

## Appendix II List of Decisions Cited

	Sec. No.		Rec. No.
Abbot v. Coe, 1940 C.D. 13; 512 O.G. 3	716		
Absect et al., Ex parte, 133 USPQ 411	1208.01		
Ackermann, In re, 170 USPQ 340; 58 CCPA 1405	706.03(w)		
Adams, Ex parte, Pat. No. 1,789,921	608.04(b)		
Ahlert, In re, 57 CCPA 1023, 165 USPQ 418	706.02(a)		
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Application Papers Filed July 13, 1950, 693 O.G. 136; 1955 C.D. 3	1214.01		
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Arbeit et al., In re, 1953 C.D. 409; 677 O.G. 843	706.03(c)		
Argoudelis, et al., In re, 168 USPQ 99	608.01(p)		
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Ayers et al., Ex parte, 108 U.S.P.Q. 444	608.04(a)		
Badger, Ex parte, 1901 C.D. 195; 97 O.G. 1596	608.02(f)		
Ball et al., Ex parte, 1953 C.D. 4; 675 O.G. 5	706.03(c)		
Barber, In re, 1936 C.D. 184; 465 O.G. 724	1504		
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Bluni, In re, 852 O.G. 1045; 153 USPQ 177	1503.01, 1503.02		
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Boon, In re, 58 CCPA 1035, 169 USPQ 231	706.02(a)		
Bowditch v. Todd, 1902 C.D. 27; 98 O.G. 792	1105.02		
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Burke, Ex parte, 1934 C.D. 5; 441 O.G. 509	706.03(y)		
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Card and Card, Ex parte, 1904 C.D. 383; 112 O.G. 499	1101.02		
Carey v. The New Home Sewing Machine Co., 1901 C.D. 165; 97 O.G. 1171	1309.02		
Carlson et al., In re, 1936 C.D. 95; 462 O.G. 479	715.04		
Castaing, In re, 166 USPQ 550	706.03(d)		
Chandler, In re, 117 USPQ 361; 45 CCPA 911	706.03(1)		
Chandler, In re, 138 USPQ 138, 50 CCPA 1422	706.03(1)		
Chevenard, In re, 1944 C.D. 141; 560 O.G. 196	706.02(a)		
Chilowsky, In re, 1956 C.D. 155; 704 O.G. 213	716		
Christie v. Seybold, 1893 C.D. 515; 64 O.G. 1650	715.07(a)		
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Cohn, In re, 169 USPQ 95	706.03(d)		
Collier, In re, 158 USPQ 266	706.03(d)		
Comstock, Ex parte, 1923 C.D. 82; 317 O.G. 4	1214.01		
Continental Can Company, Inc. et al. v. Schuy- ler, 168 USPQ 625	1216.01		
Cook and Merigold, In re, 169 USPQ 298	706.03(z)		
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Delavoye, Ex parte, 1906 C.D. 320; 124 O.G. 626	604.02		

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	Sec. No.		Sec. No.
Den Beste v. Martin, 1958 C.D. 178; 729 O.G. 724	1105.04	Gruschwitz et al., Ex parte, 1963 C.D. 859; 138 U.S.P.Q. 505	706.03(s), 901.05(b)
Des Granges, Ex parte, 864 O.G. 712	707.07(d)	Gunther, In re, 1942 C.D. 332; 538 O.G. 744	706.02(a)
Donnell, Ex parte, 1923 C.D. 54; 315 O.G. 398	806.05(b)	Gustafson, In re, 51 CCPA 1358; 141 USPQ 585	706.03(i)
Donovan, Ex parte, 1890 C.D. 109; 52 O.G. 309	715.07	Gwinn, Ex parte, 112 USPQ 489	706.03(a)
Dotter, Ex parte, 12 U.S.P.Q. 382	706.03(y)	Hall, In re, 41 CCPA 759; 100 USPQ 46	706.03(j)
Dreshfield, In re, 1940 C.D. 351, 518 O.G. 255	706.03(z)	Halleck, In re, 164 USPQ 647; 57 CCPA 954	706.03(c)
Dreyfus and Whitehead, In re, 1935 C.D. 386; 457 O.G. 479	706.03(e)	Hammack, In re, 166 USPQ 209	706.03
Earll v. Love, 1909 C.D. 56; 140 O.G. 1209	1102.01(a)	Hammell, In re, 1964 C.D. 733; 808 O.G. 25	709.01
Eckey v. Watson, 122 USPQ 5; 1959 C.D. 119	1214.03	Harris et al., Ex parte, 79 U.S.P.Q. 439	707.05(f)
Edgerton v. Kingsland, 75 USPQ 307	706.03(w)	Hay, Ex parte, 1909 C.D. 18; 139 O.G. 197	706.04
