Guidelines for drug disclosures            | 608.01(p)                       |

H

|  |                      |
|--|----------------------|
| Hand delivery of papers  | 502, 714.13          |
| Hearing on appeal  | 1209                 |
| Heir as applicant ( <i>see also</i> Administrator or executor) | 409.01(a), 409.01(d) |
| Holiday, Papers not received                                   | 502                  |
| Holiday, Period for response ending on                         | 710.05               |
| Holiday in District of Columbia                                | 710.05               |

I

|  | Sec. No.                                    |
|--|---|
| Identity of inventors                            | 201.13                                      |
| Idiomatic English                                | 608.01(q)                                   |
| Implied election                                 | 818.02(a), 818.02(c)                        |
| Improper joinder, Effect on patent               | 805   |
| Inaccurate claim                                 | 706.03(n)                                   |
| Incomplete amendment, Time for completing        | 710.02(c), 714.03                           |
| Incomplete application                           | 506   |
| Completed  | 506.01                                      |
| Definition                                       | 203.06                                      |
| Drawing  | 507   |
| Invalid oath                                     | 604.06                                      |
| Return   | 506.01                                      |
| Return of filing fee                             | 506.01                                      |
| Using again                                      | 506.01, 608.01(u)                           |
| Incomplete claim, Rejection                      | 706.03(f)                                   |
| Incomplete response                              | 711.03(a)                                   |
| Incomplete response, Time for completing         | 710.02(c), 711, 714.03                      |
| Incorporation by reference                       | 608.01(p)                                   |
| Incorrect citation of reference                  | 707.05(g)                                   |
| Indefinite claim                                 | 706.03(d)                                   |
| Independent claim                                | 608.01(n)                                   |
| "Independent", definition                        | 802.01                                      |
| "Independent" inventions                         | 802,  |
|  | 802.01, 803, 806, 806.04, 808.01, 808.01(a) |
| Index of claims                                  | 717.04                                      |
| Index of patents, Numerical                      | 902.03(a)                                   |
| Informal application                             | 702.01                                      |
| Primary's attention required                     | 1004  |
| Search   | 704   |
| Special  | 708.01                                      |
| Informal drawing                                 | 507   |
| Informality, Action calling attention to         | 707.07(a), 707.07(j)                        |
| Information on status of application referred to |   |
| in patent  | 102   |
| Information sent to applicant for his guidance   | 703   |
| Initial sentence                                 | 707.04                                      |
| Ink, Permanent                                   | 608.01, 714.07                              |
| Inoperativeness                                  | 706.03(p)                                   |
| Inoperativeness, Affidavit                       | 716   |
| Inquiry as to status of application              | 203.08                                      |
| Insane applicant                                 | 409, 409.02                                 |
| Inspection:                                      |   |
| Amendment  | 714.05                                      |
| Application                                      | 101, 102, 104                               |
| Approval of power                                | 104   |
| Authorization                                    | 402   |
| By assignee                                      | 104, 106, 106.01                            |
| By disbarred attorney                            | 105   |
| By inventor                                      | 106   |
| By licensee                                      | 106.01                                      |
| Control of, By assignee                          | 106   |
| Patent file                                      | 103   |
| Petition   | 103   |
| Right of   | 103, 104, 106                               |

**MANUAL OF PATENT EXAMINING PROCEDURE**

|  | Sec. No.                           |
|--|------------------------------------|
| Insufficient disclosure.....   | 608.01(p)                          |
| Continuation-in-part filed.....  | 201.11                             |
| Insufficient response.....   | 711.02(a)                          |
| Inter-American Convention.....   | 201.13                             |
| Interference.....  | Chapter 1110                       |
| Abandonment of contest.....  | 1108, 1110, 1110.01                |
| Abstract of title in patented file.....                                | 1101.02                            |
| Action after award of priority.....                                    | 1107,<br>1109 to 1109.02           |
| Action after award of priority, Losing party.....                      | 1109.02                            |
| Action after award of priority, Winning party.....                     | 1109.01                            |
| Action after dissolution.....  | 1110                               |
| Action suggesting claims.....  | 1101.01(l)                         |
| Addition of new party.....   | 1108.02                            |
| Additional interferences.....  | 1106, 1106.01, 1106.02             |
| Admission of patent claims denied.....                                 | 1101.02,<br>1101.02(f)             |
| <b>Affidavit:</b>  |                                    |
| Oath under Rule 202 sealed and forwarded with interference record..... | 1101.01(h)                         |
| Oath under Rules 131, and 204 opened with preliminary statements.....  | 1101.03                            |
| Oath under Rules 131 and 204 removed and sealed.....                   | 715.06, 1101.03                    |
| After decision on motion.....  | 1106.01                            |
| All parties claiming invention to be included.....                     | 1101.01(h)                         |
| Amendment filed during.....  | 1111.05                            |
| Amendment in connection with motion.....                               | 1108                               |
| Appeal to Court of Customs and Patent Appeals.....                     | 1109                               |
| Application and patent in different Groups.....                        | 1101.01(a)                         |
| Applications in different groups.....                                  | 1101.01(a)                         |
| Attorney, Parties have same.....                                       | 1101.01(k),<br>1102.01(a)          |
| Between applications.....  | 1101.01                            |
| Briefs on motion.....  | 1105.01                            |
| Cancellation of losing party's claim.....                              | 1109.02                            |
| Civil action under 35 U.S.C. 146.....                                  | 1109, 1109.01,<br>1109.02, 1111.09 |
| Claim copied from a patent (see also Claim copied from patent).....    | 1101.02 to 1101.02(g)              |
| Claim interpretation.....  | 1101                               |
| Claim "modified".....  | 1102.01(a)                         |
| Claiming of same subject matter necessary.....                         | 1101.01                            |
| Claims, Same in two applications of same party.....                    | 1102.01                            |
| Claims, Suggesting.....  | 1101.01(j), to 1101.01(o)          |
| Claims, Suggesting from patent.....                                    | 1101.02(b)                         |
| Claims not patentable over issue noted in memorandum.....              | 1102.01(a)                         |
| Claims of application not identical with patent claims, Rule 205.....  | 1101.02, 1101.02(c),<br>1102.01(a) |
| Claims of patent, All interfering to be counts.....                    | 1101.02(c)                         |
| Claims of patent, Rejection.....                                       | 1101.02(f)                         |

| Interference—Continued  | Sec. No.                                       |
|---|--|
| Common ownership.....   | 305, 305.02, 1101.01(b)                        |
| Concession of priority.....   | 1108, 1109.02                                  |
| Concurrent with Appeal.....   | 1103   |
| Conflicting parties, Same attorney.....                               | 1101.01(k)                                     |
| Consultation with Interference Examiner.....                          | 1111.13  |
| Continuation of earlier application.....                              | 1101.01(e),<br>1102.01(a)                      |
| Continuation-in-part of earlier application.....                      | 1101.01(e), 1102.01(a)                         |
| Conversion of joint application to sole.....                          | 1111.07  |
| Conversion of sole application to joint.....                          | 1111.07  |
| Copied patent claim, Not identified.....                              | 1101.02(d)                                     |
| Copying of patent claims.....   | 1101.02 to 1101.02(g)                          |
| Within one year.....  | 1101.02(f)                                     |
| Correction of error in joining inventor.....                          | 1111.14  |
| Correspondence under Rule 202.....                                    | 1101.01(d) to<br>1101.01(i)                    |
| Counts, Dependent.....  | 1102.01(a)                                     |
| Counts, Must be made by all parties.....                              | 1102.01  |
| Counts, Patentably distinct.....                                      | 1101.01(j), 1105.03                            |
| Dates, Difference.....  | 1101.01(g)                                     |
| "Decision Noted".....   | 1107   |
| Decision on motion, Approved by Board Member.....                     | 1105.01  |
| Decision on motion, Letter.....                                       | 1105.06  |
| Decision on motion, Primary's attention.....                          | 1004   |
| Declaration of interference.....                                      | 1102.02  |
| Deferment of application of issue fee.....                            | 1101.01(o)                                     |
| Dependent counts.....   | 1102.01(a)                                     |
| Different groups have applications.....                               | 1101.01(a)                                     |
| Different groups have patent and application.....                     | 1101.02  |
| Disclaimer.....   | 1108, 1109.02                                  |
| Disclaimer, Rejection.....  | 706.03(u),<br>710.02(d) 1101.01(m), 1101.02(f) |
| Dissolution on motion of examiner.....                                | 1105.05  |
| Dissolution on motion of examiner, Requires attention of primary..... | 1004   |
| Divisional application referred to in papers.....                     | 1101.01(e), 1102.01(a)                         |
| Divisional applications, Prosecution.....                             | 1111.03  |
| Docket Branch procedure.....  | 1102.02  |
| Drawing, Losing party obtaining copy of opponent's.....               | 1109.02  |
| Elections not affected.....   | 820.02   |
| Entry of amendment filed in connection with motion.....               | 1108   |
| Estoppel rejection.....   | 1109.02, 1110                                  |
| Examiner's entry on interference file.....                            | 1107   |
| Ex parte consideration not given on inter partes proceedings.....     | 1105, 1111.07                                  |
| Failure to identify patent from which claims were copied.....         | 1101.02, 1101.02(d)                            |
| File wrapper notation.....  | 1101.01(c)                                     |
| Filing date not overcome.....   | 1101.01(i)                                     |
| Foreign application relied on:  |  |
| Correspondence under Rule 202.....                                    | 1101.01(g)                                     |
| Not referred to in preparation of papers.....                         | 1102.01(a)                                     |

**INDEX**

**Interference—Continued**

|  |                              |
|--|------------------------------|
| Foreign application relied on—Continued                                | Sec. No.                     |
| Papers filed.....  | 201.14(b)                    |
| Shifting burden of proof.....  | 1105.04                      |
| Form for decision letter on motion.....                                | 1105.06                      |
| Forms used in Interferences.....                                       | 1112                         |
| Declaration.....   | 1112.05                      |
| Initial Memorandum.....  | 1112.05(a)                   |
| Denying Entry of Amendment Seeking Further Interference.....           | 1112.10                      |
| Primary Examiner Initiates Dissolution.....                            | 1112.08                      |
| Redeclaration.....   | 1112.09                      |
| Requesting Withdrawal From Issue.....                                  | 1112.04                      |
| Requests for Jurisdiction.....   | 1112.06                      |
| Requesting Jurisdiction of Application.....                            | 1112.06(a)                   |
| Same Attorney or Agent.....  | 1112.03                      |
| Suggesting Claims.....   | 1112.02                      |
| Index sheet, Interference file.....                                    | 1107                         |
| Initial Memorandum.....  | 1102.01, 1102.01(a), 1112.05 |
| Initiating.....  | 1112.05                      |
| Inspection of oaths under Rules 131, 202, and 204.....                 | 1101.03                      |
| Interference number.....   | 1102.02                      |
| Interpretation of claims.....  | 1101                         |
| Interview prohibited.....  | 1105, 1111.01                |
| Joint to sole.....   | 1111.07                      |
| Junior application in issue.....                                       | 1101.01(i)                   |
| Jurisdiction of application.....                                       | 1101.01(o)                   |
| Jurisdiction of application restored to Examiner.....                  | 1109                         |
| Jurisdiction of interference.....                                      | 1104                         |
| Jurisdiction of patent.....  | 1104                         |
| Letter to Examiner of Interferences.....                               | 1102.01(a)                   |
| Losing party, treatment of claims.....                                 | 1109.02                      |
| Losing party may obtain copy of opponent's application.....            | 1109.02                      |
| Memorandum initiating.....   | 1112.05                      |
| "Modified" claim.....  | 1102.01(a)                   |
| Motion:  |                              |
| Add or substitute application.....                                     | 1105.03                      |
| Amend.....   | 1105.03                      |
| Burden of proof.....   | 1105.04                      |
| Decision requires Primary's attention.....                             | 1004, 1105                   |
| Decisions requiring Board Member approval.....                         | 1105.01                      |
| Dissolve.....  | 1105.02                      |
| Dissolve, Examiner's.....  | 1105.05                      |
| Notice in application, Rule 231.....                                   | 1111.06                      |
| Reconsideration.....   | 1105.07                      |
| Substitute sole for joint.....   | 1111.07                      |
| New reference found.....   | 1105.05                      |
| Non-elected invention.....   | 1101.01                      |
| Noting of possible interference.....                                   | 1101.01(c)                   |
| Oath under Rule 202 sealed and forwarded with interference record..... | 1101.01(h)                   |
| Oath under Rules 131 and 204 opened with preliminary statements.....   | 1101.03                      |
| Oath under Rules 131 and 204 removed and sealed.....                   | 715.06, 1101.03              |
| Open to public inspection if patent involved.....                      | 103                          |
| Overlapping application.....   | 709.01, 1111.03              |

**Interference—Continued**

|  |   |
|--|---|
|  | Sec. No.                                      |
| Parties, All claiming invention to be included.....  | 1101.01(h)                                    |
| Patent and application in different Groups.....  | 1101.02                                       |
| Patentability reports.....   | 1111.11                                       |
| Patent Interference Examiner may be consulted.....   | 1101.01(c)                                    |
| Petition for reconsideration of decision on motion.....                                      | 1105.07                                       |
| Phantom Count.....   | 1101.02                                       |
| Plural interferences.....  | 1102.01                                       |
| Power of attorney filed.....   | 402.08  |
| Primary Examiner Initiates.....  | 1101.01(e)                                    |
| Preliminaries.....   | 1101  |
| Preliminary statement.....   | 1102.02                                       |
| Preparation of papers.....   | 1102 to 1102.02                               |
| Primary Examiner, Matters requiring decision by.....   | 1101.01(c), 1105                              |
| Prosecution closed before interference, Reopened only as to interference subject matter..... | 1109.01, 1109.02                              |
| Reconsideration of decision on motion.....   | 1105.07                                       |
| Record in each interference complete.....  | 1111.02                                       |
| Redeclaration.....   | 1106  |
| Reference found after declaration.....   | 1105.05                                       |
| Referred to Primary for question of patentability.....                                       | 1105.05                                       |
| Reforming.....   | 1106.01                                       |
| Reissue application.....   | 1102.01(a), 1111.08                           |
| Rejection of copied patent claim.....  | 1101.02(f)                                    |
| Rejection on estoppel.....   | 1109.02, 1110                                 |
| Requesting jurisdiction of interference.....   | 1104  |
| Response to suggestion of claims.....  | 710.02(c), 1101.01(j), 1101.01(m), 1101.01(n) |
| Sealing of oaths.....  | 715.06, 1101.01(h), 1101.03                   |
| Sealing of oaths, Attention of Primary required.....   | 1004  |
| Search.....  | 1101.01(c), 1302.08                           |
| "Secrecy Order" case.....  | 1111.04                                       |
| Separate papers in each application.....   | 1111.02                                       |
| Service Branch procedure.....  | 1102.02                                       |
| Setting up, Primary's attention required.....  | 1101.01(c)                                    |
| Sole to joint.....   | 1111.07                                       |
| Special.....   | 708.01, 1102.02                               |
| Statutory basis.....   | 1100  |
| Substitute attorney appointed.....   | 402.03  |
| Suggestion of claims.....  | 1101.01(j) to 1101.01(o), 1101.02(b)          |
| Suggestion of claims, Time limit.....  | 710.02(c), 1101.01(m), 1101.01(n)             |
| Suggestion of claims from a patent.....  | 1101.02(b)                                    |
| Suspension of action, Junior party fails to make date.....                                   | 1101.01(i)                                    |
| Suspension of ex parte prosecution.....  | 709.01, 1103                                  |
| Terminated, Right to inspect.....  | 103   |
| Termination.....   | 1107  |
| Termination, Cancel claim.....   | 1109.02                                       |
| Testimony equivalent to Rule 131 affidavit.....  | 715.07(b)                                     |
| Title search of patent.....  | 1101.02                                       |

