

Filing for Accelerated Examination Of a New Application

The following Doc Codes and Instructions should ONLY be used for filing for Accelerated Examination of a New Application.

Accelerated Examination applications must meet the following conditions:

- Be filed through EFS-Web
 - All Follow-on documents must also be filed through EFS-Web
 - You MUST be a registered user to file follow-on papers through EFS-Web
- Should use form PTO/SB/28 for filing the petition
- Must be a non-reissue utility or design application
- All Fees must be paid at time of electronic filing
- No preliminary amendments present on the filing date of the application
- No petition for a non-signing inventor
- Be complete and correct

To be complete the application must contain:

- Petition for 12-month Accelerated Exam (Form PTO/SB/28)
- Statement of Pre-examination Search
- Examination Support Document
- And the usual application contents -- Required upon filing for Accelerated Examination
 - Basic filing fee, search fee and examination fee
 - IDS
 - Executed oath or declaration
 - Specification
 - Abstract
 - Transmittal letter
 - Should include suggested classification, by class and subclass. Class and subclass could also be submitted using the USPTO form fillable ADS
 - If necessary
 - Application size fee
 - Drawings
 - Specification- Not in English
 - Translation of Foreign Priority Documents
 - ADS

EFS-Web Category	EFS-Web Document Description	USPTO Business Process Description	Doc Code in Transaction History	Form Type Number	Sample Document
General Transmittal or Petition	Petition for 12-month Accelerated Exam	A petition to make an application special for accelerated examination except in the cases of an applicant's age or health. See 37 CFR 1.102 and MPEP 708.02. This is preferably filed using form PTO/SB/28.	PET.SPRE.ACX	PTO/SB/28	PET.SPRE.ACX_sd

General Transmittal or Petition	Statement of pre-examination search	In a request for accelerated examination, 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 sequence used as a query, the name of the file or files search and the database service, and the date of the search. The search must involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature.	PREX.SRCH		PREX.SRC H_sd
General Transmittal or Petition	Examination support document	An accelerated examination support document including an information disclosure statement in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims, identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed for each reference cited, a detailed explanation of how each of the claims are patentable over the references cited with the particularity required by 37 CFR 1.11(b) and (c), a concise statement of the utility of the invention as defined in each of the independent claims, a showing of where each limitation of the claims finds support under the first paragraph of 35 U.S.C. 112 in the written description of the specification, and identification of any cited references that may be disqualified as prior art under 35 U.S.C. 103(c) as amended by the Cooperative Research and Technology Enhancement (CREATE) Act.	PREX.SUP.DOC		PREX.SUP .DOC_sd

Filing Walk-through Example for Accelerated Examination through EFS-Web:

Complete usual steps needed for filing a new application

- Select "Application Part" category, attach all the applicable application documents for your new filing

The following Doc Codes and Instructions should ONLY be used for filing for Accelerated Examination of a New Application:

- Select Petition category, then select "Petition for 12-month Accelerated Exam" from available options
 - Attach your filled out PTO/SB/28 form
- Select Petition category, then select "Statement of preexamination search" from available options.
 - Attach your statement of preexamination search
- Select Petition category, then select "Examination support document" from available options
 - Attach your Examination support document
- All Fees must be paid at time of electronic filing
 - Select General Transmittal category. If you pay via EFS-Web using the "Calculate Fees" and "Pay Fees" tabs, the correct document will be generated and automatically indexed on submission.
 - Otherwise, select Fee Worksheet (PTO-875)
 - Attach the completed Fee Transmittal(s)

Responding to the USPTO about an Accelerated Examination Application

The following document must be submitted when responding to the USPTO:

- All Follow-on documents for the Accelerated Examination program must include a transmittal letter

EFS-Web Category	EFS-Web Document Description	USPTO Business Process Description	Doc Code Name in Transaction History	Form Type Number	Sample Document
General Transmittal	Accelerated Exam - Transmittal amendment/ reply	The transmittal accompanying an amendment or reply in an application undergoing accelerated examination.	TR.RESP.ACX		TR.RESP.ACX_sd

Submitting Accelerated Exam Follow-on Document(s) through EFS-Web Walk-through Example:

- All Follow-on documents must be filed through EFS-Web
 - You MUST be a registered user to file follow-on papers through EFS-Web

The following Doc Codes and Instructions should ONLY be used for Accelerated Examination Follow-on Documents:

- After you have submitted a new Accelerated Examination application, any responses to the USPTO in regards to that application must include a document that is filed using the new document description of "Accelerated Exam - Transmittal amendment/reply".
- Select General Transmittal category, then select "Accelerated Exam - Transmittal amendment/reply" from available options.
 - Attach your transmittal letter. This can be the first page of your amendment.
 - Additional documents can be attached, as needed to support your reply, using their regular categories and document descriptions