

Chapter 500 Receipt and Handling of Mail and Papers

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501 Papers Received by Mail Branch

All communications are received by the Incoming-Mail Section of the Correspondence and Mail Branch, which opens and distributes all official mail.

502 Depositing Papers

The application having been prepared and executed, it can be sent to the Patent Office by mail or express, or may be delivered by hand.

Amendments and other papers reach the Office by mail, or in Washington they may be deposited in the Mail Branch or in a box which is kept at the Patent Office for this purpose.

Rule 6. Receipt of letters and papers. (a) Letters and other papers received in the Patent Office are stamped with the date of receipt. No papers are received in the Patent Office on Saturdays, Sundays or holidays within the District of Columbia.

(b) Mail placed in the Patent Office pouch up to midnight on weekdays, excepting holidays, by the post office at Washington, D.C., serving the Patent Office, is considered as having been received in the Patent Office on the day it was so placed in the pouch.

(c) In addition to being mailed or delivered by hand during office hours, letters and other papers may be deposited up to midnight in a box provided at the guard's desk at the 14th and E Street entrance of the Patent Office on weekdays except Saturdays and holidays, and all papers deposited therein are considered as received in the Patent Office on the day of deposit.

503 Serial Number and Filing Receipt

It is most important that the Group number be typed on amendments and other communications relating to pending applications in order to expedite the handling of mail. The number of the Group should be placed on the right-hand side, opposite the Serial Number or name of applicant. In view of the vast amount of mail, continued careful attention to these details will do much toward avoiding delay in handling of mail. (Basis: Notice of April 24, 1956.)

In the Application Branch each application which meets the formal requirements as to completeness is immediately given a serial number and a filing date. Since the serial numbers are limited to six digits, a new series is started from time to time. The current series was started in 1960. It is therefore important, when referring to application files, to identify them by their filing dates as well as by serial numbers.

The Application Branch mails a receipt to the attorney or agent, if any, otherwise to the applicant, for each application filed, giving the serial number, filing date, and group to which assigned. The filing receipt may contain notations of apparent omissions. See 506.

In the Application Branch the application papers, with the exception of the drawing, are placed in a jacket and the data listed in 717.02 are placed thereon.

504 Register of Applications

The Application Branch assigns the application to the examining group to which it appears to belong. A list of all applications arranged by serial numbers as well as an alphabetically arranged card index of the applicants is kept by the Application Branch and the identification of the group to which each application is sent is made part of this record.

505 "Office Date" Stamp of Receipt

In whatever manner an application or any part thereof, or an amendment, letter, or other

paper is transmitted, the date of its receipt is stamped thereon by the Correspondence and Mail Branch. A print or sketch so stamped which is later mounted on Bristol board by the Application Branch has the same date stamped on the back of the Bristol board. The stamp is referred to as the "Office Date" stamp and, if the application is complete (See Rule 55), establishes the "filing date."

506 Determination of Completeness of Original Application

If the application papers are too informal to warrant their being forwarded to the proper examining group, they are not given a serial number, but the case is held in the Application Branch as an *incomplete* application and the attorney or agent, if any, otherwise the applicant, is informed of the shortcomings of the papers.

Such informality may consist of the omission of any one of the component parts of an application; see Rule 51. Whether or not a drawing is necessary is decided in accordance with the principles outlined in 608.02.

Beginning on February 1, 1962, however, the Application Branch accords a filing date, as of the date of receipt in the Office, to application papers which include all of the necessary components of a complete application, even though there appear to have been omitted therefrom either:

- (a) one or more figures of the drawing
- (b) one or more pages of the specification
- (c) one or more claims.

The apparent omission is noted on the filing receipt mailed to applicant so that he may take any action in the matter which he deems appropriate or necessary. (Basis: Notice of December 22, 1961)

An application too informal to be admitted for examination may receive as its filing date, the date it was originally presented only under the conditions set forth in Rule 183, and only when a satisfactory showing is made that a proper application could not be submitted originally and that applicant will suffer irreparable damage if the filing date sought is not accorded.

506.01 Return of Incomplete Application

If a request is made, the parts of an incomplete application are returned by the Application Branch. Otherwise, the papers (and fee) are retained for at least six months and then returned. They may be used by applicant as part of a complete application if the missing parts are later supplied. See Rule 53.

507 Drafting Branch

The drawing is sent to the Drafting Branch to be inspected for formal compliance with the rules. If the drawing is satisfactory, or if it contains defects which are not so serious as to warrant holding the application to be incomplete, the Draftsman enters the appropriate notation (608.02(a) and 608.02(b)).

If the drawings are so informal that they may not serve for examination purposes or for the purpose of receiving a filing date, the Draftsman writes in lead pencil on the margin of the drawing "Inf." (Informal). The drawings are then returned to the Application Branch, which writes the applicant that the application is incomplete and will not be given a date and serial number until a proper drawing is filed.

508 Distribution

The Application Branch has permanent prints made of the drawings of all complete applications and secures the prints in the file wrappers. The drawings and files are then assembled and forwarded to the proper examining group.

When a new or substitute drawing is received, a print is made and forwarded to the Group to be placed in the file as an official paper.

As to the procedure to be followed when a model is filed, see 608.03 and 608.03(a).

508.01 Papers Sent to Wrong Group

Drawings, amendments and other papers that are delivered to Groups to which they do not belong should be promptly returned to the Application Branch for re-routing. Papers may be forwarded to the correct destination, if known.

A terminal disclaimer should not be routed directly to an Examining Group. If such a paper (without the file) is received, it should be promptly forwarded *without the file* to the Issue and Gazette Branch.

508.02 Papers Received After Patenting or Abandonment

After an application is patented or abandoned, any incoming communication which is not to become part of the record is sent to the Correspondence and Mail Branch for handling with the status of the application indicated thereon.