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To: USPTO Info <usptoInfo@uspto.gov>
Subject: [Patent] Inquiry on Micro Entity

Dear Sirs,

We are a Patent & Law Office in Taiwan. Concerning the newly enacted America Invents Act, we have a few questions concerning the new category of "Micro Entity" that we would like your clarification:

1. In the definition of the Micro Entity, it is mentioned that the term applies to an applicant who makes a certification that the applicant meets the qualifications of a Micro Entity. Does that mean that besides the application material, the applicant has the responsibility to submit documentation to certify that he qualifies as a Micro Entity? Moreover, some of the said documentation obtained in Taiwan might not be accompanied with official English translations. Are there any regulations for such documentation originally in foreign languages?
2. Another qualification for a Micro Entity is that an applicant has not been named as an inventor on more than 4 previously patent applications filed in the U.S., excluding provisional and international patent applications. Does the applicant have to list his previous application(s), if any, to certify such a qualification, or, the USPTO will examine the applicant's application history in its own database, each time an application is filed? Also, does this mean that overall an applicant could only have 4 patent applications named as the inventor? Or does this apply only within a certain time period retroactive to the enactment of AIA?
3. The third qualification for a Micro Entity is that an applicant did not have a gross income exceeding 3 times the median household income in the previous year. We would like to know how this regulation applies to international applicants, in our case, from Taiwan, and what financial documentation should be presented to certify said income status.

Thank you in advance for taking time for our questions. Your prompt and professional assistance in this matter would be much appreciated.

Sincerely yours,
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Patent Attorney

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