



UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF ENROLLMENT AND DISCIPLINE

INSTRUCTIONS FOR RESPONDING TO A REQUEST FOR INFORMATION

Consultation with Counsel

You may wish to retain or consult with counsel before submitting a statement of your position and response to the Request for Information. OED cannot assist you in your choice of counsel.

Your Responsibility to Ensure OED's Receipt of Response

You are responsible for ensuring that OED receives your response by the due date.

It is recommended that you contact the assigned OED Staff Attorney to ensure that he or she has received your response. This is especially important if your response is transmitted electronically as described in "Document Submission" below.

Extension of Time to Respond

Should you need more time to submit your response, you may submit a partial response by the due date and request a reasonable extension of time. Your request for an extension of time shall be in writing, made at least seven days before the due date, and shall set forth the specific reasons why an extension is requested. OED will consider your written request and endeavor to respond prior to the due date.

Documents Having Attachments

If any of the documents that you provide have attachments or enclosures (e.g., emails with attachments), please provide a copy of the attachments or enclosures with your response.

Document Submission

If you consent to correspond electronically with OED (see below), you may submit your response and documents electronically. If you submit your response electronically, it is recommended that you encrypt your email response to OED or email OEDParalegals@USPTO.GOV and the Staff Attorney assigned to the investigation ahead of the deadline for responding to arrange for the establishment of a secure file transfer account into which you may deposit the response and documents.

Please note that emails incoming to OED have size restrictions. Accordingly, if you have a large volume of documents to produce, please arrange for the establishment of a secure file transfer account into which you may deposit the response and the documents. Please note that at present OED uses only Kiteworks® for such transfers. Electronic communications from OED to you will likewise be encrypted or via Kiteworks®.

Signature Requirement

Please note that 37 CFR § 11.18 (“Signature and certificate for correspondence filed in the Office”) applies to any correspondence signed and submitted to OED.

If you are represented by counsel, your counsel may personally sign and submit a response on your behalf, provided that you (a) have reviewed the response prior to its transmittal to OED, and (b) fully accept and approve the factual representations set forth in the response as your own representations to OED.

Request to Correspond Electronically via Email

To facilitate communication regarding this matter, you may permit OED to correspond with you via encrypted email instead of via U.S. Postal Service or other types of physical delivery.

Corresponding via encrypted email is at your discretion, and you should be familiar with encrypted email messaging procedures. If you choose to grant OED authorization to correspond via email, you may withdraw your authorization at a later date.

If you consent to correspondence via encrypted email, please notify OED of your consent by submitting authorization for such correspondence. The authorization should read as follows:

Recognizing that Internet communications are not secure, I hereby authorize OED to correspond with me concerning any subject matter of OED File No. *[insert OED file number listed on the Request for Information]* via email to *[insert preferred email address]*.

I understand that a copy of my email correspondence with OED will be made part of OED File No. *[insert OED file number]*.

I understand that, at any time, I may withdraw the authorization given by me to OED to correspond with me via email.

[/signature/]

[Name]