

Patent Center Corrected Web-ADS Quick Start Guide

June 2023

#### **ABSTRACT**

This Quick Start Guide will provide you with the information needed to understand how to file a Corrected or Updated Web-based ADS, including a brief overview of the process and screen shots that identify critical aspects of the submission.

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#### 1. Introduction

Patent Center will automatically generate and attach a PDF version of the Corrected Web-based ADS. The information in the Corrected Web-based ADS will not be automatically entered in the Office automated systems, it will be reviewed by Office of Patent Application Processing to ensure compliance with the rules.

A more comprehensive guide on how to use Patent Center can be found at the Patent Center Guidance and Resources page located at: <a href="https://www.uspto.gov/patents/apply/patent-center">https://www.uspto.gov/patents/apply/patent-center</a>

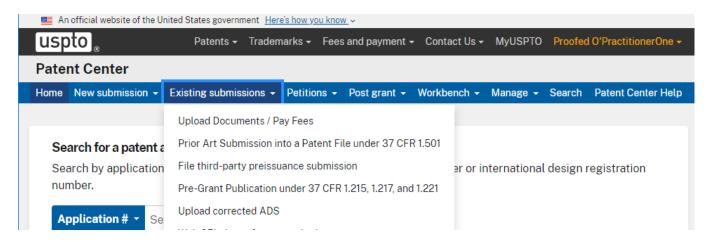
# 2. Basic Guidelines for Filing an ADS for Corrected or Updated Information

- You MUST be a registered eFiler and be associated to the Customer Number used as the correspondence address of the entered application.
- The Corrected Web-based ADS is available for existing applications under the following submission types: Utility (Nonprovisional), Reissue, and Designs.
- The Corrected Application Data Sheet is not permitted in PCT, 371, Hague, Provisional, Reexam, Plant, and Supplemental Examination submissions
- A Corrected Application Data Sheet can only be submitted in an existing application that was filed on or after September 16, 2012.
- Do not attach an ADS as a PDF if submitting a Corrected Application Data Sheet.
- Submissions for applications under a Secrecy Order may not be filed electronically.

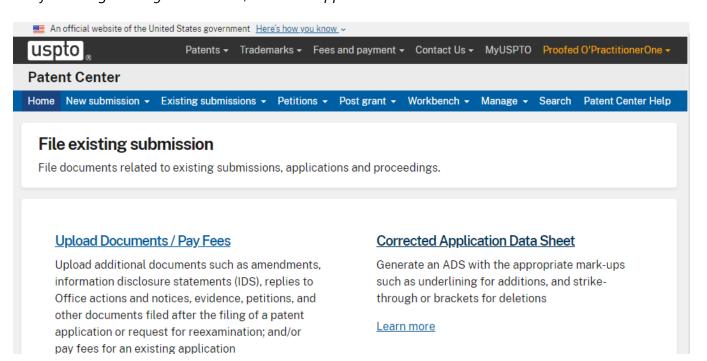
**Warning:** Patent Center sessions will time-out after 30 minutes of inactivity. A Web-based ADS that has not been submitted after 30 mins of inactivity will be saved automatically for registered filers only. You can access saved submissions from the Workbench as a registered filer only.

### 3. Access the Corrected Application Data Sheet

To submit a Corrected Application Data Sheet, you must select *Existing Submissions, Upload Corrected ADS* from the Patent Center navigation menu



or by selecting Existing Submissions, Corrected Application Data Sheet from the Activities menu.



To start the Corrected ADS, you will need to enter the Application Number and Confirmation Number. Click the Continue button at the bottom of the screen to proceed.

Corrected Application Data Sheet	<u>Initiate</u>	<u>Upload</u> documents	<u>Calculate fees</u>	Review & submit
Application # 99999999 or 99/999,999				
Confirmation #				

**NOTE:** If there is a validation error, an error message will be displayed at the top of the screen and near the data field containing the error.

On the Application Data tab, the Corrected ADS will be made available displaying data retrieved from the USPTO Patent Data Portal system (PDP) system. Please note not all data may be retrieved.

