

Appendix II List of Decisions Cited

	Sec. No.		Sec. No.
Abbot v. Coe, 1940 C.D. 13; 512 O.G. 3	716	Bullard & Co. v. Coe, 1945 C.D. 13; 573 O.G. 547	716
Adams, Ex parte, Pat. No. 1,789,921	608.04(b)	Bullock, Ex parte, 1907 C.D. 93; 127 O.G. 1590	706.03(c)
Andrews v. Wickenden, 1952 C.D. 176, 659 O.G. 305	1101.02(f)	Burke, Ex parte, 1984 C.D. 5; 441 O.G. 509	706.03(y)
Appeal No. 194-38, 1966 C.D. 31; 152 USPQ 70	901.05(b)	Burrowes, Ex parte, 1904 C.D. 155; 110 O.G. 599	1214.01
Application Filed Nov. 16, 1945, In re, 1951 C.D. 1; 646 O.G. 5	904.01(a)	Campbell, In re, 1954 C.D. 191; 101 USPQ 406	201.06, 1503.01
Application Papers Filed July 13, 1950, 693 O.G. 136; 1955 C.D. 8	1214.01	Card and Card, Ex parte, 1904 C.D. 383; 112 O.G. 499	1101.02
Application Papers Filed Jan. 20, 1956, In re, 706 O.G. 4	714.07	Carlson et al., In re, 1936 C.D. 95; 462 O.G. 479	715.04
Application Papers Filed Sept. 10, 1954, In re, 703 O.G. 434	409.03	Chevenard, In re, 1944 C.D. 141; 560 O.G. 196	706.02(a)
Arbeit et al., In re, 1953 C.D. 409; 677 O.G. 843	706.03(c)	Chilowsky, In re, 1956 C.D. 155; 704 O.G. 213	716
Arkless, Ex parte, 1958 C.D. 19; 726 O.G. 635	201.14, 1401	Christie v. Seybold, 1893 C.D. 515; 64 O.G. 1650	715.07(a)
Armstrong, In re, 1960 C.D. 422; 759 O.G. 4	716	Clifford, Ex parte, 49 U.S.P.Q. 152	901.02
Arzberger, In re, 1940 C.D. 653; 521 O.G. 272	1601	Comstock, Ex parte, 1923 C.D. 82; 317 O.G. 4	1214.01
Attwood, In re, 1958 C.D. 204; 730 O.G. 790	716	Creceilius, In re, 1937 C.D. 112; 474 O.G. 465	716
Automatic Weighing Mach. Co. v. Pneumatic Scale Corp., Limited, 1909 C.D. 496; 139 O.G. 991	715.07	Crosby, In re, 1947 C.D. 35; 595 O.G. 5	716
Ayers et al., Ex parte, 106 U.S.P.Q. 444	608.04(a)	Crowell, In re, 1930 C.D. 300; 397 O.G. 3	1214.01
Badger, Ex parte, 1901 C.D. 195; 97 O.G. 1596	608.02(f)	Cutter Co. v. Metropolitan Electric Mfg. Co., 275 Fed. 158	603.01
Ball et al., Ex parte, 1953 C.D. 4; 675 O.G. 5	706.03(c)	Delavoye, Ex parte, 1906 C.D. 820; 124 O.G. 626	604.02
Barber, In re, 1936 C.D. 184; 465 O.G. 724	1504	Den Beste v. Martin, 1958 C.D. 178, 729 O.G. 724	1105.04
Beck et al., In re, 1946 C.D. 398; 500 O.G. 357	715.01(b)	Des Granges, Ex parte, 864 O.G. 712	707.07(d)
Benke, Ex parte, 1904 C.D. 63; 108 O.G. 1588	811.02	Donnell, Ex parte, 1923 C.D. 54; 315 O.G. 398	806.05(b)
Benson, In re, 1959 C.D. 5; 744 O.G. 353	608.01, 714.07, 714.19	Donovan, Ex parte, 1890 C.D. 109; 52 O.G. 309	715.07
Berry, In re, 137 U.S.P.Q. 353	716	Dotter, Ex parte, 12 U.S.P.Q. 382	706.03(y)
Blanchard v. Ooms, 1946 C.D. 22; 585 O.G. 175	716	Dreshfield, In re, 1940 C.D. 351, 518 O.G. 255	706.03(z)
