



February 12, 2016

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Mail Stop Comments Patents
Commissioner of Patents
P.O. Box 1450
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<http://www.regulations.gov> (docket number PTO-P-2015-0074)

Re: Request for Submission of Topics for USPTO Quality Case Studies

Intel Corporation (Intel) submits the below topic for consideration in response to the United States Patent and Trademark Office's (USPTO) request for submissions of topics for USPTO quality case studies. *See* 80 Fed. Reg. 79277 (Dec. 21, 2015). We appreciate the opportunity to provide a submission for this important initiative.

Title: "Improved Examination of Lengthy Claims."

Proposal for Study: Lengthy claims or claim limitations are frequently allowed with less examination and scrutiny than shorter claims.

Explanation: Based on Intel's experience, lengthy claims or limitations added via amendments often lead to quick allowances without substantial scrutiny of claim scope. Mere length of a claim limitation, however, does not determine whether it covers a previously known and obvious feature in the art. Indeed, lengthy claims often simply combine several known limitations that one of ordinary skill in the art would have been motivated to use together.

Intel proposes that the USPTO review the level of scrutiny applied to lengthy, or prolix, claims during examination. Specifically, the USPTO should investigate whether applications containing claims or claim limitations which exceed one or more selected word lengths result in fewer rejections than applications with shorter claims or claim limitations. This study should also review the number of cases in which allowances issue immediately following introduction of a lengthy claim or limitation.

Discovery of these trends could improve guidance or training materials for Examiners by emphasizing the importance of examining lengthy claims or limitations added via amendment with the same level of scrutiny as shorter claims.

Sincerely,



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