

REVISED PROCEDURES FOR PAPERS REQUIRING IMMEDIATE ATTENTION

On October 28, 2003 the Office published new procedures for the centralized delivery of documents (see *Centralized Delivery and Facsimile Transmission Requirements for Patent Application Related Correspondence*, 1275 *Off. Gaz. Pat. Office* 200 (Oct. 28, 2003)).

To facilitate processing of certain papers requiring immediate attention, Section B. of the above-mentioned Official Gazette notice is revised as follows:

B. Papers Requiring Immediate Office Attention (Hand-carried and Facsimile Transmissions)

Applicants are advised and encouraged to follow the directions below for the listed, **and only the listed**, document types. Special procedures will be followed for these documents after submission. No special marking of these documents is required, notwithstanding a statement to the contrary in the above-mentioned Official Gazette notice.

1. **Petitions for express abandonment to avoid publication under 37 CFR 1.138(c).**
 - a. The applicant may mail the petition to Mail Stop PGPub-ABD.
 - b. The applicant may transmit the petition by facsimile directly to the Pre-Grant Publication Division at 703-305-8568.
 - c. The applicant may hand-carry the petition to the Pre-Grant Publication Division at 2231 Crystal Drive, Room 905, Arlington, VA 22202.

Because a petition under 37 CFR 1.138(c) will not stop publication of the application unless it is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication, the applicant should use either method (b) or method (c) in all instances where the projected publication date is less than 3 months from the date of the petition. All submissions under 37 CFR 1.138(c) should be made at least 4 weeks prior to the projected publication date.

2. **Petitions to withdraw an application from issue under 37 CFR 1.313(c).**
 - a. The applicant may mail the petition to Mail Stop Petitions.
 - b. The applicant may transmit the petition by facsimile to the Central Facsimile Number (703) 872-9306
 - c. The applicant may hand-carry the petition to the Office of Petitions, Crystal Plaza 4, at 2201 South Clark Place, Room 3C23, Arlington, VA 22202.

Applicants are strongly advised to hand-carry the petition to the Office of Petitions to allow sufficient time to process the petition and if the petition can be granted, withdraw the application from issue. While a petition to withdraw an application from issue may be granted as late as 1 day prior to patent issue date, to avoid publication and dissemination, the petition decision must be granted at least 3 weeks prior to the issue date.

3. Request for Expedited Examination of a design application (Rocket Docket).

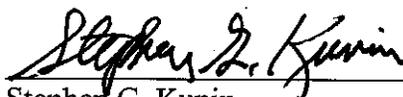
- a. The procedures of 37 CFR 1.155 and elaborated upon in MPEP 1504.30 should be followed.
- b. In brief, design patent applicants seeking expedited examination may file a design application in the Office together with a corresponding request under 37 CFR 1.155 by hand-delivering the application papers and the request directly to the Design Technology Center (TC) Director's office. The address of the Director's Office is changing in mid 2004, so phone the Office of the Director of TC 2900 just before hand submitting the application. The phone number will be changing also, but will be available on the USPTO web site, www.uspto.gov. For applicants who choose to file a design application and the corresponding request under 37 CFR 1.155 by mail, the envelope should be addressed to:

Mail Stop Expedited Design
Commissioner for Patents
P.O. Box 1450
Alexandria VA, 22313-1450

These procedures will help assure that these time-critical documents will be considered in time for processing. All other documents submissions should follow the procedures listed in the referenced publication *Centralized Delivery and Facsimile Transmission Requirements for Patent Application Related Correspondence*, 1275 *Off. Gaz. Pat. Office* 200 (Oct. 28, 2003).

For further information on a petition or design patent application, contact the office to which the petition was addressed. For information on this notice, contact Jay Lucas at Jay.Lucas@uspto.gov or Michael Lewis at Michael.Lewis@uspto.gov.

Date: February 2, 2004



Stephen G. Kunin
Deputy Commissioner for
Patent Examination Policy