

0651-0072 Supplemental Appendix A (December 2012)

For reference, the statutory and regulatory provisions that authorize the USPTO to collect the information associated with existing fees impacted by this rulemaking are outlined in this supplemental document Appendix A. The information requirements themselves will remain in their existing collections under their existing OMB control numbers.

LEGAL 0651-0012

Admittance to Practice and Roster of Registered Patent Attorneys and Agents Admitted to Practice Before the United States Patent and Trademark Office (USPTO)

OMB Inventory as of Last Approval Action 9/28/2011

0012 - Requirement	Statute	Rule
Application for Registration to Practice Before the United States Patent and Trademark Office	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.6 and 11.7
Registration Examination to Become a Registered Practitioner	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.7(b)(1)(ii)
Petitions to the Director of the Office of Enrollment and Discipline Under 37 CFR 11.12(c)	35 U.S.C. § 2(b)(2)(D)	37 CFR 10.170
Petition for Reinstatement After Disciplinary Removal Under 37 CFR 11.7(h)	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.7(h)
Reinstatement to the Register	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.11
Annual Practitioner Maintenance Fee	35 U.S.C. § 2(b)(2)(D)	37 CFR 1.21(a)(2)
Annual Fee, Limited Recognition	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.9
Voluntary Inactive Status	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.11
Request for Restoration to Active Status from Voluntary Inactive Status	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.11
Balance of Annual Fee Due on Restoration to Active Status from Voluntary Inactive Status	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.8
Delinquency Fee for Annual Fee	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.8
Reinstatement Fee (fee required to be paid after the due date of the required annual fee)	35 U.S.C. § 2(b)(2)(D)	37 CFR 11.11

0012 - Form and Function	Form #	Needs and Uses
Application for Registration to Practice Before the United States Patent and Trademark Office	Form PTO-158	<ul style="list-style-type: none"> • Used by domestic applicants to apply for registration. • Used by practitioners to ensure that all of the necessary information is provided to the USPTO. • Used by practitioners to show they have met all of the necessary requirements. • Used by the USPTO to determine whether the applicant meets all of the necessary requirements. • Used by the USPTO to determine whether the applicant possesses good moral character. • Used by the USPTO to register applicants.
Registration Examination to Become a Registered Practitioner	No Form Associated	<ul style="list-style-type: none"> • Used by domestic applicants to apply for registration. • Used by domestic applicants to ensure that all of the necessary information is provided to the USPTO. • Used by the USPTO to determine whether the applicant meets all of the necessary requirements. • Used by the USPTO to determine whether the applicant possesses good moral character. • Used by the USPTO to register applicants.

0012 - Form and Function	Form #	Needs and Uses
Reinstatement to the Register	Form PTO-107A	<ul style="list-style-type: none"> • Used by registered practitioners to respond to periodic surveys to verify current address and status. • Used by the USPTO to determine whether the applicant can be included on the Register of Patent Attorneys and Agents. • Used by the USPTO to determine whether the attorney or agent may remain on the Register of Patent Attorneys and Agents. • Used by the USPTO to update current address and/or status of applicants and registered practitioners.
Petitions to the Director of the Office of Enrollment and Discipline Under 37 CFR 11.12(c)	No Form Associated	<ul style="list-style-type: none"> • Used by the public to request in writing that a requirement of the regulations, which is not a requirement of the statutes, be suspended or waived by the Director in an extraordinary situation, when justice requires. • Used by the USPTO to determine whether a request that a requirement of the regulations, which is not a requirement of the statutes, be suspended or waived by the Director in an extraordinary situation, when justice requires, should be granted.
Petition for Reinstatement After Disciplinary Removal Under 37 CFR 11.7(h)	No Form Associated	<ul style="list-style-type: none"> • Used by practitioners or agents to apply for recognition or registration after disbarment, suspension on ethical grounds, or resignation pending disciplinary proceedings in any other jurisdiction; for asserting rehabilitation following denial of a previous application on moral character grounds, or on application for recognition of registration after conviction of a felony or a crime involving moral turpitude or breach of fiduciary duty; and on petition for reinstatement after exclusion or suspension on ethical grounds, or exclusion on consent from practice before the USPTO. • Used by the USPTO to process requests for reinstatement after disciplinary removal.
Annual Practitioner Maintenance Fee	Form PTO-2126	<ul style="list-style-type: none"> • Used by domestic applicants to request that they be included on the Register of Patent Attorneys and Agents. • Used by applicants and registered practitioners to provide updated information such as addresses. • Used by registered practitioners to respond to periodic surveys to verify current address and status. • Used by the USPTO to determine whether the applicant can be included on the Register of Patent Attorneys and Agents. • Used by the USPTO to determine whether the attorney or agent may remain on the Register of Patent Attorneys and Agents. • Used by the USPTO to update current address and/or status of applicants and registered practitioners.

0012 - Form and Function	Form #	Needs and Uses
Annual Fee, Limited Recognition	Form PTO-2126	<ul style="list-style-type: none"> • Used by domestic applicants to request that they be included on the Register of Patent Attorneys and Agents. • Used by applicants and registered practitioners to provide updated information such as addresses. • Used by registered practitioners to respond to periodic surveys to verify current address and status. • Used by the USPTO to determine whether the applicant can be included on the Register of Patent Attorneys and Agents. • Used by the USPTO to determine whether the attorney or agent may remain on the Register of Patent Attorneys and Agents. • Used by the USPTO to update current address and/or status of applicants and registered practitioners.
Voluntary Inactive Status	Form PTO-2126	<ul style="list-style-type: none"> • Used by domestic applicants to request that they be included on the Register of Patent Attorneys and Agents. • Used by applicants and registered practitioners to provide updated information such as addresses. • Used by the USPTO to determine whether the applicant can be included on the Register of Patent Attorneys and Agents. • Used by the USPTO to determine whether the attorney or agent may remain on the Register of Patent Attorneys Used by the USPTO to update current address and/or status of applicants and registered practitioners.
Request for Restoration to Active Status from Voluntary Inactive Status	Form PTO-2126	<ul style="list-style-type: none"> • Used by domestic applicants to request that they be included on the Register of Patent Attorneys and Agents. • Used by applicants and registered practitioners to provide updated information such as addresses. • Used by registered practitioners to respond to periodic surveys to verify current address and status. • Used by the USPTO to determine whether the applicant can be included on the Register of Patent Attorneys and Agents. • Used by the USPTO to determine whether the attorney or agent may remain on the Register of Patent Attorneys and Agents. • Used by the USPTO to update current address and/or status of applicants and registered practitioners.
Balance Due on Restoration to Active Status from Voluntary Inactive Status	Form PTO-2126	<ul style="list-style-type: none"> • Used by domestic applicants to request that they be included on the Register of Patent Attorneys and Agents. • Used by applicants and registered practitioners to provide updated information such as addresses. • Used by registered practitioners to respond to periodic surveys to verify current address and status. • Used by the USPTO to determine whether the applicant can be included on the Register of Patent Attorneys and Agents. • Used by the USPTO to determine whether the attorney or agent may remain on the Register of Patent Attorneys and Agents. • Used by the USPTO to update current address and/or status of applicants and registered practitioners.