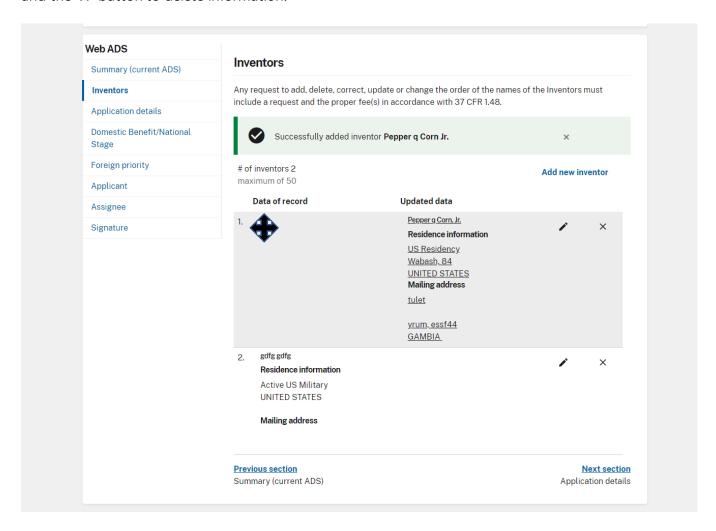
Not all inventor and applicant information of record may be retrieved. The system can only retrieve information stored in the USPTO Patent Data Portal system (PDP), and not all information of record in the application file is entered and stored in PDP. If a Patent Center Web-based ADS or an upload-able PDF version of the ADS form has previously been used, all of the information should be stored in PDP. If there are multiple inventors, the system may only retrieve the mailing address of the first named inventor. For example: If you previously provided mailing addresses for all of the inventors, which was accepted by the Office and are submitting a Corrected ADS to correct/update the domestic benefit claim information, you do not need to type in the mailing addresses for the second and any subsequent inventors, even though this information is not reflected on the web screen

If you have previously provided mailing addresses for all of the inventors and are now submitting a Corrected ADS to make a change in the mailing address of the second or any subsequent inventor, just type in the new information on the web screen and it will be reflected with underlining on the Corrected ADS that is generated.

Warning: When submitting a Corrected ADS, do not delete information that you are not changing or do not want deleted, otherwise the Corrected ADS that is generated will provide an instruction to the Office to delete that information.

#### 3.1 Inventor Information

In the Inventor Information section, data of record will be displayed and editable. To make changes in the information, just type in the new information on the web screen and it will be reflected with underlining on the Corrected ADS that is generated. You can click on the Pencil icon to edit information and the "X" button to delete information.

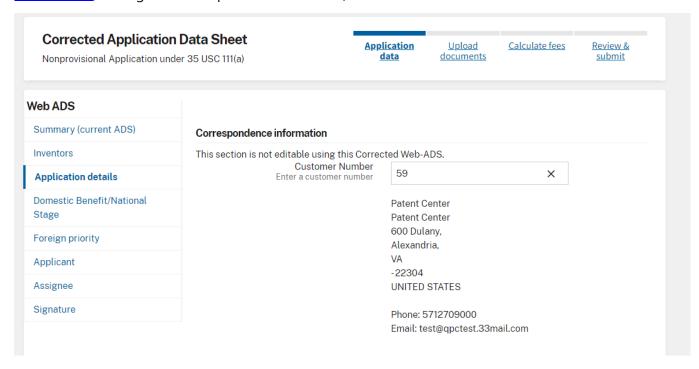


To change the order of Inventors before submitting the ADS, click the number on the left and drag the inventor to the desired order spot. Your mouse-cursor will show directional arrows once the number has been selected. Then click *Next* section or the *Continue* button once the ADS is complete.

