

**Notice Announcing Inclusion of International Design Applications
in the Electronic Office (e-Office) Action Program**

This notice announces the inclusion, effective May 13, 2015, of international design applications filed under the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs ("Hague Agreement") in the Electronic Office (e-Office) Action program. International design applicants who choose to participate in the e-Office Action program will experience many benefits, including the ability to retrieve Office actions several days faster than via mail.

Under the e-Office Action program, applicants receive notifications via electronic mail message (e-mail) of Office communications retrievable through Private Patent Application Information Retrieval (PAIR) in lieu of paper mailings of the communications, with a few exceptions. The United States Patent and Trademark Office (Office) previously published a notice setting forth the details and requirements concerning the e-Office Action program. *See* Electronic Office Action, 1343 *Off. Gaz. Pat. Office* 45 (June 02, 2009). That notice sets forth the types of applications that are included in and excluded from the e-Office action program.

International design applications filed on or after May 13, 2015, may be processed by the Office under the Hague Agreement as an office of indirect filing (37 CFR 1.1002) and/or as a designated office (37 CFR 1.1003). *See* Changes to Implement the Hague Agreement Concerning the International Registration of Industrial Designs, 80 FR 17918 (April 2, 2015). Effective May 13, 2015, the Office has amended the e-Office Action program to include these international design applications so that international design applicants may participate in, and experience the related benefits of, the e-Office Action program.

In addition to the e-mail notifications specifically provided for in the e-Office Action program, applicants who opt-in to e-Office Action may receive an e-mail notification as a courtesy when a notification of refusal (37 CFR 1.1063) is available in Private PAIR. Under the provisions of the Hague Agreement, a notification of refusal, which may set a time period for reply, is not communicated directly to applicants but rather indirectly through the International Bureau. The courtesy e-mail will provide faster notification to applicants than waiting for receipt of the notification of refusal via the International Bureau. As any e-mail notification concerning a notification of refusal would simply be provided as a courtesy to applicants electing to opt-in to e-Office action, the corrective actions set forth in 1343 *Off. Gaz. Pat. Office* 45, 48-49, concerning non-receipt and late receipt of an e-Office Action e-mail notification are not applicable. In the event that a notification of refusal setting a time period for reply is either not received or is received late, applicants may wish to consider the petition procedures set forth in MPEP §§ 711.03(c) and 710.06.

Any questions concerning this notice may be directed to Boris Milef, International Patent Legal Administration, Office of International Patent Cooperation, at 571-272-3288, or via e-mail addressed to boris.milef@uspto.gov.

Any inquiries regarding e-Office Action or PAIR may be directed to Patent Electronic Business Center (Patent EBC) by telephone at (571) 272-4100 or toll free at (866) 217-9197, or by e-mail at ebc@uspto.gov.

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Michelle K. Lee
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Director of the United States Patent and Trademark Office