

From: Todd Juneau [e-mail redacted]
Sent: Friday, July 05, 2013 9:05 AM
To: QualityApplications_Comments <QualityApplications_Comments@USPTO.GOV>
Subject: comments on patent application preparation

Dear Sir,

Please consider the following comments on patent application preparation. This comments do not reflect on any particular client, but are the personal views of a patent prosecution attorney having 18 years of experience.

A.

1. Preparing claims in a multi-part format by way of a standardized template

COMMENT:

I think this is a good idea, a best practice, as a general rule. There should be an option where an attorney can indicate that the rule was not followed. Not following the rule should not be prejudicial in any way.

2. Identifying support in spec

COMMENT:

I think this is a good idea, a best practice, as a general rule. There should be an option where an attorney can indicate that the rule was not followed. Not following the rule should not be prejudicial in any way.

3. Examples are limiting or illustrative

COMMENT:

I can't see where an applicant would know ahead of time when to make the assertion of a limiting example. I don't see this being helpful since the answer would probably be "illustrative" 99% of the time.

4. Preamble is limiting or not

COMMENT:

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5. 112(f) clauses

COMMENT

I am not a fan of means-plus-function claiming anyway; it often seems a saving doctrine for lazy drafters. If means-plus-function refers back to specific noun-verb phrases in the spec anyway, an applicant should just use those phrase to begin with, since MPF doesn't provide any additional scope.

6. text or graphical notation systems for disclosure of algorithms

COMMENT:

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B.

1. Explain terms of degree, as lay or technical, explain scope

COMMENT:

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2. Glossary of ambiguous, distinctive and specialized terms

COMMENT:

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3. designating a dictionary(s)

COMMENT:

I think will be problematic as online dictionaries will evolve and original meanings might be lost. Further, what about user-created resources like Wiki? Could these be used as a "dictionary"?

Thank you. Please continue your efforts to improve the system.

Regards,
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