0012 - Form and Function	Form #	Needs and Uses
Delinquency Fee for Annual Fee	Form PTO-2126	<ul style="list-style-type: none"> • Used by domestic applicants to request that they be included on the Register of Patent Attorneys and Agents. • Used by applicants and registered practitioners to provide updated information such as addresses. • Used by registered practitioners to respond to periodic surveys to verify current address and status. • Used by the USPTO to determine whether the applicant can be included on the Register of Patent Attorneys and Agents. • Used by the USPTO to determine whether the attorney or agent may remain on the Register of Patent Attorneys and Agents. • Used by the USPTO to update current address and/or status of applicants and registered practitioners.
Reinstatement Fee (fee required to be paid after the due date of the required annual fee)	Form PTO-2126	<ul style="list-style-type: none"> • Used by domestic applicants to request that they be included on the Register of Patent Attorneys and Agents. • Used by applicants and registered practitioners to provide updated information such as addresses. • Used by registered practitioners to respond to periodic surveys to verify current address and status. • Used by the USPTO to determine whether the applicant can be included on the Register of Patent Attorneys and Agents. • Used by the USPTO to determine whether the attorney or agent may remain on the Register of Patent Attorneys and Agents. • Used by the USPTO to update current address and/or status of applicants and registered practitioners.

PATENTS 0651-0016
Rules for Patent Maintenance Fees

OMB Inventory as of Last Approval Action 5/9/2012

0016 - Requirement	Statute	Rule
Maintenance Fee Payment	35 U.S.C. § 41(b)	37 CFR 1.20(e)-(h), 1.362, and 1.366
Petition to Accept Unavoidably Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b))	35 U.S.C. § 41(c)	37 CFR 1.20(e)-(g) and (i)(1), 1.362, 1.366, 1.378(a), (b) and (d)
Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))	35 U.S.C. § 41(c)	37 CFR 1.20(e)-(g) and (i)(2), 1.362, 1.366, 1.378(a), (c) and (d)

0016 - Form and Function	Form #	Needs and Uses
Maintenance Fee Transmittal Form	PTO/SB/45	<ul style="list-style-type: none"> Used by the public to pay the maintenance fee and the surcharge in order to keep one or more patents in force. Used by the USPTO to record the payment of the maintenance fees in order to keep the patents in force. Used by the USPTO to determine whether a maintenance fee has been paid in response to an inquiry from the public.
Electronic Maintenance Fee Form	No Form Number	<ul style="list-style-type: none"> Used by the public to pay the maintenance fee and the surcharge online in order to keep one or more patents in force. Used by the USPTO to record the payment of the maintenance fees in order to keep the patents in force. Used by the USPTO to determine whether a maintenance fee has been paid in response to an inquiry from the public.
Petition to Accept Unavoidably Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b))	PTO/SB/65	<ul style="list-style-type: none"> Used by the petitioner to request that the patent be reinstated and to show that the delay in timely payment of the maintenance fee was unavoidable. Used by the petitioner to verify all of the identifying information, such as the patent number, patent date, application number, and filing date. Used by the USPTO to determine whether the required elements for the petition have been submitted. Used by the USPTO to consider reinstatement of a patent that has expired due to unavoidably delayed payment of a maintenance fee.
Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c)) (PDF and EFS-Web versions)	PTO/SB/66	<ul style="list-style-type: none"> Used by the petitioner to request that the patent be reinstated and to show that the delay in timely payment of the maintenance fee was unintentional. Used by the petitioner to verify all of the identifying information, such as the patent number, patent date, application number, and filing date. Used by the USPTO to determine whether the required elements for the petition have been submitted. Used by the USPTO to consider reinstatement of a patent that has expired due to unintentionally delayed payment of a maintenance fee.

PATENTS 0651-0020
Patent Term Extension

OMB Inventory as of Last Approval Action 8/17/2010

0020 - Requirement	Statute	Rule
Application to Extend Patent Term Under 35 U.S.C. § 156	35 U.S.C. § 156(d)(1)-(4)	37 CFR 1.740-1.741
Request for Interim Extension Under 35 U.S.C. § 156(e)(2)	35 U.S.C. § 156(e)(2)	37 CFR 1.760
Initial Application for Interim Extension Under 35 U.S.C. § 156(d)(5)	35 U.S.C. § 156(d)(5)	37 CFR 1.790
Subsequent Application for Interim Extension Under 37 CFR 1.790	35 U.S.C. § 156(d)(5)	37 CFR 1.790
Petition for Reinstatement of Reduced Patent Term Adjustment	35 U.S.C. § 154(b)(3)(C)	37 CFR 1.705

0020 - Form and Function	Form #	Needs and Uses
Application to Extend Patent Term Under 35 U.S.C. § 156	No Form Associated	<ul style="list-style-type: none"> Used by the public to apply for a patent term extension. Used by the USPTO and the Department of Health and Human Services or the Department of Agriculture to determine eligibility of a patent for extension and to determine the period of extension.
Request for Interim Extension Under 35 U.S.C. § 156(e)(2)	No Form Associated	<ul style="list-style-type: none"> Used by the public to request an interim extension. Used by the USPTO to trigger an interim extension before processing of the application has been completed.
Initial Application for Interim Extension Under 35 U.S.C. § 156(d)(5)	No Form Associated	<ul style="list-style-type: none"> Used by the public to apply for an interim extension. Used by the USPTO to determine eligibility of a patent for interim extension.
Subsequent Application for Interim Extension Under 37 CFR 1.790	No Form Associated	<ul style="list-style-type: none"> Used by the public to apply for a subsequent interim extension. Used by the USPTO to determine eligibility of a patent for subsequent interim extension.
Petition for Reinstatement of Reduced Patent Term Adjustment	No Form Associated	<ul style="list-style-type: none"> Used by the patentee to request reinstatement of reduced patent term adjustment. Used by the USPTO to determine whether the patentee is entitled to reinstatement of reduced patent term adjustment.

PATENTS 0651-0021
Patent Cooperation Treaty

OMB Inventory as of Last Approval Action 4/8/2010

0021 - Requirement	Statute	Rule
Request and Fee Calculation	PCT Articles 3 and 4, 35 U.S.C. §§ 361 and 376	PCT Rules 3, 4, 14-16, 37 CFR 1.431-1.434, 1.445
Transmittal Letter to the RO/US	35 U.S.C. §§ 184 and 361	37 CFR 1.10, 1.412
Transmittal Letter to the DO/EO/US	35 U.S.C. §§ 363 and 371	37 CFR 1.414, 1.491-1.492
Demand and Fee Calculation	PCT Article 31, 35 U.S.C. §§ 362 and 376	PCT Rules 53-61, 37 CFR 1.480-1.482
Acceptance of an Unintentionally Delayed Claim for Priority (37 CFR 1.78(a)(3))	35 U.S.C. § 119(e) and 35 U.S.C. § 120	37 CFR 1.78
Request for the Restoration of the Right of Priority	PCT Article 8	PCT Rule 26 ^{bis} .3

0021 - Form and Function	Form #	Needs and Uses
Request and Fee Calculation Sheet (Annex and Notes)	PCT/RO/101	<ul style="list-style-type: none"> Used by the public to supply the information required for an international patent application. The optional Fee Calculation Sheet may be used by the public to indicate the amount of money being submitted and how the money is to be applied. The public uses the Fee Calculation Sheet or Annex as an attachment to the PCT Request. Used by the USPTO to process the international application according to the PCT. Used by the USPTO to verify the calculations and to identify any errors in them.
Transmittal Letter to the United States Receiving Office (RO/US)	PTO-1382	<ul style="list-style-type: none"> Used by the public as a cover letter to supply a certification if the application was submitted via Express Mail and entitles an applicant to obtain a filing date as of the date of deposit with the postal authorities. Used by the public for security clearance purposes to supply information concerning the similarity or differences between the subject matter disclosed in the international application and any national application filed earlier in the USPTO. Used by the public as a transmittal letter for extensions of time, power of attorney, general power of attorney, substitute sheets, priority documents, fee payments, obvious error rectification, and other items. Used by the USPTO to screen and certify the accompanying international application for the purpose of determining whether a license for foreign transmittal should and could be granted and for other purposes.
Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. § 371	PTO-1390	<ul style="list-style-type: none"> Used by the public to submit the required materials and fees for examination of an international application to the USPTO as the U.S. Designated Office or Elected Office. Used by the USPTO to fulfill its role as the U.S. Designated Office or Elected Office to process and examine international patent applications entering the national stage.

