

Horner, Linda

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To: BPAI Rules

Subject: comment on proposed changes to the rules governing ex parte patent appeals before the Board of Patent Appeals and Interferences.

The section of the brief in which every limitation of every independent claim and each means plus function limitation must be supported by citations to the written description and drawings is very time consuming and seldom is it relevant to the issues on appeal. Why not limit this section to claim limitations that are at issue in the appeal? Such supporting citations only should be required with respect to specific language that was at issue in a new matter rejection, a written description rejection or an enabling disclosure rejection. There may be other instances in which such detailed citations are warranted, but none come to mind at the moment.