MANUAL OF PATENT EXAMINING PROCEDURE

|   | Sec. No.                                       |
|---|--|
| Interference—Continued                                |  |
| Winning party, Unanswered action.....                 | 710.02(b)                                      |
| With a patent.....                                    | 1101.02 to 1101.02(g), 1102.01(a)              |
| Withdrawal of application from issue..                | 1101.01(i),<br>1101.01(o), 1101.02(g), 1105.03 |
| Withdrawal of interference by Examiner.....           | 1105.05  |
| Interlineation in specification before execution..... | 608.01   |
| International classification.....                     | 903.09   |
| International Convention.....                         | 201.13   |
| International Convention date.....                    | 201.14   |
| Inter parte questions.....                            | 713.06   |
| Intervention by assignee.....                         | 106  |
| Interviews.....                                       | 713  |
| Allowed application.....                              | 713.10   |
| Appointment in advance.....                           | 713.01   |
| Authority.....  | 713.05   |
| Before filing.....                                    | 713.02   |
| Before filing amendment under Rule 312.....           | 713.10   |
| Before first action.....                              | 713.01, 713.02                                 |
| Demonstration.....                                    | 713.08   |
| Disbarred attorney.....                               | 105, 713.05                                    |
| During interference, Refused.....                     | 1111.01  |
| Exhibit.....  | 713.08   |
| Exposure of other cases during.....                   | 101, 713.07                                    |
| Field of search.....                                  | 713.02   |
| Finally rejected application.....                     | 713.09   |
| How conducted.....                                    | 713.01   |
| Inter partes questions.....                           | 713.06, 1111.01                                |
| Local attorney.....                                   | 713.03, 713.05                                 |
| Model.....  | 713.08   |
| Oral agreement not binding.....                       | 713.04   |
| Patentability report cases.....                       | 705.01(f)                                      |
| Prior to first Office action.....                     | 713.02   |
| Record of.....  | 713.04   |
| Refused.....  | 713.01, 713.02, 713.05, 713.10, 1111.01        |
| Sounding out.....                                     | 713.03   |
| Special situations.....                               | 713.05   |
| Substance made of record.....                         | 713.04   |
| Telephone.....  | 408, 713.01, 713.05, 812.01                    |
| Time allowed.....                                     | 713.01   |
| Where held.....                                       | 713.01   |
| Introduction.....                                     | I  |
| Invention. ( <i>See Patent; Rejection.</i> )          |  |
| Invention, Brief summary.....                         | 608.01(d)                                      |
| Invention, Not originally claimed.....                | 603  |
| Inventor ( <i>see also Applicant</i> ).....           | 605  |
| Deceased.....   | 409 to 409.01(f)                               |
| Heirs.....  | 409.01(a), 409.01(d)                           |
| Insane.....   | 409, 409.02                                    |
| Representative.....                                   | 400, 401                                       |
| Residence.....  | 605.02   |
| Self-prosecuted case.....                             | 707.07(j)                                      |
| Unavailable.....                                      | 409, 409.03                                    |
| Inventive entity.....                                 | 804, 804.03, 822, 822.01                       |
| Inventors' Certificate.....                           | 201.13   |
| Issue. ( <i>See Allowance and issue.</i> )            |  |
| Issue and Gazette Division.....                       | 1309   |
| Jurisdiction of allowed case.....                     | 1305   |
| "Printer waiting" case.....                           | 1309.01  |

|   | Sec. No.          |
|---|-------------------|
| Issue fee:                                  |                   |
| Calculation.....                            | 1306              |
| Failure to pay.....                         | 712, 1306         |
| Interfering case, Not applied.....          | 1101.01(o)        |
| Petition to accept.....                     | 712, 1002.02(b)   |
| Reissue.....                                | 1401.11           |
| Issue of patent.....                        | 1309              |
| Issue of patent to assignee.....            | 307               |
| Issue slip.....                             | 902.03(b), 903.07 |
| Issuing in another Group without transfer.. | 903.07(b)         |

J

|  |   |
|--|---|
| Jacket. ( <i>See also File wrapper.</i> )..... | 717                                     |
| Joinder, Linking claim allowed.....            | 809.04                                  |
| Joint application, Definition.....             | 201.02                                  |
| Joint application, Original oath.....          | 602                                     |
| Joint application, Signatures.....             | 605.04(f)                               |
| Joint inventor:                                |   |
| Oath.....                                      | 602                                     |
| Power of attorney to.....                      | 402.01                                  |
| Refuses to sign application.....               | 409.03                                  |
| Joint inventors.....                           | 201.02, 201.03, 605                     |
| Change in order of names.....                  | 605.04(f)                               |
| Joint owners.....                              | 605                                     |
| Joint to sole.....                             | 201.03, 201.06, 201.07, 201.08, 1402.01 |
| File forwarded to Application Division.....    | 201.03                                  |
| Interference pending.....                      | 1111.07                                 |
| Judicial notice.....                           | 706.02(a)                               |
| Jurisdiction:                                  |   |
| Allowed application.....                       | 714.16, 1305                            |
| Appealed application.....                      | 1210                                    |
| Application before court.....                  | 1216                                    |
| Application in interference.....               | 1101.01(o)                              |
| Interference.....                              | 1104                                    |
| Jurisdiction of notary.....                    | 604.03                                  |

K

|                            |     |
|----------------------------|-----|
| Kinds of applications..... | 201 |
|----------------------------|-----|

L

|  |              |
|--|--------------|
| Lack of utility.....   | 706.03(p)    |
| Language of papers.....  | 608.01       |
| Laws, Patent ( <i>see also Statutes</i> ).....                                   | Introduction |
| Legal representative's signature on drawing..                                    | 605.05(a)    |
| Letter ( <i>see also Action; Forms and form letters;</i><br>Letter, Examiner's). |              |
| Abandonment after allowance.....   | 711.05       |
| Drawing correction, Approval by Examiner.....                                    | 608.02(q)    |
| Drawing correction, Separate letter.....   | 608.02(r)    |
| Drawing transfer.....  | 608.02(i)    |
| Status.....  | 203.08       |
| Letter, Examiner's ( <i>see also Action; Forms and</i><br>form letters).....     | 707          |
| Abandonment.....   | 711.02       |
| Amendment after final rejection.....   | 714.13       |
| Arguments answered.....  | 707.07(f)    |
| Cancellation of nonelected claim.....  | 821.02       |
| Claim allowable except as to form.....   | 707.07(j)    |

**INDEX**

|  | Sec. No.                               | Sec. No.   |
|--|--|--|
| <b>Letter, Examiner's—Continued</b>                        |  |  |
| Claim summary.....   | 707.07(i)                              | <b>Letters of administration</b> ..... 409.01(b), 409.01(c), 409.01(e)         |
| Complete and clear.....                                    | 707.07                                 | <b>Letters testamentary</b> ..... 409.01(b)                                    |
| Correction, Period for response.....                       | 710.06                                 | <b>Library, Scientific</b> ..... 901.06(a)                                     |
| Correction of citation.....                                | 707.05(g)                              | <b>License to file Foreign Application</b> ..... 107, 706.03(s)                |
| Date stamped.....  | 707.11                                 | <b>Licensee, Access</b> ..... 106.01   |
| Decision on motion.....                                    | 1105.06                                | <b>Licensing and Review</b> ..... 107.01                                       |
| Decisions cited.....                                       | 707.06                                 | <b>Limited time for reply</b> ..... 1101.02(f)                                 |
| Dictated by Primary Examiner.....                          | 707.01                                 | <b>Linking claim</b> ..... 809, 809.03, 809.04                                 |
| Draftsman's criticism included in first Office action..... | 707.07(c)                              | <b>Traverse of rejection</b> ..... 818.03(d)                                   |
| Election of species required, Concluding paragraph.....    | 809.02(a), 809.02(b)                   | <b>List of countries giving right of priority</b> ..... 201.13                 |
| "Examiner" or "Acting Examiner" at end of letter.....      | 707.09                                 | <b>List of decisions</b> ..... Appendix II                                     |
| File wrapper entry.....                                    | 707.10, 717.01                         | <b>List of forms. (See Forms and form letters.)</b>                            |
| Final rejection, Clearly stated.....                       | 706.07                                 | <b>Literature citation in specification</b> ..... 608.01(p)                    |
| Final rejection, Concluding statement.....                 | 706.07                                 | <b>Lithographic firms, access</b> ..... 101                                    |
| Final rejection, Patentability report.....                 | 705.01(a)                              | <b>Local representatives of attorneys</b> ..... 408                            |
| First action, Includes Draftsman's comments.....           | 608.02(a), 707.07(c)                   | <b>M</b>   |
| Formal drawing required.....                               | 608.02(b)                              | <b>Machine, Process or product and</b> .. 806.05(e), 806.05(f), 806.05(g)      |
| Formal matters.....  | 707.07(a), 707.07(j)                   | <b>Mail:</b>   |
| Full anticipation, Expressions used.....                   | 707.07(d)                              | <b>Depositing papers</b> ..... 502   |
| Informal application.....                                  | 702.01                                 | <b>Distribution</b> ..... 501  |
| Initial sentence.....                                      | 707.04                                 | <b>Receipt and handling</b> ..... Chapter 500                                  |
| Initialed by Examiner.....                                 | 707.08                                 | <b>Undelivered</b> ..... 707.13  |
| Interference forms.....                                    | 1105.06, 1112 to 1112.10               | <b>Mail Branch</b> ..... Chapter 500   |
| Language in rejecting.....                                 | 707.07(d)                              | <b>Mailing action</b> ..... 707.12   |
| Mailing.....   | 707.12                                 | <b>Manual, Authority of</b> ..... page III                                     |
| Memorandum cited.....                                      | 707.06                                 | <b>Manual, Checklist of pages of</b> ..... page VI                             |
| New Examiner, Primary dictates.....                        | 707.01                                 | <b>Manual subscription address</b> ..... title page                            |
| Notices cited.....   | 707.06                                 | <b>Manual of Classification</b> ..... 902.01                                   |
| Numbering of paragraphs.....                               | 707.07(k)                              | <b>Manuscript decision</b> ..... 707.06  |
| Omnibus rejection.....                                     | 707.07(d)                              | <b>Margin, Application papers</b> ..... 608.01                                 |
| Orders cited.....  | 707.06                                 | <b>Mark of applicant</b> ..... 605.04(d)                                       |
| Personal matter excluded.....                              | 707.07(d)                              | <b>Marking in application, Erasure at allowance</b> .. 1302.01                 |
| Piecemeal prosecution.....                                 | 707.07(g)                              | <b>Marking patent copy</b> ..... 905.04  |
| Power of attorney invalid or lacking.....                  | 402                                    | <b>Marking, Security</b> ..... 109   |
| Preliminary amendment in new case.....                     | 707.04                                 | <b>Markush claim</b> ..... 706.03(y)   |
| Primary signs.....   | 707.09                                 | <b>Markush claim, Antedating reference for</b> ..... 715.03                    |
| Primary's attention required, List.....                    | 1004                                   | <b>Markush claim, Supporting disclosure</b> ..... 608.01(p)                    |
| References, Citation.....                                  | 707.05 to 707.05(g), 901.04, 901.05(a) | <b>Matter not in original disclosure</b> ..... 608.04(a)                       |
| Refusing entry of amendment after Board decision.....      | 1214.07                                | <b>Matter not originally claimed</b> ..... 603                                 |
| Rejection of claim copied from patent.....                 | 1101.02(f)                             | <b>"Mechanical" patent</b> ..... 201   |
| Remailing.....   | 707.13, 710.06                         | <b>Memorandum, Citation</b> ..... 707.06                                       |
| Restriction requirement.....                               | 817                                    | <b>Merits, Appeal to Board of Appeals</b> ..... Introduction                   |
| Returned.....  | 707.13                                 | <b>Method, Obvious</b> ..... 706.03(q)   |
| Reviewed by Examiner.....                                  | 707.08                                 | <b>Method and apparatus or product</b> ..... 802.01, 806.05(e), 806.05(f), 820 |
| Shortened time for reply.....                              | 710.02                                 | <b>Method of doing business</b> ..... 706.03(a)                                |
| Signature.....   | 707.09                                 | <b>Micro-organisms, Deposit of</b> ..... 608.01(p)                             |
| Statement of rejection.....                                | 707.07(d)                              | <b>Military Officer Notary</b> ..... 604.03(a)                                 |
| Status letter reply.....                                   | 208.08                                 | <b>Misjoinder, Effect on patent</b> ..... 805                                  |
| Substantial anticipation, Expressions used.....            | 707.07(d)                              | <b>Misjoinder of Inventors</b> ..... 201.03, 1401, 1402.01                     |
| Summary.....   | 707.07(i)                              | <b>Missing patent copy, Replacement</b> ..... 901.09                           |
| Supplemental.....  | 710.06                                 | <b>Mode of operation</b> ..... 608.01(h)                                       |
| Undelivered.....   | 707.13                                 | <b>Model</b> ..... 608.03  |
| <b>Letters, Receipt and handling</b> ..... Chapter 500     |  | <b>Model, Return</b> ..... 608.03(a)   |
|  |  | <b>Model at interview</b> ..... 713.08   |
|  |  | <b>"Months", Foreign language names</b> ..... 901.05(a)                        |

**MANUAL OF PATENT EXAMINING PROCEDURE**

|                                       |                  |
|---------------------------------------|------------------|
| <b>Motion (Interference) :</b>        | <b>Sec. No</b>   |
| Add or substitute application         | 1105.03          |
| Amend                                 | 1105.03          |
| Burden of proof                       | 1105.04          |
| Decision requires Primary's attention | 707.02, 1105     |
| Dissolve                              | 1105.02          |
| Dissolve, Examiner'                   | 1105.05          |
| Notice in application, Rule 231       | 1111.06          |
| Reconsideration                       | 1105.07          |
| Substitute sole for joint             | 1111.07          |
| <b>Multiplied claims, Rejection.</b>  | <b>706.03(1)</b> |

**N**

|  |                              |
|--|------------------------------|
| <b>Name:</b>                                     |                              |
| Change   | 605.04(c), 717.02(b)         |
| Change, File sent to Application Division        | 605.04(c)                    |
| Corrected by amendment                           | 605.04(g)                    |
| Drawing, Applicant's                             | 605.04(h)                    |
| Drawing, Applicant changes name                  | 605.04(c)                    |
| Drawing, Attorney's                              | 605.04(h)                    |
| Drawing, Change of Attorney's Name Prohibited    | 608.02(u)                    |
| Full first or middle                             | 605.04, 605.04(b)            |
| Mark   | 605.04(d)                    |
| Signature. (See Signature.)                      |                              |
| Uniformity with signature                        | 605.04(b)                    |
| Names used in trade                              | 608.01(v)                    |
| National security, Application affecting         | 107, 108                     |
| Naturally occurring article                      | 713.05                       |
| Negative limitation                              | 706.03(d)                    |
| Negotiation authority                            | 713.05                       |
| New application                                  | 203.01                       |
| Assignment to assistant Examiner for examination | 903.08(b)                    |
| Assignment to Examining Group for examination    | 903.05, 903.08(a), 903.08(e) |
| Classification by Primary                        | 903.08(b)                    |
| Inspection                                       | 903.08(a)                    |
| Transfer before entry                            | 903.08(a)                    |
| Transfer refused                                 | 903.08(a)                    |
| New Examiner, Letters of                         | 707.01                       |

