

## Appendix II List of Decisions Cited

	Sec. No.		Sec. No.
Abbot v. Coe, 1940 C.D. 13; 512 O.G. 3	716	Burke, Ex parte, 1934 C.D. 5; 441 O.G. 509	706.03(y)
Adams, Ex parte, Pat. No. 1,789,921	608.04(b)	Burrowes, Ex parte, 1904 C.D. 155; 110 O.G.	
Andrews v. Wickenden, 1952 C.D. 176, 659 O.G.		599	1214.01
305	1101.02(f)	Campbell, In re, 1954 C.D. 191; 101 USPQ	
Appeal No. 194-88, 1966 C.D. 31; 152 USPQ		406	201.06, 1503.01
70	901.05(b)	Card and Card, Ex parte, 1904 C.D. 383; 112	
Application Filed Nov. 16, 1945, In re, 1951 C.D. 1;		O.G. 499	1101.02
646 O.G. 5	904.01(a)	Carey v. The New Home Sewing Machine Co.,	
Application Papers Filed July 13, 1950, 693 O.G.		1901 C.D. 165; 97 O.G. 1171	1309.02
136; 1955 C.D. 3	1214.01	Carlson et al., In re, 1936 C.D. 95; 462 O.G.	
Application Papers Filed Jan. 20, 1956, In re,		479	715.04
706 O.G. 4	714.07	Chevenard, In re, 1944 C.D. 141; 560 O.G.	
Application Papers Filed Sept. 10, 1954, In re,		196	706.02(a)
703 O.G. 434	409.03	Chilowsky, In re, 1956 C.D. 155; 704 O.G. 213	716
Arbeit et al., In re, 1953 C.D. 409; 677 O.G.		Christie v. Seybold, 1893 C.D. 515; 64 O.G.	
843	706.03(c)	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	Crecelius, In re, 1937 C.D. 112; 474 O.G. 465	716
Automatic Weighing Mach. Co. v. Pneumatic		Crosby, In re, 1947 C.D. 35; 595 O.G. 5	716
Scale Corp., Limited, 1909 C.D. 498; 139 O.G.		Crowell, In re, 1930 C.D. 360; 397 O.G. 3	1214.01
991	715.07	Cutter Co. v. Metropolitan Electric Mfg. Co.,	
Ayers et al., Ex parte, 108 U.S.P.Q. 444	608.04(a)	275 Fed. 158	603.01
Badger, Ex parte, 1901 C.D. 195; 97 O.G.		Delavoye, Ex parte, 1906 C.D. 320; 124 O.G.	
1596	608.02(f)	626	604.02
Ball et al., Ex parte, 1953 C.D. 4; 675 O.G. 5	706.03(c)	Den Beste v. Martin, 1958 C.D. 178, 729 O.G.	
Barber, In re, 1936 C.D. 184; 465 O.G. 724	1504	724	1105.04
Beck et al., In re, 1946 C.D. 398; 590 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.	
Benson, In re, 1959 C.D. 5; 744 O.G. 353	608.01, 714.07	398	806.05(b)
Bernard, In re, 748 O.G. 282; 123 USPQ 387	409.03	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;	
Board of Appeals decision in Plant Patent File		457 O.G. 479	706.03(e)
No. 412	1610	Earl 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		Eggan, Ex parte, 1911 C.D. 213; 172 O.G.	
O.G. 453	104	1091	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	
Bowyer, Ex parte, 1939 C.D. 5; 505 O.G. 759	715.07(b),	349	901.05(b)
	715.09, 1212	Elliott, Ex parte, 1904 C.D. 103; 109 O.G.	
Brenner v. Ebbert et al., 157 USPQ 609, 398 F.		1337	608.02(g)
2d 762	712	Emerson v. Beach, 103 U.S.P.Q. 45; 691 O.G.	
Brenner v. State of Israel, 862 O.G. 661; 158		170; 1955 C.D. 34	1101.02(f)
USPQ 584	201.14, 1401	Ferris v. Tuttle, 1940 C.D. 5; 521 O.G. 523	715.06,
Buchenberg, Ex parte, 1924 C.D. 55; 327 O.G.			1101.03
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.		Fischer, In re, 1942 C.D. 295; 538 O.G. 503	706.02(a)
223	1105.02	Forsyth v. Richards, 1905 C.D. 115; 115 O.G.	
Buck v. Ooms, 1947 C.D. 33; 602 O.G. 177	716	1327	1105.02
Budde, Ex parte, 150 U.S.P.Q. 469; 828 O.G.		Foster, Ex parte, 1903 C.D. 213; 105 O.G. 261	715.04
409	706.03(w)	Fox, Ex parte, 1960 C.D. 28; 761 O.G. 906	608.04(a)
Bullard & Co. v. Coe, 1945 C.D. 13; 573 O.G. 547	716	Frey, In re, 1950 C.D. 362; 639 O.G. 5	1101.02(f)
Bullock, Ex parte, 1907 C.D. 93; 127 O.G.		Fried et al, In re, 141 USPQ 27; 51 CCPA	
1580	706.03(c)	1118	608.01(p)