Blum, In re, 852 O.G. 1045; 153 USPQ 177	1503.02	Dreyfus and Whitehead, In re, 1935 C.D. 386; 457 O.G. 479	706.03(e)
Board of Appeals decision in Plant Patent File No. 412	1610	Earll v. Love, 1909 C.D. 56; 140 O.G. 1209	1102.01(a)
Bonine, v. Bliss, 1919 C.D. 75; 265 O.G. 306	1101.02	Eckey v. Watson, 122 USPQ 5; 1959 C.D. 119	1214.03
Bonnie-B Co. Inc., Ex parte, 1923 C.D. 42; 313 O.G. 453	104	Eggan, Ex parte, 1911 C.D. 213; 172 O.G. 1901	403.01, 403.02
Bowditch v. Todd, 1902 C.D. 27; 98 O.G. 792	1105.02	Ekenstam, In re, 1958 C.D. 402; 118 USPQ 349	901.05(b)
Bowyer, Ex parte, 1930 C.D. 5; 505 O.G. 759	715.07(b), 715.09, 1212	Elliott, Ex parte, 1904 C.D. 103; 109 O.G. 1337	608.02(g)
Brenner v. Kraft et al., 157 USPQ 609, 308 F. 2d 762	712	Emerson v. Beach, 103 U.S.P.Q. 45; 691 O.G. 170; 1955 C.D. 34	1101.02(f)
Brenner v. State of Israel, 802 O.G. 661; 158 USPQ 584	201.14, 1401	Ferris v. Tuttle, 1940 C.D. 5; 521 O.G. 523	715.06, 1101.03
Buchenberg, Ex parte, 1924 C.D. 55; 327 O.G. 216	1214.06	Finley, In re, 1949 C.D. 284; 624 O.G. 262	716
Buchli v. Rasmussen, 1925 C.D. 75; 339 O.G. 223	1105.02	Fischer, In re, 1942 C.D. 295; 538 O.G. 503	706.02(a)
Buck v. Ooms, 1947 C.D. 33; 602 O.G. 177	716	Forsyth v. Richards, 1905 C.D. 115; 115 O.G. 1327	1105.02
Budde, Ex parte, 150 U.S.P.Q. 469; 828 O.G. 409	706.03(w)	Foster, Ex parte, 1903 C.D. 213; 105 O.G. 261	715.04
		Fox, Ex parte, 1960 C.D. 28; 761 O.G. 906	608.04(a)
		Frey, In re, 1950 C.D. 362; 639 O.G. 5	1101.02(f)

MANUAL OF PATENT EXAMINING PROCEDURE

	Sec. No.		Sec. No.
Fried et al., In re, 141 USPQ 27; 51 CCPA 1118	608.01(p)	Jewett et al., In re, 1957 C.D. 420; 724 O.G. 225	716
Fried et al. v. Murray et al., 1959 C.D. 311; 746 O.G. 563	1105.04	Jones, Ex parte, 1958 C.D. 22; 731 O.G. 6	1401
Fuller, In re, 1929 C.D. 172; 388 O.G. 279	706.03(c)	Jones, Ex parte, 1924 C.D. 59; 327 O.G. 681	709.01
Gardner et al., In re, 42 CCPA 1022; 106 USPQ 273	706.03(r)	Joyce, In re, 1958 C.D. 2; 727 O.G. 4	706.03(k)
Gelder v. Henry, 77 U.S.P.Q. 223	1105.02	Klein, In re, 1930 C.D. 2; 398 O.G. 519	201.08
General Electric Company v. Brenner, 159 USPQ 335; 407 F. 2d 1258	608.01(p)	Kluis et al., Ex parte, Board of Appeals decision in Plant Patent File 707	1604
Good, Ex parte, 1911 C.D. 43; 164 O.G. 739	608.02(d)	Knobl, In re, 155 USPQ 586	804.02
Gourtoff, Ex parte, 1924 C.D. 153; 329 O.G. 536	707.13, 710.06	Komenak, Ex parte, 1940 C.D. 1; 512 O.G. 739	201.09
Grayson, Ex parte, 51 U.S.P.Q. 413	706.03(a)	Kopf et al., In re Application Papers of, 779 O.G. 290	201.06