**New matter:**

|                             |                  |
|-----------------------------|------------------|
| Amendment of disclosure     | 608.04           |
| Appealable                  | 608.04(c)        |
| Claim                       | 706.03(o)        |
| Claim, Appealable           | 608.04(c)        |
| Claim terminology           | 608.01(o)        |
| Continuation application    | 201.07           |
| Design application          | 1503.02          |
| Disclosure                  | 608.04           |
| Divisional application      | 201.06           |
| Drawing                     | 608.04           |
| Inherent characteristics    | 608.04(a)        |
| Petitionable                | 608.04(c)        |
| Preliminary amendment       | 608.04(b)        |
| Rejection                   | 706.03(o)        |
| Reissue application         | 1401.06, 1401.07 |
| Specification, Petitionable | 608.04(c)        |
| Substitute specification    | 714.20           |
| Supplemental oath           | 603              |
| Trademark definition        | 608.01(v)        |

|  |                 |
|--|-----------------|
| <b>New matter—Continued</b>                            | <b>Sec. No.</b> |
| When entered   | 714.19, 714.20  |
| Non-elected invention, Interference                    | 1101.01         |
| <b>Non-elected invention:</b>                          |                 |
| Claims to—Added  | 821.03          |
| Claims to—Canceled                                     | 821.02          |
| Claims to—Withdrawn                                    | 821.01, 821.02  |
| <b>Non-elected species:</b>                            |                 |
| Claims to—Canceled                                     | 821.01          |
| Claims to—Withdrawn                                    | 809.02(c)       |
| Non-statutory claim                                    | 706.03(h)       |
| Non-statutory claim, Canceled                          | 1302.04(b)      |
| Non-statutory subject matter                           | 706.03(a)       |
| Notary jurisdiction                                    | 604.03          |
| Notary jurisdiction, Military officer                  | 604.03(a)       |
| Notary jurisdiction, Venue agreement                   | 604.02          |
| Notary seal  | 604.01          |
| Notation of possible interference                      | 1101.01(c)      |
| Notation on file wrapper of parent application         | 202.02          |
| Notice, Citation                                       | 707.06          |
| Notice of allowability                                 | 1302.03         |
| Notice of allowance (see also Allowance and issue)     | 1303            |
| Assigned application                                   | 308             |
| Deceased inventor                                      | 1303.03         |
| Reissue application                                    | 1401.11         |
| "Secrecy order" application                            | 107.02, 1304    |
| Undelivered  | 1303.02         |
| "Notice of informal patent application" form, (PO-152) | 707.07(a)       |
| "Notice of references cited" form, (PO-892)            | 707.05(a)       |
| Notice of reissue application                          | 1401.03         |
| Notices, Purpose                                       | Introduction    |
| Nuclear material                                       | 706.03(b)       |
| Nullification of double patenting rejection            | 804.01          |
| Number, Drawing reference character                    | 608.01(g)       |
| Numbering of claims                                    | 608.01(j)       |
| Numbering of papers in file wrapper                    | 717.01          |
| Numbering paragraphs of letter                         | 707.07(k)       |

**O**

|   |                              |
|---|------------------------------|
| <b>Oath:</b>  |                              |
| After appeal  | 1212                         |
| Antedating patent for interference (Rule 204)                               | 1101.02, 1101.02(a), 1101.03 |
| Antedating reference. (See also Affidavit, Antedating reference, Rule 131.) | 715                          |
| Inspection during interference (Rules 131, 202, 204)                        | 1101.03                      |
| Junior party, Part of interference file (Rule 202)                          | 1101.03                      |
| Junior party to possible interference (Rule 202)                            | 1101.01(d) to 1101.01(i)     |
| Original. (See also Oath, Original, Rule 65.)                               | 602                          |
| Plant application (Rule 162)  | 1604                         |
| Reissue (Rule 175)  | 1401.08                      |
| Sealing for interference (Rules 131, 202, 204)                              | 715.06, 1101.01(h), 1101.03  |
| Supplemental  | 603                          |

INDEX

|   | Sec. No.                  | Sec. No.  |
|---|---------------------------|---|
| Oath—Continued  |                           |   |
| Supplemental after allowance  | 608.01                    | Order, Classification                                 |
| Traversing rejection (Rule 132)   | 716                       | Order of examination                                  |
| Oath, Antedating reference ( <i>See also</i> Affidavit, Antedating reference, Rule 131) | 715                       | Order of examination, Patentability report            |
| Oath, Original, Rule 65   | 602                       | Order of papers in file wrapper                       |
| Administering   | 604                       | Ordering:   |
| Amendment   | 602.01                    | Abandoned file  |
| Attorney administers  | 604.06                    | Cross-references                                      |
| Consular certificate  | 604.04                    | Foreign patent  |
| Date of execution   | 602.05                    | Patented file   |
| Declaration, Rule 68  | 602                       | Photocopy   |
| Defective   | 602.01, 602.02, 602.03    | Publication   |
| Delayed filing  | 602.05                    | Soft copy   |
| Divisional application  | 602.05(a)                 | Sub-class list  |
| Execution   | 604                       | Orders, Purpose                                       |
| Foreign execution   | 602.04                    | Introduction  |
| Foreign filed applications listed   | 201.14, 202.04            | Original application                                  |
| Invalid, By attorney in case  | 604.06                    | Original carries title to continuing application      |
| "Joint"   | 602                       | Original disclosure, Inherent characteristics         |
| New required  | 602.01, 602.02, 707.07(b) | Outstanding requirements                              |
| Notary  | 604.03                    | Overcoming a reference, Right of priority             |
| Notary certificate  | 602.01                    | Overlapping applications, Same applicant              |
| Old at time of filing   | 602.05                    | 709.01, 804, 804.02, 822, 822.01, 1111.03             |
| Seal  | 604.01                    | Overlapping applications, Same assignee               |
| Seal, Foreign application   | 602.04(a)                 | 706.03(t), 709.01, 822, 1101.01(b), 1111.03           |
| Seal, Not required  | 604.01, 604.03(a)         | Overlapping claims                                    |
| "Sole"  | 602                       | Owner's representative                                |
| Stale   | 602.05                    | Ownership and assignment                              |
| Substitute  | 602.02                    | Ownership carried over by assignment                  |
| Venue   | 604.02                    |   |
| Oath, Supplemental, Rule 67   | 603                       | P   |
| After allowance   | 603.01, 714.16            | Paper, "Easily Erasable"                              |
| New matter  | 608.04                    | Paper number  |
| Object of invention   | 608.01(d)                 | Paper number of print                                 |
| Objection contrasted with rejection   | 706.01                    | Papers:   |
| Objection, Dependent claims   | 608.01(n)                 | Depositing  |
| Objection to formal matters, When made  | 707.07(a),                | Distribution  |
| Obvious error, Correction   | 1302.04, 1305             | File wrapper  |
| Obvious method  | 706.03(q)                 | Receipt and handling                                  |
| Obviously informal application  | 702.01                    | Received after patenting or abandonment               |
| Offer to surrender original patent  | 1401.01, 1401.04          | Wrong Group   |
| Office date stamp   | 505, 710.01(a), 714.18    | Parent application                                    |
| Official cross reference, Order of  | 903.06                    | Parent application data, Cross-noting                 |
| Official Gazette  | 1703                      | Parent carries assignment to continuing application   |
| Official Gazette, Abstract  | 608.01(b)                 | Partial signatory authority                           |
| Official Gazette, Claim   | 1302.09                   | Patent:   |
| Official Gazette, Drawing figure  | 1302.10                   | 1836 (present) series                                 |
| Official inquiries  | 203.08(a)                 | A.I. series   |
| Old application   | 203.03                    | Arrangement in Group                                  |
| Old combination   | 706.03(i), 706.03(j)      | Assignment  |
| Old combination, Division   | 806.05(b), 820.01         | Borrowing from Group                                  |
| Omnibus claim   | 706.03(h)                 | Claim copied. ( <i>See</i> Claim copied from patent.) |
| Cancellation  | 1302.04(b)                | Classification change                                 |
| Operative example   | 608.01(p)                 | Classification indicies                               |
| Operativeness, Showing  | 608.03, 716               | Cost of copy  |
| Opposition to issue of patent   | 1309.02                   | Design series   |
| Oral hearing on appeal  | 1209                      | Effective date  |
| Order 3311 amendments   | 714.16(d)                 | Files   |
| Order, Citation   | 707.06                    | Foreign. ( <i>See</i> Foreign patent.)                |

MANUAL OF PATENT EXAMINING PROCEDURE

| Patent—Continued  | Sec. No.              | Patent Office publications—Continued   | Sec. No.                             |
|---|-----------------------|--|--------------------------------------|
| Index .....   | 902.03(a)             | "Patent Laws".....   | Introduction                         |
| Interference .....  | 1101.02 to 1101.02(g) | "Rules of Practice of the United States Patent<br>Office in Patent Cases"..... | Introduction                         |
| Joint to sole .....   | 1402.01               | Patents of addition.....   | 901.05(b)                            |
| Jurisdiction .....  | 1305                  | Payment of fees.....   | 509                                  |
| Laws ( <i>see also</i> Statutes; Statutes Revised.)                     | Introduction          | Pencil notations, Erased at allowance.....                                     | 1302.01                              |
| Marking Examiner's copy.....  | 905.04                | Pending applications as references.....  | 901.03                               |
| Missing copy.....   | 901.09                | Pending application charge.....  | 905.05                               |
| Ordering soft copy.....   | 905.02                | Pending application preserved in secrecy.....                                  | 101                                  |
| Plant .....   | 901.04, Chapter 1600  | Period for response.....   | 710                                  |
| Printing priority.....  | 1309                  | After Board decision.....  | 1214.01                              |
| Reference. ( <i>See</i> Reference.)                                     | Introduction          | After interference.....  | 710.02(b), 1109, 1109.01             |
| Reissue series.....   | 901.04                | Amendment after.....   | 714.17                               |
| Soft copy.....  | 905.02                | Claim copied from patent.....  | 710.02(c),<br>710.04(a), 1101.02(e)  |
| Sole to joint.....  | 1402.01               | Claims all allowed.....  | 710.02(b)                            |
| Statutory types of subject matter.....                                  | 706.03(a)             | Computed .....   | 710.01(a)                            |
| System, Constitutional basis for.....                                   | Introduction          | Copying claim from patent does not extend<br>statutory period.....             | 710.04(a), 1101.02(e)                |
| Transfer .....  | 903.05                | Correction of citation.....  | 710.06                               |
| "Utility" series.....   | 901.04                | Date of receipt of amendment.....  | 710.01(a)                            |
| X series.....   | 901.04                | Defective Office action.....   | 710.06                               |
| Patent claim, Rejection, in interference.....                           | 1101.02(f)            | Difference between shortened statutory pe-<br>riod and time limit.....         | 710.02(d)                            |
| Patent Classifier's decision.....                                       | 903.08(f)             | Extension .....  | 710.02(d), 710.02(e), 1003           |
| Patent Office employees, Property interest in<br>patent .....           | 309                   | Five year pendency.....  | 710.02(b)                            |
| Patent Statutes ( <i>see also</i> Statutes; Statutes,<br>Revised) ..... | Introduction          | Holiday, Saturday, or Sunday expiration of<br>time .....                       | 710.05                               |
| Patentability. ( <i>See</i> Rejection.)                                 | Introduction          | Incomplete response.....   | 710.02(c), 714.03                    |
| Patentability report.....   | 705                   | Less than six months.....  | 710.02                               |
| Action not counted.....   | 705, 705.01(c)        | Miscellaneous factors.....   | 710.06                               |
| Allowance .....   | 705.01(d)             | Non-statutory shortened period.....  | 710.02                               |
| Appeal .....  | 705.01(a)             | Non-statutory shortened period, When used<br>.....                             | 710.02(c)                            |
| Date status.....  | 705.01(c)             | Petition .....   | 1002                                 |
| Dispute between Examiners.....  | 705.01(a)             | Remailing .....  | 707.13, 710.06                       |
| Drawing .....   | 608.02(n)             | Shortened, Approval.....   | 1003                                 |
| File wrapper notation.....  | 705.01(c)             | Shortened, Extension.....  | 710.02(d), 710.02(e)                 |
| Final action.....   | 705.01(a)             | Shortened statutory period.....  | 710.02, 710.02(e)                    |
| Forms for action.....   | 705.01(a)             | Shortened statutory period, Distinguished<br>from time limit.....              | 710.02(d)                            |
| Improper .....  | 705.01(e)             | Shortened statutory period, When used.....                                     | 710.02(b)                            |
| Initiated .....   | 705.01                | Statutory period.....  | 710.01                               |
| Interference motion.....  | 1111.11               | How computed.....  | 710.01(a)                            |
| Interviews .....  | 705.01(f)             | Suggesting claims.....   | 710.02(c),<br>1101.01(m), 1101.01(n) |
| Limitation as to use.....   | 705.01(e)             | Saturday, Expiration of time.....  | 710.05                               |
| Practice suspended.....   | 705.01(e)             | Sunday, Expiration of time.....  | 710.05                               |
| Primary decides propriety.....  | 1004                  | Supplemental action.....   | 710.06                               |
| Print of drawing.....   | 705.01(d)             | Time computation.....  | 710.01(a)                            |
| Procedure .....   | 705.01(a)             | Time limit action.....   | 710.02                               |
| Purpose .....   | 705.01(e)             | Time limit action, When used.....  | 710.02(c)                            |
| Recording .....   | 705.01(c)             | Two periods running.....   | 710.04, 710.04(a)                    |
| Restriction, Effect on.....   | 807                   | Periodicals .....  | 901.06, 901.06(a)                    |
| Search .....  | 705.01(a), 705.01(b)  | Permanent ink.....   | 608.01, 714.07                       |
| Sequence of examination.....  | 705.01(b)             | Perpetual motion.....  | 608.03, 706.03(p)                    |
| Transfer for appeal.....  | 705.01(a)             | Pertinent prior art.....   | 904.02                               |
| "Patentanmeldung" .....   | 901.05(b)             | Petition:  |                                      |
| Patented file.....  | 905.03                | Abandonment holding.....   | 711.03(c), 711.03(d)                 |
| Patented file, Reissue application notice.....                          | 1401.03               |  |                                      |
| Patent Office publications:   |                       |  |                                      |
| "Development and Use of Patent Classification<br>Systems" .....         | 903.02                |  |                                      |
| "Directory of attorneys and agents".....                                | 1706                  |  |                                      |
| "Official Gazette".....   | 1703                  |  |                                      |