**NOTE**: If you are adding or deleting inventor(s), then a request under 37 CFR 1.48(a) with the proper fee(s) must also be submitted. Note that both a processing fee and an additional fee may be due if the correction of inventorship is being made after the first action on the merits. See 37 CFR 1.48(c). If you are correcting or updating the name of an inventor, or changing the order of the names of joint inventors, then a request under 37 CFR 1.48(f) with the proper fee must also be submitted

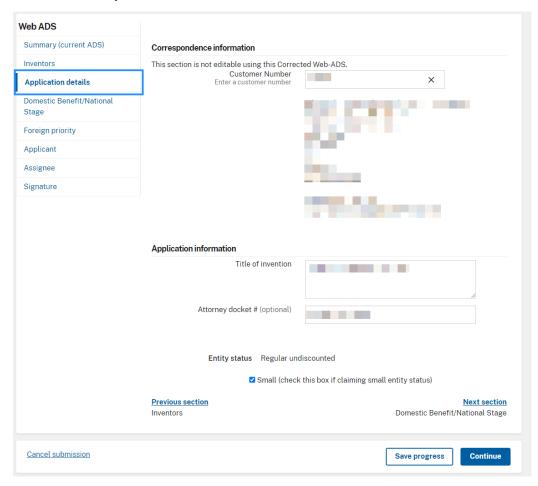
## 3.2 Correspondence Information

In the Correspondence Information section, data of record will be displayed, but the data is not editable. A change of correspondence address can be effected via private PAIR or filed in paper (see USPTO form <a href="https://example.com/PTO/AIA/122">PTO/AIA/122</a>, "Change of Correspondence Address").



## 3.3 Application Information

In the Application Information section, data of record will be displayed and editable. The Title of the Invention is a required field. Note: Special characters may not be entered in this field as it may not transfer correctly to USPTO databases.

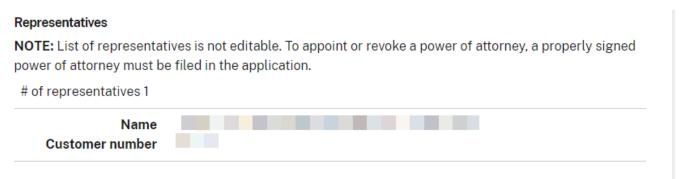


You can claim small entity status by checking the box and properly signing the Corrected Web- ADS. See 37 CFR 1.27.

If you are no longer entitled to small entity status, you must submit a properly signed written notification of a loss of small entity status pursuant to 37 CFR 1.27(g)(2). You cannot make this change by submitting a Corrected Web-ADS. A proper micro entity certification must be submitted in order to establish micro entity status. <a href="https://example.com/PTO/SB/15A">PTO/SB/15A</a> or <a href="https://example.com/PTO/SB/15B">PTO/SB/15A</a> or <a href="https://example.com/PTO/SB/15B">PTO/SB/15B</a>.

### 3.4 Representative Information

In the Representative Information section, data of record will be displayed, but the data is not editable. Providing representative information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). To appoint or revoke a power of attorney, a properly signed power of attorney must be filed in the application. See USPTO Forms <a href="PTO/AIA/82">PTO/AIA/82</a>, <a href="PTO/AIA/82">PTO/AIA/82</a>, <a href="PTO/AIA/82">PTO/AIA/82</a>, <a href="PTO/AIA/80">PTO/AIA/80</a>).

