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## EXAMINATION SUPPORT DOCUMENT TRANSMITTAL

<b>Attorney Docket Number:</b>	<b>First Named Inventor:</b>
<b>Application Number (if known):</b>	<b>Title:</b>
<b>Filing Date of the Application:</b>	<b>Classification (class and subclass):</b>

**Applicant is filing an examination support document in compliance with 37 CFR 1.265 in the above-identified application. The appended examination support document includes the following:**

- 1. A statement that a preexamination search was conducted, including an identification of the field of search by United States class and subclass and the date of the search, where applicable, and, for database searches, the search logic or chemical structure or sequence used as a query, the name of the file or files searched and the database service, and the date of the search (see 37 CFR 1.265(a)(1) and (b));
- 2. A listing of references deemed most closely related to the subject matter of each of the claims (whether in independent or dependent form) in compliance with 37 CFR 1.265(a)(2) and (c) (please use USPTO form "Examination Support Document Listing of References");
- 3. For each reference cited, an identification of all the limitations of each of the claims (whether in independent or dependent form) that are disclosed by the reference in compliance with 37 CFR 1.265(a)(3);
- 4. A detailed explanation particularly pointing out how each of the independent claims is patentable over the cited references in compliance with 37 CFR 1.265(a)(4); and
- 5. A showing of where each limitation of each of the claims (whether in independent or dependent form) finds support under the first paragraph of 35 U.S.C. 112 in the written description of the specification in compliance with 37 CFR 1.265(a)(5).

If the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of each of the claims finds support under the first paragraph of 35 U.S.C. 112 in each such application in which such support exists.

For each means- (or step)- plus-function claim element under 35 U.S.C. 112, ¶ 6, applicant must identify: (1) the claim limitation as a means- (or step)- plus-function claim element under 35 U.S.C. 112, ¶ 6; and (2) the structure, material, or acts in the specification that correspond to the claim limitation.

Signature	Date
Name (Print/Typed)	Registration Number
<p><b>Note:</b> Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for signature requirements. If necessary, submit multiple forms for more than one signature, see below*.</p>	
<input type="checkbox"/> *Total of _____ forms are submitted.	

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 22 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**EXAMINATION SUPPORT DOCUMENT TRANSMITTAL**  
**CERTIFICATION BY A SMALL ENTITY**  
**AS DEFINED BY THE REGULATORY FLEXIBILITY ACT (5 U.S.C. 601 *et seq.*)**

<b>Attorney Docket Number:</b>	<b>First Named Inventor:</b>
<b>Application Number (if known):</b>	<b>Title:</b>
<b>Filing Date of the Application:</b>	<b>Classification (class and subclass):</b>

**Applicant is certifying** under 37 CFR 1.265(f) that any rights in the above-identified application have not been assigned, granted, conveyed, or licensed, and there is no obligation under contract or law to assign, grant, convey, or license any rights in the application, other than a security interest that has not been defaulted upon, to any entity other than:

*(Note: Applicant who is making this certification must check one of the boxes below.)*

- (1) A business or other concern:
  - (i) Whose number of employees, including affiliates, does not exceed 500 persons; and
  - (ii) Which has not assigned, granted, conveyed, or licensed (and is under no obligation to do so) any rights in the invention to any person who made it and could not be classified as an independent inventor, or to any concern which would not qualify as a non-profit organization or a small business concern under paragraph (f)(1)(i) of this section.
- (2) A not-for-profit enterprise which is independently owned and operated and is not dominant in its field; or
- (3) A government of a city, county, town, township, village, school district, or special district, with a population of less than fifty thousand.

Note: applicant is not required to comply with the requirement set forth in 37 CFR 1.265(a)(3) if the following conditions are met:

- The examination support document is accompanied by a certification under 37 CFR 1.265(f).
- Applicant is a small entity as defined by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) (meeting one of the definitions under 37 CFR 1.265(f)(1) through (f)(3)).

An entity that meets the definition of a small entity set forth in 37 CFR 1.27 for paying reduced patent fees may or may not meet one of the definitions under 37 CFR 1.265(f)(1) through (f)(3) to make a certification under 37 CFR 1.265(f).

The USPTO will not give advisory opinions as to whether or not a specific individual or entity meets the definitions under 37 CFR 1.265(f)(1) through (f)(3) to make a certification under 37 CFR 1.265(f).

Questions related to standards for a small business concern, not-for-profit enterprises, or governments may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW., Washington, DC 20416.

Signature	Date
Name (Print/Typed)	Registration Number
<b>Note:</b> Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for signature requirements. If necessary, submit multiple forms for more than one signature, see below*.	
<input type="checkbox"/> *Total of _____ forms are submitted.	

**Instruction Sheet for EXAMINATION SUPPORT DOCUMENT TRANSMITTAL**  
(Not to be Submitted to the USPTO)

**Applicant is required to file an examination support document in compliance with 37 CFR 1.265 if applicant presents more than five independent claims or more than twenty-five total claims in an application. See 37 CFR 1.75(b).**

1. Unless an examination support document in compliance with 37 CFR 1.265 is filed before the issuance of a first Office action on the merits of an application, the application must contain no more than five independent claims and no more than twenty-five total claims, counting all of the claims in any other commonly-owned, copending application having a patentably indistinct claim. See 37 CFR 1.75(b)(1) and (b)(4).
2. An examination support document, or a corrected or supplemental examination support document, is not required to comply with the requirements set forth in 37 CFR 1.265(a)(3) if the examination support document is accompanied by a certification under 37 CFR 1.265(f) and applicant is a small entity as defined by the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) (meeting one of the definitions under 37 CFR 1.265(f)(1) through (f)(3)).
3. Do not submit the certification page if applicant is not making the certification under 37 CFR 1.265(f). That is, the certification page should only be submitted if applicant is making a certification under 37 CFR 1.265(f).
4. Applicant may use this form for filing any examination support document under 37 CFR 1.265 including a supplemental examination support document or corrected examination support document.

***For more information, see final rule “Changes to Practice for Continued Examination Filings, Patent Applications Containing Patentably Indistinct Claims, and Examination of Claims in Patent Applications” and ESD Guidelines available on the USPTO web site at <http://www.uspto.gov/>***

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.