APPLIES TO EX PARTE REEXAMINATION PROCEEDINGS

Control No: _____

BPAI EX PARTE REEXAM "BRIEF ONLY" REVIEW CHECKLIST

Date Rec'd:_____ Date Due:_____ Date Rev'd:_____

REVIEW TEAM/ REVIEWER:_____

- **PRIOR NOTICE OF NON-COMPLIANCE**

Has a supplemental Brief (and/or other paper(s) been filed to address all matters? ☐ If Yes, enter
If ☐ No:

The BPAI Paralegal will only mail ONE Notice of Non-Compliance per application.
If a Corrected Brief is filed and if all prior issues are not addressed (or paralegal is unsure if all issues are appropriately addressed), the application should be brought to the attention of the supervisor.

CHECKLIST FOR NOTICE OF APPEAL AND BRIEF FILED UNDER 37 CFR 41.37

Y N
☐ ☐ **Statement of the Real Party in Interest** – A statement identifying by name the real party of interest. 37 CFR 41.37(c)(1)(i).
Check the "No" box if the content is missing.

Y N
☐ ☐ **Related Appeals and Interferences** – A statement identifying all appeals, interferences or judicial proceedings known to appellant, or an indication of "none". See 37 CFR 41.37(c)(1)(ii).
Check the "No" box if the content is missing.

Y N
☐ ☐ **Status of Claims** – A statement of the status of all the claims in the application (e.g., rejected, allowed or confirmed, withdrawn, objected to, canceled) and an identification of those claims that are being appealed. See 37 CFR 41.37(c)(1)(iii).
Check the "No" box if the statement is incorrect, incomplete, or missing.
Check "Y" if record as a whole is clear.

Y N
☐ ☐ **Status of Amendments** – A statement of the status of any amendment filed subsequent to final rejection. See 37 CFR 41.37(c)(1)(iv).
Check the "No" box if the content is missing.

Y N

☐ ☐ **Summary of Claimed Subject Matter –** A concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters.

For each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters. See 37 CFR 41.37(c)(1)(v).

Check the "No" box if the concise explanation is missing references to the specification and/or drawing for the required claims. (NOTE: We cannot accept references to the PG Publication)

Y N

☐ ☐ **Claims Appendix –** An appendix containing a copy of the claims involved in the appeal. See 37 CFR 41.37(c)(1)(viii).

Check the "No" box if the content is missing or inaccurate.

Y N

☐ ☐ **Evidence Appendix –** An appendix containing copies of any evidence submitted pursuant to 1.130, 1.131, or 1.132 of this title or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered in the record by the examiner. Reference to unentered evidence is not permitted in the brief. See 37 CFR 41.37(c)(1)(ix). A statement of "none" is acceptable.

If briefs of the file record DO NOT rely on any of the above evidence, check the "Yes" box.

If the briefs of the file record DO rely on the above evidence and copies are not provided, check the "No" box.

Y N

☐ ☐ **Related Proceedings Appendix –** An appendix containing copies of decisions rendered by a court or the BPAI in any proceeding identified pursuant to paragraph (c)(1)(ii) of this section. See 37 CFR 41.37(c)(1)(x). A statement of "none" is acceptable.

If a statement is provided under 37 CFR 41.37(c)(1)(ii) that decision(s) have been rendered by a court or the BPAI, check the "No" box if copies of the decision are not provided in the Related Proceedings Appendix. Otherwise, check the "Yes" box.