

0651-0072 Supplemental Appendix B (December 2012)

For reference, the statutory and regulatory provisions that authorize the USPTO to collect the information associated with fees in pending information collections that are impacted by this rulemaking but have not received final approval from OMB are outlined in this supplemental document Appendix B. The information requirements themselves will remain in their existing information collection requests pending their approval by OMB.

PATENTS 0651-0031
Patent Processing (Updating)

Filing a Submission After Final Rejection (see 37 CFR 1.129(a)) is a pending item that is being added into the current renewal of this collection (expires 1/31/2013). 60-Day FRN published 3/22/2012; public comment period ended 5/29/2012. Supporting Statement in Progress.

| 0031 – Pending Requirement | Statute | Rule |
|--|-----------------------------------|---------------------------|
| Filing a Submission After Final Rejection (see 37 CFR 1.129(a)) (paper and electronic) | 35 U.S.C. §§ 120, 121, and 365(c) | 37 CFR 1.116 and 1.129(a) |

| 0031 Pending - Form and Function | Form # | Needs and Uses |
|--|---------|---|
| Filing a Submission After Final Rejection (see 37 CFR 1.129(a)) | No Form | <ul style="list-style-type: none"> • Used by the applicant to have a first submission entered and considered on the merits after final rejection under the conditions set forth at 37 CFR 1.129(a). • Used by the applicant to have a second submission entered and considered on the merits after a subsequent final rejection under the conditions set forth at 37 CFR 1.129(a). • Used by the USPTO to automatically withdraw the finality of the final rejection when the conditions of 37 CFR 1.129(a) have been met. • Used by the USPTO to automatically withdraw the finality of the subsequent final rejection when the conditions of 37 CFR 1.129(a) have been met. |
| Electronic Filing a Submission After Final Rejection (see 37 CFR 1.129(a)) | No Form | <ul style="list-style-type: none"> • Used by the applicant to electronically submit a first submission to be entered and considered on the merits after final rejection under the conditions set forth at 37 CFR 1.129(a). • Used by the applicant to electronically submit a second submission to be entered and considered on the merits after a subsequent final rejection under the conditions set forth at 37 CFR 1.129(a). • Used by the USPTO to automatically withdraw the finality of the final rejection when the conditions of 37 CFR 1.129(a) have been met. • Used by the USPTO to automatically withdraw the finality of the subsequent final rejection when the conditions of 37 CFR 1.129(a) have been met. |

PATENTS 0651-00xx
Matters Related to Patent Appeals

60-Day FRN published 1/4/2012; public comment period ended 3/5/2012. Supporting Statement in Progress (Items are currently covered under 0651-0031 and will be transferred into this collection once it is established).

| Matters Related to Patent Appeals - Requirement | Statute | Rule |
|--|----------------|-----------------|
| Notice of Appeal (paper and electronic) | 35 U.S.C. §134 | 37 CFR 1.191 |
| Request for Oral Hearing Before the Board of Patent Appeals and Interferences (paper and electronic) | 35 U.S.C. §134 | 37 CFR 1.194(b) |

| Matters Related to Patent Appeals - 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. |
| Electronic Notice of Appeal | PTO/SB/31 | <ul style="list-style-type: none"> • Used by the applicant to file a Notice of Appeal electronically. • Used by the USPTO to ensure that applicants comply with regulations when filing a Notice of Appeal. |
| 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. |
| Electronic 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 electronically 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. |