Eggan, Ex parte, 1911 C.D. 213; 172 O.G. 1091	403.01, 403.02	Hazeltine Research, Inc., et al. v. Brenner, 147 U.S.P.Q. 429 (1965)	706.02, 715.01
Ekenstam, In re, 1958 C.D. 402; 118 USPQ 349	901.05(b)	Healy, Ex parte, 1898 C.D. 157; 84 O.G. 1281	806.04(b)
Elliott, Ex parte, 1904 C.D. 103; 109 O.G. 1337	608.02(g)	Heinz, In re, 1910 C.D. 292; 151 O.G. 1014	1214.01
Emerson v. Beach, 103 U.S.P.Q. 45; 691 O.G. 170; 1955 C.D. 34	1101.02(f)	Heinze, Ex parte, 1919 C.D. 67; 265 O.G. 145	602.05
Facius, In re, 161 USPQ, 294, 56 CCPA 1348	715.01(c)	Hengehold, In re, 169 USPQ 473	1201
Ferris v. Tuttle, 1940 C.D. 5; 521 O.G. 523	715.06, 1101.03	Henrich, In re, 1959 C.D. 353; 747 O.G. 793	716
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Fisher, In re, 166 USPQ 18	706.03(d), 706.03(w)	Heritage Pat. No. 2,375,414; Ex parte, decided Jan. 26, 1944	819.01
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Flint, In re, 141 USPQ 299, 51 CCPA 1230	706.02	Herrick et al., In re, 1958 C.D. 1; 727 O.G. 4	706.03(k)
Flint, In re, 162 USPQ 228, 56 CCPA 1300	706.03(1)	Herrmann et al., In re, 1959 C.D. 159; 739 O.G. 549	707.07(f)
Forsyth v. Richards, 1905 C.D. 115; 115 O.G. 1327	1105.02	Hilmer, In re, 833 O.G. 13; 149 USPQ 480	715.01
Foster, Ex parte, 1903 C.D. 213; 105 O.G. 261	715.04	Hirschler, Ex parte, 110 U.S.P.Q. 384	715.01(c)
Fouche, In re, 169 USPQ 429	608.01(p)	Hoch, In re, 166 USPQ 406; 57 CCPA 1292	706.02
Fox, Ex parte, 1960 C.D. 28; 761 O.G. 906	608.04(a)	Hollingsworth, In re, 1958 C.D. 210; 730 O.G. 282	716
Frey, In re, 1950 C.D. 362; 639 O.G. 5	1101.02(f)	Hoogendam, Ex parte, 1939 C.D. 3; 499 O.G. 3	706.07
Fried, In re, 136 USPQ 429, 50 CCPA 954	706.03(w)	Hoover Co., etc., In re, 1943 C.D. 338; 553 O.G. 365	1109.01
Fried et al., In re, 141 USPQ 27; 51 CCPA 1118	608.01(p)	Hotel Security Checking Co. v. Lorraine Co., 160 Fed. 467	706.03(a)
Fried et al. v. Murray et al., 1959 C.D. 311; 746 O.G. 563	1105.04	Hough et al., In re, 703 O.G. 200	409.03
Frilette and Weisz, 162 USPQ 163	715.01(b)	Hovlid v. Asari et al., 134 USPQ 162; 305 F.2d 747	201.11
Fuller, In re, 1929 C.D. 172; 388 O.G. 279	706.03(c)	Hunt Co. v. Mallinckrodt, 83 U.S.P.Q. 277	201.11
Gelder v. Henry, 77 U.S.P.Q. 223	1105.02	Hunter, Ex parte, 1889 C.D. 218; 49 O.G. 733	715.07(a)
General Electric Company v. Brenner, 159 USPQ 335; 407 F. 2d 1258	608.01(p)	Hutchinson, In re, 69 USPQ 138; 33 CCPA 579	706.03(c)
Good, Ex parte, 1911 C.D. 43; 164 O.G. 739	608.02(d)	Iagan, Ex parte, 1911 C.D. 10; 162 O.G. 538	706.03(g)
Gourtoff, Ex parte, 1924 C.D. 153; 329 O.G. 536	707.13, 710.06	Iisuka, Ex parte, 171 USPQ 50	901.05(b)
Graham v. John Deere, 148 USPQ 459	706	Irwin, Ex parte, 1928 C.D. 13; 367 O.G. 701	604.02
Grayson, Ex parte, 51 U.S.P.Q. 413	706.03(a)	Jewett et al., In re, 1957 C.D. 420; 724 O.G. 225	716
Greenawalt v. Mark, 1904 C.D. 352; 111 O.G. 2224	1105.04	Jones, Ex parte, 1924 C.D. 59; 327 O.G. 681	709.01
Greenfield, In re, 1930 C.D. 531; 400 O.G. 226	1214.01	Jones, In re, 153 USPQ 77; 54 CCPA 1218	706.03(a)
Gresselin, Ex parte, 1896 C.D. 39, 76 O.G. 1573	716	Joyce, In re, 1958 C.D. 2; 727 O.G. 4	706.03(k)
Grier, Ex parte, 1923 C.D. 27; 309 O.G. 223	706.04, 820	Kaghan, In re, 156 USPQ 130, 55 CCPA 844	706.03(w)
Griswold, In re, 150 USPQ 801	804.02	Katz, In re, 167 USPQ 487, 58 CCPA 713	706.03(w)
		Kellogg Switchboard & Supply Co., The, In re, 1906 C.D. 274	106
		Klein, In re, 1930 C.D. 2; 393 O.G. 519	201.08

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	Sec. No.		Sec. No.