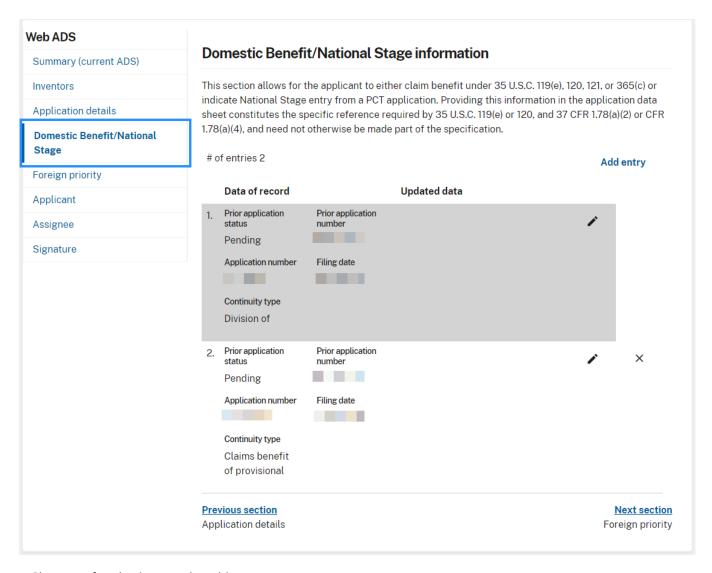


# 3.5 Domestic Benefit/National Stage Information

In the Domestic Benefit/National Stage section, data of record will be displayed and editable. If any domestic benefit claims are being added in a utility or plant application after the time period set forth in 37 CFR 1.78 (e.g., after the later of four months from the actual filing date of the instant application or sixteen months from the filing date of the application for which benefit is being claimed), a petition to accept an unintentionally delayed benefit claim in compliance with 37 CFR 1.78 (including the petition fee) must also be submitted.

For any domestic benefit claims that are being deleted, please ensure that deletion of the domestic benefit claim(s) is actually desired. A deletion of a benefit claim to a prior application may be considered as a showing that the applicant is intentionally waiving the benefit claim to the prior application in the instant application.

If you are claiming benefit of more than one prior-filed application, you must start with the most recent application and go back chronologically to the earliest application. Otherwise, the benefit claims may not be recognized by the Office if not presented in this manner. If there is more than one chain of applications for which benefit is being claimed, you must start each chain with the most recent application and go back chronologically to the earliest application in each chain. Otherwise, the benefit claims may not be recognized by the Office if not presented in this manner.



Change of order is completed in two ways:

- A benefit claim may be added or removed at any point of the claim chain by clicking the "Add Entry" or "X" buttons
- Benefit claim order may be reorganized by using the Drag and Drop functionality

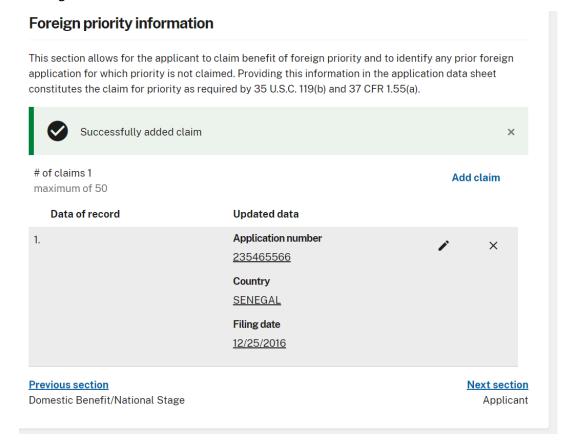
When making a change to the domestic benefit claim, the Corrected ADS that will be generated will use internal PDP codes rather than the language that you use to specify the relationship. These codes on a Corrected Web-based ADS will be accepted.

Continuation of – CON
Division of – DIV
Continuation in part of – CIP A
371 of international – NST
Substitution of – SUB
Reissue of – REI
Claims benefit of provisional - PRO

### 3.6 Foreign Priority Information

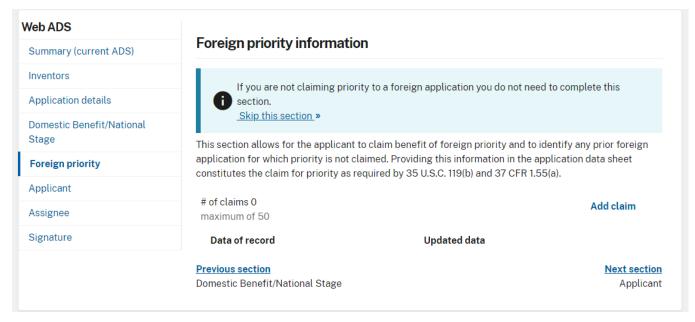
In the Foreign Priority section, data of record will be displayed and editable. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55.

