

PETITION TO MAKE SPECIAL UNDER THE COLLABORATIVE SEARCH PILOT PROGRAM BETWEEN KIPO AND THE USPTO (CSP-KR)

Application No.:		First Named Inventor:	
Filing Date:		Attorney Docket No.:	
Title of the Invention:			

THIS PETITION FOR PARTICIPATION IN THE CSP-KR PROGRAM ALONG WITH THE REQUIRED DOCUMENTS **MUST BE SUBMITTED VIA EFS-WEB**. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT <http://www.uspto.gov/patents/process/file/efs/>.

PART I – PETITION TO PARTICIPATE IN PILOT

Applicant hereby petitions for participation in the CSP-KR program and petitions to make the above-identified application special under the CSP-KR program.

Applicant provides express written consent under 35 U.S.C. 122(c) and authorizes the USPTO to forward to and receive from KIPO prior art references and comments, to be considered during the examination of the above identified application participating in the CSP-KR program.

Applicant authorizes the USPTO to provide KIPO access to the participating U.S. application’s bibliographic data and search results in accordance with 35 U.S.C. 122(a) and 37 CFR 1.14(c). No other consents are provided herein.

PART II – CORRESPONDING KIPO COUNTERPART APPLICATION(S)

The above-identified US application and the corresponding KIPO application have the same priority/filing date.

The corresponding KIPO application number is: _____

The application with the common earliest priority or filing date of the pilot applications is (please include application number, country code and filing date): _____

PART III – APPLICANT ACKNOWLEDGES AND AGREES TO THE FOLLOWING:

1. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims
2. The application must not contain any multiple dependent claims
3. Applicant will not request a refund of the search fee and any excess claims fee paid in the application after the mailing or notification of the pre-interview communication prepared by the examiner
4. Applicant will make an election without traverse if the Office determines that the claims are not directed to a single invention. See Part IV(7) of this form
5. Other attachments: _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**PETITION TO MAKE SPECIAL UNDER THE COLLABORATIVE SEARCH PILOT
PROGRAM BETWEEN KIPO AND THE USPTO (CSP-KR)**
(continued)

Application No.:

First Named Inventor:

PART IV IS A SUMMARY OF THE REQUIREMENTS (FOR MORE INFORMATION SEE THE FEDERAL REGISTER NOTICE FOR THE PROGRAM AVAILABLE ON THE USPTO WEB SITE AT:

<http://www.uspto.gov/patents-getting-started/international-protection/collaborative-search-pilots-csp>

PART IV – A GRANTABLE REQUEST MUST MEET THE FOLLOWING REQUIREMENTS

1. The application must be a published, non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national phase through compliance with 35 U.S.C. 371(c)(1) and (2) in which a filing receipt has been received by the applicant, with an earliest effective filing date of March 16, 2013, or later, which is the common earliest priority date with the corresponding KIPO counterpart applications.
2. The petition submission must include an express written consent under 35 USC 122 (c) and authorize the USPTO to both forward and receive prior art references and comments from KIPO that will be considered during the examination of the U.S. Application participating in the KIPO Collaborative Search Pilot Program.
3. The petition must be filed at least one day before a first Office action on the merits of the application appears in the Patent Application Information Retrieval (PAIR) system (i.e., at least one day prior to the date when a first Office action on the merits, notice of allowability or allowance, or action under Ex parte Quayle, 1935 Dec. Comm'r Pat. 11 (1935) appears in the PAIR system). Applicant must check the status of the application using the PAIR system prior to submitting the petition to ensure that this requirement is met.
4. KIPO must grant the petition for participation filed in the corresponding KIPO counterpart application for KIPO's parallel Collaborative Search Pilot Program.
5. The petition submission must include a claims correspondence table that notes which claims of the pending corresponding counterpart applications have a substantial corresponding scope to each other.
6. The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicants must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims concurrently with the petition.
7. The claims must be directed to a single invention. If the Office determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), the applicant must make a telephonic election without traverse.
8. All submissions for the participating application must be filed via EFS-Web.
9. The petition must include a statement that applicant agrees not to file a request for a refund of the search fee and any excess claim fees paid in the application after the mailing or notification date of the Pre-Interview Communication. See form PTO/SB/413C. Any petition for express abandonment under 37 CFR § 1.138(d), request for a refund of search fee, and any excess claim fees filed after the mailing or notification date of a Pre-Interview Communication will not be granted.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

PETITION TO MAKE SPECIAL UNDER THE COLLABORATIVE SEARCH PILOT PROGRAM BETWEEN KIPO AND THE USPTO (CSP-KR) (continued)

Application No.: [] First Named Inventor: []

PART V - CLAIMS CORRESPONDENCE TABLE (each claim must have correspondence with the claims of the identified KIPO counterpart application(s)):

Table with 3 columns: Claims in U.S. application, Claims in KIPO Application, Explanation regarding the correspondence (if necessary). Multiple empty rows for data entry.

PART VI - CERTIFICATION

All the claims in the U.S. application sufficiently correspond to the listed claims in the KIPO application

Signature, Name (Print/Typed), Telephone number, Date, Reg. No., e-mail fields.

Note: This form must be signed in accordance with 37 CFR 1.33. Please see 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

[] * Total of [] forms are submitted.

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.