

# Sensitive Application Warning System - FAQs:

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## 1. How long has the SAWS program been in operation?

**Answer:** The SAWS program has been in existence since the mid-1990s.

## 2. On what legal authority is the SAWS program based?

**Answer:** Under the patent laws, the Director is charged with general management and supervision of the Office and of the issuance of patents, as well as the management of examination of patent applications. To this end, the USPTO has put in place quality controls to ensure that patents are properly issued or properly denied. The SAWS program is one such quality control effort.

## 3. What are the criteria used to flag applications under the SAWS program?

**Answer:** The SAWS program assists the USPTO in identifying and processing patent applications of special interest, i.e., those that raise sensitive and important issues or that may have a strong impact in the patent community. Examples of subject matter of special interest include: cold fusion, perpetual motion machines, and human cloning.

## 4. How many applications were flagged under the SAWS program

### i. In 2014?

**Answer:** In FY 14, 216 applications were flagged.

### ii. In 2013?

**Answer:** In FY 13, 263 applications were flagged.

### iii. Over the life of the program?

**Answer:** Since 2009, when the USPTO began using a database to track these applications, 2262 applications have been flagged.

## 5. Are applicants ever notified when an application is placed in the SAWS system? If not, why not?

**Answer:** Applicants generally are not notified when a quality assurance check has been used in any particular review. An application identified for a SAWS quality assurance check undergoes the same examination process as any other patent application, and is held to the same substantive patentability standards.

## 6. How does an applicant appeal the placement of a patent application into the SAWS program?

**Answer:** As with applications that are subject to other forms of internal quality reviews, there is no process to appeal the placement of a patent application into the SAWS program. An application flagged for such a quality assurance check undergoes the same types of examination procedures as any other patent application, and is held to the same substantive patentability standards.