

# Chapter 500 Receipt and Handling of Mail and Papers

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## 501 Papers Received by Correspondence and Mail Division [R-45]

→ Rule 1. *All communications to be addressed to the Commissioner of Patents and Trademarks.* All letters and other communications intended for the Patent and Trademark Office must be addressed to "Commissioner of Patents and Trademarks," Washington, D.C. 20231. When appropriate, a letter may be marked for the attention of a particular officer or individual.

→ The official mailing address for all communications sent to the Patent and Trademark Office remains:

→ Commissioner of Patents and Trademarks  
Washington, D.C. 20231

→ The physical location of the Office is 2021 Jefferson Davis Highway, Arlington, Virginia. This address should not be used on mail sent to the Patent and Trademark Office.

All mailed communications are received by the Incoming-Mail Section of the Correspondence and Mail Division, which opens and distributes all official mail.

## 502 Depositing Papers [R-45]

Rule 5. *Identification of application, patent or registration.* (a) When a letter concerns an application for patent, it should state the name of the applicant, the title of the invention, the serial number of the application, the date of filing the same, and, if known,

the group art unit and name of the examiner to which it has been assigned (see rule 55).

(b) When the letter concerns a patent, it should state the number and date of issue of the patent, the name of the patentee, and the title of the invention.

(c) A letter relating to a trademark application should identify it as such and by the name of the applicant and the serial number and filing date of the application. A letter relating to a registered trademark should identify it by the name of the registrant and by the number and date of the certificate.

Rule 6. *Receipt of letters and papers.* (a) Letters and other papers received in the Patent and Trademark Office are stamped with the date of receipt. No papers are received in the Patent and Trademark Office on Saturdays, Sundays or holidays within the District of Columbia.

(b) Mail placed in the Patent and Trademark Office pouch up to midnight on weekdays, excepting Saturdays and holidays, by the post office at Washington, D.C., serving the Patent and Trademark Office, is considered as having been received in the Patent and Trademark Office on the day it was so placed in the pouch.

(c) In addition to being mailed or delivered by hand during office hours, letters and other papers may be deposited up to midnight in a box provided at the guard's desk at the lobby of building 3 of the Patent and Trademark Office at Crystal Plaza, Arlington, Virginia and at the main entrance of the Department of Commerce building, Washington, D.C., on weekdays except Saturdays and holidays, and all papers deposited therein are considered as received in the Patent and Trademark Office on the day of deposit.

Applications, amendments and other papers may be sent to the Patent and Trademark Office by mail, or they may be deposited in the Correspondence and Mail Division or in a box which is kept in the lobby of building 3 of the Patent and Trademark Office for this purpose.

The Patent and Trademark Office ZIP Code designation "20231" should be used when writing the Patent and Trademark Office for any matter. In addition, the sender's own ZIP Code designation should be given.

The Office often experiences difficulty in matching incoming papers with the application file to which they pertain because insufficient or

erroneous information is given. This applies especially to amendments, powers of attorney, changes of address, status letters, requests for extension of time, and petitions.

Frequently, there are errors in the serial number or in the group art unit number, or the incoming paper uses the old group art unit number where an application has been transferred and acted on by a different examining group.

Where the group art unit number is entirely omitted, the routine operations of the Application Division must be interrupted solely for the purpose of determining the location of the application so that the communication can be properly routed. Under these circumstances the efficiency of the Application Division is impaired and the incoming paper is delayed in reaching its proper destination. Where such papers are not essential to compliance with a statutory period or time limit for response, they may be returned for completion to identify the location of the files.

It would be of great assistance to the Office if all incoming papers pertaining to a filed application carried the following items:

1. Serial number (checked for accuracy).
2. Group art unit number (copied from filing receipt or most recent Office Action).
3. Filing date.
4. Name of the examiner who prepared the most recent Office Action.
5. Title of invention.

To further reduce the burden on the Application Division and the examining groups, it is also requested that the submission of additional or supplemental papers on a newly filed application be deferred until a filing receipt has been received. In the same vein, it would be appreciated if the filing of additional papers relating to an allowed application were deferred until a notice of allowance (POL-85) is received.

If the above suggestions are adopted the processing of both new and allowed applications could proceed more efficiently and promptly through the Patent and Trademark Office.

#### HAND DELIVERY OF PAPERS

Any paper which relates to a pending application may be personally delivered to an examining group. However, the examining group will accept the paper only if: (1) the paper is accompanied by some form of receipt which can be handed back to the person delivering the paper; and (2) the examining group being asked to receive the paper is responsible for acting on the paper.

The receipt may take the form of a duplicate copy of such paper or a card identifying the paper. The identifying data on the card should be so complete as to leave no uncertainty as to the paper filed. For example, the card should contain the applicant's name(s), Serial No., the filing date and a description of the paper being filed. If more than one paper is being filed for the same application, the card should contain a description of each paper or item.