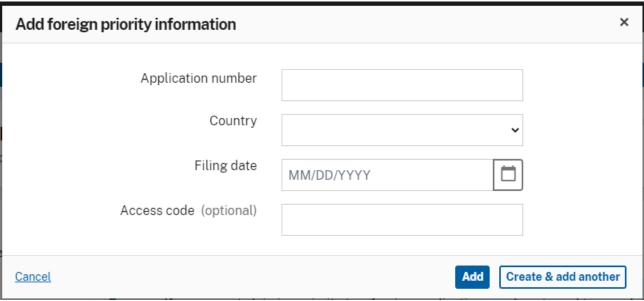
Additional foreign priority claims may be added by clicking the "Add claim" button, and deleted by clicking the "X" button for the indicated claim.



If any foreign priority claims are being added in a utility or plant application after the time period set forth in 37 CFR 1.55 (e.g., after the later of four months from the actual filing date of the instant application or sixteen months from the filing date of the prior foreign application), a petition to accept an unintentionally delayed foreign priority claim in compliance with 37 CFR 1.55 (including the petition fee) must also be submitted. For any foreign priority claims that are being deleted, please ensure that deletion of the foreign priority claim(s) is actually desired. A deletion of a foreign priority claim may be considered as a showing that the applicant is intentionally waiving the foreign priority claim.

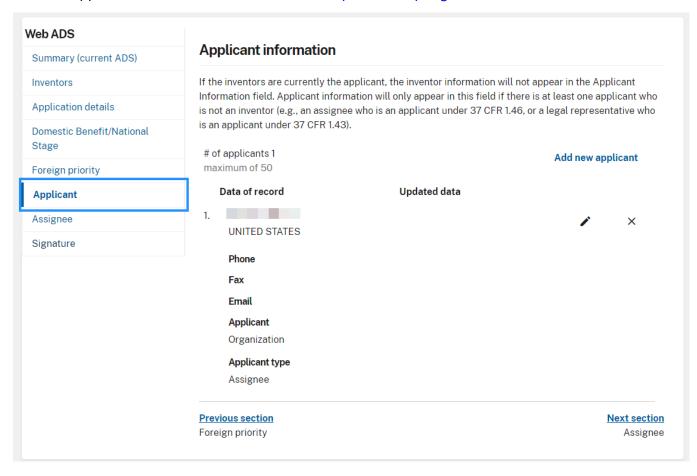
Enter the access code number to uniquely identify a patent application that is registered into the WIPO DAS (World Intellectual Property Organization Digital Access Service). Please <u>click here</u> for more information.





### 3.7 Applicant Information

In the Applicant Information section, data of record will be displayed and editable. For each applicant entered, select either Assignee, Legal Representative under 35 U.S.C. 117, Joint Inventor, Person to whom the inventor is obligated to assign, or Person who shows sufficient proprietary interest. For more detailed Applicant Information instructions, see <a href="http://www.uspto.gov/forms/aia">http://www.uspto.gov/forms/aia</a> ads form inst.doc

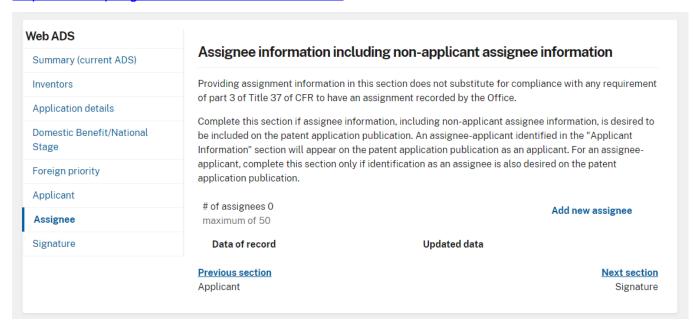


Additional applicant information may be added by clicking the 'Add new applicant' button, deleted by clicking the 'X' button or edited by clicking the Edit icon for the indicated Applicant entry.

