

From: Peter Bernstein <pibernstein@ssmp.com>
Sent: Tuesday, November 24, 2015 12:24 PM
To: Fee.Setting
Cc: William Chung
Subject: Comments on Proposed IDS changes

Dear Sirs:

1. Regarding the proposed changes to IDS timing provisions: will applicants still be able to file an information disclosure statement for no fee when a RCE is filed?
2. How will the proposed changes to IDS timing provisions affect Patent Term Adjustment calculations?
3. Given the prospect of potential receipt of material foreign references at unpredictable times during the US prosecution of a patent application, it seems likely that Applicants will be required to file several IDS's at e.g. \$600/per IDS (assuming LE). It would seem that an unintended impact of the proposed rule would penalize applicants who may have to spend upwards of \$1800 or more if 3 IDS's must be filed, thus increasing the costs over the typical RCE filing with and IDS. Would the PTO consider a tiered cost e.g. \$600 for a first IDS; \$300 for a second and \$180 for each additional IDS filed (LE)?

Thank you for your consideration.

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