0021 - Form and Function	Form #	Needs and Uses
Demand and Fee Calculation Sheet (Annex and Notes)	PCT/IPEA/401	<ul style="list-style-type: none"> • Used by the public to request examination of the international application under Chapter II of the PCT. • The PCT Fee Calculation Sheet or Annex is used by the public to calculate the fees that are due and being submitted. • Used by the USPTO to conduct an international preliminary examination of an international application under Chapter II of the PCT. • The PCT Fee Calculation Sheet is used by the USPTO to properly credit the fees that are due and submitted.
Acceptance of an Unintentionally Delayed Claim for Priority (37 CFR 1.78(a)(3))	No Form Associated	<ul style="list-style-type: none"> • Used by the public to claim benefit of the filing date of a prior filed application which has at least one common inventor if filed outside the time period. • Used by the USPTO to grant relief if the conditions are met.
Request for the Restoration of the Right of Priority	No Form Associated	<ul style="list-style-type: none"> • Used by the public to allow a priority claim to an earlier application even if the international application is filed outside the priority period. • Used by the USPTO to grant relief if the conditions are met.

**DISSEMINATION 0651-0027
Recording Assignments**

OMB Inventory as of Last Approval Action 8/28/2012 (CWS)

0027 - Requirement	Statute	Rule
Patent Recordation Form Cover Sheet	35 U.S.C. §§ 261 and 262	37 CFR 3.11, 3.21, 3.24, 3.26, 3.28, 3.31, 3.34, and 3.41
Electronic Patent Assignment System (EPAS)	35 U.S.C. §§ 261 and 262	37 CFR 3.11, 3.21, 3.24, 3.26, 3.28, 3.31, 3.34, and 3.41

0027 - Form and Function	Form #	Needs and Uses
Patent Recordation Form Cover Sheet	PTO-1595	<ul style="list-style-type: none"> • Used by the public to submit assignment documents indicating the transfer of rights, title, and interest in a patent property from one party to another for recording by the USPTO. • Used by the public to submit corrected cover sheets or documents to the USPTO for recording. • Used by the public to indicate that the assignment document serves as an oath or declaration under 37 CFR 1.63. • Used by the USPTO to process and record patents, patent assignments, or other associated documents. • Used by the USPTO to ensure that all relevant bibliographic data is entered in the files and the searchable public database.
Electronic Patent Assignment System (EPAS)	PTO-1595	<ul style="list-style-type: none"> • Used by the public to submit patent assignment documents online through the USPTO web site. • Used by the public to submit corrected cover sheets or documents to the USPTO for recording. • Used by the public to indicate that the assignment document serves as an oath or declaration under 37 CFR 1.63. • Used by the USPTO to process and record patents, patent assignments, or other associated documents. • Used by the USPTO to ensure that all relevant bibliographic data is entered in the files and the searchable public database.

PATENTS 0651-0031
Patent Processing (Updating)

OMB Inventory as of Last Approval Action 9/17/2012 (CWS)

0031 - Requirement	Statute	Rule
Information Disclosure Statements and eIDS	35 U.S.C. § 2(b)(2)	37 CFR 1.56, 1.97 and 1.98
Petitions for Extension of Time Under 37 CFR 1.136(a)	35 U.S.C. §§ 2(b)(2), 41(a)(8), 131 and 132	37 CFR 1.136
Disclaimers	35 U.S.C. § 253	37 CFR 1.321
Request for Expedited Examination of a Design Application	35 U.S.C. § 2(b)(2)	37 CFR 1.155
Notice of Appeal	35 U.S.C. § 134	37 CFR 1.191
Petitions to Revive Unintentionally or Unavoidably Abandoned Applications	35 U.S.C. §§ 41(a)(7), 111, 133, 151 and 371(d)	37 CFR 1.137
Request for Continued Examination (RCE) Transmittal	35 U.S.C. § 132(b)	37 CFR 1.114
Request for Continued Examination (RCE) Transmittal EFS-Web	35 U.S.C. § 132(b)	37 CFR 1.114
Written Request for an Oral Appeal Hearing Before the Board, filed in a separate paper from the appeal itself	35 U.S.C. § 134	37 CFR 1.194(b)
Request for Voluntary Publication or Republication	35 U.S.C. § 2(b)(2)	37 CFR 1.221
Processing Fee Under 37 CFR 1.17(i) Transmittal	35 U.S.C. § 2(b)(2)	37 CFR 1.17(i)

0031 - Form and Function	Form #	Needs and Uses
Information Disclosure Statements	PTO/SB/08a/08b and EFS-Web	<ul style="list-style-type: none"> Used by the applicant to meet the applicant's duty of disclosure under 37 CFR 1.56. Used by the USPTO when printing the patent document.
Petitions for Extension of Time	PTO/SB/22	<ul style="list-style-type: none"> Used by the applicant to request an extension of time. Used by the USPTO to determine whether the reason for requesting an extension is sufficient for granting it. Used by the USPTO to decide the correct fee, based upon the number of months of extension requested, and whether or not the applicant is entitled to small entity status.
Disclaimers	PTO/SB/25/26/43/62/63	<ul style="list-style-type: none"> Used by the applicant or assignee to disclaim the entire term or part of a term of a patent or a patent to be granted. Used by the USPTO to determine whether all owners have provided the required terminal disclaimer and to determine the length of the patent term to which the patentee is entitled. Used by the Certificate of Corrections branch of the USPTO for determining whether regulatory compliance has been met, for recording the disclaimer, and for providing the disclaimer data for printing.
Request for Expedited Examination of a Design Application	PTO/SB/27	<ul style="list-style-type: none"> Used by the applicant to request expedited examination of a design application. Used by the USPTO to ensure that all of the required information to expedite examination is provided and to process the request.

0031 - Form and Function	Form #	Needs and Uses
Notice of Appeal	PTO/SB/31	<ul style="list-style-type: none"> • Used by the applicant to file a Notice of Appeal. • Used by the USPTO to ensure that applicants comply with regulations when filing a Notice of Appeal.
Petitions to Revive Unintentionally or Unavoidably Abandoned Applications	PTO/SB/61/64	<ul style="list-style-type: none"> • Used by the applicant to request that applications that were unintentionally or unavoidably abandoned be revived. • Used by the USPTO to ensure that applicants have included all the proper documentation and fees necessary to revive an unintentionally or unavoidably abandoned application.
Request for Continued Examination (RCE)	PTO/SB/30	<ul style="list-style-type: none"> • Used by the applicant to request continued examination of a previously submitted application. • Used by the USPTO to process and initiate continued examination of a previously submitted application.
Request for Continued Examination (RCE) EFS-Web	PTO/SB/30EFS	<ul style="list-style-type: none"> • Used by the applicant to request continued examination of a previously submitted application. • Used by the USPTO to process and initiate continued examination of a previously submitted application.
Request for Oral Hearing Before the Board of Patent Appeals and Interferences	PTO/SB/32	<ul style="list-style-type: none"> • Used by the applicant to file a written request in a separate paper for an oral hearing before the Board. • Used by the USPTO to process and consider the request for an oral appeal hearing.
Request for Voluntary Publication or Republication	EFS-Web Only	<ul style="list-style-type: none"> • Voluntary Publication: Used by the applicant to request publication of an application filed prior to November 29, 2000. • Republication: Used by the applicant to correct prior application publications containing material errors caused by the USPTO, or to correct other data, such as claims that previously published as part of an application publication. • Used by the USPTO to publish an application filed prior to November 29, 2000, or to correct prior application publication errors.
Processing Fee Under 37 CFR 1.17(i) Transmittal	PTO/SB/17i	<ul style="list-style-type: none"> • Used by the applicant to identify the proper fee, and thus reduce the potential for any additional work due to mistakes in payment. • Used by the USPTO to process the appropriate fees.