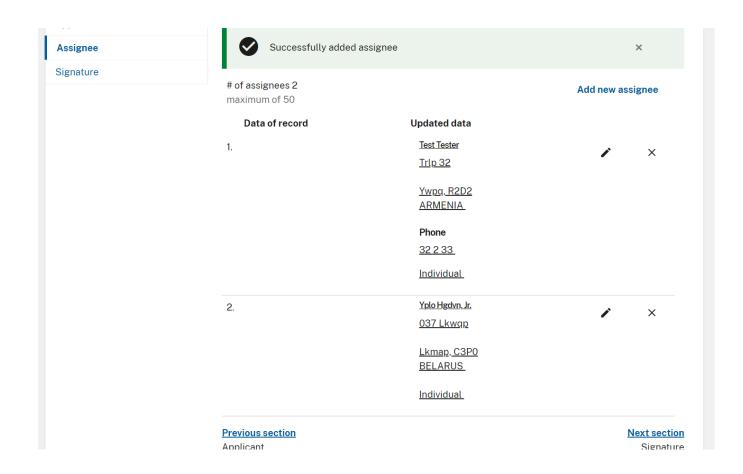
NOTE: If you are changing the applicant, then you must also submit a request to change the applicant in compliance with 37 CFR 1.46(c)(2) (which requires compliance with 37 CFR 3.71 and 3.73). If you are correcting or updating the name of the applicant, then you must also submit a request under 37 CFR 1.46(c)(1). If a specific request is not submitted that indicates the change is a correction or update of the name of the applicant under 37 CFR 1.46(c)(1), then the Office may consider the change to be a change in the applicant under 37 CFR 1.46(c)(2) and require a 37 CFR 3.73 statement.

# 3.8 Assignee Information Including Non-Applicant Assignee Information

In the Assignee Information section, data of record will be displayed and editable. Complete this section only if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication in accordance with 37 CFR 1.215(b). An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For more detailed Assignee Including Non-Applicant Assignee Information instructions, see <a href="http://www.uspto.gov/forms/aia">http://www.uspto.gov/forms/aia</a> ads form inst.doc



Additional assignee information may be added by clicking the "Add new assignee" button, and deleted by clicking the "X" button for the indicated Assignee entry. To change the order of Assignees before submitting the ADS, drag the selected assignee to the desired order.



## 3.9 Signature

This form must be signed in accordance with 37 CFR 1.33(b). This Application Data Sheet <u>must</u> be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, <u>all</u> joint inventors who are the applicant, or one or more joint inventor-applicants <u>who have been given power of attorney</u> (e.g., see USPTO Form PTO/AIA/81) on behalf of <u>all</u> joint inventor-

applicants. If an applicant is prosecuting the application prose, all of the inventors must sign to comply with the rule, unless a power of attorney has been given. MPEP 402.

See 37 CFR 1.4 for signature requirements and certifications.

gnature					
1 Your Corrected ADS is not complete until signed.					
NOTE:					
This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b).					
This Application Data Sheet <u>must</u> be signed by a patent practitioner if one or more of the applicants is a juristic entity (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, <u>all</u> joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of <u>all</u> joint inventor-applicants.					
See CFR 1.4(d) for the manner of making signatures and certifications.					
See CFR 1.4(u) 101	the manner of making sign				
Signature	First name	Last name	Registration number		
			Registration number		
	First name	Last name			
Signature	First name	Last name			