Greenawalt v. Mark, 1904 C.D. 352; 111 O.G. 2224	1105.04	Kotler, Ex parte, 1901 C.D. 62; 95 O.G. 2684	608.01(o)
Greenfield, In re, 1930 C.D. 531; 400 O.G. 226	1214.01	Kulieke, In re, 1960 C.D. 281; 756 O.G. 288	716
Gresselin, Ex parte, 1896 C.D. 39; 76 O.G. 1573	716	Lantzke, Ex parte, 1910 C.D. 100; 156 O.G. 257	810.01
Grier, Ex parte, 1923 C.D. 27; 309 O.G. 223	706.04, 820	Larsen, In re, 49 CCPA 711; 130 USPQ 209	706.03(q)
Griswold, In re, 150 USPQ 804	804.02	Lassell, Ex parte, 1884 C.D. 66; 29 O.G. 861	711.01
Gruschwitz et al., Ex parte, 1963 C.D. 859; 138 U.S.P.Q. 505	706.03(s), 901.05(b)	Leishman, Ex parte, 137 Ms 386, Pat. No. 1,581,937	608.04(b)
Gunther, In re, 1942 C.D. 332; 538 O.G. 744	706.02(a)	Lemieux, Ex parte, 1957 C.D. 47; 725 O.G. 4	715.01(c)
Hall, In re, 41 CCPA 759; 100 USPQ 46	706.03(j)	Lily et al. v. Brenner, 153 USPQ 95; 375 F. 2d 599	715.01
Harris et al., Ex parte, 79 U.S.P.Q. 439	707.05(f)	Ljungstrom, Ex parte, 1905 C.D. 541; 119 O.G. 2335	814
Hay, Ex parte, 1909 C.D. 18; 139 O.G. 197	706.04	Loewenbach, Ex parte, 1904 C.D. 170; 110 O.G. 857	819
Häzelline Research, Inc., et al. v. Brenner, 147 U.S.P.Q. 429 (1965)	706.02, 715.01	Lohman, Ex parte, 1912 C.D. 336; 184 O.G. 287	1503.02
Healy, Ex parte, 1898 C.D. 157; 84 O.G. 1281	806.04(b)	Ludwick, In re, 1925 C.D. 306; 389 O.G. 393	706.03(g)
Heinz, In re, 1910 C.D. 292; 151 O.G. 1014	1214.01	Lund et al., In re, 153 USPQ 625; 54 CCPA 1361	901.02
Heinze, Ex parte, 1919 C.D. 67; 265 O.G. 145	602.05	Lurelle Guild, In re, 1953 C.D. 310; 677 O.G. 5	716
Henrich, In re, 1959 C.D. 353; 747 O.G. 798	716	Malcolm, In re, 1942 C.D. 589; 543 O.G. 440	706.02(a)
Henriksen, In re, 1958 USPQ 224; 853 O.G. 17	201.11	Markush, Ex parte, 1925 C.D. 126; 340 O.G. 839	706.03(y)
Heritage, In re, 1950 C.D. 419; 639 O.G. 638	901.02	Martin, In re, 1946 C.D. 180; 586 O.G. 347	1212
Heritage Pat. No. 2,375,414; Ex parte, decided Jan. 26, 1944	819.01	Mattullath, In re, 1912 C.D. 490; 179 O.G. 853	409.01
Herrick et al., In re, 1958 C.D. 1; 727 O.G. 4	706.03(k)	McCormick, Ex parte, 1904 C.D. 575; 113 O.G. 2508	709.01
Herrmann et al., In re, 1963 C.D. 159; 739 O.G. 549	707.07(f)	McBurney v. Jones, 104 U.S.P.Q. 115	1105.04
Hilmer, In re, 833 O.G. 13; 149 USPQ 480	715.01	McKenna et al., In re, 1953 C.D. 251; 674 O.G. 9	716
Hirschler, Ex parte, 110 U.S.P.Q. 384	715.01(c)	Meden v. Curtis, 1905 C.D. 272; 117 O.G. 1795	819.01
Hollingsworth, In re, 1958 C.D. 210; 730 O.G. 282	716	Mergenthaler v. Scudder, 1897 C.D. 724; 81 O.G. 1417	715.07
Hoogendam, Ex parte, 1939 C.D. 3; 499 O.G. 3	706.07	Merz, Ex parte, 75 U.S.P.Q. 296	715.07(a)
