Comments in response to the request for written comments to Docket No.: PTO-P-2016-0026, Federal Register/Vol. 81, No. 167. Questions and responses follow.

1. In balancing the goals of examination quality and efficiency, should the USPTO monitor other applications, besides domestic parent and counterpart foreign applications, for relevant information located therein for consideration in the instant U.S. application? If so, which other applications should be monitored (*e.g.*, siblings, applications involving the same or related technology, etc.)?

Yes, absolutely. No one is in a better position to be aware of these citations than the USPTO. The burden of applicants to monitor related cases, determine what has or has not been cited, and timely file such information is both resource intensive and creates a constant litigation risk for being accused inequitable conduct by either "hiding" references from marginally related cases or "burying" references by citing references from those same cases.

2. What is the most convenient way to bring an application to the USPTO's attention that should be monitored for information during the examination of a U.S. application (*e.g.*, automated system, applicant notifies the USPTO, etc.)?

An automated system would be best. If applicant involvement is deemed necessary, a system for entering case numbers would be best. The applicant should not be held liable for citing cases that are related but may not meet a "substantially similar disclosure" goal.

3. How should the USPTO determine which information from the monitored applications to provide examiners while ensuring they are not overburdened with immaterial and marginally relevant information?

The examiners should be able to screen references for classification and key words to determine if a reference is or is not relevant. Some cases are already provided with hundreds or even thousands of references and the examiners seem to get by.

4. If the USPTO were to import information from applicant's other applications, how should the USPTO document the information imported into the image file wrapper of the instant U.S. application? For example, should the record reflect which domestic parent or counterpart foreign application the information was imported from, the date that the information was imported, and whether the examiner considered the imported information?

It would be ideal for the source of the information to be documented similar to an SB08 or 1449 form currently in use. The citations and Office actions from which the references are taken could be documented, with a strike through or similar notation for examiner review.

5. Taking into consideration the information that is publicly available in PAIR, what information should be part of a patent? For example, should prior art references and classification information still be listed on the front page of a patent?

Classification information is endemic to the issued patent does not take a lot of space nor is it difficult to format. I believe it should stay on the patent.

If references are removed from the face of the patent they should be consolidated in PAIR into one place so that one does not have to search through every IDS and PTO 892 form to glean what art was actually made of record. One wonders how much of a burden it is to place the cited art on the face of the patent?

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