

**From:** Johns, Robert  
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**To:** External Examination Time Study <ExternalExaminationTimeStudy@USPTO.GOV>  
**Subject:** comments on Examination time study

In my experience, mechanical patent applications do not receive enough examination time.

The prior art of the mechanical areas are very saturated, i.e., there is so much prior art that an examiner needs more time to search and go through it all to find relevant references.

I think mechanical examiners need more time to write Office Actions as well. I often receive office actions that are unclear as to what the examiner is actually basing his/her rejection on. Based solely on what is written in the Office Action, the Examiner often has not presented a prima facie case for the rejection, citing elements that do not come close to the claims, even if the prior art could actually be used in a different way to properly reject the claims. This indicates that the examiner found decent prior art, but just doesn't have the time to prepare the Office Action. It results in us needing to guess at what the Examiner was thinking and to rebut every possible rejection that was not made in the first place.

More time should be allotted to interviews, including Examiner initiated interviews. Often when discussing a case with an examiner, I can tell that they get annoyed if the conversation starts taking too long, even if it is productive.

Examiners should be given more time to be trained on developments in the courts and PTAB so that their rejections align with such rulings. This would decrease back & forth, where I feel that I am teaching the examiner the rules, which he/she should already know.

Thank you,  
Robert Johns

<b>Robert Johns</b> Attorney	<b>Office:</b> 248.641.1247 <b>Fax:</b> 248.641.0270
	5445 Corporate Dr, Suite 200 Troy, MI 48098
<b>Patent, Trademark &amp; Copyright Law</b>	Bio ♦ vCard
<b>Metropolitan</b>   Dallas ♦ Detroit ♦ St. Louis ♦ Washington, DC	

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