PATENTS 0651-0032
Initial Patent Applications

OMB Inventory as of Last Approval Action 9/17/2012 (CWS)

0032 - Requirement	Statute	Rule
Specification and Claim	35 U.S.C. §§ 111 and 112	37 CFR 1.51-1.53, 1.57-1.58, and 1.71-1.78
Drawing(s)	35 U.S.C. § 113	37 CFR 1.51-1.53, 1.58, and 1.81-1.84
Declaration	35 U.S.C. §§ 25, 115, 117, and 118	37 CFR 1.41-1.43, 1.45-1.48, 1.51-1.53, and 1.63-1.69
Filing Fee	35 U.S.C. §§ 41 and 111	37 CFR 1.16 and 1.53
Continued Prosecution Application – Design (Request Transmittal and Receipt)	35 U.S.C. §§ 111,120, and 121	37 CFR 1.53(d) and 1.78
Papers Filed Under 37 CFR 1.41 to Supply the Name or Names of the Inventor or Inventors After the Filing Date Without a Cover Sheet as Prescribed by 37 CFR 1.51(c)(1) in a Provisional Application	35 U.S.C. §§ 111(b) and 116	37 CFR 1.41(a)(2)
Papers Filed Under 37 CFR 1.48 for Correction of Inventorship in a Provisional Application	35 U.S.C. § 111(b) and 116	37 CFR 1.48
Papers Filed Under 37 CFR 1.53(c)(2) to Convert a Nonprovisional Application Filed Under 1.53(b) to a Provisional Application Filed Under 1.53(c)	35 U.S.C. § 111(a) and (b)	37 CFR 1.53(b) and 1.53(c)(2)

0032 - Form and Function	Form #	Needs and Uses
Specification (includes at least one claim) and Drawing(s)	No Form Associated	<ul style="list-style-type: none"> Used by the applicant to provide a description of the invention and of the property right sought by the applicant (the claim(s)). Used by the USPTO to examine an application for patent, and when appropriate, issue the application as a patent.
Patent Application Fee Determination Record (Substitute for Form PTO-875)	PTO/SB/06	<ul style="list-style-type: none"> Used by the USPTO to determine the appropriate fees for small and non-small entities and for applications containing multiple dependent claims. NOTE: These forms are seldom used by applicants, but in the event that an applicant obtained these forms, their use would reduce fee calculation errors, especially in those applications containing multiple dependent claims.
Multiple Dependent Claim Fee Calculation Sheet (Substitute for Form PTO-1360; For Use with Form PTO/SB/06)	PTO/SB/07	
Fee Transmittal Form	PTO/SB/17	<ul style="list-style-type: none"> Used by applicants to determine fees. Used by the USPTO to verify applicant fee determination and to process the fee.
Utility Patent Application Transmittal	PTO/SB/05	<ul style="list-style-type: none"> Used by the applicant as a checklist to highlight information which may otherwise have been overlooked at the time of filing. Used by the applicant to provide identifying information about the submitted papers and himself/herself. Used by the USPTO to determine whether the submitted papers constitute an application for patent, whether it is a utility, plant, or design application.
Design Patent Application Transmittal	PTO/SB/18	
Plant Patent Application Transmittal	PTO/SB/19	

0032 - Form and Function	Form #	Needs and Uses
Declaration for Utility or Design Patent Application (37 CFR 1.63)	PTO/SB/01	<ul style="list-style-type: none"> • Assures that an applicant meets all of the requirements of 37 CFR 1.63 by providing the prerequisite language. • Used by applicants to easily claim the benefit of an earlier application under 35 U.S.C. § 119 or § 365. • Enables the legal representative of a deceased inventor to file a patent application by signing the declaration on the behalf of a deceased or incapacitated inventor. • Assures that an applicant will provide necessary information (most often overlooked). • Used by the USPTO to determine whether the required information has been set forth in the declaration.
Declaration – Additional Inventors – Supplemental Sheet	PTO/SB/02A	<ul style="list-style-type: none"> • Assures that an applicant meets all of the requirements of 37 CFR 1.63 by providing the prerequisite language. • Used by applicants to easily claim the benefit of an earlier application under 35 U.S.C. § 119 or § 365. • Enables the legal representative of a deceased inventor to file a patent application by signing the declaration on the behalf of a deceased or incapacitated inventor. • Assures that an applicant will provide necessary information (most often overlooked). • Used by the USPTO to determine whether the required information has been set forth in the declaration.

0032 - Form and Function	Form #	Needs and Uses
<p>Declaration – Supplemental Priority Data Sheet</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheets [2 pages] (Chinese Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheets [2 pages] (German Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Spanish Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (French Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Italian Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Japanese Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Korean Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Dutch Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Russian Language Declaration for Additional Inventors)</p> <p>Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Swedish Language Declaration for Additional Inventors)</p>	<p>PTO/SB/02B</p> <p>PTO/SB/02CN</p> <p>PTO/SB/02DE</p> <p>PTO/SB/02ES</p> <p>PTO/SB/02FR</p> <p>PTO/SB/02IT</p> <p>PTO/SB/02JP</p> <p>PTO/SB/02KR</p> <p>PTO/SB/02NL</p> <p>PTO/SB/02RU</p> <p>PTO/SB/02SE</p>	<ul style="list-style-type: none"> Assures that an applicant meets all of the requirements of 37 CFR 1.63 by providing the prerequisite language. Used by applicants to easily claim the benefit of an earlier application under 35 U.S.C. § 119 or § 365. Enables the legal representative of a deceased inventor to file a patent application by signing the declaration on the behalf of a deceased or incapacitated inventor. Assures that an applicant will provide necessary information (most often overlooked). Used by the USPTO to determine whether the required information has been set forth in the declaration.
<p>Declaration Supplemental Sheet for Legal Representatives (35 U.S.C. § 117) on Behalf of a Deceased or Incapacitated Inventor</p> <p>Plant Patent Application (35 U.S.C. § 161) Declaration (37 CFR 1.63)</p> <p>Supplemental Declaration for Utility or Design Patent Application (37 CFR 1.67)</p>	<p>PTO/SB/02LR</p> <p>PTO/SB/03</p> <p>PTO/SB/04</p>	<ul style="list-style-type: none"> Assures that an applicant meets all of the requirements of 37 CFR 1.63 by providing the prerequisite language. Used by applicants to easily claim the benefit of an earlier application under 35 U.S.C. § 119 or § 365. Enables the legal representative of a deceased inventor to file a patent application by signing the declaration on the behalf of a deceased or incapacitated inventor. Assures that an applicant will provide necessary information (most often overlooked). Used by the USPTO to determine whether the required information has been set forth in the declaration.

