

From: Blynn@blklawgroup.com

Sent: Monday, July 07, 2003 1:25 PM

To: AB63 Comments

Subject: Proposed Rulemaking Regarding Power Of Attorney

The continued streamlining of the patent office procedures is acknowledged and applauded. The proposed returning of Powers of Attorney that fail to comply with the proposed rules (i.e. those that list more than 10 attorneys by other than a customer number) may be more onerous on applicant's than is needed. Aside from the cost associated with having applicants resign formal papers, there may be a desire in the future to have a power of attorney that designates more than 10 attorneys in which a customer number is not appropriate (e.g. consider a joint development between two parties each party having a group of associated attorneys that are to be made of record – a new one time customer number for the joint project may not be practical). Further in the transition to the new rule there is likely going to be a number of non-complying powers of attorney, until all the practitioners become accustomed to the new procedure.

An alternative to the strict 10 attorney listing is to include a fee for EACH attorney made of record by other than a listing of a customer number above a critical number (10 as set forth in the rule – or even 5 to better reflect the increased manpower cost within the Patent Office. This proposal still provides an incentive for practitioners to move toward the desired customer number practice yet allows for the conventional/older style forms to be accepted and is flexible enough to accommodate special circumstances where a customer number is not appropriate such as where one is not yet available. Finally, the office will recover the costs associated with non-customer number powers.

Very Truly Yours

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