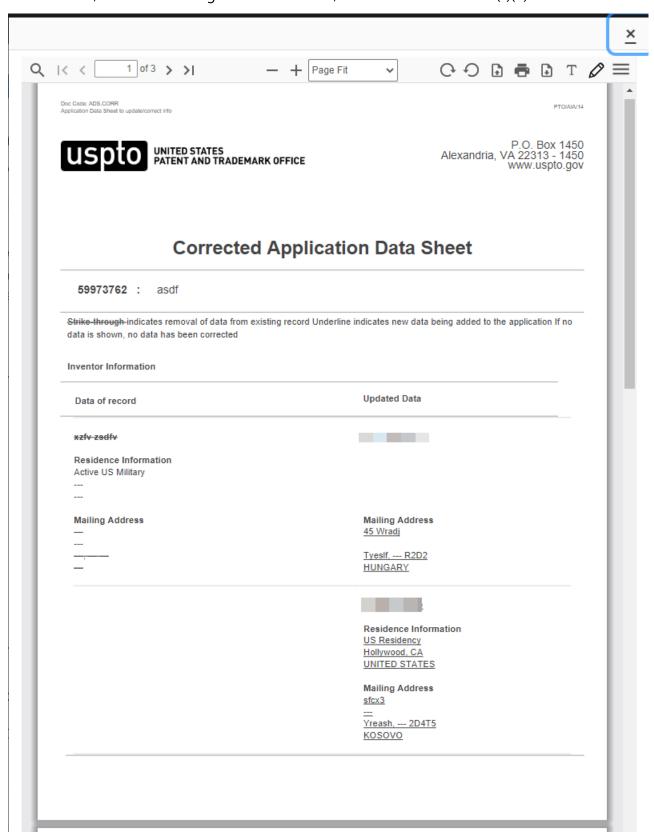
You can additional signatures by clicking the "Add more signatures" button. Once you have signed you may proceed to the next screen by selecting "Continue".

#### 4. Attach Documents

Once you have made all necessary updates or corrections to the Web-ADS information on the "Application Data" screen, a CorrectedADS.pdf document will be auto-generated. This document cannot be removed from the Attach Documents Screen.

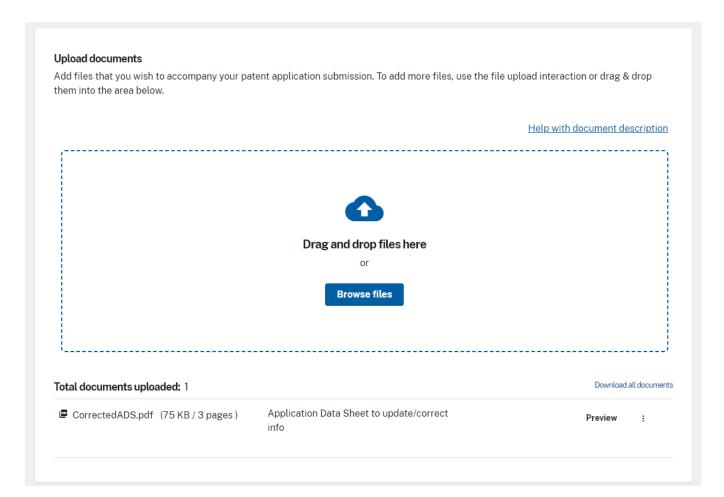
You may click on the "Preview" button to preview the document. If you need to make any corrections, go back to the "Application Data" screen by clicking on the "Application Data" link at the top of the screen or by clicking the back button at the bottom of the screen. After making any corrections, you

must click on the "Continue" button located at the bottom of the "Application Data" screen in order to apply any changes. The corrected ADS identifies the information that is being changed, with underlining for insertions, and strike-through for text removed, as stated in 37 CFR 1.76(c)(2).



If you have additional PDF documents, you may add them to the submission. If you do not have any required documents to upload, click on the "Review" button. The following documents descriptions are made available for submission with a Corrected ADS filing:

•	R48.REQ	Request under Rule 48 correcting inventorship	
•	OATH	Oath or Declaration filed	
•	LET.	Miscellaneous Incoming Letter	
•	R3.73	Assignee showing of ownership per 37 CFR	
		3.73	
•	TRAN.LET	Transmittal Letter	
•	PET.OP	Petition for review by the Office of Petitions	
•	PET.PCT	Petition for review by the PCT legal office	
•	CFILE	Request for Corrected Filing Receipt	
•	FRPR.IC	Interim Copy of Foreign Priority Document (PDF)	



#### 5. Calculate Fees

The "Calculate Fees" screen allows eFilers to select the appropriate entity status in the top left-hand corner of the screen, adjusting the listed fee codes and amounts accordingly. The following fees are available when submitting a Corrected ADS filing:

- Processing Fee, Except Prov. Appls.
- Correction of inventorship after first action on merits
- Petition for the delayed submission of a priority or benefit claim, or to restore the right of priority or benefit

