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MEMORANDUM

DATE: August 24, 2009
TO: TC Directors
FROM: Andrew H. Hirshfeld 
Acting Deputy Commissioner for Patent Examination Policy

SUBJECT: **Effective Today: New Interim Patent Subject Matter Eligibility Examination Instructions**

Effective today, the attached "Interim Examination Instructions For Evaluating Subject Matter Eligibility Under 35 U.S.C. § 101" are applicable and should be used during examination. These Instructions supersede previous guidance on subject matter eligibility that conflicts with the Instructions, including MPEP 2106(IV), 2106.01 and 2106.02.