

Second Extension of the Enhanced First Action Interview Pilot Program

The United States Patent and Trademark Office (USPTO) published a notice to implement the Enhanced First Action Interview (FAI) Pilot Program. *See Enhanced First Action Interview Pilot Program*, 1347 *Off. Gaz. Pat. Office* 173 (October 20, 2009). Under the program, participants are permitted to conduct an interview with the examiner after reviewing a Pre-Interview Communication providing the results of a prior art search conducted by the examiner. Participants experienced many benefits including: (1) the ability to advance prosecution of an application; (2) enhanced interaction between applicant and the examiner; (3) the opportunity to resolve patentability issues one-on-one with the examiner at the beginning of the prosecution process; and (4) the opportunity to facilitate possible early allowance. The USPTO previously extended the pilot program for six months to end on October 1, 2010. *See Extension of the Enhanced First Action Interview Pilot Program*, 1354 *Off. Gaz. Pat. Office* 51 (May 4, 2010).

The USPTO is hereby extending the Enhanced FAI Pilot Program for another six months. Therefore, any request for a First Action Interview must be filed **before or on April 1, 2011**.

As set forth in the Eligibility section of the Enhanced FAI notice, participation in the program was limited to new utility nonprovisional applications that are assigned to one of the listed art units and filed on or before the listed dates. The USPTO is also hereby revising the listed dates to include new utility nonprovisional applications that are filed three months later than the previously listed dates. The **new** dates are as follows:

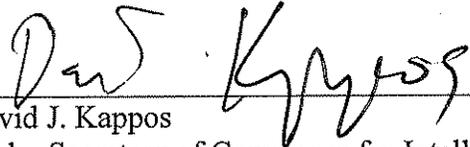
1. Applications filed on or before February 1, 2007, and assigned to workgroup 1610 (art units 161X).
2. Applications filed on or before January 1, 2007, and assigned to art unit 1795.
3. Applications filed on or before May 1, 2008, and assigned to workgroups 2150 and 2160 (art units 215X and 216X).
4. Applications filed on or before October 1, 2008, and assigned to workgroups 2440 and 2450 (art units 244X and 245X).
5. Applications filed on or before September 1, 2007, and assigned to art unit 2617.
6. Applications filed on or before August 1, 2008, and assigned to art units 2811-2815, 2818, 2822-2823, 2826, 2891-2895.
7. Applications filed on or before March 1, 2008, and assigned to art unit 3671.
8. Applications filed on or before April 1, 2008, and assigned to art unit 3672.
9. Applications filed on or before February 1, 2008, and assigned to art unit 3673.
10. Applications filed on or before May 1, 2008, and assigned to art unit 3676.
11. Applications filed on or before October 1, 2007, and assigned to art unit 3677.
12. Applications filed on or before February 1, 2008, and assigned to art unit 3679.
13. Applications filed on or before August 1, 2006, and assigned to art unit 3735.
14. Applications filed on or before July 1, 2007, and assigned to art unit 3736.
15. Applications filed on or before March 1, 2007, and assigned to art unit 3737.
16. Applications filed on or before November 1, 2006, and assigned to art unit 3768.

17. Applications filed on or before March 1, 2007, and assigned to art unit 3739.
18. Applications filed on or before December 1, 2007, and assigned to art units 3762 and 3766.
19. Applications filed on or before December 1, 2006, and assigned to art unit 3769.

Any inquiries concerning a specific application should be directed to the appropriate Technology Center. Any questions concerning this notice and the pilot program may be directed to Joseph Weiss, Legal Advisor, Office of Patent Legal Administration, by telephone at (571) 272-7759; or e-mailed to first.action.interview@uspto.gov.

Date:

10/5/10



David J. Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office