0032 - Form and Function	Form #	Needs and Uses
<p>Declaration (37 CFR 1.63) for Utility or Design Patent Application using an Application Data Sheet (37 CFR 1.76)</p> <p>Declaration (37 CFR 1.63) for Utility or Design Patent Application using an Application Data Sheet (37 CFR 1.76), translated into Chinese, Dutch, French, German, Italian, Japanese, Korean, Russian, Spanish, and Swedish</p>	PTO/SB/AIA01	<ul style="list-style-type: none"> The USPTO is providing this form for utility and design patent applications. This form is for applicants who wish to supply inventorship information via an application data sheet, rather than on the inventor's oath or declaration. The form contains the inventor's oath or declaration averments required by 35 U.S.C 115(b) (with enough identifying information to ascertain who is executing the oath or declaration and the application to which it pertains). The USPTO will provide demographic information collected on the forms associated with this information collection to the Census Bureau in order to receive from the Census Bureau generalized and non-applicant-specific statistics on the diversity of the USPTO's user community. Section 29 of the Leahy-Smith America Invents Act (Pub.L. 112-29 (2010)) empowers the USPTO to study the diversity of patent applicants.
<p>Substitute Statement in Lieu of an Oath or Declaration for Utility or Design Patent Application (35 U.S.C. 115(d) and 37 CFR 1.64)</p> <p>Substitute Statement in Lieu of an Oath or Declaration for Utility or Design Patent Application (35 U.S.C. 115(d) and 37 CFR 1.64), translated into Chinese, Dutch, French, German, Italian, Japanese, Korean, Russian, Spanish, and Swedish</p>	PTO/SB/AIA02	<ul style="list-style-type: none"> The USPTO is providing this form for utility and design patent applications. This form permits the applicant to either supply inventorship information via an application data sheet, or use the Substitute Statement Supplemental Sheet (PTO/SB/AIA11) to supply inventorship information. The form contains the inventor's oath or declaration averments required by 35 U.S.C 115(b) and the statements required by 35 U.S.C. 115(d) for a substitute statement (again with enough identifying information to ascertain with respect to whom the substitute statement is executed and the application to which it pertains). The USPTO will provide demographic information collected on the forms associated with this information collection to the Census Bureau in order to receive from the Census Bureau generalized and non-applicant-specific statistics on the diversity of the USPTO's user community. Section 29 of the Leahy-Smith America Invents Act (Pub.L. 112-29 (2010)) empowers the USPTO to study the diversity of patent applicants.
<p>Declaration (37 CFR 1.63) for Plant Patent Application using an Application Data Sheet (37 CFR 1.76)</p>	PTO/SB/AIA03	<ul style="list-style-type: none"> The USPTO is providing this form for plant patent applications. This form is for applicants who wish to supply inventorship information via an application data sheet, rather than on the inventor's oath or declaration. The form contains the inventor's oath or declaration averments required by 35 U.S.C 115(b) (with enough identifying information to ascertain who is executing the oath or declaration and the application to which it pertains). The USPTO will provide demographic information collected on the forms associated with this information collection to the Census Bureau in order to receive from the Census Bureau generalized and non-applicant-specific statistics on the diversity of the USPTO's user community. Section 29 of the Leahy-Smith America Invents Act (Pub.L. 112-29 (2010)) empowers the USPTO to study the diversity of patent applicants.

0032 - Form and Function	Form #	Needs and Uses
<p>Substitute Statement in Lieu of an Oath or Declaration for Plant Patent Application (35 U.S.C. 115(d) and 37 CFR 1.64)</p>	<p>PTO/SB/AIA04</p>	<ul style="list-style-type: none"> • The USPTO is providing this form for plant patent applications. This form permits the applicant to either supply inventorship information via an application data sheet, or use the Substitute Statement Supplemental Sheet (PTO/SB/AIA11) to supply inventorship information. The form contains the inventor's oath or declaration averments required by 35 U.S.C 115(b) and the statements required by 35 U.S.C. 115(d) for a substitute statement (again with enough identifying information to ascertain with respect to whom the substitute statement is executed and the application to which it pertains). • The USPTO will provide demographic information collected on the forms associated with this information collection to the Census Bureau in order to receive from the Census Bureau generalized and non-applicant-specific statistics on the diversity of the USPTO's user community. Section 29 of the Leahy-Smith America Invents Act (Pub.L. 112-29 (2010)) empowers the USPTO to study the diversity of patent applicants.
<p>Declaration for Utility or Design Patent Application (37 CFR 1.63)</p>	<p>PTO/SB/AIA08</p>	<ul style="list-style-type: none"> • The USPTO is providing this form for utility and design patent applications. This form is for applicants who wish to supply inventorship information via the inventor's oath or declaration. The form contains the inventor's oath or declaration averments required by 35 U.S.C 115(b) and the inventorship information that is required by the pre-AIA 37 CFR 1.63 to be in an oath or declaration and that is collected via the declaration forms currently included in this collection (PTO/SB/01, PTO/SB/02). • The USPTO will provide demographic information collected on the forms associated with this information collection to the Census Bureau in order to receive from the Census Bureau generalized and non-applicant-specific statistics on the diversity of the USPTO's user community. Section 29 of the Leahy-Smith America Invents Act (Pub.L. 112-29 (2010)) empowers the USPTO to study the diversity of patent applicants.
<p>Plant Patent Application (35 U.S.C. 161) Declaration (37 CFR 1.162)</p>	<p>PTO/SB/AIA09</p>	<ul style="list-style-type: none"> • The USPTO is providing this form for plant patent applications. This form is for applicants who wish to supply inventorship information via the inventor's oath or declaration. The form contains the inventor's oath or declaration averments required by 35 U.S.C 115(b) and the inventorship information that is required by the pre-AIA 37 CFR 1.63 to be in an oath or declaration and that is collected via the declaration forms currently included in this collection (PTO/SB/03). • The USPTO will provide demographic information collected on the forms associated with this information collection to the Census Bureau in order to receive from the Census Bureau generalized and non-applicant-specific statistics on the diversity of the USPTO's user community. Section 29 of the Leahy-Smith America Invents Act (Pub.L. 112-29 (2010)) empowers the USPTO to study the diversity of patent applicants.

0032 - Form and Function	Form #	Needs and Uses
Declaration (supplemental sheet for PTO/SB/AIA08 or PTO/SB/AIA09)	PTO/SB/AIA10	<ul style="list-style-type: none"> • The USPTO is providing this form as a supplement to either the Declaration for Utility or Design Patent Application (37 CFR 1.63) (PTO/SB/AIA08) for utility and design patent applications or the Plant Patent Application (35 U.S.C. 161) Declaration (37 CFR 1.162) (PTO/SB/AIA09) for plant applications for applicants who wish to supply inventorship information via the inventor's oath or declaration when there is more than one inventor. • The USPTO will provide demographic information collected on the forms associated with this information collection to the Census Bureau in order to receive from the Census Bureau generalized and non-applicant-specific statistics on the diversity of the USPTO's user community. Section 29 of the Leahy-Smith America Invents Act (Pub.L. 112-29 (2010)) empowers the USPTO to study the diversity of patent applicants.
Substitute Statement Supplemental Sheet (supplemental sheet for PTO/SB/AIA02 or PTO/SB/AIA04)	PTO/SB/AIA11	<ul style="list-style-type: none"> • The USPTO is providing this form as an optional supplement to the Substitute Statement in Lieu of an Oath or Declaration for Utility or Design Patent Application (35 U.S.C. 115(d) and 37 CFR 1.64) (PTO/SB/AIA02) or the Substitute Statement in Lieu of an Oath or Declaration for Plant Patent Application (35 U.S.C. 115(d) and 37 CFR 1.64) (PTO/SB/AIA04) for applicants who wish to supply inventorship information via the substitute statement rather than via an application data sheet. • The USPTO will provide demographic information collected on the forms associated with this information collection to the Census Bureau in order to receive from the Census Bureau generalized and non-applicant-specific statistics on the diversity of the USPTO's user community. Section 29 of the Leahy-Smith America Invents Act (Pub.L. 112-29 (2010)) empowers the USPTO to study the diversity of patent applicants.
Declaration and Power of Attorney for Patent Application (in various foreign languages)	PTO/SB/101 through 110	<ul style="list-style-type: none"> • Perform the same functions as SB/01, 03, and 04. • Provide the applicant with a native (to the applicant) language version with English translation of the required declaration. Chinese, Dutch, German, Italian, French, Japanese, Russian, Swedish, Spanish, and Korean language declarations are available.
Application Data Sheet Form (37 CFR 1.76)	PTO/SB/14 and EFS-Web	<ul style="list-style-type: none"> • Provides applicant with a convenient manner to provide bibliographic information concerning the applicant and application that the applicant is either required, or desires, to provide to the USPTO. • The USPTO is providing this revised form for use in provisional applications under 35 U.S.C. § 111(b), nonprovisional applications under 35 U.S.C. § 111(a), or national stage applications under 35 U.S.C. § 371. The revised form permits the collection of both inventor information and applicant information, except that the applicant information should not be completed if the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45) • Used by the USPTO to autoload data directly into USPTO databases, which reduces information capture errors caused by hand keying. • Used by the USPTO to provide a quick acknowledgment of the application and the information in USPTO records concerning the applicant and application.

