

## **Facsimile Submission of Assignment Documents is Now Available to PTO Customers**

The Patent and Trademark Office (PTO) is now accepting facsimile (fax) transmissions to record an assignment or other documents affecting title. This process allows customers to submit their documents directly into the automated Patent and Trademark Assignment System and receive the resulting recordation notice at their fax machine.

Here is additional information about the new service:

### **What is the fax number for the Patent and Trademark Assignment System?**

The system's fax number is (703) 306-5995.

### **What are the benefits of fax submission?**

For both the submitter and the PTO, fax transmission significantly reduces the time and costs associated with preparing, processing, and mailing assignment documents in paper. Automatic confirmation of fax transmission and receipt in the Office eliminates the need to make follow-up calls inquiring about the status or location of documents. Because receipt is not dependent on the US Postal Service or overnight delivery services, the receipt and recordation date is more certain.

### **What assignment-related documents and transactions may be submitted via fax?**

Any document with: (1) an identified application, patent, or trademark registration number; (2) one cover sheet to record a single type of transaction; and (3) the fee paid by a PTO Deposit Account.

### **What documents or transactions cannot be submitted via fax?**

1. Assignments submitted concurrent with newly filed patent applications. These must continue to be sent to the Office of Initial Patent Examination with the application.
2. Documents submitted in accordance with the Trademark Law Treaty where an application or registration number is not identified.
3. Documents with two or more cover sheets; e.g., a single document with one cover sheet to record an assignment, and a second cover sheet to record separately a license relating to the same property.
4. Requests for corrections to documents recorded previously.
5. Requests for "at cost" recordation services.
6. Documents with payment by credit card.

**If I fax an assignment document, do I still need to have a cover sheet?**

Yes. The requirements for recordation outlined in 37 CFR Part 3 remain unchanged. An accurate and complete cover sheet is the key to the recordation process because it is the source of the bibliographic data the Assignment Division enters into PTO records.

**When can I fax an assignment document to the PTO?**

Fax service is available 24 hours a day, 7 days a week. The date of receipt accorded to an assignment document sent to the PTO by facsimile transmission is the date the complete transmission is received by the Patent and Trademark Assignment System. If the transmission is completed after 12:00 midnight Eastern Time, the receipt date accorded will be the next business day. If a document is received over the weekend or on a Federal holiday, the receipt date will be the next business day. The benefits of a certificate of transmission under 37 CFR 1.8 are available to the customer.

**What equipment do I need?**

No specific make or model of fax machine is needed. However, the customer's fax machine must be connected to a dedicated telephone line because recordation notices will be returned automatically to the sending fax number through the Office's automated Patent and Trademark Assignment System. Fax machines associated with PBX lines or on shared lines are not acceptable because a person will answer the line, thus causing delivery to fail.

**Even if I have a fax machine on a dedicated line, what happens if the PTO is unable to fax back the recordation notice to me?**

Our system will attempt to send the recordation notice for 24 hours. If the system is unable to complete the transmission, the notice will be printed and returned by US Postal Service first class mail.

**Is there any difference between the fax version of the recordation notice and the notices now being returned by mail?**

Everything is the same except that the bar code label on all faxed notices will start with the number "7".

**Will the assignment document I faxed to the PTO be returned with the recordation notice?**

Recorded documents will not be returned with the "*Notice of Recordation.*" Since 1995 all recorded documents submitted by customers have not been stamped or otherwise identified as recorded. Our automated system assigns the reel and frame numbers and superimposes recordation stampings on the electronic images we process and store. Once a document has been scanned into the automated system, it has served its purpose. That's one of the reasons the PTO has preferred to receive copies rather than original documents.

**What happens if it is determined that the document cannot be recorded as transmitted?**

If a document is determined not to be recordable, the entire document, with its associated cover sheet, and the PTO “*Notice of Non-Recordation.*” will be transmitted via fax back to the customer. Once corrections are made, the initial submission, as amended, may then be resubmitted by fax. Timely resubmission will provide customers with the benefit of the initial receipt date as the PTO recordation date in accordance with 37 CFR 3.51.

**What if I need to have a copy of a recorded document showing the stampings?**

Nothing changes here. Copies of all recorded documents, either certified or uncertified, are available upon payment of the appropriate fee from the Document Services Division, Office of Public Records. These copies will have the reel and frame numbers and recordation stampings, which were electronically superimposed on the recorded images.

**What if I have a question about the fax service or need help?**

Assignment Division staff are available to assist customers Monday through Friday from 8:30 a.m. to 5:00 p.m., Eastern Time. The number is (703) 308-9723.

/signed/

1/5/2000

---

**Wesley H. Gewehr**  
**Administrator for Information Dissemination**

---

**Date:**