

From: Axel Nix

Sent: Thursday, January 25, 2018 7:55 AM

To: RegulatoryReformGroup <RegulatoryReformGroup@USPTO.GOV>

Subject: Proposal: Eliminate need to submit paper copies of certified priority documents

Ladies, Gentlemen,

While the USPTO has made great progress in regards to its electronic priority document exchange (PDX) program with several foreign patent offices, in many cases applicants still have to submit certified copies of foreign applications to comply with 35 U.S.C. 119 (b)(3). MPEP 215 does not seem to explicitly allow or disallow submitting such certified copies electronically, but EFS-Web does not provide a document category such as "Certified Copy of Priority Document". The MPEP's suggestion for "a pencil notation of the application number of the corresponding U.S. application be placed on the priority papers" and acknowledgement that "that cover letters and priority papers occasionally become separated" seems to indicate an expectation that priority documents are submitted in paper form.

I believe that explicitly allowing applicants to submit certified copies of foreign applications electronically through EFS-Web would streamline processes in otherwise paperless offices, eliminate the cost of mailing papers across the world, and likely reduce an administrative burden on the USPTO in handling paper copies of certified priority documents.

Provided that nowadays any interested person can easily search for foreign patent applications online and thus verify the legitimacy of a claim for priority I suggest to also reconsider whether the default requirement in 37 CFR 1.55 to provide a certified copy which the Director may require under 35 U.S.C. 119 (b)(3) is needed at all.

Best regards,

Axel Nix

Axel Nix | Dipl.-Ing., MBA | Founder & President

smartpat PLC | www.smartpat.net

Phone: +1.248.854.2233 | Email: axel.nix@smartpat.net

1420 Washington Blvd, Suite 301 | Detroit, MI 48226 | USA