0032 - Form and Function	Form #	Needs and Uses
<p>Declaration (37 CFR 1.63) for Utility or Design Application Using an Application Data Sheet (37 CFR 1.76)</p> <p>Declaration (37 CFR 1.63) for Plant Application Using an Application Data Sheet (37 CFR 1.76)</p>	<p>PTO/SB/01A</p> <p>PTO/SB/03A</p>	<ul style="list-style-type: none"> Provides applicant with a convenient manner to provide a declaration containing the minimal information that must be in the oath or declaration if the application also contains an application data sheet. Used by the USPTO to process the declaration.
Request for Filing a Continuation or Division of an International Application	PTO/SB/13/ PCT	<ul style="list-style-type: none"> Used by applicant to file a continuation or divisional of an international application. Used by the USPTO to process a continuation or divisional of an international application.
<p>For Design Applications Only: Continued Prosecution Application (CPA) Request Transmittal</p> <p>For Design Applications Only: Receipt for Facsimile Transmitted CPA</p>	<p>PTO/SB/29</p> <p>PTO/SB/29A</p>	<ul style="list-style-type: none"> Used by the applicant to request additional examination of a previously submitted design application. Used by the USPTO to process and initiate an additional examination of a previously submitted design application.
Provisional Application for Patent Cover Sheet – Paper and Electronic Filing	PTO/SB/16 and EFS-Web	<ul style="list-style-type: none"> Used by the applicant to file a provisional application with the USPTO. Used by the applicant to include filing fees. Used by the USPTO to identify provisional applications in order to promptly and properly process them. Used by the USPTO to prepare the filing receipt. Used by the USPTO to identify provisional applications that may require foreign filing licenses.
Electronic New Utility Patent Application	EFS-Web	<ul style="list-style-type: none"> Used by filers to electronically file a new original utility application with the USPTO and to include the necessary filing fees. Used by the USPTO to examine an application for patent, and when appropriate, issue the application as a patent.
Electronic New Design Application	EFS-Web	<ul style="list-style-type: none"> Used by filers to electronically file a new original design application with the USPTO and to include the necessary filing fees. Used by the USPTO to examine an application for patent, and when appropriate, issue the application as a patent.
Papers Filed Under 37 CFR 1.41 to Supply the Name or Names of the Inventor or Inventors After the Filing Date Without a Cover Sheet as Prescribed by 37 CFR 1.51(c)(1) in a Provisional Application	No Form Associated	<ul style="list-style-type: none"> Used by filers to supply or change the name or names of the inventor or inventors of a provisional application filed without a cover sheet after the provisional application filing date. Used by the USPTO to change the name or names of the inventor or inventors of a provisional applications filed without a cover sheet after the provisional application filing date.
Papers Filed Under 37 CFR 1.48 for Correction of Inventorship in a Provisional Application	No Form Associated	<ul style="list-style-type: none"> Used by filers to request a correction of the inventorship of a provisional application. Used by the USPTO to determine whether the inventorship of a provisional application should be corrected.
Papers Filed Under 37 CFR 1.53(c)(2) to Convert a Nonprovisional Application Filed Under 1.53(b) to a Provisional Application Filed Under 1.53(c)	No Form Associated	<ul style="list-style-type: none"> Used by filers to request that a nonprovisional application filed under 1.53(b) be converted to a provisional application filed under 1.53(c). Used by the USPTO to determine whether to convert a nonprovisional application filed under 1.53(b) to a provisional application filed under 1.53(c).

PATENTS 0651-0033
Post Allowance and Refiling

OMB Inventory as of Last Approval Action 7/16/2012 (CWS)

0033 - Requirement	Statute	Rule
Certificate of Correction	35 U.S.C. §§ 254 and 255	37 CFR 1.322-1.325
Reissue Application Documentation	35 U.S.C. §§ 115, 251, and 252	37 CFR 1.47, 1.63-1.64, and 1.171-1.179
Issue Fee Transmittal	35 U.S.C. §§ 41(a) and 151	37 CFR 1.18 and 1.311-1.317

0033 - Form and Function	Form #	Needs and Uses
Certificate of Correction	PTO/SB/44	<ul style="list-style-type: none"> Used by the patentee to list the number of the patent to be corrected and the corrections to be made. Facilitates matching the patent or patent file with other identifying information in order to make the appropriate corrections. Used by the USPTO to determine whether the indicated corrections should be approved.
Reissue Application Fee Transmittal Form	PTO/SB/56	<ul style="list-style-type: none"> Used by the applicant or the applicant's representatives to calculate the reissue application fee. Used by the USPTO to determine the appropriate reissue application fee.
Issue Fee Transmittal	PTOL-85B	<ul style="list-style-type: none"> Used by the public to submit an issue fee payment to the USPTO. Used by the USPTO to determine whether all of the appropriate information is included at the time of payment of the issue fee, such as assignments, small entity status, method of payment, and certificate of mailing.
Issue Fee Transmittal (EFS-Web)	PTOL-85B	<ul style="list-style-type: none"> Used by the public to submit an issue fee payment to the USPTO electronically. Used by the USPTO to determine whether all of the appropriate information is included at the time of payment of the issue fee, such as assignments, small entity status, and method of payment.

PATENTS 0651-0036
Statutory Invention Registration

OMB Inventory as of Last Approval Action 1/30/2012

0036 - Requirement	Statute	Rule
Request for Statutory Invention Registration	35 U.S.C. § 157	37 CFR 1.293 - 1.294 and 1.297

0036 - Form and Function	Form #	Needs and Uses
Request for Statutory Invention Registration	PTO/SB/94	<ul style="list-style-type: none"> • Used by a patent applicant to request publication of a patent application as a statutory invention registration and to submit associated fees. • Used by a patent applicant to waive the right to a patent on the invention claimed in a patent application. • Used by the USPTO to review, grant or deny requests for publication of a statutory invention registration.

