

MANUAL OF
**PATENT
EXAMINING
PROCEDURE**

ORIGINAL EDITION



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

REEL NUMBER 1

BOOK NUMBERS 1 + 2

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Revision 1, October 1985

U. S. DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

MANUAL OF PATENT EXAMINING PROCEDURE
Fifth Edition

Instructions Regarding Revision No. 1

This revision consists of replacement pages for the title page and page (v) in the front of the Manual and of additional pages L-1 through L-42, R-1 through R-122 and T-1 through T-58 which should be inserted in the back of the Manual following page A-9 and before the Index (page I-1).

This revision adds the full text of the patent law, title 35, United States Code, the rules relating to patents in title 37, Code of Federal Regulations, and the Patent Cooperation Treaty.

Future revisions will revise the various Chapters of the Manual.

Louis O. Maassel, Editor
Manual of Patent Examining
Procedure

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Second Edition, November 1953
Third Edition, November 1961
Fourth Edition, June 1979
Fifth Edition, August 1983
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Foreword

This Manual is published to provide Patent and Trademark Office patent examiners, applicants, attorneys, agents, and representatives of applicants with a reference work on the practices and procedures relative to the prosecution of patent applications before the Patent and Trademark Office. It contains instructions to examiners, as well as other material in the nature of information and interpretation, and outlines the current procedures which the examiners are required or authorized to follow in appropriate cases in the normal examination of a patent application. The Manual does not have the force of law or the force of the Patent Rules of Practice in Title 37, Code of Federal Regulations.

A separate manual entitled "Trademark Manual of Examining Procedure" is published by the Patent and Trademark Office as a reference work for trademark cases.

Examiners will be governed by the applicable statutes, the Rules of Practice, decisions, and orders and instructions issued by the Commissioner and the Assistant Commissioners. Orders and Notices still in force which relate to the subject matter included in this Manual are incorporated in the text. Orders and Notices, or portions thereof, relating to the examiners' duties and functions which have been omitted or not incorporated in the text may be considered obsolete. Interference procedure not directly involving the Primary Examiner are not included in this Manual and, therefore, Orders and Notices relating thereto remain in force.

Subsequent changes in practice and other revisions will be incorporated in the form of substitute or additional pages for the Manual.

Suggestions for improving the form and content of the Manual are always welcome. They should be addressed to:

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