Under this procedure, the paper and receipt will be date stamped with the group date stamp. The receipt will be handed back to the person hand delivering the paper. The paper will be correlated with the application and made an official paper in the file, thereby avoiding the necessity of processing and forwarding the paper to the examining group via the Mail Room.

The examining group will accept and date stamp a paper even though the paper is accompanied by a check or the paper contains an authorization to charge a Deposit Account. However, in such an instance, the paper will be hand carried by group personnel to the Office of Finance for processing and then made an official paper in the file.

All such papers, together with the cash, checks, or money orders, shall be hand carried to the Cashier's Window, Room 2-1B01, between the hours of 3:00 p.m. and 4:00 p.m.

The papers shall be processed by the accounting clerk, Office of Finance, for pickup at the Cashier's Window by 3:00 p.m. the following work day. Upon return to the group, the papers will be entered in the application file wrappers.

A duplicate copy of officially date-stamped papers may be hand delivered. See §§ 104, 710.02(e) and 713.01.

#### EXPRESS MAIL SERVICE

There are two types of Express Mail delivery offered by the U.S. Postal Service—"Post Office to Addressee" and "Post Office to Post Office." The only type of service which can be used for Express Mail directed to the Patent and Trademark Office is "Post Office to Addressee." This service provides for delivery to one of our employees in Room 1627, Department of Commerce Building, Washington, D.C., no later than 3:00 p.m. of the next workday following its deposit before 5:00 p.m. at any postal facility with an Express Mail window.

The only address that should be used for Express Mail sent to the Patent and Trademark Office is:

"Commissioner of Patents and Trademarks  
Washington, D.C. 20231."

➔ "Post Office to Post Office" Express Mail *does not* provide for delivery but instead is retained at the postal facility of the addressee for pickup. The Postal Service *does not* notify the addressee that this type of Express Mail has been received and is awaiting pickup. If not picked up, this mail is held for 15 days and then returned to the sender.

Therefore, since the Patent and Trademark Office does not have resources for picking up any mail, including Express Mail, the "Post Office to Post Office" Express Mail will not reach the Patent and Trademark Office.

### ➔ 503 Serial Number and Filing Receipt [R-45]

Serial Numbers are assigned in the Correspondence and Mail Division immediately after mail has been opened.

With the implementation of this new procedure, it is no longer necessary to submit two self-addressed post cards when early notification of the serial number is desired. If a self-addressed post card is submitted with a patent application, that post card will be stamped with both the receipt date and serial number prior to returning it to the addressee.

The identifying data on the post card should include: (1) applicant's name(s); (2) title of invention; (3) number of pages of specification, claims, and sheets of drawing; (4) whether oath or declaration used; and (5) amount and manner of paying the fee.

A return post card should be attached to *each* patent application for which a receipt is desired.

➔ It should be recognized that the identification of an application by Serial Number does not necessarily signify that the Patent and Trademark Office has accepted the application as complete. After the application has been reviewed for statutory compliance and given an official filing date, the usual filing receipt will be mailed.

➔ In the Application Division each application which meets the formal requirements as to completeness is given a filing date. It is important, when referring to application files, to identify them by their filing dates as well as by serial numbers.

The Application Division mails a receipt to the attorney or agent, if any, otherwise to the applicant, for each complete application filed, giving the serial number, filing date, and group to which assigned. See § 506.

In the Application Division the application papers are placed in a file wrapper and certain data placed thereon.

### RETURN POST CARD

➔ If a receipt of any paper filed in the Patent and Trademark Office is desired, it may be obtained by enclosing with the paper a self-addressed post card identifying the paper. The Patent and Trademark Office will stamp the receipt date on the card and place it in the outgoing mail.

The identifying data on the card should be so complete as to match the paper with the application or other document to which it is to be associated. For example, the document should be identified by the applicant's name(s), serial number, filing date, interference number, etc., and the paper should be identified by specifying the type thereof, namely, affidavit, amendment, appeal, application papers, brief, drawings, fees, motions, supplemental oath or declaration, petition, etc.

When papers for more than one document are filed under a single cover a return addressed post card should be attached to the paper for *each* document for which a receipt is desired.

### 504 Register of Applications [R-35]

The Application Division assigns the application to the examining group to which it appears to belong. A list of all applications arranged by serial numbers as well as an alphabetically arranged card index of the applicants is kept by the Application Division and the identification of the group to which each application is sent is made part of this record.

### 505 "Office Date" Stamp of Receipt [R-35]

➔ In whatever manner an application or any part thereof, or an amendment, letter, or other paper is transmitted, the date of its receipt is stamped thereon by either the Correspondence and Mail Division or examining group. The stamp is referred to as the "Office Date" stamp and, if the application is complete (See rule 55), establishes the "filing date."

### 506 Completeness of Original Application [R-45]

#### INCOMPLETE APPLICATIONS

If the application papers are too informal to be given a filing date, the case is held in the Application Division as an *incomplete* application and the applicant, is informed of the shortcomings of the papers. No filing date is granted until the incompleteness is corrected.

Form PO-1123 (rev. 1-73), Notice of Incomplete Application Papers, is prepared and

