

Filing an Amendment After Final Rejection

The following document must be submitted to file an Amendment After Final Rejection:

- The amendment in response to a final rejection

EFS-Web Doc Code Category	EFS-Web Doc Code Description	Business Process	Doc Code Name in Transaction History	Form Type Number	Printable Image Sample Document
Amendment	Amendment After Final	Amendment provided by the applicant after the Examiner closes prosecution with a final rejection. Amendment is not automatically entered by the Examiner. It will not be entered if it requires additional search or more than cursory review.	A.NE		A.NE_sd

These documents are often included with an Amendment After Final Rejection:

- Abstract
- Specification
- Claim(s)
- Drawing
- Applicant Arguments/Remarks

EFS-Web Doc Code Category	EFS-Web Doc Code Description	Business Process	Doc Code Name in Transaction History	Form Type Number	Printable Image Sample Document
Amendment or Application Part	Abstract	A brief overview of the technical disclosure in the specification not exceeding 150 words in length.	ABST		ABST_sd
Amendment or Application Part	Specification	The written description of the invention.	SPEC		SPEC_sd
Amendment or Application Part	Claims	One or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as the invention.	CLM		CLM_sd
Amendment or Application Part	Drawings	One or more drawings where necessary for the understanding of the subject matter sought to be patented.	DRW		DRW_sd
Amendment	Applicant Arguments/Remarks Made in an Amendment	A reply by the applicant to an Office action that must distinctly and specifically point out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action in order to entitle the applicant to reconsideration or further examination. The reply must present arguments or remarks pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. In amending in reply to a rejection of claims, applicant's arguments or remarks must clearly point out the patentable novelty which he or she thinks the claims present in view of the references cited or the objections made.	REM		REM_sd

Filing an Amendment After a Final Rejection (Continued)

These documents are sometimes included with an Amendment After Final Rejection:

- Foreign Reference
- Non-Patent Literature
- Affidavit/declaration 130, 131, and 132
- Extension of time fee—Fee after three months
 - First three months are free

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IDS/References	Foreign Reference	The foreign references originally cited by the Examiner or the applicant are made of record in the application and are viewable in IFW.	FOR		FOR_sd
IDS/References	NPL Documents	Document code is used for indicating Non Patent Literature (NPL) submitted by applicant or cited by the examiner.	NPL		
Application Part	Rule 130, 131, or 132 Affidavits	<p>When any claim of an application or a patent under reexamination is rejected under 35 U.S.C. 103 on a U.S. patent or U.S. patent application publication which is not prior art under 35 U.S.C. 102(b), and the inventions defined by the claims in the application or patent under reexamination and by the claims in the patent or published application are not identical but are not patentably distinct, and the inventions are owned by the same party, the applicant or owner of the patent under reexamination may disqualify the patent or patent application publication as prior art by submission of an affidavit under Rule 130 stating common ownership and stating that the inventor named is the prior inventor.</p> <p>When a reference applied by the Examiner has a patent or publication date less than 1 year before the U.S. filing date of the application being examined, applicant may file an affidavit under Rule 131 to show prior inventorship to overcome the rejection. Evidence submitted by applicant to overcome a rejection or objection on a basis not otherwise provided for in the rules is submitted as an affidavit under Rule 132. Exhibits may be supplied to support either type of affidavit. Affidavits are normally submitted prior to a final rejection.</p>	AF/D		
General Transmittal	Extension of Time	If applicant is required to respond within a shortened statutory time, the applicant may extend that period up to the maximum 6 month period set by statute by filling a written request and the appropriate fee.	XT/	PTO/SB/22 PTO/SB/23	XT_sd