**INDEX**

| Petition—Continued                                       | Sec. No.                   | Plant patent application—Continued            | Sec. No.              |
|--|----------------------------|---|-----------------------|
| Abandonment holding, Examiner's statement .....          | 711.03(d)                  | Affidavit .....                               | 1610                  |
| Accepted late issue fee .....                            | 712, 1002.02(b)            | Agricultural Research Service .....           | 1608, 1609            |
| Access to application .....                              | 103, 1002.02(k)            | Allowance .....                               | 1611                  |
| Access to interference case .....                        | 1002.02(g)                 | Bacteria .....                                | 1601                  |
| After forfeiture .....                                   | 712                        | Claim .....                                   | 1605                  |
| Amend after appeal decision .....                        | 1002.02                    | Color drawing .....                           | 1608                  |
| Amend with appeal .....                                  | 1207                       | Color identified .....                        | 1605                  |
| Attorney withdrawal .....                                | 1002.02(k)                 | Definitions .....                             | 1601                  |
| Board of Appeals involved .....                          | 1002.02(i), 1002.02(j)     | Department of Agriculture .....               | 1608                  |
| Certificate of Correction .....                          | 1002.02(k) and (l)         | Description .....                             | 1605                  |
| Commissioner's duties .....                              | Introduction, 1002         | Drawing .....                                 | 1606                  |
| Defer issuance .....                                     | 1002.02(b)                 | Duplicate papers .....                        | 1603, 1610            |
| Delegation of Commissioner's authority .....             | 1001.01                    | Elements of application .....                 | 1603                  |
| Disclaimer related .....                                 | 1002.02(b)                 | Examination .....                             | 1608                  |
| Divisional reissue .....                                 | 1002.02(h)                 | Examiner's amendment .....                    | 1610                  |
| Entry of Amendment .....                                 | 1002.02, 1207              | Executive Order .....                         | 1608                  |
| Examiner's statement .....                               | 1002                       | Issue .....                                   | 1611                  |
| Express abandonment after notice of allowance .....      | 1002.02(b)                 | Laudatory expressions .....                   | 1610                  |
| Expunge papers from file .....                           | 1002.02(a)                 | Letter of transmittal .....                   | 1608                  |
| Filing date .....  | 1002.02(h)                 | Method claim .....                            | 1605                  |
| Final rejection .....                                    | 1002.02                    | Oath .....                                    | 1604                  |
| Inspection .....   | 103                        | Original and duplicate files .....            | 1603, 1610            |
| Interference .....                                       | 1002.02(f) and (g)         | Parts .....                                   | 1603                  |
| Late priority papers .....                               | 1002.02(b)                 | Plant varieties excluded .....                | 1601                  |
| Make special .....                                       | 708.02, 1002.02(a) and (c) | Report of Agricultural Research Service ..... | 1609                  |
| Matter subject to .....                                  | Introduction, 706.01, 1002 | Rules applicable .....                        | 1602                  |
| Matter subject to, Listed .....                          | 1002.02                    | Signature .....                               | 1603                  |
| New matter .....   | 608.04(c)                  | Specification .....                           | 1605, 1610            |
| Period for response .....                                | 1002                       | Specimens .....                               | 1607                  |
| Premature final rejection .....                          | 706.07(c)                  | Statutory basis .....                         | 1601                  |
| Procedure .....  | 1002.01                    | Plant patent series .....                     | 901.04                |
| Public use proceedings .....                             | 1002.02(a)                 | Post Card—Self addressed .....                | 503                   |
| Reconsideration of decision on motion .....              | 1105.07                    | Post classifier .....                         | 903.10                |
| Refund appeal fees .....                                 | 1002.02(i)                 | Post Office, Depositing papers in .....       | 502                   |
| Reinstate appeal .....                                   | 1002.02(i)                 | Post Office address, Applicant .....          | 605.03                |
| Relating to Board of Patent Interferences decision ..... | 1002.02(a)                 | Post Office address, Attorney .....           | 601.02                |
| Restriction requirement holding .....                    | 821.01                     | Post Office address, Petitioner .....         | 103                   |
| Revival .....  | 711.03(c), 1002.02         | Postal Emergency Act .....                    | 706.02                |
| Revival, appealed case .....                             | 1215.04                    | Power of attorney .....                       | 402                   |
| Special status .....                                     | 708.02                     | Application in interference .....             | 402.08                |
| Strike patent application .....                          | 1002.02(a)                 | Application petition includes .....           | 601.02                |
| Supervisory authority .....                              | 1002.02(b), (c) and (i)    | Assignee gives .....                          | 402.07                |
| Suspend rules .....                                      | 1002                       | Associate attorney .....                      | 402.02, 406           |
| Withdrawal from issue .....                              | 1308                       | Death of applicant .....                      | 409 to 409.01(f)      |
| Withhold from issue .....                                | 1002.02(a)                 | Death of principal attorney .....             | 406                   |
| Petitionable matter .....                                | 1201                       | Exception as to registration .....            | 402.01                |
| Phantom interference count .....                         | 1101.02                    | Invalid .....                                 | 402                   |
| Philippines-United States search exchange .....          | 1711                       | Joint applicant .....                         | 402.01                |
| Photograph as drawing .....                              | 608.02                     | Limited recognition .....                     | 402.01                |
| Photoprint as drawing .....                              | 608.02(a)                  | Not of record .....                           | 406                   |
| Photoprint, Ordering .....                               | 905.01                     | Notice of revocation .....                    | 402.05                |
| Piecemeal prosecution .....                              | 707.07(g)                  | Post Office address .....                     | 601.02                |
| Plant patent application .....                           | Chapter 1600               | Revocation .....                              | 402.05, 402.07        |
| Action .....   | 1610                       | Single signature form .....                   | 601.02                |
| Advertising .....  | 1610                       | Substitute .....                              | 402.03                |
|  |                            | Unregistered attorney .....                   | 402, 402.01           |
|  |                            | Withdrawal of attorney .....                  | 402.06                |
|  |                            | Power to inspect .....                        | 101, 104, 402, 713.05 |
|  |                            | Power to inspect, Disbarred attorney .....    | 105                   |
|  |                            | Preamble, Design application .....            | 1503                  |

**MANUAL OF PATENT EXAMINING PROCEDURE**

|   | Sec. No.             |
|---|----------------------|
| Preliminary amendment.....  | 714.09               |
| Preliminary amendment, Excessive claims.....                        | 714.10               |
| Preliminary amendment, Initial sentence.....                        | 707.04               |
| Preliminary amendment, New matter.....                              | 608.04(b)            |
| Preliminary Statement date.....                                     | 1105.06              |
| Premature final rejection.....                                      | 706.07(c)            |
| Primary Examiner, Actions requiring personal<br>attention .....     | 1004                 |
| Primary Examiner, name on file wrapper.....                         | 1302.13              |
| Print of drawing.....   | 608.02(m)            |
| Additional .....  | 608.02(m)            |
| Alteration .....  | 608.02(m)            |
| Examiner's notation on.....   | 608.02(m)            |
| File wrapper.....   | 717.01(b)            |
| Kept in examining group.....  | 608.02(c)            |
| Marking .....   | 608.02(m)            |
| New application.....  | 508                  |
| Patentability report.....   | 705.01(d)            |
| Pink copy.....  | 608.02(m)            |
| Reissue application.....  | 608.02(k)            |
| Returned drawing.....   | 608.02(y)            |
| Sketch .....  | 608.02(v)            |
| Printed matter nonstatutory.....                                    | 706.03(a)            |
| "Printer waiting".....  | 1309.01              |
| Printer's Proof, Correction.....                                    | 1309.01              |
| Printing priority.....  | 1309                 |
| Prior art. (See also Reference.).....                               | 901                  |
| "Prior Art" on drawing.....   | 608.02(g)            |
| Prior Examiner's action.....  | 704                  |
| Priority, Foreign application.....                                  | 201.13               |
| Priority, Formal requirements.....                                  | 201.14               |
| Priority, Overcoming reference.....                                 | 201.15               |
| Priority—patent printing.....                                       | 1309                 |
| Priority practice.....  | 201.14(b), 201.14(c) |
| Priority right.....   | 201.13               |
| Priority, Time for filing.....                                      | 201.13               |
| Product by process.....   | 706.03(e)            |
| Product of nature.....  | 706.03(a)            |
| Prolix claim.....   | 706.03(g)            |
| Proof, "Printer waiting".....                                       | 1309.01              |
| Proof of authority of Administrator or<br>Executor .....            | 409.01(b)            |
| Proof of foreign filing, "Normal" priority.....                     | 201.14               |
| Prosecution, Piecemeal.....   | 707.07(g)            |
| Prosecution, Reopening after appeal decision.....                   | 1214.07              |
| Prosecution closed, Application allowable ex-<br>cept for form..... | 710.02(b)            |
| Prosecution of "Secrecy Order" application.....                     | 107.02               |
| Protest against issuance of patent.....                             | 1309.02              |
| Public inspection, Application file.....                            | 103                  |
| Public Law 92-34.....   | 706.02               |
| Public Law 506.....   | 604.03(a)            |
| Public Law 585.....   | 706.03(b)            |
| Public policy.....  | 706.03(p)            |
| Public right to inspect files.....                                  | 103                  |
| Public sale.....  | 706.03(s)            |
| Public use, Statutory bar.....                                      | 201.13, 706.03(s)    |
| Public use proceeding petitions.....                                | 1002.02(a)           |
| Public use proceeding, Rejection on.....                            | 706.03(v)            |
| Publication, Defensive.....   | 711.06, 711.06(a)    |

|                                | Sec. No.          |
|--------------------------------|-------------------|
| Publications of abstracts..... | 711.06, 711.06(a) |
| Publications:                  |                   |
| Citing .....                   | 707.05(e), 901.06 |
| Declassified .....             | 707.05(f)         |
| Own, as reference.....         | 715.01(c)         |

**Q**

|                      |                   |
|----------------------|-------------------|
| Quayle practice..... | 710.02(b), 714.14 |
|----------------------|-------------------|

**R**

|   |  |
|---|--|
| Ratification of papers filed:   |  |
| Death of attorney.....  | 406                                    |
| Death of inventor.....  | 409.01                                 |
| Signature improper or lacking.....  | 711, 714.01(a)                         |
| Telegram amendment.....   | 714.08                                 |
| Receipt, Office date stamp.....   | 502, 505, 710.01(a), 714.18            |
| Receipt for papers filed.....   | 503, 717.01(a);                        |
| Chapter 500   |  |
| Reciprocal legislation.....   | 201.13                                 |
| Reclassification of classes.....  | 903.02(a)                              |
| Recognized countries for foreign priority.....                            | 201.13                                 |
| Recommendation by Board of Appeals.....                                   | 1213.01                                |
| Reconsideration by Board of Appeals.....                                  | 1214.01, 1214.03                       |
| Reconsideration of abandonment.....                                       | 711.03                                 |
| Based on insufficient response.....                                       | 711.03(a)                              |
| Based on failure to respond within period.....                            | 711.03(b)                              |
| Record books, Examining Group.....  | 1704                                   |
| Recording assignment.....   | 302                                    |
| Reduction to practice.....  | 715.07                                 |
| Reference:  |  |
| A.I. patent.....  | 901.04                                 |
| A.P.C. publication.....   | 901.06(c)                              |
| Abandoned application.....  | 901.02                                 |
| Abbreviations .....   | 901.06(d)                              |
| Abstracts .....   | 901.06(d)                              |
| Additional .....  | 707.05(d)                              |
| After allowance.....  | 1308.01                                |
| After appeal.....   | 1208.01                                |
| Analogous art.....  | 904.01(c)                              |
| Antedating. (See also Affidavit, Antedating<br>reference, Rule 131.)..... | 715                                    |
| Arrangement in Examining Group.....                                       | 901.07                                 |
| Assigned application as.....  | 304                                    |
| Borrowing from Group.....   | 901.08                                 |
| Citation.....   | 707.05 to 707.05(g), 901.04, 901.05(a) |
| Citation correction.....  | 707.05(g)                              |
| Citation correction, Period for response.....                             | 710.06                                 |
| Cited by applicant.....   | 707.05(b), 707.05(c), 1302.12          |
| Claims foreign date.....  | 715.01                                 |
| Combination of references.....  | 706.02                                 |
| Coping.....   | 706.02                                 |
| Cross, How cited.....   | 707.05(e)                              |
| Declassified printed matter.....  | 707.05(f)                              |
| Defensive publications.....   | 901.06(d)                              |
| Effective date, Patent.....   | 706.02, 707.05(e), 715, 715.01         |
| Equivalents .....   | 904.01(b)                              |
| Foreign patent.....   | 707.05(e), 901.05(a)                   |
| Forfeited application.....  | 901.02                                 |
| Incorrect citation.....   | 707.05(g), 1302.12                     |
| Joint patent to applicant and another.....                                | 715.01(a)                              |

## INDEX

| Reference—Continued  | Sec. No.                           | Reissue application—Continued                      | Sec. No.                       |
|--|------------------------------------|--|--------------------------------|
| Listing at allowance.....  | 1302.12, 1401.11                   | Deceased inventor.....                             | 1401.02                        |
| Newly discovered after allowance.....  | 1308.01                            | Defective oath, Ground for rejection.....          | 706.03(x),<br>1401.08          |
| Ordering official cross.....   | 903.06                             | Definition.....                                    | 201.05, 1401                   |
| Overcome under Rule 131. (See also Affidavit,<br>Antedating reference, Rule 131.)..... | 715                                | Divisional application.....                        | 1401.10(a)                     |
| Patent.....  | 901.04                             | Drawing.....                                       | 608.02(k), 1401.05             |
| Patent, Foreign.....   | 901.05                             | Effective date.....                                | 1401.09                        |
| Patent, Official number lacking.....   | 901.04                             | Election of species.....                           | 1401.10                        |
| Patent claiming same invention... 715.05, 1101.02(a)                                   |                                    | Error in original patent.....                      | 1401, 1401.08                  |
| Pending application.....   | 901.03                             | Examination.....                                   | 1401.04, 1401.09               |
| Publications.....  | 707.05(e), 901.06                  | Filed during interference.....                     | 1111.08, 1401.12               |
| Publication of applicant's invention.....  | 715.01(c)                          | Foreign priority claim.....                        | 1401                           |
| Published abstracts of application.....  | 711.06(a)                          | Inoperative, Oath requirement.....                 | 1401.08                        |
| Replacement of missing.....  | 901.09                             | Interference of original patent involved.....      | 1111.08,<br>1401.12            |
| Same assignee.....   | 715.01(b)                          | Inventor.....                                      | 1401.02                        |
| Selection of pertinent.....  | 904.02                             | Laches.....  | 1401                           |
| Statutory bar.....   | 201.13                             | List of references.....                            | 1401.11                        |
| Supply procedure.....  | 707.05(a)                          | Misjoinder of inventors.....                       | 1401                           |
| Swearing back. (See also Affidavit, Antedating<br>reference, Rule 131.).....           | 715                                | Narrowed.....                                      | 1401.08                        |
| Voided by proof of foreign filing.....   | 201.14                             | New matter.....                                    | 1401.07                        |
| "Well known in the art," Supported by... 706.02(a)                                     |                                    | Notice in original file.....                       | 202.05, 1401.03                |
| Reference characters.....  | 608.01(g)                          | Notice of allowance.....                           | 1401.11                        |
| Reference Processing Unit.....   | 707.05(a),<br>707.07(b), 707.12    | Numbering of claims.....                           | 1401.06                        |
| Reference to foreign application.....  | 202.03, 202.04                     | Oath.....  | 1401.08                        |
| Reference to prior patent.....   | 608.01(c),<br>608.01(p), 608.01(r) | Oath, Primary's decision.....                      | 1004                           |
| Reference to related application. (See Cross-<br>noting.)                              |                                    | Offer to surrender patent.....                     | 1401.01, 1401.04               |
| Reference to related application for disclo-<br>sure.....                              | 608.01(p)                          | Omission of feature.....                           | 1401.07                        |
| Re-file application.....   | 201.10                             | Omissions bracketed.....                           | 1401.06                        |
| Refund of fees.....  | 509, 607.02                        | Ownership.....                                     | 201.12                         |
| Register of applications, Application Division... 504                                  |                                    | Patent returned.....                               | 1401.04                        |
| Register of applications, Examining Group... 1704                                      |                                    | Parts.....   | 1401.01                        |
| Registration, Attorney or agent.....   | 402, 1702                          | Print of drawing.....                              | 608.02(k)                      |
| Rehearing by Board of Appeals.....   | 1214.01, 1214.03                   | Rejection.....                                     | 706.03(x)                      |
| Rehearing by C.C.P.A.....  | 1216.01                            | Requisites.....                                    | 1401.01                        |
| Reissue application.....   | 1401                               | Restriction.....                                   | 1410.10                        |
| Abstract of title.....   | 1401.01                            | Return of original patent.....                     | 1401.04                        |
| Additions underlined.....  | 1401.06                            | Same invention as original patent.....             | 1401.07                        |
| Adjudication of Original Patent.....   | 1401.09(a)                         | "Special" for examination.....                     | 1401.09                        |
| Affidavit.....   | 1401.08                            | Specification.....                                 | 1401.06, 1401.10(a)            |
| Affidavit, Patent not available.....   | 1401.04                            | Statutory basis.....                               | 1401                           |
| Allowance.....   | 1401.11                            | Statutory disclaimer.....                          | 1403                           |
| Allowance, Drawing transfer.....   | 1401.05                            | Suit on original patent.....                       | 1401.09(a)                     |
| Applicant.....   | 1401.02                            | Title abstract.....                                | 1401.01, 1401.02               |
| Application.....   | 1401.01                            | Transfer of original drawing.....                  | 608.02(k), 1401.05             |
| Assignee.....  | 1401.02                            | Twice reissued.....                                | 1401.06                        |
| Broadened.....   | 1401.08                            | Reissue patent series.....                         | 901.04                         |
| Claim, Canceled from original application... 1401.08                                   |                                    | Rejection.....                                     | 706                            |
| Claim, Numbering.....  | 1401.06                            | After allowance of application.....                | 706.05,<br>1101.01(i), 1308.01 |
| Claim, Oath requirement.....   | 1401.08                            | After allowance of claim.....                      | 706.04                         |
| Claim, Original claim subject to re-examina-<br>tion.....                              | 1401.09                            | After allowance of claim, Primary reviews... 1004  |                                |
| Claim, Same invention as original patent... 1401.07                                    |                                    | After appeal, New rejection.....                   | 1208.01                        |
| Claiming foreign priority.....   | 201.14, 1401                       | After correspondence under Rule 202.... 1101.01(i) |                                |
| Court decision involving original patent... 1401.09(a)                                 |                                    | After termination of interference.....             | 1109.02, 1110                  |
|  |                                    | Against public policy.....                         | 706.03(p)                      |
|  |                                    | Aggregation.....                                   | 706.03(i)                      |
|  |                                    | All valid grounds.....                             | 707.07(g)                      |
|  |                                    | Alternative phrases.....                           | 706.03(d)                      |