PATENTS 0651-0059
Certain Patent Petitions Requiring a Fee

OMB Inventory as of Last Approval Action 7/15/2011

0059 - Requirement	Statute	Rule
Petitions (requiring the fee) Under 37 CFR 1.17(f) include: <ul style="list-style-type: none"> • Petition to Accord a Filing Date Under 1.57(a) • Petition to Accord a Filing Date Under 1.53(e) • Petition for Decision on a Question Not Specifically Provided For • Petition to Suspend the Rules 	35 U.S.C. §§ 131 and 132	37 CFR 1.17(f), 1.53(e), 1.57(a), 1.182 and 1.183
Petitions (requiring the fee) Under 37 CFR 1.17(g): <ul style="list-style-type: none"> • Petition to Access an Assignment Record • Petition for Access to an Application • Petition for Expungement and Return of Information • Petition to Suspend Action in an Application 	35 U.S.C. §§ 131 and 132	37 CFR 1.12, 1.14, 1.17(g), 1.59, and 1.102
Petitions (requiring the fee) Under 37 CFR 1.17(h): <ul style="list-style-type: none"> • Petition for Accepting Color Drawings or Photographs • Petition for Entry of a Model or Exhibit • Petition to Withdraw an Application from Issue • Petition to Defer Issuance of a Patent 	35 U.S.C. §§ 131 and 132	37 CFR 1.17(h), 1.84, 1.91, 1.103(d), 1.313, and 1.314

0059 - Form and Function	Form #	Needs and Uses
Petitions (requiring the fee) Under 37 CFR 1.17(f) include: <ul style="list-style-type: none"> • Petition to Accord a Filing Date Under 1.57(a) • Petition to Accord a Filing Date Under 1.53(e) • Petition for Decision on a Question Not Specifically Provided For • Petition to Suspend the Rules 	No Form Associated	<ul style="list-style-type: none"> • Used by the applicant to request agreement to a filing date. • Used by the applicant to request a decision on a question not specifically provided for. • Used by the applicant to ask for suspension of the rules. • Used by the USPTO to agree to a filing date. • Used by the USPTO to grant a decision on a question not specifically provided for. • Used by the USPTO to agree to a suspension of the rules.
EFS-Web Petitions (requiring the fee) Under 37 CFR 1.17(f)	No Form Associated	<ul style="list-style-type: none"> • Used by the applicant to request agreement to a filing date. • Used by the public to request a decision on a question not specifically provided for. • Used by the applicant to ask for suspension of the rules. • Used by the USPTO to agree to a filing date. • Used by the USPTO to grant a decision on a question not specifically provided for. • Used by the USPTO to agree to a suspension of the rules.
Petitions (requiring the fee) Under 37 CFR 1.17(g) include: <ul style="list-style-type: none"> • Petition to Access an Assignment Record • Petition for Access to an Application • Petition for Expungement and Return of Information • Petition to Suspend Action in an Application 	No Form Associated	<ul style="list-style-type: none"> • Used by the applicant to request access to an assignment record. • Used by the applicant to request access to an application. • Used by the applicant to request expungement and return of information. • Used by the applicant to request to suspend action in an application. • Used by the USPTO to grant access to an assignment record. • Used by the USPTO to grant access to an application. • Used by the USPTO to expunge and return information. • Used by the USPTO to suspend action on an application.

0059 - Form and Function	Form #	Needs and Uses
<p>EFS-Web Petitions (requiring the fee) Under 37 CFR 1.17(g)</p>	<p>No Form Associated</p>	<ul style="list-style-type: none"> • Used by the applicant to request access to an assignment record. • Used by the applicant to request access to an application. • Used by the applicant to request expungement and return of information. • Used by the applicant to request to suspend action in an application. • Used by the USPTO to grant access to an assignment record. • Used by the USPTO to grant access to an application. • Used by the USPTO to expunge and return information. • Used by the USPTO to suspend action on an application.
<p>Petitions (requiring the fee) Under 37 CFR 1.17(h) include:</p> <ul style="list-style-type: none"> • Petition for Accepting Color Drawings or Photographs • Petition for Entry of a Model or Exhibit • Petition to Withdraw an Application from Issue • Petition to Defer Issuance of a Patent 	<p>No Form Associated</p>	<ul style="list-style-type: none"> • Used by an applicant to submit color drawings or photographs. • Used by an applicant to submit a model or exhibit. • Used by an applicant to request withdrawal of an application from issue before paying the issue fee. • Used by an applicant to request withdrawal of an application from issue after paying the issue fee. • Used by an applicant to request permission to defer issuance of a patent. • Used by the USPTO to accept color drawings or photographs from an applicant. • Used by the USPTO to accept a model or exhibit. • Used by the USPTO to ensure that all of the necessary information has been supplied to withdraw an application from issue before the issue fee has been paid by the applicant. • Used by the USPTO to ensure that all of the necessary information has been supplied to withdraw an application from issue after the issue fee has been paid by the applicant. • Used by the USPTO to defer issuance of a patent.
<p>EFS-Web Petitions (requiring the fee) Under 37 CFR 1.17(h)</p> <ul style="list-style-type: none"> • Petition to Withdraw an Application from Issue (PTO/SB/140) 	<p>No Form Associated, except for PTO/SB/140 for Petitions to Withdraw an Application from Issue</p>	<ul style="list-style-type: none"> • Used by an applicant to submit color drawings or photographs. • Used by an applicant to submit a model or exhibit. • Used by an applicant to request withdrawal of an application from issue before paying the issue fee. • Used by an applicant to request withdrawal of an application from issue after paying the issue fee. • Used by an applicant to request permission to defer issuance of a patent. • Used by the USPTO to accept color drawings or photographs from an applicant. • Used by the USPTO to accept a model or exhibit. • Used by the USPTO to ensure that all of the necessary information has been supplied to withdraw an application from issue before the issue has been paid by the applicant. • Used by the USPTO to ensure that all of the necessary information has been supplied to withdraw an application from issue after the issue fee has been paid by the applicant. • Used by the USPTO to defer issuance of a patent.

LEGAL 0651-0063

Board of Patent Appeals and Interferences (BPAI) Actions

OMB Inventory as of Last Approval Action 12/6/2011

0063 - Requirement	Statute	Rule
Appeal Brief	35 U.S.C. § 134	37 CFR 41.37

0063 - Form and Function	Form #	Needs and Uses
Appeal Brief	No Form Associated	<ul style="list-style-type: none">• Used by the applicant to set forth the claims, issues, and arguments on appeal to the BPAI.• Used by the BPAI to aid in rendering a decision on the claims, issues, and arguments submitted by the applicant.

PATENTS 0651-0064
Patent Reexaminations and Supplemental Examination

OMB Preapproved AIA Final Rule ICR 7/16/2012; Approved 9/11/2012

0064 - Requirement	Statute	Rule
Request for Supplemental Examination	35 U.S.C. § 257	37 CFR 1.20(k), 1.26(c)(3), 1.601-1.625
Request for <i>Ex Parte</i> Reexamination	35 U.S.C. § 302	37 CFR 1.20(c)(1) and (7), 1.26(c)(1), 1.510-1.570
Petition in a Reexamination Proceeding (except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d))	35 U.S.C. §§ 2, 303, and 312	37 CFR 1.20(c)(6), 1.181, 1.182, 1.183, 1.515(c), and 1.927

0064- Form and Function	Form #	Needs and Uses
Request for Supplemental Examination Transmittal Form	PTO/SB/59	<ul style="list-style-type: none"> Used by the requester (patent owner) of a supplemental examination as a checklist to ensure compliance with the requirements of the statutes and rules for supplemental examinations. Used by the USPTO to ensure compliance by the requester (patent owner) with the requirements of the statutes and rules for supplemental examinations.
Request for Supplemental Examination	No Form	<ul style="list-style-type: none"> Used by the requester (patent owner) to provide: an identification of each aspect of the patent to be examined; an identification of each issue raised by each item of information listed in the request; a separate, detailed explanation for each identified issue; and an explanation of how each item of information is relevant to each aspect of the patent to be examined and of how each item of information raises each identified issue. Used by the USPTO to determine whether a substantial new question of patentability affecting any claim of the patent is raised by the items of information presented and identified in the request, and whether <i>ex parte</i> reexamination of the patent should be ordered under 35 U.S.C. § 257.
Request for <i>Ex Parte</i> Reexamination Transmittal Form	PTO/SB/57	<ul style="list-style-type: none"> Used by the requester (patent owner or third-party) of an <i>ex parte</i> reexamination as a checklist to ensure compliance with the requirements of the statutes and rules for <i>ex parte</i> reexaminations. Used by the USPTO to ensure compliance by the requester (patent owner or third-party) with the requirements of the statutes and rules for <i>ex parte</i> reexaminations.
Request for <i>Ex Parte</i> Reexamination	No Form	<ul style="list-style-type: none"> Used by the requester (patent owner or third-party) to provide a statement identifying each substantial new question of patentability. Used by the requester (patent owner or third-party) to provide an identification of every claim for which reexamination is requested, and a detailed explanation of the pertinency and manner of applying the cited art to every claim for which reexamination is requested. Used by the USPTO to evaluate whether a substantial new question of patentability has been raised by the requester (patent owner or third-party). Used by the USPTO to determine how and whether the patent claims are to be confirmed, amended, or canceled.

