To whom it may concern:

I respectfully suggest a case study of restriction practice as applied to national stage applications filed under 35 U.S.C. 371. The MPEP is very clear (Section 1893.03(d)) that the PCT's "unity of invention" standard applies in these cases. However, in the several dozens of restriction requirements I've received in national applications, the Office's "normal" restriction practice is almost invariably applied, and the unity of invention approach is ignored. In many cases, this problem persists even after the error is pointed out in a traversal – I've had to file a petition in several instances, all of which have resulted in a reversal of the examiners' actions. Insufficient training is clearly a component of this problem, but the frequent refusal by senior examiners to correct the problem even when it is pointed out is even more disturbing and, in my view, is suggestive of an even more serious problem.

This suggestion is provided by me as an individual, and the opinions expressed herein should not be attributed to my law firm or to any of my clients.

Thank you very much for your consideration of my suggestion.

Daniel P. Homiller

Reg. # 55,275