

I believe the quality of Office Actions could be significantly improved (and the speed/efficiency of an Examiner’s analysis improved) if Examiners followed a more methodical approach and format in detailed actions involving rejections based on prior art. The format would be similar to a claim chart, and may even be what some Examiner’s initially use (at least informally) when mapping out a rejection. A possible format might be as follows:

Detailed Action – Rejections under 35 U.S.C. §103

Claim 1 is rejected under 35 U.S.C. §103(a) as unpatentable over Prior Art A in view of Prior Art B and further in view of Prior Art C:

Claim 1	Applied References	Comments/Rationale
Element 1 (“.....” – quote claim limitation)	Prior art A, col. 5, lines 2 - 20 (“.....” --relevant language in reference)	The feature in Prior Art A (Examiner’s preferring detailed explanations could add those here)
Element 2	Prior Art B, paragraph 0012	Prior Art B is in the same field as Prior art A
Element 3	Prior Art C, paragraph 0136	Prior Art C discloses a widget 53 which reads on Applicant’s claimed “mechanism”

Thank you for the opportunity to make suggestions for consideration as the subject of a quality improvement case study.

Please note that my suggestion is being made personally and may not reflect views or suggestions of my employer.

Stephen Jewett
Kilpatrick Townsend & Stockton LLP
 Suite 600 | 1400 Wewatta Street | Denver, CO 80202
 office 303 405 8531 | fax 303 648 6358
sjewett@kilpatricktownsend.com | [My Profile](#) | [vCard](#)