

Notice of Change to Docketing of Requests for Continued Examination

The United States Patent and Trademark Office (USPTO) plans to begin placing requests for continued examination on the examiner's "Special New" application docket. The "Special New" application docket includes divisional applications, continuation applications, and applications that have been accorded special status under 37 C.F.R. § 1.102. The USPTO currently places requests for continued examination on the examiner's amended docket.

The USPTO will change the docketing of requests for continued examination by placing any application in which a request for continued examination is filed on or after November 15, 2009, on the examiner's "Special New" application docket. The USPTO will place any request for continued examination filed before November 15, 2009, on the examiner's amended docket.

The change to the docketing of requests for continued examination means that examiners are no longer required to act on a request for continued examination within two months of the entry of the request for continued examination on their docket. This change to the docketing of requests for continued examination is being made to allow examiners greater flexibility in managing their workload and allocating their time among requests for continued examination and new applications.

This notice does not change the treatment of a request for continued examination that does not comply with the requirements of 35 U.S.C. § 132(b) and 37 C.F.R. § 1.114.

Date: 10/19/09



David J. Kappos

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office