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MANUAL OF PATENT EXAMINING PROCEDURE

Third Edition

Instructions Regarding Revision No. 2

The attached revised pages are to be substituted for those in the Manual having corresponding page numbers. The page numbers are listed on the reverse of this page to provide a means for determining that your set is complete.

Information and instructions published in Change Notices 2-1 through 2-10 have been included in these revised pages. Accordingly, these Change Notices should be removed and discarded.

ERNEST A. FALLER
Editor, MPEP

Your attention is especially directed to the changes referred to below:

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MANUAL OF PATENT EXAMINING PROCEDURE
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Instructions Regarding Revision No. 3

The attached revised pages are to be substituted for those in the Manual having corresponding page numbers. A list is provided on the reverse side and may be checked to make certain that the set of pages received is complete.

Information and instructions published in Change Notices 2 - 11 through 2 - 18 have been included in these revised pages. Accordingly, these Change Notices should be removed and discarded.

Ernest A. Faller
Editor, MPEP

Important changes in procedure appear in the following sections:

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The attached revised pages are to be substituted for those in the Manual having corresponding page numbers. The page numbers listed on the reverse of this page provide a means for determining that your set is complete.

Information and instructions published in Change Notice 2 - 19, 2 - 20, 2 - 21 and 2 - 23 through 2 - 31 have been included in these revised pages. Accordingly, these Change Notices should be removed and discarded.

Ernest A. Faller
Editor, MPEP

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MANUAL OF PATENT EXAMINING PROCEDURE
Instructions Regarding Revision No. 5

The attached revised pages are to be substituted for those in the Manual having corresponding page numbers. Chapter 1100 has been replaced as a unit because of the extensive changes in interference practice based on new Rules of Practice effective July 1, 1965.

Former Chapter 1100 should NOT be discarded. It should be transferred to the back of the Manual and will continue to govern interferences declared prior to July 1, 1965. Change Notice 2 - 22 dealing with hearings on motions should be retained and will be in force with respect to such interferences.

Change Notices 5 - 1 and 5 - 2 should be discarded. In 1101.03, the text differs from 5 - 2 with respect to the sealing of affidavits.

Ernest A. Faller
Editor, MPEP

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Instructions Regarding Revision No. 6

Submitted herewith is Revision No. 6 of the Manual of Patent Examining Procedure, Third Edition.

The revised pages are to be substituted for those in the Manual having corresponding page numbers.

This revision incorporates certain revised practices embodied in Change Notices 5-3 and 6-1 through 6-5, as well as certain changes in the Rules of Practice and changes in the Statutes. Note should be made of pages which reproduce or refer to the new Rules and Statutes, for the pages superseded thereby may still be pertinent to applications filed before October 25, 1965.

For the guidance of all users of the Manual the changes are recapitulated as follows:

The term "final fee" has been changed to -- issue fee -- on those pages where other changes have been made. See 203.04 (page 19) and 307 (page 22). These are exemplary only. A new page has not been reproduced where this changed term would constitute the only change to be made. The words "examining divisions," "supervisory examiner" and "principal examiner" have been changed to -- examining groups --, -- Group Manager -- and -- Supervisory Primary Examiner --, respectively, on those pages where other changes have been incorporated. See 203.08 (page 20), 707.02 (page 77) and 707.02 (a) (page 77), for example. See also 1005. A new page has not been reproduced where a single term or designation of this nature would constitute the only change to be made.

203.07 has been rewritten in line with the new issue fee provisions affecting allowed applications which became effective October 25, 1965. 203.08 has been revised to indicate the modified handling of "status letters" and to set forth in the last paragraph an additional type of inquiry relating to pending applications. 304 has been corrected to remove an obvious typographical error in the heading.

602.03 has been rewritten in its entirety to incorporate the substance of the Notice of July 22, 1965, (Series No. 6-1). 607 and 607.01 have been modified in accordance with the new law effective October 25, 1965. 608.02 (i), 608.02 (k) and 608.02 (l) have been modified to set forth the procedure for transferring drawings between applications, in accordance with the Notice of September 9, 1965. 706.03 (n) now includes a further instruction where "new matter" may be involved, as contained in the Notice of August 13, 1965. 706.07 (e) sets forth current practice following final rejections as contained in the Notice of August 11, 1965. 707.02 now specifies certain Examiner's Answers on appeal in the list of actions which require the attention of the Primary Examiner. 710.02 (b) lists the shortened periods for response to be set in different types of office actions in accordance with the current practice.

712 has been rewritten to set forth new Rules 316 and 317 and to explain further the status of an application which has become abandoned for failure to pay the issue fee. 713.01, 713.05 and 713.09 have been substantially expanded to reflect the present practice in the conduct of interviews in the general case, in special situations, after final rejection and after issue.

714.02 adds the substance of the Notice of August 13, 1965 and a further instruction in facilitating the prosecution. 714.10 states the effect of the new fee law in submitting excess claims. A new first paragraph has been added to 715.01 relating to the effective date of a U. S. patent, especially as applicable to a Rule 131 situation. 717.03 explains the advantage in maintaining certain pencil notes on the drawing and file wrapper. (Notice of July 22, 1965, Series No. 6-2).

903.07 adds the substance of the Notice of June 18, 1965, relating to the processing of applications being passed to issue. 1005 has been revised by eliminating one of the categories (old No. 2) and by adding a further explanatory paragraph. A revision has also been made in 1208.01 involving certain approval to be obtained in making a new rejection in the Examiner's Answer on appeal. 1302.04 adds the substance of the Notice of August 18, 1964, and also includes a change in the Examiner's Amendment practice. See also 1302.12. 1302.10 restates the portion relating to certain notations on drawings referred to in 717.03. The short

paragraph comprising 1302.13 has been revised. 1308 substitutes new Rule 313. 1308.02 has been eliminated and 1308.03 has been renumbered as 1308.02. The last paragraph of 1309.02 has been eliminated and the provision of the new fee law regarding issue fees for reissue applications is set forth. 1505 has been revised in accordance with new fee law.

Certain changes have also been made in the index pages, as well as in the "table of contents" pages at the beginning of certain chapters.

Within the size limitations of Revision No. 6, many pages have not been substituted which would contain solely changes of a minor nature or errors in typography which have come to the Editor's attention. It is anticipated that these will be embodied in subsequent revisions.

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Manual of Patent Examining Procedure

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