Dear Sir or Madam:

I propose that the Office of Patent Quality Assurance study the examining core's Response to Arguments section of Final Office Actions. Specifically, some examiners provide ample guidance in the Response to Arguments section, which we can point out to our clients and use to better understand the examiner's viewpoint. However, some examiners provide little or no feedback in this section.

For example, many examiners copy-and-paste boilerplate stating that the applicant's arguments have been considered, but are moot because the arguments do not apply to any of the references being used in the current rejection. This occasionally occurs even when some of the same references are cited in a new combination. In doing so, the Examiner fails to provide the applicant with any feedback. To make matters worse, the remainder of the Final Office Action is typically copy-and-pasted directly from the non-final Office Action. Thus, applicants are often left in no better position than they were after initially receiving the non-final Office Action.

Therefore, I propose a study of how examiners address the Response to Arguments section of Final Office Actions. In addition, I suggest that examiners provide additional feedback as well as suggestions in this section. Alternatively, or in addition to, I believe that an Examiner's Comments and Suggestions section could be included at the end of all Office Actions. This would help curtail the habit of some examiners to rely too heavily on copying and pasting sections within each Office Action as well as highlight the non-adversarial nature of the examination process.

Best regards,


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