Kluis et al., Ex parte, Board of Appeals decision in Plant Patent File 707	1604	Moeller, In re, 1941 C.D. 316; 527 O.G. 559	706.03(e)
Knohl, In re, 155 USPQ 586	804.02	Monaco v. Watson, 106 U.S. App. D.C. 142; 270 F. 2d 335; 122 U.S.P.Q. 564	1109.01
Komenak, Ex parte, 1940 C.D. 1; 512 O.G. 739	201.09	Monsanto v. Kamp et al., 146 U.S.P.Q. 431	1109.01
Kotler, Ex parte, 1901 C.D. 62; 95 O.G. 2684	608.01(o)	Mosher, In re, 45 CCPA 701; 115 USPQ 140	1216.01
Kulieke, In re, 1960 C.D. 281; 756 O.G. 288	716	Myers, In re, 1959 C.D. 2; 738 O.G. 947	608.02
Land and Rogers, In re, 151 USPQ 621	706.03(c)	Nelson, Ex parte, 164 Ms. D. 361; 26 J.P. O.S. 564	710.04(a)
Lantzke, Ex parte, 1910 C.D. 100; 156 O.G. 257	810.01	Norlund, Ex parte, 1913 C.D. 161; 192 O.G. 989	1213.01
Larsen, In re, 49 CCPA 711; 130 USPQ 209	706.03(q)	Noxon v. Halpert, 128 U.S.P.Q. 481	1101.02(f), 1105.05
Lasscell, Ex parte, 1884 C.D. 66; 29 O.G. 861	711.01	Oppenauer, In re, 1944 C.D. 587; 568 O.G. 393	716
Lawrence, Ex parte, 1946 C.D. 1; 70 USPQ 326	1505	O'Reilly v. Morse, 15 Howard 62	706.03(a)
Leishman, Ex parte, 137 Ms 336, Pat. No. 1.581,937	608.04(b)	Osborne, Ex parte, 1900 C.D. 137; 92 O.G. 1797	706.03(d)
Lemieux, Ex parte, 1957 C.D. 47; 725 O.G. 4	715.01(c)	Payne, Ex parte, 1904 C.D. 42; 108 O.G. 1049	707.07(g)
Lily et al. v. Brenner, 153 USPQ 95; 375 F. 2d 599	715.01	Peck, Ex parte, 1901 C.D. 136; 96 O.G. 2409	608.02(f)
Lincoln Engineering Co. v. Stewart-Warner Corp., 303 U.S. 545; 37 USPQ 1	706.03(j)	Perrigo, In re, 1931 C.D. 512; 411 O.G. 544	716
Ljungstrom, Ex parte, 1905 C.D. 541; 119 O.G. 2335	814	Perrine, In re, 1940 C.D. 465; 519 O.G. 520	716
Loewenbach, Ex parte, 1904 C.D. 170; 110 O.G. 857	819	Peterson, Ex parte, 63 U.S.P.Q. 99	901.02
Lohman, Ex parte, 1912 C.D. 336; 184 O.G. 287	1503.02	Peterson, Ex parte, 1941 C.D. 8; 525 O.G. 3	710.02(b), 1109, 1109.01
Ludwick, In re, 1925 C.D. 306; 339 O.G. 393	706.03(g)	Pickles, Ex parte, 1904 C.D. 126; 109 O.G. 1888	810.02
Lund et al. In re, 153 USPQ 625; 54 CCPA 1361	901.02	Pierce, In re, 1930 C.D. 34; 390 O.G. 265	716
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Malcolm, In re, 1942 C.D. 589; 543 O.G. 440	706.02(a)	Pierce v. Watson, 124 U.S.P.Q. 356	715.01(b)
Markush, Ex parte, 1925 C.D. 126; 340 O.G. 839	706.03(y)	Pike et al., In re, 1950 C.D. 105; 633 O.G. 680	716
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Mason, In re, 114 USPQ 127; 44 CCPA 937	706.03(c)	Powell et al., Ex parte, 1938 C.D. 15; 489 O.G. 231	715.01(c)
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McCabe, In re, 48 CCPA 881; 129 USPQ 149	706.03(j)	Redeclaration of Interferences, In re, Nos. 49,635; 49,636; 49,866; 1926 C.D. 75; 350 O.G. 3	1102.01, 1105.04
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Meden v. Curtis, 1905 C.D. 272; 117 O.G. 1795	819.01	Renstrom, In re, 1949 C.D. 306; 624 O.G. 5	716
Mergenthaler v. Scudder, 1897 C.D. 724; 81 O.G. 1417	715.07	Reuge, Ex parte, 115 USPQ 51	901.05(b)
Merz, Ex parte, 75 U.S.P.Q. 296	715.07(a)	Riegger v. Beierl, 1910 C.D. 12; 150 O.G. 826	604.06
Messick, Ex parte, 1930 C.D. 6; 400 O.G. 3	710.01(a)	Rieser v. Williams, 118 U.S.P.Q. 96	1101.02(f)
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		Scott, In re, 139 USPQ 297; 51 CCPA 747	706.02
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