MANUAL OF PATENT EXAMINING PROCEDURE

	Sec. No.		Sec. No.
Fried et al. v. Murray et al., 1959 C.D. 311;		Jones, Ex parte, 1924 C.D. 59; 327 O.G. 681	709.01
746 O.G. 563	1105.04	Joyce, In re, 1958 C.D. 2; 727 O.G. 4	706.03(k)
Fuller, In re, 1929 C.D. 172; 388 O.G. 279	706.03(c)	Kellogg Switchboard & Supply Co., The, In re,	
Gelder v. Henry, 77 U.S.P.Q. 223	1105.02	1906 C.D. 274	106
General Electric Company v. Brenner, 159 USPQ		Klein, In re, 1930 C.D. 2; 393 O.G. 519	201.08
335; 407 F. 2d 1258	608.01(p)	Kluis et al., Ex parte, Board of Appeals decision	
Good, Ex parte, 1911 C.D. 43; 164 O.G. 739	608.02(d)	in Plant Patent File 707	1604
Gourtoff, Ex parte, 1924 C.D. 153; 329 O.G.		Knohl, In re, 155 USPQ 586	804.02
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	
Greenawalt v. Mark, 1904 C.D. 352; 111 O.G.		O.G. 290	201.06
2224	1105.04	Kotler, Ex parte, 1901 C.D. 62; 95 O.G.	
Greenfield, In re, 1930 C.D. 531; 400 O.G. 226	1214.01	2684	608.01(o)
Gresselin, Ex parte, 1896 C.D. 39, 76 O.G. 1573	716	Kulieke, In re, 1960 C.D. 281; 756 O.G. 288	716
Grier, Ex parte, 1923 C.D. 27; 309 O.G.		Lantzke, Ex parte, 1910 C.D. 100; 156 O.G.	
223	706.04, 820	257	810.01
Griswold, In re, 150 USPQ 804	804.02	Larsen, In re, 49 CCPA 711; 130 USPQ 209	706.03(q)
Gruschwitz et al., Ex parte, 1963 C.D. 859; 138		Lasscell, Ex parte, 1884 C.D. 66; 29 O.G. 861	711.01
U.S.P.Q. 505	706.03(s), 901.05(b)	Lawrence, Ex parte, 1946 C.D. 1; 70 USPQ 326	1505
Gunther, In re, 1942 C.D. 332; 538 O.G. 744	706.02(a)	Leishman, Ex parte, 137 Ms 336, Pat. No.	
Hall, In re, 41 CCPA 759; 100 USPQ 46	706.03(j)	1,581,937	608.04(b)
Harris et al., Ex parte, 79 U.S.P.Q. 439	707.05(f)	Lemieux, Ex parte, 1957 C.D. 47; 725	
Hay, Ex parte, 1909 C.D. 18; 139 O.G. 197	706.04	O.G. 4	715.01(c)
Hazeltine Research, Inc., et al. v. Brenner, 147		Lily et al. v. Brenner, 153 USPQ 95; 375 F. 2d	
U.S.P.Q. 429 (1965)	706.02, 715.01	599	715.01
Healy, Ex parte, 1898 C.D. 157; 84 O.G.		Ljungstrom, Ex parte, 1905 C.D. 541; 119 O.G.	
1281	806.04(b)	2335	814
Heinz, In re, 1910 C.D. 292; 151 O.G. 1014	1214.01	Loewenbach, Ex parte, 1904 C.D. 170; 110 O.G.	
Heinze, Ex parte, 1919 C.D. 67; 265 O.G. 145	602.05	857	819
Henrich, In re, 1959 C.D. 353; 747 O.G. 793	716	Lohman, Ex parte, 1912 C.D. 336; 184 O.G.	
Henriksen, In re, 1958 USPQ 224; 853 O.G. 17	201.11	287	1503.02
Heritage, In re, 1950 C.D. 419; 639 O.G. 638	901.02	Ludwick, In re, 1925 C.D. 306; 339 O.G. 393	706.03(g)
Heritage Pat. No. 2,375,414; Ex parte, decided		Lund et al, In re, 153 USPQ 625; 54 CCPA	
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Herrick et al., In re, 1958 C.D. 1; 727		Lurelle Guild, In re, 1953 C.D. 310; 677 O.G. 5	716