**MANUAL OF PATENT EXAMINING PROCEDURE**

| Rejection—Continued                               | Sec. No.  |
|---|---|
| Anticipation, Full                                | 707.07(d)   |
| Anticipation, Substantial                         | 707.07(d)   |
| Art   | 706.02  |
| Assigned application, Same applicant              | 304   |
| Assigned application, Common ownership            | 305   |
| Atomic Energy Act                                 | 706.03(b)   |
| Bar, Statutory                                    | 706.03(s)   |
| Board of Appeals introduces                       | 1214.01   |
| Breadth   | 706.03(n)   |
| Business method                                   | 706.03(a)   |
| Chemical practice                                 | 715.03  |
| Claim copied from patent                          | 706.06, 1101.02(f)  |
| Claim copied from patent, Failure to respond      | 706.03(u)   |
| Claim copied from patent, Primary's attention     | 707.02  |
| Claims  | 706   |
| Combination of references                         | 706.02, 707.07(d)   |
| Common knowledge                                  | 706.02(a)   |
| Conflicting applications                          | 304, 305, 706.03(k), 709.01, 804, 804.01, 804.02, 822, 822.01 |
| Conflicting applications, One assigned            | 304   |
| Contrasted to objection                           | 706.01  |
| Cumulative  | 707.07(d)   |
| Dedication  | 715   |
| Defective reissue oath                            | 706.03(x), 1401.08  |
| Dependent claim                                   | 608.01(n)   |
| Directly met                                      | 707.07(d)   |
| Disclaimer  | 706.03(u), 710.02(d)  |
| Double patenting. ( <i>See</i> Double patenting.) |   |
| Duplicate claims                                  | 706.03(k)   |
| Estoppel, Defensive publication                   | 711.06  |
| Estoppel, Interference                            | 1109.02, 1110, 1110.02  |
| Final. ( <i>See also</i> Final rejection.)        | 706.07  |
| Foreign application, Statutory bar                | 706.03(s)   |
| Fraud upon public                                 | 706.03(p)   |
| Frivolous invention                               | 706.03(p)   |
| Full anticipation Expression recommended.         | 707.07(d)   |
| Function of machine                               | 706.03(r)   |
| Functional  | 706.03(c)   |
| Generic claim                                     | 715.02, 809.02, 809.02(a)                                     |
| Genus and species                                 | 806.04(h) to 806.04(j)  |
| Ground clearly stated                             | 707.07(d)   |
| Inaccurate  | 706.03(n)   |
| Incomplete  | 706.03(f)   |
| Indefinite  | 706.03(d)   |
| Inoperativeness                                   | 706.03(p)   |
| Insufficient disclosure                           | 706.03(n)   |
| Insufficient disclosure, Trademark                | 608.01(v)   |
| Interference, Estoppel                            | 1109.02, 1110   |
| Interference terminated                           | 706.03(v), 1109.02, 1110                                      |
| Language used                                     | 707.07(d)   |
| Linking claim                                     | 809 to 809.04   |
| Markush, Improper                                 | 706.03(y)   |
| Method of doing business                          | 706.03(a)   |
| Multiplicity                                      | 706.03(l)   |
| Negative limitation                               | 706.03(d)   |

| Rejection—Continued                      | Sec. No.  |
|--|---|
| New, After appeal                        | 1208.01   |
| New, After final rejection               | 706.07(e)   |
| New matter                               | 706.03(o)   |
| Nonelected invention                     | 706.03(m)   |
| Non-statutory claim                      | 706.03(h)   |
| Non-statutory subject matter             | 706.03(a)   |
| Not based on prior art                   | 706.03  |
| Not readable on disclosure               | 706.03(n)   |
| Oath, Defective reissue                  | 706.03(x)   |
| Objection distinguished                  | 706.01  |
| Obvious method                           | 706.03(q)   |
| Obviousness                              | 707.07(d)   |
| Old combination                          | 706.03(i), 706.03(j)  |
| Omnibus rejection                        | 707.07(d)   |
| Overlapping applications                 | 304, 305, 706.03(k), 709.01, 804, 804.01, 804.02, 822, 822.01 |
| Perpetual motion                         | 706.03(p)   |
| Personal remarks avoided                 | 707.07(d)   |
| Previously allowed claim                 | 706.04, 1004  |
| Printed matter                           | 106.03(a)   |
| Prior art                                | 706.02  |
| Product by process                       | 706.03(e)   |
| Product of nature                        | 706.03(a)   |
| Prolix                                   | 706.03(g)   |
| Public sale                              | 706.03(s)   |
| Public use                               | 706.03(s)   |
| Public use proceeding                    | 706.03(v)   |
| Reissue application, Defective oath      | 706.03(x)   |
| "Rejected"                               | 707.07(d)   |
| Repeated                                 | 707.07(f)   |
| Res judicata                             | 706.03(w)   |
| Scientific principle                     | 706.03(a)   |
| Single means claim                       | 706.03(c)   |
| Species and genus                        | 806.04(h) to 806.04(j)  |
| Statement of                             | 707.07(d)   |
| Statutory bar                            | 706.03(s)   |
| Substantially met                        | 707.07(d)   |
| Suggested claims not made                | 706.03(u)   |
| Technical                                | 706.03  |
| Trademark or trade name                  | 608.01(v)   |
| Undue breadth                            | 706.03(z)   |
| Unpatentable over other claim            | 706.03(k)   |
| Utility                                  | 706.03(p)   |
| Vague                                    | 706.03(d)   |
| "Well known in the art"                  | 706.02(a)   |
| Related inventions                       | 802.01, 806.04(b), 806.05, 808.02, 809.03                     |
| Related inventions, Species              | 806.04(b)   |
| Remailing Office action                  | 707.13, 710.06  |
| Remand by Board, Affidavit               | 1212  |
| Remand by Board, Amendment               | 1211  |
| Renumbering claims                       | 1802.01   |
| Reply brief                              | 1208, 1208.01   |
| Representative capacity                  | 402, 405  |
| Representative of inventor or owner      | Chapter 400   |
| Representatives of out-of-town attorneys | 408   |
| Requirements must be repeated            | 707.07(e)   |
| Requests for identifiable records        | 103   |

**INDEX**

|  | Sec. No.   |  | Sec. No.                                       |
|--|--|--|--|
| Requisites of the application.....                                   | 702  | <b>Restriction—Continued</b>   |  |
| Res judicata.....  | 706.03(w)  | Nonelected invention.....  | 809.04   |
| Reservation clause in application.....                               | 608.01(e), 608.01(t)                                   | Old combination and subcombination.....                              | 806.05(b),<br>820.01                           |
| Residence, Applicant's.....  | 605.02   | Patentability over prior art.....                                    | 806.02, 809, 809.03                            |
| Residence, Applicant's, Change.....                                  | 717.02(b)  | Patentability report, Effect.....                                    | 807  |
| Resignation of Examiner.....   | 1702   | Petition from requirement.....                                       | 809.04, 818.03(c)                              |
| Resignation of Examiner, Old cases special.....                      | 708.03   | Process or product and apparatus.....                                | 806.05(e)<br>to 806.05(g), 820                 |
| Response ( <i>see also</i> Amendment; Period for re-<br>sponse).     |  | Reissue application.....   | 1401.10, 1401.10(a)                            |
| After abandonment.....   | 714.17   | Rejection of nonelected claims.....                                  | 821 to 821.03                                  |
| After Board decision.....  | 1214.01, 1214.06                                       | Related inventions.....  | 802.01,<br>803, 806, 806.04(b), 808.02, 809.03 |
| After final rejection.....   | 714.12, 714.13   | <b>Requirement</b> .....   | 812 to 817                                     |
| Complete.....  | 714.02 to 714.04                                       | Additional.....  | 811.02   |
| Copying claim from patent not a response<br>711.02(b), 1101.02(e)    |  | By Group where examinable.....                                       | 812  |
| Election requirement.....  | 809.02(a),<br>809.02(b), 818.03(b)                     | Citation of art.....   | 813  |
| Formal matters.....  | 714.02   | Completeness.....  | 815  |
| Incomplete... 711.02(a), 711.03(a), 714.02 to 714.04                 |  | Concluding paragraph.....  | 817, 818.03(b)                                 |
| Incomplete, Election of species lacking... 809.02(a),<br>818.03(b)   |  | Consult other Group.....   | 812.01, 815                                    |
| Incomplete, Proceedings not stayed by peti-<br>tion.....             | 1002   | Election after.....  | 818  |
| Incomplete, Time for completing.....                                 | 710.02(c),<br>711, 714.03                              | Election after, Shift of.....  | 819.01   |
| Late.....  | 711, 711.02  | Election after, With traverse... 818.03(b), 821.01                   |  |
| Late, Excused.....   | 710.02(d)  | Election after, Without traverse.....                                | 821.02   |
| Patentability pointed out.....                                       | 714.02, 714.04   | Final.....   | 810.03, 818.03                                 |
| Restriction requirement.....   | 818 to 820.02  | First action.....  | 811  |
| Statutory period.....  | 710.01   | Patentability.....   | 810 to 810.03                                  |
| Restoration of canceled matter.....                                  | 608.01(s), 714.24                                      | Petition from.....   | 809.04, 818.03(c)                              |
| Restriction ( <i>see also</i> Election; Election of<br>species)..... | Chapter 800  | Primary Examiner's attention.....                                    | 1004   |
| Action, Examiner's.....  | 813 to 817   | Reasons for insisting upon.....                                      | 808  |
| Action after, Special.....   | 708.01   | Rejection on double patenting following.....                         | 804.02   |
| Action on novelty.....   | 810-810.03   | Repeated after withdrawal.....                                       | 811.03   |
| Aggregation.....   | 806.05(a)  | Response to.....   | 818 to 818.03(e)                               |
| Apparatus and process or product.....                                | 806.05(e)<br>to 806.05(g)                              | Review by Primary Examiner.....                                      | 803.01   |
| Basis.....   | 802  | When made.....   | 811, 811.02                                    |
| Case referred to second Examiner.....                                | 815  | Withdrawal.....  | 819  |
| Claimed subject matter.....  | 806.01   | Second requirement.....  | 811.02   |
| Claims to divisible inventions added before<br>action.....           | 818.02(a)  | Single embodiment.....   | 806.03   |
| Combination and subcombination.....                                  | 806.05(a)<br>to 806.05(c), 809.03(a)                   | Species-Genus.....   | 806.04(a)                                      |
| Definition.....  | 802.02   | Species may be related inventions.....                               | 806.04(b)                                      |
| "Distinct" invention.....  | 802.01, 806, 806.05                                    | Species of unclaimed genus.....                                      | 808.01(a)                                      |
| Election fixed by action on claims.....                              | 818.01   | Subcombination, Combination and.....                                 | 806.05(a)<br>to 806.05(c)                      |
| Election other than express.....                                     | 818.02   | Subsequently presented to invention not pre-<br>viously claimed..... | 818.02, 821.03                                 |
| Final requirement.....   | 819  | Telephone.....   | 812.01   |
| Grouped in parent case.....  | 811.04   | Traverse of requirement.....   | 818, 818.03(c), 821.01                         |
| Improper.....  | 803, 806, 808.02                                       | Restrictions upon employees of Patent Office....                     | 309  |
| Independent embodiments.....   | 806.04, 806.05   | Retention label.....   | 1302.07  |
| Independent inventions.....  | 802.01,<br>803, 806, 806.04, 808.01, 808.01(a), 818.03 | Return of complete application.....                                  | Chapter 600                                    |
| Linking claim.....   | 809, 809.03, 809.04                                    | Return of drawing.....   | 608.02(y)                                      |
| Linking claim, Traverse of rejection.....                            | 818.03(d)  | Return of filing fee.....  | 506.01, 607.02                                 |
| Nonelected claims, Treatment of.....                                 | 821 to 821.03  | Return of incomplete application.....                                | 506.01   |
|  |  | Return of papers, Discourteous matter... 714.25, 1003                |  |
|  |  | Return of papers entered on file wrapper... 201.14(c),<br>717.01     |  |
|  |  | Returned Office action.....  | 707.13   |
|  |  | Review at allowance.....   | 1302.01  |
|  |  | Revised Statutes. ( <i>See</i> Statutes.)                            |  |

**MANUAL OF PATENT EXAMINING PROCEDURE**

|   | Sec. No.  |
|---|---|
| Revival of abandoned application.....             | 711.03,<br>711.03(c), 1002.02(b)  |
| Revocation of power of attorney.....              | 402.05, 402.07  |
| Rewritten specification.....                      | 608.01(q)   |
| Revocation of power of attorney.....              | 402.05  |
| Ribboned application.....                         | 602.04(a)   |
| Right of priority.....                            | 201.13  |
| Form paragraphs.....                              | 201.14(c)   |
| Formal requirements.....                          | 201.14  |
| Overcoming a reference.....                       | 201.15  |
| Papers required.....                              | 201.14(b)   |
| Practice.....                                     | 201.14(c)   |
| Time for filing papers.....                       | 201.14(a)   |
| Right of priority, Determination by Examiner..... | 201.15  |
| Roster of attorneys.....                          | 408   |
| Rules of practice:                                |   |
| 2 Reproduced.....                                 | 713.04  |
| 3 Reproduced.....                                 | 714.25  |
| Cited.....  | 714.19, 714.21  |
| 5 Reproduced.....                                 | 502   |
| 6 Reproduced.....                                 | 502   |
| 7 Reproduced.....                                 | 710.05  |
| 11 Reproduced.....                                | 103   |
| Cited.....  | 101, 104, 901.03  |
| 12 Reproduced.....                                | 301.01  |
| 14(a) Reproduced.....                             | 101   |
| 14(b) Reproduced.....                             | 103   |
| 14(c) Reproduced.....                             | 108   |
| 14(d) Reproduced.....                             | 103   |
| Cited.....  | 103, 104, 202.01, 203.08, 608.01(p),<br>706.03(b), 711.04, 713.05, 901.02, 901.03 |
| 15 Reproduced.....                                | 103   |
| 21 Cited.....                                     | 600, 608.02, 608.02(b),<br>804.02, 1403, 1606                                     |
| 22 Reproduced.....                                | 509   |
| 23 Reproduced.....                                | 509   |
| 24 Reproduced.....                                | 509   |
| 25 Reproduced.....                                | 509   |
| 26 Reproduced.....                                | 509   |
| 31 Reproduced.....                                | 401   |
| 32 Reproduced.....                                | 402.07  |
| Cited.....  | 106   |
| 33 Reproduced.....                                | 403   |
| Cited.....  | 714.01(d)   |
| 34 Reproduced.....                                | 402   |
| Cited.....  | 402.02, 403, 405, 408, 1209   |
| 36 Reproduced.....                                | 402.05  |
| Cited.....  | 402.06, 402.07, 1002.02(k)  |
| 41 Reproduced.....                                | 605   |
| 42 Reproduced.....                                | 409.01(a)   |
| Cited.....  | 409, 409.01, 409.01(b), 409.03, 602, 605,<br>1401.02, 1604                        |
| 43 Reproduced.....                                | 409.02  |
| Cited.....  | 409, 409.01, 409.01(b), 602, 605,<br>1401.02, 1604                                |
| 44 Reproduced.....                                | 409.01(b)   |
| Cited.....  | 409   |
| 45(a) Reproduced.....                             | 605   |

