

**BURNS
DOANE
SWECKER &
MATHIS LLP**

ALEXANDRIA, VIRGINIA
REDWOOD SHORES, CALIFORNIA
DURHAM, NORTH CAROLINA

REPLY TO:
P.O. BOX 1404
ALEXANDRIA, VIRGINIA 22313-1404

TELEPHONE: +1.703.836.6620

FACSIMILE: +1.703.836.2021 (GROUP 3)
+1.703.836.0028 (GROUP 4)

DATE: June 1, 2000

RECIPIENT INFORMATION	SENDER INFORMATION
To: ATTN: Ms. Karin Tyson	From: Harold Brown
Voice Tel. No.: 703 305-1383	Voice Tel. No.: 703 838 6564
Fax Tel. No.: 703 872 9411	Sent By: Harold Brown
Your Ref.:	Our Ref.: 999999-450
	Total Pages 2 (Incl. This Cover Page):

RE: Patent Term Adjustment

MESSAGE:

BOX COMMENTS - PATENTS

ATTN: Ms. Karin Tyson

NOTE: The information contained in this facsimile message is attorney-client privileged and contains confidential information intended only for the use of the person(s) named above and others expressly authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is prohibited and you are asked to notify us immediately by telephone and to return this message to us by mail without copying it.

Any questions regarding compatibility should be directed to our Office Services Department at +1.703.836.6620.

**BURNS
DOANE
SWECKER &
MATHIS LLP**

ALEXANDRIA, VIRGINIA
REDWOOD SHORES, CALIFORNIA
DURHAM, NORTH CAROLINA

CORRESPONDENCE TO:
P.O. Box 1404
Alexandria, Virginia 22313-1404

OFFICE ADDRESS:
Suite 500
1737 King Street
Alexandria, Virginia 22314-2756

Telephone: +1.703.836.6620
Group 3 Fax: +1.703.836.2021
Group 4 Fax: +1.703.836.0028

June 1, 2000

HAROLD R. BROWN III
E-MAIL - HARRYB@BURNSDOANE.COM
TELEPHONE: +1.703.838.6564

VIA FACSIMILE

Box Comments - Patents
Commissioner for Patents
Washington, D.C. 20231

Attn: Ms. Karin Tyson

Re: Questions About Patent Term Adjustment
Our Reference: 999999-450

Dear Ms. Tyson:

I have two questions (today) about the Patent Term Adjustment laws and rules that I hope you can answer for me.

First, concerning proposed Rule 1.705(d), how will the public be notified of a patent term adjustment resulting from a successful request for reconsideration of patent term adjustment due to the patent issuing on a date other than the projected date of issue?

Second, concerning proposed Rule 1.703(e), please confirm your understanding that adjustments resulting from "a final decision in favor of the applicant" (rule) or "a decision in the [appellate] review reversing an adverse determination of patentability" (35 U.S.C. § 154(b)(1)(C)(iii)) would not be limited to successful appeals of purely *statutory* rejections (e.g., 35 U.S.C. § 102(b)) but would include successful appeals of rejections on *nonstatutory* grounds (e.g., obviousness-type double patenting).

Very truly yours,



Harold R. Brown III

HRB