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Commissioner for Patents  
Washington, DC 20231  
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Date: April 14, 2003 (reissued)

To: Patent Examining Corps Group Directors

From: *Stephen G. Kunin*  
Stephen G. Kunin  
Deputy Commissioner for Patent Examination Policy

Subject: Objections to EFS filed applications

This memorandum has been reissued to further clarify Office practice. Since October 27, 2000 the USPTO has been accepting applications filed under the USPTO's Electronic Filing System (EFS). The EFS may now be used for filing most types of utility applications (except plant, international and design applications), provisional utility applications, certain submissions for eighteen-month publication, assignments, sequence listings, and information disclosure statements.

The Office policy is to encourage applications to be filed in electronic form using EFS. When utility applications are submitted using EFS, the Office currently prints out the entire application and puts it into an application file wrapper. The printed copy, however, will have some non-standard markings. These non-standard markings are permitted under a waiver of the patent rules of practice published in the Official Gazette<sup>1</sup>. (An example of a printed copy of the first page of EFS filed applications is attached to this memorandum.)

Examiners are reminded that these non-standard markings are not defects in view of the published waiver. Therefore, it is not appropriate to object to them. In particular, if the application was filed via EFS examiners should not object to:

1. A notation of the Electronic Version used, and the Style Sheet version used.
2. Paragraph numbers in the left margin of the specification.
3. Claim tags which appear in the left margin as [c1], [c2], etc. If there is a conflict between the tag number and other numbering in the claim, the Examiner should refer to the number used by the applicant, and inform the applicant that this is the number being referenced.
4. Missing page numbers.
5. The failure of each paragraph to have a paragraph number. Because of the structure of electronic documents, some sections of the specification (e.g. cross references to related applications) are not paragraphs as defined by the EFS. These sections do not receive paragraph numbers.
6. The title of the specification that may not be consistent with the title on the application data sheet. Examiners in such case should notify the applicant of the inconsistency.

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<sup>1</sup> The USPTO has indicated that to the extent that any USPTO regulation is inconsistent with EFS, the regulation will be interpreted in a manner to support EFS and waived, when necessary, until regulations directed to electronic submissions are promulgated. See *Electronic Filing System Available to Public*, 1240 Off. Gaz.

7. Inclusion of a statement of “Request not to publish” on the Transmittal Sheet without a printed copy of a non-publication request under 35 U.S.C. § 122(b)(2)(B)(i) (e.g., form PTO/SB/35). This indicates that the proper certification was made during preparation of the electronic application and has been received electronically.

Questions on formalities of EFS submissions may be e-mailed to Jay Lucas (703) 308-6868 or Michael Lewis (703) 306-5585.

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# SPECIFICATION

Electronic Version 1.2.5  
Stylesheet Version 1.2.5

## Plate glass repair apparatus and method

### Detailed Description

[0001] Referring now to the figures in greater detail, where like reference numbers denote like parts in the various figures.

[0002] In a preferred embodiment as shown in FIGS. 1 through 5, the glass repair apparatus 10 is shown.

[0003] The glass repair apparatus 10 comprises a template seal 20, as shown in FIG. 1, a spout 30, as shown in FIG. 2 and a vent gasket construction 40 as shown in FIG. 3.

[0004] Once the resin completely fills the chambers 27 and 48 the resin must be cured. When an ultraviolet curable resin is used, an ultraviolet light source is applied at the large opening side, at the cover 45. The ultraviolet rays penetrate the clear Mylar and cures the resin.

[0005] The template seal 20, as shown in FIGS. 4 and 5, comprises a flange 21. There is an opening 22 in the flange 21. The opening 22 is substantially in a keyhole shape. As can be seen FIGS. 4 and 5, the template seal 20 is provided with an adhesive layer 23 on one side and another adhesive layer 24 on the other side. There is a tab 25 at the top.

[0006] The spout 30 includes an integral flange 31. There is a tab 32 at its top. The spout 30 has an opening 33 to receive repair resin. The chamber portion 34 is a