Hoover Co., etc., In re, 1943 C.D. 338; 553 O.G. 865	1109.01	Messick, Ex parte, 1930 C.D. 6; 400 O.G. 3	710.01(a)
Hotel Security Checking Co. v. Lorraine Co., 169 Fed. 467	706.03(a)	Metcalfe and Lowe, In re, 161 USPQ 789; 860 O.G. 691	608.01(v)
Hough et al., In re, 703 O.G. 200	409.03	Metropolitan Eng. Co. v. Coe, 1935 C.D. 54; 455 O.G. 3	716
Hovlid v. Asari et al., 134 USPQ 162; 305 F.2d 747	201.11	Michalek, In re, 1947 C.D. 458; 604 O.G. 223	716
Hunt Co. v. Mallinckrodt, 83 U.S.P.Q. 277	201.11	Milburn Co. v. Davis-Bournonville Co., 1928 C.D. 303; 344 O.G. 817	706.02
Hunter, Ex parte, 1889 C.D. 218; 49 O.G. 733	715.07(a)	Miller, Ex parte, 1922 C.D. 36; 305 O.G. 419	714.15
Iagan, Ex parte, 1911 C.D. 10; 162 O.G. 538	706.03(g)	Milton, Ex parte, 164 Ms D. 1; 33 U.S.P.Q. 132	710.04(a)
Incomplete Application, In re, 859 O.G. 917	608.01		
Irwin, Ex parte, 1928 C.D. 13; 367 O.G. 701	604.02		

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	Sec. No.		Sec. No.
Moeller, In re, 1941 C.D. 316; 527 O.G. 559	706.03(e)	Silverstein, Ex parte, 125 USPQ 238	706.03(j)
Monaco v. Watson, 106 U.S. App. D.C. 142; 270 F. 2d 335; 122 U.S.P.Q. 564	1109.01	Simons v. Dunlop, 103 U.S.P.Q. 257	1105.02
Monsanto v. Kamp et al., 146 U.S.P.Q. 431	1109.01	Smith, Ex parte, 1888 C.D. 131; 44 O.G. 1183	806.04(c)
Mosher, In re, 45 CCPA 701; 115 USPQ 140	1216.01	Smyth, In re, 1951 C.D. 449; 651 O.G. 5	716
Myers, In re, 1959 C.D. 2; 738 O.G. 947	608.02	Snyder, Ex parte, 1904 C.D. 242; 110 O.G. 2636	810.02
Nelson, Ex parte, 164 Ms. D. 361; 26 J.P. O.S. 564	710.04(a)	Sol, In re, 1938 C.D. 723; 497 O.G. 546	706.03(z)
Norlund, Ex parte, 1913 C.D. 161; 192 O.G. 989	1213.01	Stalego, Ex parte, 154 USPQ 52	901.01
Noxon v. Halpert, 128 U.S.P.Q. 481	1101.02(f), 1105.05	Stalego et al. v. Haymes et al., 120 U.S.P.Q. 473	1101.02(f)
Oppenauer, In re, 1944 C.D. 587; 568 O.G. 393	716	Stanley, Ex parte, 121 U.S.P.Q. 621	706.03(c)
O'Reilly v. Morse, 15 Howard 62	706.03(a)	Stanley et al., In re, 102 U.S.P.Q. 234	305
Osborne, Ex parte, 1900 C.D. 137; 92 O.G. 1797	706.03(d)	Steenbock, In re, 1936 C.D. 594; 473 O.G. 495	715.03
Payne, Ex parte, 1904 C.D. 42; 108 O.G. 1049	707.07(g)	Stempel, In re, 1957 C.D. 200; 717 O.G. 886	715.03
Peck, Ex parte, 1901 C.D. 136; 96 O.G. 2409	608.02(f)	Sticker Industrial Supply Corp. v. Blaw-Knox Co. et al., 160 USPQ 177	201.11
Perrigo, In re, 1931 C.D. 512; 411 O.G. 544	716	Strain, In re, 1951 C.D. 252; 648 O.G. 5	715.01(a)
Perrine, In re, 1940 C.D. 465; 519 O.G. 520	716	Swanberg, In re, 129 U.S.P.Q. 364	608.01
Peterson, Ex parte, 63 U.S.P.Q. 99	901.02	Sweet, In re, 1943 C.D. 535; 556 O.G. 726	1211
