PTO/SB/59 (07-12)
Approved for use through 07/31/2015. OMB 0651-0064
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REQUEST FOR SUPPLEMENTAL EXAMINATION TRANSMITTAL FORM

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.:

Date:

1. ☐ This is a request for supplemental examination pursuant to 37 CFR 1.610 of patent number _____ issued _____. 37 CFR 1.610(b)(1).

2. ☐ Supplemental examination of claim(s) _____ is requested. 37 CFR 1.610(b)(4).

3. ☐ a. The name(s) of the patent owner(s) (**not** the patent practitioner(s)) is (are):

_____

_____

_____

_____

☐ b. A submission by the patent owner(s) in compliance with 37 CFR 3.73(c), which establishes that the patent owner(s) has (have) the entirety of the ownership in the patent for which supplemental examination is requested, is included. 37 CFR 1.610(b)(9).

4. ☐ a. A check in the amount of $_____ is enclosed to cover the fee for processing and treating a request for supplemental examination, the fee for reexamination ordered under 35 USC 257, and the fee for processing and treating each non-patent document over 20 sheets in length (37 CFR 1.20(k)(1 - 3));

☐ b. The Director is hereby authorized to charge all applicable fees as set forth in 37 CFR 1.20(k)(1 - 3) to Deposit Account No. _____; or

☐ c. Payment by credit card. Form PTO-2038 is attached. 37 CFR 1.610(a).

5. ☐ Any refund should be made by ☐ check or ☐ credit to Deposit Account No._____. 37 CFR 1.26(c). If payment is made by credit card, refund must be to the credit card account.

6. ☐ A copy of the patent for which supplemental examination is requested, and a copy of any disclaimer or certificate issued for the patent are included. 37 CFR 1.610(b)(6).

7. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
☐ Landscape Table on CD

8. ☐ Nucleotide and/or Amino Acid Sequence Submission
If applicable, items a. – c. are required.

a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:

i. ☐ CD-ROM (2 copies) or CD-R (2 copies); **or**
ii. ☐ paper

c. ☐ Statements verifying the identity of above copies

9. ☐ A list of no more than 12 items of information submitted as part of this request is provided in Part B of this form. Where appropriate, the list must meet the requirements of 37 CFR 1.98(b). 37 CFR 1.605(a), 1.610(b)(2).

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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.

10. ☐ A legible copy of each item of information listed in Part B of this form, and an English language translation of all necessary and pertinent parts of each non-English language item of information are included.

Copies of items of information that form part of the discussion within the body of the request (see 37 CFR 1.605(b)), and copies of U.S. patents and patent application publications, are not required. 37 CFR 1.610(b)(7).

11. ☐ A summary of the relevant portions of each non-patent document that is over 50 pages in length (other than the request) is included. The summary includes the required citations to the particular pages containing the relevant portions. 37 CFR 1.610(b)(8).

12. ☐ A separate, detailed explanation of the relevance and manner of applying each item of information to each claim of the patent for which supplemental examination is requested, is included. 37 CFR 1.610(b)(5).

13. ☐ The below list includes all prior or concurrent post-patent Office proceedings (*ex parte* or *inter partes* reexamination, reissue, supplemental examination, post grant review, or *inter partes* review) involving the patent for which supplemental examination is being requested. 37 CFR 1.610(b)(3). An identifying number may be, e.g., a control no. or reissue application no. Any prior or concurrent post-patent Office proceedings not listed below are listed on a separate paper accompanying the request.

Type of Proceeding	Identifying Number	Filing Date

☐ See accompanying paper for a list of additional prior or concurrent post-patent Office proceedings involving the patent for which supplemental examination is requested. The paper should be a separate sheet titled "List of Prior or Concurrent Post-Patent Office Proceedings" and must provide the type, identifying number, and filing date of the post-patent Office proceeding.

14. Correspondence Address: Please recognize, or change, the correspondence address for the file of the patent for which supplemental examination is requested **and** for the supplemental examination proceeding to be:

☐ The address associated with Customer Number: ☐ **OR**

☐ Firm or Individual Name

Address

City	State	Zip
Country		
Telephone	Email	

15. **WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Authorized Signature _____ Date _____

Typed/Printed Name _____ Registration No. _____

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(Also referred to as FORM PTO-XXXX)

REQUEST FOR SUPPLEMENTAL EXAMINATION TRANSMITTAL FORM
PART B – LIST OF ITEMS OF INFORMATION – Page 1

Patent number for which supplemental examination is requested _____ Issue Date _____

All items of information (no more than 12) submitted herewith as part of this request for supplemental examination of the above-identified patent are included in the following list:

U. S. PATENT DOCUMENTS

Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	US-			
	US-			
	US-			
	US-			
	US-			
	US-			
	US-			
	US-			
	US-			
	US-			
	US-			
	US-			

FOREIGN PATENT DOCUMENTS

Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[2]

[1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

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REQUEST FOR SUPPLEMENTAL EXAMINATION TRANSMITTAL FORM
PART B – LIST OF ITEMS OF INFORMATION – Page 2

Patent number for which supplemental examination is requested _____ Issue Date _____

All items of information (no more than 12) submitted herewith as part of this request for supplemental examination of the above- identified patent are included in the following list:

OTHER DOCUMENTS

Cite No.[1]	Document Information (include, where appropriate, name of the author, title of the article, book, magazine, journal, serial, symposium, catalog, etc., publication date, page(s), volume-issue number(s), publisher, city and/or country where published. If a court document, identify the specific court, the designation (case citation or numeric designation), the title of the document, and the date submitted in court. If a declaration, include the type (e.g., 37 CFR 1.132 or 1.131), name of declarant, and the date of declaration. If an invoice or sales receipt, include the date issued and the name of the issuer (e.g., the name of the corporation or other place of business). If a discussion within the body of the request, include the pages of the request on which the discussion appears, and a description of the discussion (e.g., "discussion in request of why the claims are patentable under 35 U.S.C. 101, pages 7-11.") For all other materials, include, where appropriate, the title, author, date, and any descriptive information that would describe the document.)	T[2]

[1] Applicant's unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.