| Rules of practice—Continued  | Sec. No.   |
|------------------------------|--|
| 45 (b) & (c) Reproduced..... | 201.03   |
| 45 Cited.....                | 201.03, 201.06, 201.07, 409, 605, 1105   |
| 46 Reproduced.....           | 605  |
| Cited.....                   | 409  |
| 47 Reproduced.....           | 409.03   |
| Cited.....                   | 409, 602, 605, 1002.02(k),<br>1401.02, 1604  |
| 51 Reproduced.....           | 600  |
| Cited.....                   | 409.01(a), 608.02  |
| 52 Reproduced.....           | 608.01   |
| Cited.....                   | 600, 714.07, 714.22  |
| 53 Cited.....                | 409.01(a), 506.01  |
| 55 (b) Reproduced.....       | 201.14(a)  |
| Cited.....                   | 201.13, 502, 505, 1002.02(b),<br>1101.02(a), 1102.01(a), 1401, 1506<br>608.01, 1002.02(a)            |
| 56 Cited.....                | 605.04   |
| 57 Reproduced.....           | 605.04   |
| Cited.....                   | 605.04(b), 1503.01   |
| 59 Reproduced.....           | 600  |
| 60 Reproduced.....           | 201.06   |
| Cited.....                   | 201.07, 605, 607, 608.02   |
| 65 Reproduced.....           | 602  |
| Cited.....                   | 201.03, 201.14, 201.14(a), 201.14(c),<br>202.04, 409.03, 600, 602.05, 603, 1401.08,<br>1503.01, 1604 |
| 66(a) Reproduced.....        | 604  |
| 66(b) Reproduced.....        | 602.04(a)  |
| 66 Cited.....                | 602, 602.04,<br>602.04(a), 604, 604.04, 604.04(a), 604.06  |
| 67 Reproduced.....           | 603  |
| Cited.....                   | 602  |
| 68 Reproduced.....           | 602  |
| Cited.....                   | 302, 600, 602.04(a), 604.04(a)   |
| 71 Reproduced.....           | 608.01   |
| Cited.....                   | 600, 608.01(g), 608.01(h), 1302.01,<br>1503.01   |
| 72(a) Reproduced.....        | 606  |
| 72(b) Reproduced.....        | 608.01(b)  |
| 72 Cited.....                | 600, 711.06  |
| 73 Reproduced.....           | 608.01(d)  |
| Cited.....                   | 600  |
| 74 Reproduced.....           | 608.01(f)  |
| Cited.....                   | 600  |
| 75 Reproduced.....           | 608.01(i)  |
| Cited.....                   | 600, 608.01(g), 608.01(m), 608.01(n),<br>608.01(o), 706.03(1), 806.04                                |
| 77 Reproduced.....           | 608.01(a)  |
| Cited.....                   | 600  |
| 78(a) Reproduced.....        | 202.01   |
| 78(b) Reproduced.....        | 822  |
| 78(c) Reproduced.....        | 804.03   |
| 78 cited.....                | 201.06, 201.11,<br>202.01, 600, 608.01, 822, 822.01, 1101.01<br>(b), 1101.02(a), 1504                |
| 79 Reproduced.....           | 608.01(e)  |
| Cited.....                   | 202.01, 608.01(t)  |
| 81 Reproduced.....           | 608.02   |
| Cited.....                   | 600  |

**INDEX**

| Rules of practice—Continued | Sec. No.  |
|-----------------------------|---|
| 83 Reproduced .....         | 608.02(d)   |
| Cited .....                 | 600, 1401.10(a)   |
| 84 Reproduced .....         | 608.02  |
| Cited .....                 | 600, 605.04(h), 608.02(a), 608.02(b),<br>608.02(c), 1401.10(a), 1606  |
| 85 Reproduced .....         | 608.02(b)   |
| Cited .....                 | 600   |
| 86 Reproduced .....         | 608.02  |
| Cited .....                 | 600   |
| 88 Reproduced .....         | 608.02(i)   |
| Cited .....                 | 506, 600, 711.02(b)   |
| 91 Reproduced .....         | 608.03  |
| Cited .....                 | 600   |
| 92 Reproduced .....         | 608.03  |
| Cited .....                 | 600   |
| 93 Reproduced .....         | 608.03  |
| Cited .....                 | 600   |
| 94 Reproduced .....         | 608.03(a)   |
| 95 Reproduced .....         | 608.03(a)   |
| 101 Reproduced .....        | 708   |
| 102 Reproduced .....        | 708.01  |
| Cited .....                 | 708.02, 1204  |
| 103 Reproduced .....        | 709   |
| Cited .....                 | 1002.02(c)  |
| 104 Reproduced .....        | 707   |
| Cited .....                 | 707, 707.07, 901  |
| 105 Reproduced .....        | 707.07  |
| 106 Reproduced .....        | 706   |
| Cited .....                 | 904.02  |
| 107 Reproduced .....        | 707.05  |
| Cited .....                 | 707.05(e), 1610   |
| 108 Reproduced .....        | 901.02  |
| 111 Reproduced .....        | 714.02  |
| Cited .....                 | 608.01(b), 608.02(b), 707, 707.05(b),<br>707.07(a), 708.02, 711.03(c), 714.04,<br>714.16, 818, 818.03, 818.03(a), 1002. |
| 112 Reproduced .....        | 706   |
| Cited .....                 | 714.02  |
| 113 Reproduced .....        | 706.07  |
| Cited .....                 | 203.08, 711.03(c), 1205   |
| 115 Reproduced .....        | 714   |
| 116 Reproduced .....        | 714.12  |
| Cited .....                 | 706.07(e), 714.13, 715.09, 713, 1207,<br>1212   |
| 117 Reproduced .....        | 706.03(n)   |
| 118 Reproduced .....        | 608.04  |
| Cited .....                 | 608, 608.02, 706.03(n)  |
| 119 Reproduced .....        | 714.02  |
| 121 Reproduced .....        | 714.22  |
| Cited .....                 | 608.01(j), 714.02, 717.04, 1206, 1208,<br>1302.04, 1406.06  |
| 123 Reproduced .....        | 608.02(p)   |
| 124 Reproduced .....        | 714.24  |
| Cited .....                 | 608.01(s)   |
| 125 Reproduced .....        | 608.01(q)   |
| Cited .....                 | 714.19, 714.20, 1302.02   |
| 126 Reproduced .....        | 608.01(j)   |
| Cited .....                 | 608.01(n), 1302.01  |
| 127 Cited .....             | 1002.02(c)  |

| Rules of practice—Continued | Sec. No.   |
|-----------------------------|--|
| 131 Reproduced .....        | 715  |
| Cited .....                 | 706.02, 707.05(f), 708.02, 714.13,<br>715.01 to 715.09, 904.02, 1002.02(c), 1004,<br>1005, 1101.01(h), 1101.02(a), 1101.03,<br>1105, 1105.03, 1111.06, 1208. |
| 132 Reproduced .....        | 716  |
| Cited .....                 | 714.13, 1002.02(c),<br>1004, 1005, 1105.02, 1105.03  |
| 133 Reproduced .....        | 713.01   |
| Cited .....                 | 713.02, 713.04   |
| 135 Reproduced .....        | 710.01, 711  |
| Cited .....                 | 710.02(c), 710.02(e),<br>711.02, 712, 714.01(a), 714.03  |
| 136 Cited .....             | 709, 710.02, 710.02(d),<br>710.02(e), 712, 1002.02(c), 1101.02(f)  |
| 137 Reproduced .....        | 711.03(c)  |
| Cited .....                 | 203.08, 711.08, 712, 1002,<br>1002.02(b), 1206   |
| 138 Reproduced .....        | 711  |
| Cited .....                 | 608.02(i), 711.01, 1215.01   |
| 139 Reproduced .....        | 711.06   |
| Cited .....                 | 108, 708, 901.02, 901.03   |
| 141 Reproduced .....        | 806.04   |
| Cited .....                 | 608.01(i), 710.02(c), 802, 802.01,<br>806, 806.04(a), 806.04(h), 808.01(a),<br>809.02, 809.02(a), 809.02(b), 809.02(c),<br>820.                              |
| 142(a) Reproduced .....     | 818  |
| 142 Cited .....             | 201.06, 608.01(i), 707.07(i), 802,<br>809.02(c), 811, 818, 818.03(e), 821-821.03   |
| 143 Reproduced .....        | 818.03   |
| Cited .....                 | 608.01(i), 802, 810.03, 818.03(a),<br>818.03(b), 818.03(e), 821.03   |
| 144 Reproduced .....        | 818.03(c)  |
| Cited .....                 | 608.01(i), 710.02(c), 802, 809.02(c),<br>809.04, 812.01, 818.03(d), 821, 821.01,<br>821.02, 821.03, 1002.02(c), 1201.  |
| 145 Reproduced .....        | 821.03   |
| Cited .....                 | 608.01(i), 802   |
| 146 Reproduced .....        | 809.02   |
| Cited .....                 | 608.01(i), 707.07(i), 802  |
| 151 Reproduced .....        | 1501   |
| 152 Reproduced .....        | 1503.02  |
| Cited .....                 | 608.02   |
| 153 Reproduced .....        | 1503.01  |
| Cited .....                 | 602  |
| 154 Reproduced .....        | 1503.01  |
| Cited .....                 | 1503   |
| 155 Reproduced .....        | 1505   |
| 161 Reproduced .....        | 1602   |
| Cited .....                 | 1610, 1611   |
| 162 Reproduced .....        | 1604   |
| Cited .....                 | 602  |
| 163 Reproduced .....        | 1605   |
| Cited .....                 | 1603   |
| 164 Reproduced .....        | 1605   |
| 165 Reproduced .....        | 1606   |
| Cited .....                 | 608.02, 608.02(b), 1603  |

**MANUAL OF PATENT EXAMINING PROCEDURE**

| <b>Rules of practice—Continued</b>  | <b>Sec. No.</b>   |
|---|---|
| 166 Reproduced .....  | 1607  |
| Cited .....   | 608.03(a)   |
| 167 Reproduced .....  | 1608  |
| Cited .....   | 1610  |
| 171 Reproduced .....  | 1401.01   |
| 172 Reproduced .....  | 1401.02   |
| 173 Reproduced .....  | 1401.06   |
| Cited .....   | 1401.11   |
| 174 Reproduced .....  | 1401.05   |
| Cited .....   | 608.02, 608.02(i)   |
| 175 Reproduced .....  | 1401.08   |
| 176 Reproduced .....  | 1401.09   |
| Cited .....   | 708.01, 1401.10   |
| 177 Reproduced .....  | 1401.10(a)  |
| Cited .....   | 1002.02(h)  |
| 178 Reproduced .....  | 1401.04   |
| Cited .....   | 1401.01   |
| 179 Reproduced .....  | 1401.03   |
| Cited .....   | 202.05  |
| 181 Reproduced .....  | 1002  |
| Cited..... Introduction, 608.04(c), 711.03(c),<br>711.03(d), 714.13, 818.03(c), 1001.01,<br>1002.01, 1002.02, 1201, 1202, 1206, 1208. |   |
| 182 Reproduced .....  | 1002  |
| 183 Reproduced .....  | 1002  |
| Cited .....   | 506, 711.01, 711.05,<br>1001.01, 1002.02, 1002.02(a), 1002.02(b),<br>1002.02(i), 1214.03. |
| 184 Reproduced .....  | 1002  |
| 191 Reproduced .....  | 1205  |
| Cited..... Introduction, 608.04(c), 1103, 1202  |   |
| 192 Reproduced .....  | 1206  |
| Cited .....   | 1002.02(i), 1202, 1204, 1208,<br>1215.01, 1215.04   |
| 193 Reproduced .....  | 1208  |
| Cited .....   | 1002.02(i), 1002.02(j), 1202,<br>1208.01, 1211  |
| 194 Reproduced .....  | 1209  |
| Cited .....   | 1202  |
| 195 Reproduced .....  | 1212  |
| Cited .....   | 715.09, 716, 1208   |
| 196(a) Reproduced .....   | 1213  |
| 196(b) Reproduced .....   | 1214.01   |
| 196(c) Reproduced .....   | 1213.01   |
| 196 Cited .....   | 1002.02(j), 1213,<br>1213.01, 1214.01, 1214.06, 1214.07                                   |
| 197(a) Reproduced .....   | 1214.02   |
| 197(c) Reproduced .....   | 1214.06   |
| 197 Cited .....   | 1002.02(i), 1002.02(j), 1202,<br>1214.01, 1214.02, 1214.03, 1214.06, 1215.04              |
| 198 Reproduced .....  | 1214.07   |
| Cited .....   | 1002.02(i), 1214.04, 1216   |
| 201 Reproduced .....  | 1100  |
| Cited .....   | 708, 708.01, 804.03, 1101.01,<br>1101.01(b), 1102.01(a)                                   |
| 202 Reproduced .....  | 1101.01(d)  |
| Cited .....   | 706.05, 1101.01(e) to 1101.01(i),<br>1101.02(c), 1101.03, 1102.01, 1105                   |

| <b>Rules of practice—Continued</b> | <b>Sec. No.</b>  |
|------------------------------------|--|
| 203 Reproduced .....               | 1101.01(j)   |
| Cited .....                        | 706.03(u), 710.02(c),<br>1101.01(n), 1101.02(a), 1101.02(c),<br>1102.01(a), 1105, 1112.02, 1112.04.  |
| 204 Reproduced .....               | 1101.02  |
| Cited .....                        | 715.05, 1002.02(c), 1101.01(h),<br>1101.02(c), 1101.03, 1102, 1102.01(a),<br>1105, 1208.   |
| 205 Reproduced .....               | 1101.02  |
| Cited .....                        | 1002.02(c), 1101.02(c), 1101.02(d)<br>1105   |
| 206 Reproduced .....               | 1101.02  |
| Cited .....                        | 706.03(u), 710.02(c),<br>710.04(a), 1101.02(f), 1205   |
| 207 Reproduced .....               | 1102   |
| Cited .....                        | 1101.01(j), 1102.01, 1104  |
| 208 Reproduced .....               | 1101.01(k)   |
| Cited .....                        | 404, 1102.01(a)  |
| 211 Reproduced .....               | 1104   |
| 212 Reproduced .....               | 1103   |
| Cited .....                        | 1002.02(c), 1101.02(e), 1205   |
| 215 Cited .....                    | 1102, 1105.06  |
| 224 Cited .....                    | 201.14(a)  |
| 226 Cited .....                    | 1104   |
| 227 Cited .....                    | 1002.02(g), 1105.05  |
| 228 Cited .....                    | 1101.02, 1101.02(a), 1102  |
| 231 Reproduced .....               | 1105   |
| Cited .....                        | 714.16(b), 1004, 1101.01(l), 1101.02,<br>1101.02(f), 1102, 1102.01(a), 1105.01,<br>to 1105.07, 1106, 1108, 1109.02, 1110.02,<br>1111.06, 1111.07, 1111.10, 1112.04 |
| 237 Reproduced .....               | 1105.05  |
| Cited .....                        | 1004, 1101.02(f), 1105,<br>1105.03, 1105.05, 1105.07, 1110.02, 1112.08   |
| 238 Reproduced .....               | 1106.02  |
| 244 Cited .....                    | 1105.05, 1105.07   |
| 247 Cited .....                    | 1101.02(a)   |
| 248 Cited .....                    | 1216.01, 1216.02   |
| 257 Cited .....                    | 1109.02, 1110.02   |
| 258 Cited .....                    | 1105, 1105.04  |
| 262 Cited .....                    | 1108, 1109.02, 1110.01   |
| 265 Cited .....                    | 1109.02  |
| 266 Cited .....                    | 1108, 1112.05  |
| 271-286 Cited .....                | 602  |
| 291 Reproduced .....               | 1309.02  |
| Cited .....                        | 711.06   |
| 292 Cited .....                    | 706.03(v), 1002.02(a)  |
| 301 Reproduced .....               | 1216.01  |
| Cited .....                        | 1216.02  |
| 302 Reproduced .....               | 1216.01  |
| Cited .....                        | 1216, 1216.02  |
| 303 Reproduced .....               | 1216.02  |
| Cited .....                        | 1216   |
| 304 Reproduced .....               | 1216   |
| Cited .....                        | 1002.02(a), 1002.02(i), 1202,<br>1214.03, 1214.06, 1216, 1216.01, 1216.02  |
| 311 Reproduced .....               | 1303   |