Peterson, Ex parte, 1941 C.D. 8; 525 O.G. 3	710.02(b), 1109, 1109.01	Switzer et al., In re, 612 O.G. 11; 77 USPQ 156	901.02
Pickles, Ex parte, 1904 C.D. 126; 109 O.G. 1888	810.02	Taggart et al., In re, 1957 C.D. 6; 725 O.G. 397	608.02
Pierce, In re, 1930 C.D. 34; 390 O.G. 265	716	Tanke et al., In re, 102 U.S.P.Q. 83; 687 O.G. 677; 1954 C.D. 212	1101.02(f)
Pierce v. Tripp v. Powers, 1923 C.D. 69; 316 O.G. 3	1105.02	Tarczy-Hornoch, In re, 158 USPQ 141	706.03(r)
Pierce v. Watson, 124 U.S.P.Q. 356	715.01(b)	Tatincloux, In re, 1956 C.D. 102; 702 O.G. 964	716
Pike et al., In re, 1950 C.D. 105; 633 O.G. 680	716	Thiden v. Snodgrass, 1923 C.D. 30; 306 O.G. 477	1105.02
Pio, In re, 1955 C.D. 59; 601 O.G. 454	716	Thompson v. Hamilton, 1946 C.D. 70; 585 O.G. 177	1101.02(f)
Powell et al., Ex parte, 1938 C.D. 15; 489 O.G. 231	715.01(c)	Trevette, Ex parte, 1901 C.D. 170; 97 O.G. 1173	820
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Quayle, Ex parte, 1935 C.D. 11; 453 O.G. 213	710.02(b), 713.04, 714.14, 714.15, 1108	United States Industrial Chemicals Inc. v. Car- bide and Carbon Chemicals Corp., 1942 C.D. 751; 538 O.G. 741	1401.07
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Reid, In re, 1950 C.D. 194; 635 O.G. 694	716	Van Otteren v. Hafner et al., 757 O.G. 1026; 126 U.S.P.Q. 151	201.03
Renstrom, In re, 1949 C.D. 306; 624 O.G. 5	716	Vickers et al., In re, 1944 C.D. 324; 564 O.G. 174	706.03(z)
Reuge, Ex parte, 115 USPQ 51	901.05(b)	Vossen, Ex parte, 1967 C.D. 29; 155 USPQ 109	1216.01
Riegger v. Beierl, 1910 C.D. 12; 150 O.G. 826	604.06	Votey v. Wuest v. Doman, 1904 C.D. 323; 111 O.G. 1627	1102.01(a)
Rieser v. Williams, 118 U.S.P.Q. 96	1101.02(f)	Wagner, In re, 1939 C.D. 581; 507 O.G. 1041	716
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Rosenberg, Ex parte, 46 U.S.P.Q. 393	1610	Weston, Ex parte, 1911 C.D. 218; 173 O.G. 285	810.02
Rossi, In re, 1957 C.D. 130; 717 O.G. 214	716	Wheary, Ex parte, 1913 C.D. 253; 197 O.G. 534	714.08
Rothermel et al., In re, 1960 C.D. 204; 755 O.G. 621	716	Whitelaw, Ex parte, 1915 C.D. 18; 219 O.G. 1237	706.03(k)
Rubinfeld, In re, 1959 C.D. 412; 123 USPQ 210	1503.01, 1504	Willien et al., In re, 1935 C.D. 229; 454 O.G. 535	715
Saunders, Ex parte, 1883 C.D. 23; 23 O.G. 1224	715.07	Winder, In re, 44 CCPA 795; 113 USPQ 53	706.03(r)
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Seebach, In re, 1937 C.D. 495; 484 O.G. 503	709.01		
Selmi, In re, 1946 C.D. 525; 591 O.G. 190	706.02(a)		
Sharp et al., Ex parte, Pat. No. 2,232,739	820		
Shohan, Ex parte, 1941 C.D. 1; 522 O.G. 501	1101.02(g)		