

Checklist for review and processing of
Petitions filed under the
Streamlined, Expedited Patent Appeal Pilot for Small Entities

1. REVIEW OF PETITION: Items to be checked on Form PTO/SB/4XX:

Note: Petitions assigned for review will be sent via email. Review the petition in eDan (Doc Code PET 41.3)

- Verify Appeal & Application numbers of APPEAL TO BE MADE SPECIAL match Appeal & Application numbers in the USPTO database. (Use ACTS and/or PALM)
- Verify APPEAL TO BE MADE SPECIAL was docketed at the PTAB on or before 09/11/2015. (Use ACTS and/or PALM - Docketing Notice Mailed Appellant date)
- Verify signature information. (either a handwritten signature or S-signature)
- Verify registration number is provided.
- Verify that the appeal does not involved any claim subject to a rejection under 35 U.S.C. § 112. (Review Office Action being appealed and Examiner's Answer)

Note: If you believe petition DOES NOT comply with the above, contact the Paralegal Operations Manager for further guidance.

2. PREPARATION/REVIEW OF DECISION ON PETITION:

Note: The preparation and review process basically mirrors the process all of you are already familiar with in the processing of remand orders and dismissals.

- Prepare the Decision on Petition (granted) using the template provided in the S:\Appeals Processing\Opinion Processing\Appeals Administrator folders.
- Place draft Decision on Petition in the “Drafts” folder.
- Send the “READY FOR REVIEW” email to the “Expedited Patent Appeals Pilot” mailbox.
- Upon receipt of “APPROVED FOR MAILING” email, review document for, and accept any, “track changes.”
- Prepare to mail Decision on Petition by converting document into PDF.

3. MAILING OF DECISION ON PETITION – APPEAL TO BE MADE SPECIAL

- Enter the Petition using the Appeals tab in PALM as follows:
 - Actions: PET-- Petition Entered (near bottom of pull down menu)
 - Action Date: Date petition filed (from eDan)
 - Petition Type: 709 (for all petitions filed under this pilot)

- Enter Decision on Petition using the Appeals tab in PALM as follows:
 - Browse/Upload document as you would for any document entered here. **Important:** ensure you select the correct document as you do not get any opportunity to preview uploaded document
 - Select the “Petition Entered” radio button from the above-created Petition Entered entry
 - Actions: PTGR – Petition Decision – Granted (near bottom of pull down menu)
 - Action Date: Date petition decided (normally current date)
 - Petition Type: 709
 - Click the “Add” button. Note the delivery mode and mail document if “Paper” is reflected

- Update the “Special Type” in ACTS to “Small Entity Pilot”

- Create an eWF for the appeal to be made special and copy to the S:\Appeals Processing\Working Files\Ready for Paneling folder.