INDEX

| Rules of practice—Continued                                       | Sec. No.   | Search—Continued  | Sec. No.                             |
|---|--|---|--------------------------------------|
| 312 Reproduced .....  | 714.16   | In Group, by member of public .....                     | 713.02                               |
| Cited .....   | 201.03, 603.01, 707.01(a),<br>713.10, 714.15, 714.16(a) to 714.16(e),<br>714.20, 1303.01, 1305, 1308.01, 1309.01,<br>1705. | Informal application .....                              | 704                                  |
| 313 Reproduced .....  | 1308   | Interference .....                                      | 1101.01(c)                           |
| Cited .....   | 608.02(i), 711.01, 711.05, 1002.02(b)  | Notes in class definitions .....                        | 902.02(a)                            |
| 316 Reproduced .....  | 712  | Notes in file wrapper .....                             | 717.05                               |
| Cited .....   | 203.04, 1002.02(b)   | Outlining .....   | 904.01(d)                            |
| 317 Reproduced .....  | 712  | Patentability report .....                              | 705.01(a), 705.01(b)                 |
| Cited .....   | 1002   | Prior examiner's .....                                  | 704                                  |
| 321 Reproduced .....  | 1403   | Procedure .....   | 704, 904                             |
| Cited .....   | 804.02, 1002.02(b)   | Restriction requirement .....                           | 808.02                               |
| 322 Reproduced .....  | 1402   | Selecting pertinent references .....                    | 904.02                               |
| Cited .....   | 1002.02(l)   | Title .....   | 202.02, 306                          |
| 323 Reproduced .....  | 1402.01  | Unduly extensive and burdensome .....                   | 808.01(a),<br>809.02(d), 818.02(b)   |
| Cited .....   | 1002.02(l)   | Search exchange, United States-German .....             | 1710-1710.02                         |
| 324 Reproduced .....  | 1402.01  | Search exchange, United States-Philippines .....        | 1711                                 |
| Cited .....   | 1002.02(k)   | Search exchange, United States-Sweden .....             | 1712                                 |
| 331 Reproduced .....  | 301  | Secrecy, Pending applications .....                     | Chapter 100                          |
| 332 Reproduced .....  | 302  | “Secrecy Order” application .....                       | 107                                  |
| 333 Reproduced .....  | 301  | Allowance .....   | 107.02, 1304                         |
| 334 Reproduced .....  | 307  | Final rejection .....                                   | 107.02                               |
| Cited .....   | 605  | Interference .....                                      | 107.02, 1111.04                      |
| 341(g) Reproduced .....   | 1702   | Prosecution .....                                       | 107.02                               |
| 341 Cited .....   | 402.01, 1002.02(m), 1702   | Review for Secrecy Order .....                          | 107.01                               |
| 342 Reproduced .....  | 402.01   | Security, Application affecting .....                   | 107, 108                             |
| Cited .....   | 1002.02(m)   | Security screening of new applications .....            | 107.01                               |
| 346 Reproduced .....  | 402.04   | Security Group, Cases submitted .....                   | 107.01,<br>109, 706.03(b), 706.03(s) |
| 346 Reproduced .....  | 402  | Security markings .....                                 | 109                                  |
| 347 Cited .....   | 714.01(a)  | Self-addressed Post Card .....                          | 503                                  |
| 348 Cited .....   | 714.01(a)  | Serial Number .....                                     | 503                                  |
| Rules of practice .....   | Introduction   | Series of dependent claims .....                        | 608.01(n)                            |
| <b>S</b>  |  |   |                                      |
| Same attorney, Interfering applications .....                     | 1101.01(k),<br>1102.01(a)  | Shift of election .....                                 | 819                                  |
| Same invention, Comparing foreign application .....               | 201.15   | Shortened statutory period .....                        | 710.02 to 710.02(e)                  |
| Saturday, Effect on time for response .....                       | 710.05   | Distinction from limited time for reply .....           | 1101.02(f)                           |
| Scientific Library .....  | 901.06(a)  | Signatory Authority, Full .....                         | 1004                                 |
| Scientific principle not patentable .....                         | 706.03(a)  | Signatory Authority, Partial .....                      | 1005                                 |
| Scope of claims .....   | 904.01(a)  | Signature:  |                                      |
| Scope of class .....  | 903.02(b)  | Administrator or executor .....                         | 605.05(a)                            |
| Screening new applications for security re-<br>view .....         | 107.01   | Alteration in specification signed .....                | 608.01                               |
| Seal .....  | 604.01   | Amendment .....   | 714.01                               |
| Foreign application .....   | 602.04(a)  | Signature improper .....                                | 714.01(a) to 714.01(d)               |
| Not required .....  | 604.01, 604.03(a)  | Signature missing .....                                 | 714.01(a)                            |
| Venue .....   | 604.02   | Signed by applicant, Not by attorney of<br>record ..... | 714.01(d)                            |
| Sealing oaths for interference, Primary's atten-<br>tion .....    | 1004   | Signed by attorney not of record .....                  | 405                                  |
| Sealing oaths for interference, Under Rules 131,<br>202,204 ..... | 715.06, 1101.01(b), 1101.03  | Applicant .....   | 605.04                               |
| Search:   |  | Applicant changes name .....                            | 605.04(c), 717.02(b)                 |
| After reversal by Board of Appeals .....                          | 1214.04  | Applicant unable to write .....                         | 605.04(d)                            |
| Aids in library .....   | 901.06(a)  | Application completeness .....                          | 506                                  |
| Cards, Subclass definitions .....                                 | 902.02(b)  | Application papers .....                                | 605.04                               |
| Claim analysis .....  | 904.01   | Attorney deceased .....                                 | 406                                  |
| Field of .....  | 904.01(d)  | Attorney not of record .....                            | 405                                  |
| File wrapper notation .....                                       | 705.01(a), 717.05, 904.01(d)   | Correction of name .....                                | 605.04(c)                            |
|   |  | Divisional application, Omitted .....                   | 201.06                               |
|   |  | Drawing .....   | 605.04(h)                            |
|   |  | Drawing, Correction on .....                            | 608.02(u), 608.02(w)                 |
|   |  | Express abandonment .....                               | 711, 711.01                          |
|   |  | Full first or middle name .....                         | 605.04, 605.04(b)                    |

MANUAL OF PATENT EXAMINING PROCEDURE

|   | Sec. No.                       |   | Sec. No.                    |
|---|--------------------------------|---|-----------------------------|
| <b>Signature—Continued</b>                |                                | <b>Specification</b>                                  | <b>608.01</b>               |
| Joint applicants                          | 605.04(f)                      | Amendment, Instructions for entry                     | 714.22, 714.23              |
| Legal representative                      | 605.05(a)                      | Arrangement   | 608.01(a)                   |
| Omitted from divisional application       | 201.06                         | British "provisional" and "complete"                  | 201.15                      |
| Single signature form                     | 605.04(a)                      | Changes prior to filing                               | 608.01                      |
| Title with                                | 605.04(e)                      | Completeness  | 608.01(p)                   |
| Uniformity with name                      | 605.04(b), 1503                | Confused by amendments                                | 608.01(q)                   |
| Signing Examiner's letter                 | 707.09                         | Correction by Examiner's amendment                    | 1302.04                     |
| Single means claim                        | 706.03(c)                      |   | to 1302.04(g)               |
| Single signature form                     | 605.04(a)                      | Correction by initialing                              | 1302.04                     |
| Single signature form, Design application | 1503                           | Cross-noting of related applications                  | 202.01                      |
| Sketch of proposed drawing change         | 608.02(v)                      | Derogatory remarks prohibited                         | 608.01(r)                   |
| Sketch of subject matter of claims        | 904.01(a)                      | Description   | 608.01(g)                   |
| Soft copy, Appeal application             | 1208, 1214.03                  | Design application                                    | 1503.01                     |
| Soft copy, Ordering                       | 905.02                         | English language                                      | 608.01                      |
| Sole application                          | 201.01                         | Format  | 608.01                      |
| Continuation of joint                     | 201.07                         | Interlineation prior to filing                        | 608.01                      |
| Continuation-in-part of joint             | 201.08                         | Language faulty                                       | 608.01                      |
| Converted from joint                      | 201.03                         | New matter  | 608.04                      |
| Converted to joint                        | 201.03                         | Parts   | 608.01(a)                   |
| Division of joint                         | 201.06                         | Reference to copending application brought up to date | 1302.04(f)                  |
| Reissue application, Joint to sole        | 1402.01                        | Reference to prior patent or application              | 202.01                      |
| "Sole" in original oath                   | 602                            | Reissue application                                   | 1401.06                     |
| Sole patent to joint patent               | 1402.01                        | Return  | 608.01                      |
| <b>Solicitor, Associate:</b>              |                                | Rewritten   | 608.01(q)                   |
| Correspondence under Rule 202             | 1101.01(d)                     | Signature   | 605.04                      |
|   | to 1101.01(i)                  | Statement of invention                                | 608.01(d)                   |
| Has application, Amendment filed          | 714.18                         | Substitute  | 608.01(q), 714.19           |
| Petition for access                       | 103                            | Substitute, Amendment including                       | 714.19                      |
| Petitions handled, List                   | 1002.02(k)                     | Substitute, New matter                                | 714.20                      |
| Solicitor, Petitions decided              | 1002.02(k)                     | Terminology basis for claims                          | 608.01(o)                   |
| Special case                              | 708 to 708.03                  | Title of invention                                    | 606                         |
| Allowable application, Except for form    | 710.02(b), 1301                | Title of invention, Changed                           | 606.01                      |
| Appealed case                             | 1204                           | Transfer  | 608.01(t)                   |
| Examiner resigns                          | 708.03                         | Specimen, Composition of matter                       | 608.03                      |
| Five year pendency                        | 707.02(a)                      | Specimen, Handling                                    | 608.03(a)                   |
| List                                      | 708.01                         | Specimen, Plant application                           | 1607                        |
| Petition to make                          | 708.02, 1002.02(a)             | Stale oath or declaration                             | 602.05                      |
| Reissue application                       | 706.03(x), 1401.09             | <b>Stamp:</b>   |                             |
| Rejected patent claim                     | 1101.02(f)                     | Consular fee  | 604.05                      |
| Remanded                                  | 708.01                         | Group date  | 714.18                      |
| Revived applications                      | 711.03(c)                      | Draftsman's   | 608.02(a), 608.02(o)        |
| "Special", Correction of drawing          | 608.02(x)                      | Office date   | 502, 505, 710.01(a), 714.18 |
| Special examining procedure               | 708.02                         | Seal  | 604.01                      |
| Species                                   | 802.01, 806.04(a) to 806.04(j) | Starting material, Chemical compound                  | 608.01(p)                   |
| Cancellation of Species claims            | 821.02                         | <b>Statement, Examiner's:</b>                         |                             |
| Claims restricted to                      | 806.04(e)                      | Appeal brief  | 1208                        |
| Election. (See Election of species.)      |                                | New ground of rejection                               | 1208.01                     |
| How recognized                            | 806.04(f)                      | Petition  | 1002                        |
| Independent inventions                    | 802.01, 808.01(a)              | Petition from abandonment                             | 711.03(d)                   |
| Mutually exclusive characteristics        | 806.04(f)                      | Reply brief   | 1208                        |
| Patentability over genus                  | 806.04(h)                      | Special status  | 708.01                      |
| Patentably distinct                       | 806.04(h)                      | Statement of invention, Coextensive with claims       | 608.01(d)                   |
| Plural                                    | 706.03(k), 808.01(a), 809.02   | Statement of invention, Review on allowance           | 1302.01                     |
| Rejection                                 | 806.04(h)                      | Status letter   | 203.08, 1705                |
| Related                                   | 806.04(b)                      |   |                             |
| With allowable generic claim              | 809.02(b)                      |   |                             |
| Withdrawal of species claims              | 809.02(c)                      |   |                             |

**INDEX**

|  | Sec. No.                         |  | Sec. No.                               |
|--|----------------------------------|--|--|
| Status of applications.....                  | 102, 203                         | Statutes—Continued                           |  |
| Abandoned .....                              | 203.05                           | 35 U.S.C. 112 Reproduced.....                | 706.03 (c)                             |
| Abandoned for failure to pay issue fee.....  | 203.07                           | Cited .....                                  | 201.11,                                |
| Allowed or in issue.....                     | 203.04                           | 201.15, 506, 600, 608.01, 608.01 (h), 608.01 |  |
| Amended .....                                | 203.03                           | (k), 608.01 (n), 608.01 (p), 702.01, 706.03  |  |
| Incomplete .....                             | 203.06                           | (d), 706.03 (h), 706.03 (j), 706.07 (e),     |  |
| New .....                                    | 203.01                           | 1004, 1605.                                  |  |
| Referred to in foreign patent.....           | 203.08                           | 35 U.S.C. 113 Reproduced.....                | 608.02                                 |
| Rejected .....                               | 203.02                           | Cited .....                                  | 506, 600                               |
| Statute, Citation .....                      | Introduction                     | 35 U.S.C. 115 Cited.....                     | 600, 604.06, 605.01                    |
| Statutes:                                    |                                  | 35 U.S.C. 116 Reproduced.....                | 406.03                                 |
| Atomic Energy Act of 1954.....               | 706.03 (b)                       | Cited .....                                  | 201.03, 201.11                         |
| Public Law 92-34.....                        | 706.02                           | 35 U.S.C. 117 Reproduced.....                | 409.01 (a)                             |
| Public Law 506 (81st Cong.) 136, Cited.....  | 604.03 (a)                       | 35 U.S.C. 118 Reproduced.....                | 409.03                                 |
| Public Law 585, (Atomic Energy Act), 590     |                                  | 35 U.S.C. 119 Reproduced.....                | 201.13,                                |
| O.G. 195, Cited.....                         | 706.03 (b)                       | Cited .....                                  | 201.07,                                |
| Revised Statute of 1874.....                 | Introduction                     | 201.14, 201.14 (a), 201.14 (b), 201.14 (c),  |  |
| 5 U.S.C. 704 Cited.....                      | 1202                             | 202.03, 715.01, 1111.10, 1401, 1506.         |  |
| 5 U.S.C. 6103 Cited.....                     | 710.05                           | 35 U.S.C. 120 Reproduced.....                | 201.11                                 |
| 18 U.S.C. 207 Cited.....                     | 1702                             | Cited .....                                  | 201.06, 711.02 (c),                    |
| 18 U.S.C. 1001 Reproduced.....               | 602                              | 711.06, 802, 1302.04, 1503.01                |  |
| 18 U.S.C. 2071 Reproduced.....               | 101                              | 35 U.S.C. 121 Reproduced.....                | 802                                    |
| 28 U.S.C. 1254 Cited.....                    | 1202                             | Cited .....                                  | 201.06, 706.03 (k),                    |
| 28 U.S.C. 1291 Cited.....                    | 1202                             | 802.01, 803.01, 804.01, 805                  |  |
| 28 U.S.C. 1744 Cited.....                    | 1216.02                          | 35 U.S.C. 122 Reproduced.....                | 101                                    |
| 28 U.S.C. 2101 Cited.....                    | 1202                             | Cited .....                                  | 402, 405, 608.01 (p), 1208             |
| 35 U.S.C. 3 Reproduced.....                  | 1001                             | 35 U.S.C. 131 Reproduced.....                | 701                                    |
| 35 U.S.C. 4 Reproduced.....                  | 309                              | 35 U.S.C. 132 Reproduced.....                | 706.03 (o)                             |
| 35 U.S.C. 6 Reproduced.....                  | 1001                             | 35 U.S.C. 133 Reproduced.....                | 710                                    |
| Cited .....                                  | Introduction, 710.02, 710.02 (c) | Cited .....                                  | 710.01, 710.02, 710.02 (b), 711.03 (c) |
| 35 U.S.C. 7 Reproduced.....                  | 1203                             | 35 U.S.C. 134 Reproduced.....                | 1205                                   |
| 35 U.S.C. 8 Reproduced.....                  | 901.06 (a)                       | 35 U.S.C. 135 Reproduced.....                | 1100                                   |
| 35 U.S.C. 9 Reproduced.....                  | 903.01                           | Cited .....                                  | 715.05,                                |
| 35 U.S.C. 21 Reproduced.....                 | 710.05                           | 804.03, 1002.02 (f), 1002.02 (k), 1101.02    |  |
| Cited .....                                  | 210.13                           | (a), 1101.02 (f), 1109, 1805.                |  |
| 35 U.S.C. 22 Reproduced.....                 | 608.01                           | 35 U.S.C. 141 Reproduced.....                | 1216.01                                |
| 35 U.S.C. 25 Reproduced.....                 | 602                              | Cited .....                                  | 1202, 1214.07, 1215.05, 1216           |
| 35 U.S.C. 26 Reproduced.....                 | 602                              | 35 U.S.C. 142 Reproduced.....                | 1216.01                                |
| 35 U.S.C. 41 Cited.....                      | 302, 600, 714.16 (c), 1202,      | Cited .....                                  | 1002.02 (k)                            |
| 1205, 1206, 1306, 1505                       |                                  | 35 U.S.C. 143 Reproduced.....                | 1216.01                                |
| 35 U.S.C. 100 Cited.....                     | 706.03 (a)                       | 35 U.S.C. 144 Reproduced.....                | 1216.01                                |
| 35 U.S.C. 101 Reproduced.....                | 701                              | 35 U.S.C. 145 Reproduced.....                | 1216.02                                |
| Cited .....                                  | 201, 608.01 (p),                 | Cited .....                                  | 1002.02 (k), 1202,                     |
| 706, 706.03 (a), 706.03 (p), 804             |                                  | 1214.01, 1214.07, 1215.05, 1216.01           |  |
| 35 U.S.C. 102 Reproduced.....                | 706.02                           | 35 U.S.C. 146 Cited.....                     | 1002.02 (k),                           |
| Cited .....                                  | 201.13,                          | 1109, 1109.01, 1109.02, 1111.09, 1216,       |  |
| 305.01, 701, 706, 706.02, 706.03 (s), 707.05 |                                  | 1216.01, 1216.02.                            |  |
| (f), 707.07 (d), 711.06 (a), 715.01, 804.03, |                                  | 35 U.S.C. 151 Reproduced.....                | 1306                                   |
| 901.01, 901.04, 901.05 (b), 901.06 (a),      |                                  | 35 U.S.C. 152 Reproduced.....                | 307                                    |
| 1101.02 (a), 1109.02, 1506.                  |                                  | 35 U.S.C. 153 Reproduced.....                | 1309                                   |
| 35 U.S.C. 103 Reproduced.....                | 706.02                           | 35 U.S.C. 161 Reproduced.....                | 1601                                   |
| Cited .....                                  | 701,                             | Cited .....                                  | 201                                    |
| 706, 706.02, 707.07 (d), 711.06 (a), 715.01, |                                  | 35 U.S.C. 162 Reproduced.....                | 1605                                   |
| 804.03, 901.06 (a), 1109.02.                 |                                  | 35 U.S.C. 163 Reproduced.....                | 1601                                   |
| 35 U.S.C. 104 Cited.....                     | 715.07 (c)                       | 35 U.S.C. 164 Reproduced.....                | 1608                                   |
| 35 U.S.C. 111 Reproduced.....                | 600                              | 35 U.S.C. 171 Reproduced.....                | 1500                                   |
| Cited .....                                  | 506                              | Cited .....                                  | 201                                    |
|  |                                  | 35 U.S.C. 172 Reproduced.....                | 1506                                   |
|  |                                  | Cited .....                                  | 201.13                                 |
|  |                                  | 35 U.S.C. 173 Reproduced.....                | 1505                                   |

