

From: LSMT (Len Smith)
Sent: Friday, May 29, 2009 5:40 PM
To: AC6/Comments
Cc: PKEE (Paige Keener); LAKE (Lars Kellberg); REZG (Reza Green); LSMT (Len Smith)
Subject: Novo Nordisk Comments Regarding Request for Comments and Notice of Roundtable on Deferred Examination for Patent Applications, 74 FR at 4947 (as extended at 74 FR at 10036)

Dear Sir,

Novo Nordisk appreciates the opportunity to comment on the issue of whether the US Patent and Trademark Office should adopt a system that allows for deferred examination of patent applications.

We believe the Office should continue to explore creating a deferred examination option for US patent applicants. We believe that such a system will likely save the Office money by focusing resources and assist the Office in handling its current backlog of patent applications ready for examination. We note that such systems are successfully used in other major patent offices. We also believe the public will benefit from the adoption of a balanced deferred examination procedure.

Novo Nordisk believes that the Office can design a deferred examination procedure that effectively addresses concerns raised in the Office's February 12 Roundtable on Deferred Examination. For example, the concern that deferred examination creates uncertainty for third parties might be addressed by permitting such third parties to request examination of an application in the deferral period upon payment of fees after a set time.

Novo Nordisk would welcome the opportunity to work further with the Office in its consideration of whether to adopt deferred examination and in developing procedures for deferred examination if the Office decides to provide this option to patent applicants. We invite the Office to contact the Novo Nordisk Inc. Intellectual Property Department at 1-609-987-5800 if we can be of any assistance in these respects.

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