O.G. 4	706.03(k)	Malcolm, In re, 1942 C.D. 589; 543 O.G.	
Herrmann et al., In re, 1959 C.D. 159; 739		440	706.02(a)
O.G. 549	707.07(f)	Markush, Ex parte, 1925 C.D. 126; 340 O.G.	
Hilmer, In re, 833 O.G. 13; 149 USPQ 480	715.01	839	706.03(y)
Hirschler, Ex parte, 110 U.S.P.Q. 384	715.01(c)	Martin, In re, 1946 C.D. 180; 586 O.G. 347	1212
Hollingsworth, In re, 1958 C.D. 210; 730 O.G.		Mattullath, In re, 1912 C.D. 490; 179 O.G. 853	409.01
282	716	McCormick, Ex parte, 1904 C.D. 575; 113 O.G.	
Hoogendam, Ex parte, 1939 C.D. 3; 499 O.G. 3	706.07	2508	709.01
Hoover Co., etc., In re, 1943 C.D. 338; 553 O.G.		McBurney v. Jones, 104 U.S.P.Q. 115	1105.04
365	1109.01	McKenna et al., In re, 1953 C.D. 251; 674 O.G. 9	716
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160 Fed. 467	706.03(a)	Mergenthaler v. Scudder, 1897 C.D. 724; 81 O.G.	
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747	201.11	Messick, Ex parte, 1930 C.D. 6; 400 O.G. 3	710.01(a)
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Hunter, Ex parte, 1889 C.D. 218; 49 O.G.		O.G. 691	608.01(v)
733	715.07(a)	Metropolitan Eng. Co. v. Coe, 1935 C.D. 54;	
Iagan, Ex parte, 1911 C.D. 10; 162 O.G. 538	706.03(g)	455 O.G. 3	716
Incomplete Application, In re, 659 O.G. 917	608.01	Michalek, In re, 1947 C.D. 458; 604 O.G. 223	716
Irwin, Ex parte, 1928 C.D. 13; 367 O.G. 701	604.02	Milburn Co. v. Davis-Bournonville Co., 1926	
Jewett et al., In re, 1957 C.D. 420; 724 O.G.		C.D. 303; 344 O.G. 817	706.02
225	716	Miller, Ex parte, 1922 C.D. 36; 305 O.G. 419	714.15
Johnson, Ex parte, 1958 C.D. 22; 731 O.G. 6	1401	Milton, Ex parte, 164 Ms D. 1; 63 U.S.P.Q.	
		132	710.04(a)

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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. 237_	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	Tilden v. Snodgrass, 1923 C.D. 30; 309 O.G. 477_	1105.02
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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
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Rosenberg, Ex parte, 46 U.S.P.Q. 393_	1610	Weiss, Ex parte, 852 O.G. 255; 159 USPQ 122_	1506
Rossi, In re, 1957 C.D. 130; 717 O.G. 214_	716	Weston, Ex parte, 1911 C.D. 218; 173 O.G. 285_	810.02
Rothermel et al., In re, 1960 C.D. 204; 755 O.G. 621_	716	Wheary, Ex parte, 1913 C.D. 253; 197 O.G. 534_	714.08
Rubinfield, In re, 1959 C.D. 412; 123 USPQ 210_	1503.01, 1504	Whitelaw, Ex parte, 1915 C.D. 18; 219 O.G. 1237_	706.03 (k)
Saunders, Ex parte, 1888 C.D. 23; 23 O.G. 1224_	715.07	Willien et al., In re, 1935 C.D. 229; 454 O.G. 535_	715
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Selmi, In re, 1946 C.D. 525; 591 O.G. 160_	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)		