Manual of PATENT EXAMINING PROCEDURE

Original Eighth Edition, August 2001 Latest Revision July 2010



U.S. DEPARTMENT OF COMMERCE United States Patent and Trademark Office The U.S. Patent and Trademark Office does not handle the sale of the Manual, distribution of notices and revisions, or change of address of those on the subscription list. Correspondence relating to existing subscriptions should be sent to the Superintendent of Documents at the following address:

Superintendent of Documents Telephone: 202-512-2267

Mail List Section, Washington, DC 20402

Inquiries relating to purchasing the Manual should be directed to:

Superintendent of Documents Telephone: 202-512-1800

United States Government Printing Office

Washington, DC 20402

Orders for reproduced copies of individual replacement pages or of previous revisions of the Manual should be sent to the following address:

Mail Stop Document Services Telephone: 1-800-972-6382 or 571-272-3150 Director of the U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Previous editions and revisions of the Manual are available on microfilm in the Patent Search Room.

The Manual is available on CD-ROM and on diskette from:

U.S. Patent and Trademark Office Telephone: 571-272-5600 Office of Electronic Information Products

MDW 4C18, P.O. Box 1450 Alexandria, VA 22313-1450

Employees of the U.S. Patent and Trademark Office should direct their requests for the Manual, replacement pages, notices, and revisions to the Office of Patent Training.

Telephone: 571-272-7222

Pursuant to the Patent and Trademark Office Efficiency Act (PTOEA) (Pub. L. 106-113, 113 Stat. 1501A-572), the head of the United States Patent and Trademark Office (USPTO) is the "Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office." The Director is assisted by the "Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office." The patent operations of the USPTO are now headed by the "Commissioner for Patents." The trademark operations of the USPTO are now headed by the "Commissioner for Trademarks." Under section 4741(b) of the PTOEA, any reference to the Commissioner of Patents and Trademarks, the Assistant Commissioner for Patents, or the Assistant Commissioner for Trademarks is deemed to refer to the Director, the Commissioner for Patents, or the Commissioner for Trademarks, respectively. See "Reestablishment of the Patent and Trademark Office as the United States Patent and Trademark Office published in the Federal Register at 65 FR 17858 (Apr. 5, 2000), and in the Official Gazette of the United States Patent and Trademark Office at 1234 O.G. 41 (May 9, 2000).

Additions to the text of the Manual are indicated by arrows (><) inserted in the text. Deletions are indicated by a single asterisk (*) where a single word was deleted and by two asterisks (**) where more than one word was deleted. The use of three or five asterisks in the body of the laws, rules, treaties, and administrative instructions indicates a portion of the law, rule, treaty, or administrative instruction which was not reproduced.

First Edition, November 1949

Second Edition, November 1953

Third Edition, November 1961

Fourth Edition, June 1979

Fifth Edition, August 1983

Sixth Edition, January 1995

Seventh Edition, July 1998

Eighth Edition, August 2001

Revision 1, February 2003

Revision 2, May 2004

Revision 3, August 2005

Revision 4, October 2005

Revision 5, August 2006

Revision 6, September 2007

Revision 7, July 2008

Revision 8, July 2010