**MANUAL OF PATENT EXAMINING PROCEDURE**

| <b>Statutes—Continued</b>                            | <b>Sec. No.</b>              |
|--|------------------------------|
| 35 U.S.C. 181 Cited.....                             | 107, 107.01, 706.03(s)       |
| 35 U.S.C. 182 Reproduced.....                        | 706.03(s)                    |
| 35 U.S.C. 184 Reproduced.....                        | 107, 706.03(s)               |
| 35 U.S.C. 185 Reproduced.....                        | 706.03(s)                    |
| 35 U.S.C. 251 Reproduced.....                        | 1401                         |
| Cited.....   | 706.03(x), 1305              |
| 35 U.S.C. 252 Cited.....                             | 1305                         |
| 35 U.S.C. 253 Reproduced.....                        | 1403                         |
| Cited.....   | 711.06, 1305                 |
| 35 U.S.C. 254 Reproduced.....                        | 1402                         |
| Cited.....   | 1305                         |
| 35 U.S.C. 255 Reproduced.....                        | 1402.01                      |
| Cited.....   | 1305                         |
| 35 U.S.C. 256 Reproduced.....                        | 1402.01                      |
| Cited.....   | 1305                         |
| 35 U.S.C. 261 Reproduced.....                        | 301                          |
| 35 U.S.C. 262 Reproduced.....                        | 301                          |
| 35 U.S.C. 282 Cited.....                             | 716, 1701                    |
| 42 U.S.C. 2182 Cited.....                            | 107.01, 108                  |
| 42 U.S.C. 2457 Cited.....                            | 107.01                       |
| Statutory authority of Commissioner.....             | 1001                         |
| Statutory bar.....                                   | 201.13, 706.03(s)            |
| Statutory bar, Foreign patent.....                   | 201.13, 706.03(s), 715       |
| Statutory bar, Rule 131 not available.....           | 715                          |
| Statutory classes of invention.....                  | 706.03(a)                    |
| Statutory disclaimer.....                            | 1403                         |
| Statutory period (See also Period for response)..... | 710                          |
| Streamlined continuation application.....            | 201.07                       |
| Strike patent application.....                       | 1002.02(a)                   |
| Subclass count.....                                  | 902.03(d)                    |
| Subclass, List of patent numbers.....                | 902.03(c)                    |
| Subcombination:                                      |                              |
| Aggregation and.....                                 | 806.05(a)                    |
| Combination and.....                                 | 802.01, 806.04(c), 806.05(a) |
| Not generic.....                                     | 806.04(c)                    |
| Species.....   | 806.04(b)                    |
| Subgeneric "Markush" claims.....                     | 706.03(y)                    |
| Subject matter, Non-statutory.....                   | 706.03(a)                    |
| Submission to Classification Group:                  |                              |
| Classification of application.....                   | 903.08(d), 903.08(e)         |
| Patentability report.....                            | 705.01(a)                    |
| Submission to Drafting Branch:                       |                              |
| Estimating cost of correction.....                   | 608.02(s)                    |
| Rearrangement of Figures.....                        | 608.02(t)                    |
| Return of drawing.....                               | 608.02(y)                    |
| Transfer of Figures.....                             | 608.02(t)                    |
| Types of action listed.....                          | 1003, 1004                   |
| Submission to Patent Security Group:                 |                              |
| Atomic Energy, security review.....                  | 108                          |
| "Confidential" application or papers.....            | 109                          |
| Defense invention, security review.....              | 107.01                       |
| "Secrecy Order" case.....                            | 107.01                       |
| "Secret" application or papers.....                  | 107.01                       |
| Security determination.....                          | 107.01                       |
| Subpoena by court, Application file.....             | 1216.02                      |
| Subscription correspondence address.....             | title page                   |
| Substitute application:                              |                              |
| Assignment.....                                      | 306                          |
| Carries ownership from parent.....                   | 201.12                       |

| <b>Substitute application—Continued</b>                     | <b>Sec. No.</b>              |
|---|------------------------------|
| Copendency lacking.....                                     | 201.11                       |
| Definition.....   | 201.09                       |
| File wrapper notation.....                                  | 202.02                       |
| Reference to parent application.....                        | 201.11                       |
| Refle.....  | 201.10                       |
| Substitute attorney.....                                    | 402.03                       |
| Substitute for missing hard copy.....                       | 901.09                       |
| Substitute oath.....  | 602.02                       |
| Substitute specification.....                               | 608.01(q), 714.19            |
| Substitute specification, Amendment incorporat-<br>ing..... | 714.20                       |
| Substitute specification, New matter.....                   | 714.20                       |
| Sufficiency of disclosure affidavit.....                    | 716                          |
| Suggested claims, Failure to make.....                      | 706.03(u)                    |
| Suggested claim made after end of statutory<br>period.....  | 1101.01(n)                   |
| Suggestion of allowable claims by Examiner.....             | 707.07(j)                    |
| Suggestion of claims for interference.....                  | 1101.01(j)                   |
| to 1101.01(o), 1101.02(b)                                   |                              |
| Suggestion of claims for interference, Time limit<br>.....  | 710.02(c)                    |
| Sult, Copy of decision in reissue.....                      | 1401.09(a)                   |
| Summary of action.....                                      | 707.07(i)                    |
| Summary of Interview.....                                   | 713.04                       |
| Summary of invention.....                                   | 608.01(d)                    |
| Sunday or holiday, Effect on time for response.....         | 710.05                       |
| Supervisory Primary Examiner, Requests de-<br>cided by..... | 1002.02(d)                   |
| Supplemental action.....                                    | 710.06                       |
| Supplemental examiner's answer.....                         | 1208.01                      |
| Supplemental oath or declaration.....                       | 603                          |
| After allowance.....  | 603.01, 714.16               |
| New matter.....   | 608.04                       |
| Suspension:   |                              |
| Action, By Office.....                                      | 709                          |
| Ex parte prosecution during interference.....               | 1103                         |
| Junior application.....                                     | 1101.01(i)                   |
| Overlapping applications.....                               | 709.01, 1111.03              |
| Primary decides.....  | 709, 1004                    |
| Rules.....  | 1002, 1002.02(a), 1002.02(b) |
| Swearing back of reference.....                             | 715                          |
| Sweden-United States search exchange.....                   | 1712                         |
| Symbols, Drawing.....                                       | 608.02                       |

**T**

|   |                        |
|---|------------------------|
| Technical rejections.....                   | 706.03                 |
| Technical documents.....                    | 901.06(a)              |
| Telegraphic amendment.....                  | 714.03                 |
| Telephone call, Multiplicity rejection..... | 706.03(1)              |
| Telephone number of attorney.....           | 408, 713.01, 714.01    |
| Telephone number of Examiner.....           | 707.08                 |
| Not on motion decision.....                 | 713.06                 |
| Telephoning of attorney by Examiner.....    | 408, 713.01            |
| Terminal disclaimer.....                    | 1403                   |
| Avoiding double patenting rejection.....    | 804.02                 |
| Routing.....                                | 508.01                 |
| Situations where not applicable.....        | 804.03                 |
| Termination of proceedings.....             | 201.11, 711.02(c), 712 |
| Terminology in application.....             | 608.01(o), 1302.01     |

INDEX

|   | Sec. No.                           | Sec. No.     |
|---|------------------------------------|--------------|
| Testamentary, Letters.....                              | 409.01 (b)                         |              |
| Testimony, Examiner.....                                | 1701                               |              |
| Third action cases.....                                 | 707.02 (a)                         |              |
| Time for filing papers, Right of priority.....          | 201.14 (a)                         |              |
| Time for response. (See also Period for response.)..... | 710                                |              |
| Time limit action.....                                  | 710.02, 710.02 (c)                 |              |
| Time limit for making suggested claims.....             | 1101.01 (m)                        |              |
| Title abstract, Interference.....                       | 1101.02                            |              |
| Title abstract, Reissue application.....                | 1401                               |              |
| Title (ownership) conveyed by assignment.....           | 201.12                             |              |
| Title of design application.....                        | 1503.01                            |              |
| Title of invention.....                                 | 606                                |              |
| Title of invention change by Examiner.....              | 1302.04 (a)                        |              |
| Title of invention, Plant patent application.....       | 1610                               |              |
| Title of invention, Reviewed at issue.....              | 60601, 1302.01                     |              |
| Title report.....                                       | 303, 306                           |              |
| Title report, Interference.....                         | 303, 1101.02                       |              |
| Title report, Reissue application.....                  | 1401                               |              |
| Title search.....                                       | 202.02                             |              |
| Title with signature.....                               | 605.04 (e)                         |              |
| Trademark and trade name.....                           | 608.01 (v)                         |              |
| Trademarks, Partial listing of.....                     | Appendix I                         |              |
| Transfer of application:                                |                                    |              |
| After amendment.....                                    | 903.08 (c)                         |              |
| After Classification decision.....                      | 903.08 (g)                         |              |
| Allowable application.....                              | 903.07 (b)                         |              |
| Decision of Classification Examiner.....                | 903.08 (f)                         |              |
| Divisible inventions.....                               | 812                                |              |
| Interference.....                                       | 1101.01 (a), 1101.02               |              |
| New.....  | 903.08 (a)                         |              |
| Primary Examiner's authority.....                       | 903.08                             |              |
| Procedure.....  | 903.08 (a), 903.08 (d), 903.08 (g) |              |
| Submitted to Classification Examiner.....               | 903.08 (d)                         |              |
| Transfer of class or subclass.....                      | 903.05                             |              |
| Transfer of drawing.....                                | 608.02 (i)                         |              |
| Canceled sheet.....                                     | 608.02 (j)                         |              |
| Reissue application.....                                | 608.02 (k)                         |              |
| Transfer of U.S. patent.....                            | 903.05                             |              |
| Transfer of specification.....                          | 608.01 (t)                         |              |
| Transit time.....                                       | 602.05                             |              |
| Translation, Foreign application.....                   | 201.15                             |              |
| Translations available, index.....                      | 901.06 (a)                         |              |
| Translator, Patent Office.....                          | 901.05 (d), 901.06 (a)             |              |
| Traverse—Answer all matters.....                        | 707.07 (f)                         |              |
| Traverse, Division or species requirement.....          | 818                                |              |
| 818.03 to 818.03 (d), 821.01, 821.02                    |                                    |              |
| Traverse, Rejection of linking claim.....               | 818.03 (d)                         |              |
| Two periods for response running.....                   | 710.04                             |              |
| Types of applications.....                              | 201                                |              |
|   |                                    | U            |
| U.S.C.....  |                                    | Introduction |
| Unavailable inventor.....                               | 409, 409.03                        |              |
| Unclaimed disclosure, Reservation.....                  | 608.01 (e)                         |              |
| Unclaimed subject matter.....                           | 305.01                             |              |
| Undelivered mail.....                                   | 707.13                             |              |
| Undue breadth rejection.....                            | 706.03 (z)                         |              |
| "United States of America", Foreign language names..... | 901.05 (a)                         |              |
| Unofficial digests.....                                 | 903.02                             |              |
| Unsigned amendment.....                                 | 711, 714.01 (a)                    |              |
| Utility, Abstract, Statement of the.....                | 608.01 (b)                         |              |
| Utility-disclosure in drug cases.....                   | 608.01 (p)                         |              |
| Utility lacking, Rejection.....                         | 706.03 (p)                         |              |
| Utility patent.....                                     | 201, 901.04                        |              |
| Utility required.....                                   | 608.01 (p)                         |              |
|   |                                    | V            |
| Vague and indefinite rejection.....                     | 706.03 (d)                         |              |
| Venue.....  | 604.02                             |              |
|   |                                    | W            |
| Waived patent rights—defensive publication.....         | 711.06                             |              |
| Washington representatives of attorneys.....            | 408                                |              |
| Withdrawal from issue.....                              | 1308                               |              |
| Amendment crossing allowance.....                       | 714.15                             |              |
| Claim copied from patent.....                           | 1101.02 (g)                        |              |
| Commissioner's approval.....                            | 1003, 1308                         |              |
| Junior party, Correspondence under Rule 202.....        | 1101.01 (i)                        |              |
| Interference purposes.....                              | 1308.02                            |              |
| Motion under Rule 231.....                              | 1105.03                            |              |
| Petition for.....                                       | 1002.02 (b), 1308                  |              |
| Rejection.....  | 1101.01 (i), 1308.01               |              |
| Suggesting claims for interference.....                 | 1101.01 (o)                        |              |
| Withdrawal of appealed claim.....                       | 1214.05, 1215.03                   |              |
| Withdrawal of attorney.....                             | 402.05, 402.06                     |              |
| Withdrawal of claims:                                   |                                    |              |
| To species.....   | 809.02 (c)                         |              |
| To non-elected invention.....                           | 821.01, 821.02, 821.03             |              |
| Withdrawal of final rejection.....                      | 706.07 (e)                         |              |
| Before appeal hearing.....                              | 1208.02                            |              |
| Premature final.....                                    | 706.07 (d)                         |              |
| Primary decides.....                                    | 1004                               |              |
| Withhold from issue petition.....                       | 1002.02 (a)                        |              |
| Wrapper. (See also File wrapper.).....                  | 717                                |              |
| Wrong Group, Papers sent to.....                        | 508.01                             |              |
|   |                                    | X            |
| X-series of patents.....                                | 901.04                             |              |