Calculate fees
Payment of fees during this stage of the application process is optional, but failure to pay fees in a timely manner may cause delays in the
processing of your application.
Skip fees for now
Fill in the information below in order to accurately calculate your fees.
Entity status
Regular Undiscounted
Small
Micro
Petitions
Check the box if you are filing petition(s) as part of this application
offect the box if you are fitting petition(s) as part of this application
Appeals
Check the box if you are filing patent appeals and interference requests as part of this application
and the sox it you are many parent appears and interversions requests as part of this approach

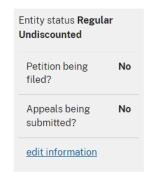
#### Calculate fees

Payment of fees during this stage of the application process is optional, but failure to pay fees in a timely manner may cause delays in the processing of your application.

Skip fees for now

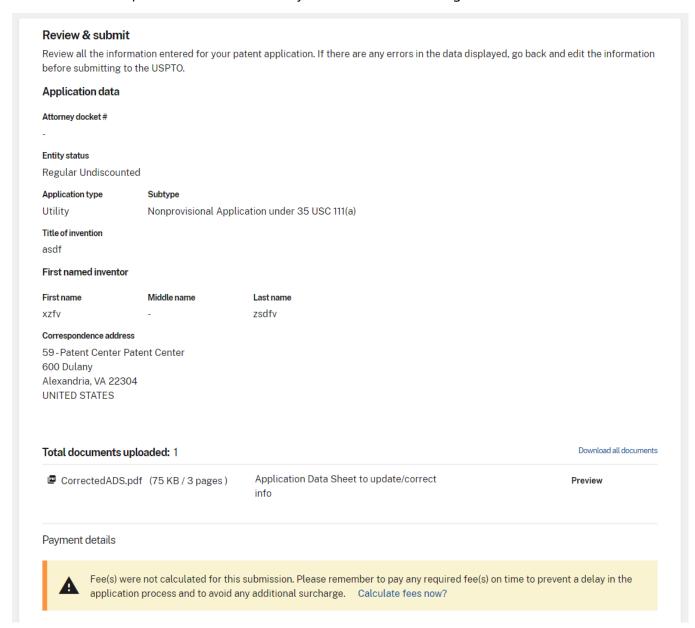
#### Select fees to pay

	Fee code	Fee description	Item price (\$)	Quantity	Item total (\$)
v Mi	scellaneou	s Patent Fees			
	1830	PROCESSING FEE, EXCEPT IN PROVISIONAL APPLICATIONS	\$140.00	1	\$140.00
	1819	CORRECTION OF INVENTORSHIP AFTER FIRST ACTION ON MERITS	\$640.00	1	\$640.00
✓ Par	tent Petitio	n Fees			
	1454	PETITION FOR THE DELAYED SUBMISSION OF A PRIORITY OR BENEFIT CLAIM, OR TO RESTORE THE RIGHT OF PRIORITY OR BENEFIT	\$2,100.00	1	\$2,100.00
Total fe	es selecte	d to pav			\$0.00



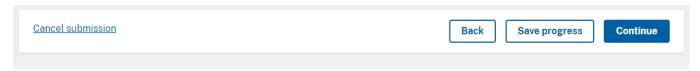
#### 6. Review Documents

On the "Review Documents" screen, the CorrectedADS.pdf cannot be removed. If you need to remove the CorrectedADS.pdf from the submission, you must cancel the filing.



## 7. Save Submission Feature for Registered eFilers

You have the option of saving the submission for later if you are a Registered eFiler. All of the required ADS fields on the "Application Data" tab must be completed. The save option is located on the bottom of each screen.



Patent Center will automatically save your progress each time you click "Continue" to advance to the next screen

If you have any questions or concerns regarding filing in Patent Center, please contact the Patent EBC Monday - Friday, from 6:00 a.m. to 12 Midnight Eastern Time, by email <a href="mailto:ebc@uspto.gov">ebc@uspto.gov</a> or telephone 866-217-9197.