

## PETITION TO MAKE SPECIAL – EXPEDITED PATENT APPEAL PILOT

### PART I. IDENTIFICATION OF THE APPEAL TO BE MADE SPECIAL

Appeal No.:		Application No.:	
First Named Inventor:		Filing Date:	
Title of the Invention:			

### PART II. IDENTIFICATION OF THE APPEAL TO BE WITHDRAWN

Appeal No.:		Application or Control No.:	
First Named Inventor:		Filing Date:	
Title of the Invention:			

**PART III. CERTIFICATIONS:** Appellant hereby certifies the following and petitions to participate in the Expedited Patent Appeal Pilot Program for the above-identified appeals.

1. Appellant files this certification and petition under 37 CFR 41.3 to make the appeal in the application identified in Part I (above) special under the Expedited Patent Appeal Pilot. Appellant waives any requested oral hearing in the appeal identified in Part I, acknowledges that any oral hearing fee paid in connection with the appeal identified in Part I will not be refunded, and agrees not to request a refund of any such fee.
2. Appellant withdraws the appeal in the application or reexamination identified in Part II (above) upon grant of the petition to make special under the Expedited Patent Appeal Pilot. Appellant acknowledges that any fees paid in connection with the appeal to be withdrawn (e.g., Appeal Forwarding Fee, Oral Hearing Fee) will not be refunded, and agrees not to request a refund of any such fees.
3. Both appeals identified in Parts I and II were docketed with the Patent Trial and Appeal Board before June 19, 2015.
4. The application identified in Part I and the application or patent under reexamination identified in Part II either are owned by the same party as of June 19, 2015, or name at least one inventor in common.
5. The registered practitioner submitting this certification and petition has a power of attorney (37 CFR 1.32), or has authority to act (37 CFR 1.34), for the application identified in Part I and for the application or patent under reexamination identified in Part II.

Signature	Date
Name (Print/Typed)	Practitioner Registration Number

**Notes:** *This petition must be filed electronically by the USPTO's electronic filing system (EFS-Web).*

*This petition must be signed by a registered practitioner in accordance with 37 CFR 1.33(b)(1) or (b)(2) and 37 CFR 11.18. Please see 37 CFR 1.4(d) for the form of the signature.*

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.