

From: Assistant Deputy Comm (ADCs)
Sent: Friday, April 6, 2018 1:18 PM
Subject: Dynamic Drinkware-Amgen II memorandum [102(e)]

This email is being sent to all Directors, SPEs, and Examiners Employees in the Technology Centers.

A memorandum was issued yesterday concerning the situation in which a U.S. patent application publication or a published PCT application is being used as prior art under pre-AIA 35 U.S.C. § 102(e). Two references to the MPEP in that memorandum were incorrect. First, the reference to MPEP § 2136, subsection III, at the end of the paragraph spanning pages 1 and 2 should read: MPEP § 2136.03, subsection III. Second, the reference to MPEP § 2136, subsection II, at the end of footnote 3 read: MPEP § 2136.03, subsection II.

Robert Bahr
Deputy Commissioner
for Patent Examination Policy