0064- Form and Function	Form #	Needs and Uses
Petition in a Reexamination Proceeding (except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d))	No Form	<ul style="list-style-type: none"> • Used by the requester (patent owner or third-party) to request review by the Director of a decision refusing <i>ex parte</i> or <i>inter partes</i> reexamination. • Used by the requester to raise a question not specifically provided for in the rules or to request the suspension of the rules. • Used by the USPTO to determine whether the decision to refuse <i>ex parte</i> or <i>inter partes</i> reexamination should be upheld. • Used by the USPTO to consider other questions and suspend or waive the rule requirements if appropriate.

PATENTS 0651-0069
Patent Review and Derivation Proceedings

OMB Preapproved AIA Final Rule ICR 7/16/2012; ICR Submitted 8/14/2012; Approved 9/12/2012

0069 - Requirement	Statute	Rule
Petition for <i>Inter Partes</i> Review	35 U.S.C. § 312	37 CFR 42.5, 42.6, 42.8, 42.11, 42.13, 42.20, 42.21, 42.22, 42.24(a)(1), 42.63, 42.65, and 42.101 through 42.105
Petition for Post-Grant Review or Covered Business Method Patent Review	35 U.S.C. § 322	37 CFR 42.5, 42.6, 42.8, 42.11, 42.13, 42.20, 42.21, 42.22, 42.24(a)(2), 42.24(a)(3), 42.63, 42.65, 42.201 through 42.205, and 42.302 through 42.304
Petition for Derivation	35 U.S.C. § 135	37 CFR 42.5, 42.6, 42.8, 42.11, 42.13, 42.20, 42.21, 42.22, 42.24(a)(4), 42.63, 42.65, 42.402 through 42.406
Motions, Replies and Oppositions After Institution in <i>Inter Partes</i> Review	35 U.S.C. § 316	37 CFR 42.6, 42.8, 42.11, 42.13, 42.21, 42.22, 42.23, 42.24(a)(5), 42.24(b), 42.24(c), 42.51, 42.52, 42.53, 42.54, 42.63, 42.64, 42.65, 42.107, 42.120, 42.121, and 42.123
Motions, Replies and Oppositions After Institution in Post-Grant Review or Covered Business Method Review	35 U.S.C. § 326	37 CFR 42.6, 42.8, 42.11, 42.13, 42.21, 42.22, 42.23, 42.24(a)(5), 42.24(b), 42.24(c), 42.51, 42.52, 42.53, 42.54, 42.63, 42.64, 42.65, 42.221, 42.207, 42.220 and 42.223
Request to Make a Settlement Agreement Available	35 U.S.C. §§ 135(e), 317(b), and 327(b)	37 CFR 42.74(c)

0069 - Form and Function	Form #	Needs and Uses
Petition for <i>Inter Partes</i> Review	No Form Associated	<ul style="list-style-type: none"> Used by parties who are not the owners of a patent to file a petition to institute an <i>inter partes</i> review of a patent. Used by parties to request to cancel as unpatentable one or more claims of a patent only on a ground that could be raised under 35 U.S.C. § 102 or 103 and only on the basis of prior art consisting of patents or printed publications. Used by parties to demonstrate that they have standing to file the petition (i.e., the patent is available for <i>inter partes</i> review and the petitioner is not barred from requesting such review). Used by the Board to determine whether to institute an <i>inter partes</i> review including whether the petition identifies all real parties in interest, identifies each claim challenged (including the grounds on which the challenge to each claim is based, and the evidence that supports the grounds), provides copies of the necessary documents, and that the necessary fee is included.
Petition for Post-Grant Review or Covered Business Method Patent Review	No Form Associated	<ul style="list-style-type: none"> Used by parties who are not owners of a patent to file a petition to institute a post-grant review of a patent. Used by parties to request to cancel as unpatentable one or more claims of a patent on any ground that could be raised under 35 U.S.C. § 282(b)(2) or (3) (relating to invalidity of the patent or any claim) as part of a post-grant review. Used by parties to file a petition for a transitional proceeding with

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		<p>respect to a covered business method patent when the person or person's real party in interest or privy has been sued for infringement of the patent or has been charged with infringement under that patent.</p> <ul style="list-style-type: none"> • Used by the Board to determine whether to institute a post-grant review including whether the petition identifies all real parties in interest, identifies each claim challenged (including the grounds on which the challenge to each claim is based and the evidence that supports the grounds), provides copies of the necessary documents, and that the necessary fee is included. • Used by the Board to determine whether to institute a transitional proceeding for covered business method patents including whether a claim is a method or corresponding apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product or service and not a technological invention.
Petition for Derivation	No Form Associated	<ul style="list-style-type: none"> • Used by an applicant for patent to petition the Board to institute a derivation proceeding. • Used by the applicant to demonstrate that they have standing to file the petition for derivation (i.e., timely filing a petition that demonstrates that the earlier filed application derived the claimed invention and was filed by another inventor without authorization and that the applicant has taken steps to obtain patent protection for the invention). • Used by the Board to determine whether to institute a derivation proceeding as long as the necessary requirements are met (i.e., the petition identifies the precise relief requested, the petition is filed within one year after the first publication of a claim to an invention, the fee is submitted with the petition).
Motions, Replies and Oppositions After Institution in <i>Inter Partes</i> Review	No Form Associated	<ul style="list-style-type: none"> • Used by parties to seek relief in a proceeding including motions to amend, motions to exclude evidence, motions to seal, motions for joinder, motions to file supplemental information, motions for judgment based on supplemental information, motions for observations on cross-examination, and motions to correct clerical or typographical mistakes in a petition for <i>inter partes</i> review. • Used by the opposing parties to set forth the reasons why the Board should not grant the relief sought in a motion. • Used by the Board in issuing a final written decision with respect to patentability of a challenged patent claim.
Motions, Replies and Oppositions After Institution in Post-Grant Review or Covered Business Method Review	No Form Associated	<ul style="list-style-type: none"> • Used by parties to seek relief in a proceeding including motions to amend, motions to exclude evidence, motions to seal, motions for joinder, motions to file supplemental information, motions for judgment based on supplemental information, motions for observations on cross-examination, and motions to correct clerical or typographical mistakes in a petition for post-grant review or covered business method patent review. • Used by the opposing parties to set forth the reasons why the Board should not grant the relief sought in a motion. • Used by the Board in issuing a final written decision with respect to patentability of a challenged patent claim.
Request to Make a Settlement Agreement Available	No Form Associated	<ul style="list-style-type: none"> • Used by a requester to gain access to a settlement agreement. • Used by the Board to determine whether the requester may be granted access to the settlement agreement.