CENTRALIZED DELIVERY AND FACSIMILE TRANSMISSION REQUIREMENTS 
FOR PATENT APPLICATION RELATED CORRESPONDENCE

Summary

To facilitate processing of correspondence into the Image File Wrapper (IFW) system, the United States Patent and Trademark Office (USPTO or Office) is revising its procedures to require that a single, centralized location be used for hand-carried and facsimile-transmitted patent application related incoming correspondence delivered to organizations reporting to the Commissioner of Patents (e.g., Technology Centers, the Office of Patent Publication, and the Office of Petitions). Most other offices as listed below will continue receiving hand-carried and facsimile-transmitted correspondence at the same locations and at the same facsimile numbers. The centralized location for hand-carried correspondence is the existing Customer Window. The centralized facsimile number is (703) 872-9306. The changes are effective December 1, 2003.

Background

The Office is in the process of implementing an electronic image capture system to replace the standard paper processing of patent applications. Documents formerly placed in the paper file wrapper of pending patent applications (including the specification, oath or declaration, drawings, references, amendments, Office actions, foreign patent documents and non-patent literature of information disclosure statements and file jacket notations) are being electronically scanned and loaded into the Image File Wrapper (IFW) system. Once documents are loaded into the IFW system, examiners, technical support staff, other USPTO staff, and contractors will perform further processing and examination using the IFW system. See Notification of United States Patent and Trademark Office Patent Application Records being Stored and Processed in Electronic Form, 1271 Off. Gaz. Pat. Office 100 (June 17, 2003).


A. CUSTOMER WINDOW

To effect a smooth transition into the IFW environment, the Office is requiring the use of the Customer Window for all hand-carried patent application related correspondence. This location will be equipped to perform the necessary sorting and routing of submissions for either electronic or paper processing.

The Customer Window is located at:

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202
Effective December 1, 2003, all official patent application related correspondence for organizations reporting to the Commissioner of Patents (e.g. Technology Centers, the Office of Patent Publication, and the Office of Petitions) that is hand-carried (or delivered by other delivery services, e.g., FedEx, UPS, etc.) must be delivered to the Customer Window, with a few exceptions as listed below in Part C. Hand-carried application related correspondence will no longer be accepted in the Technology Centers (TCs), the Office of Patent Publication, and the Office of Petitions. Any courier who attempts delivery of an official application related correspondence at a TC (or where it is no longer permitted) will be re-directed to the Customer Window. Some time after the initial move to Carlyle, Alexandria, an additional depository in the Carlyle facility for hand-carried correspondence will be established. Patent application related compact disks (CDs) and other non-paper submissions that are hand-carried must be delivered to the Customer Window.

Correspondence may continue to be mailed via the United States Postal Service (USPS) and special Mail Stops (where appropriate) should continue to be used. See Special Mail Stops for Patent and Trademark Mail, 1271 Off. Gaz. Pat. Office 67 (June 10, 2003). The mailing address of the USPTO is not affected by this change in practice with regard to hand-carried or facsimile correspondence.

B. Papers Requiring Immediate Office Attention (Hand-carried and Facsimile Transmissions)

Due to special Office procedures concerning the three below listed types of submissions, applicants are advised and encouraged to conspicuously mark “SPECIAL PROCEDURES SUBMISSION” on the top of the first page of these, and only these, documents whether they are hand-carried or sent by facsimile transmission, to the Office. Special alerting procedures will be followed for these documents after submission at the Customer Window or receipt by the central facsimile processing facility.

1. Petitions for express abandonment to avoid publication under 37 CFR 1.138(c).

2. Petitions to withdraw an application from issue under 37 CFR 1.313(c)(3).

3. Request for Expedited Examination of a design application (Rocket Docket).

C. Correspondence for Which Centralized Delivery of Hand-carried Papers is Not Required

Non-patent application related papers and a few exceptions to the general rule for patent application related correspondence may be delivered to specific non-central locations as set forth below. Thus, the following types of correspondence should be delivered to the specific location where they are processed instead of the Customer Window. Any such correspondence carried by error to the Customer Window will be accepted but then re-routed to the appropriate office, thereby incurring a delay before being processed.

1. All non-application and non-specific application related correspondence, such as questions on policy, on employment, or other general inquiries, may continue to be hand-carried or transmitted by facsimile to the current designated locations, depending on the substance of the correspondence.
2. **Hand-carried requests to initiate, or related to ongoing ex parte or inter partes reexamination proceedings** may be hand-carried to the Central Reexamination Unit (CRU) in Crystal Plaza ¾ Room 3D68.

3. Requests for **access** to patent application files may continue to be hand-carried to the File Information Unit (FIU) in Crystal Plaza 3 Room 1D01.


5. **Assignments** may be hand-carried to the Assignment Branch in Crystal Gateway 4, Room 301.

6. Correspondence for the **Office of Enrollment and Discipline** (OED) may be hand-carried directly to OED in Crystal Plaza 6, Room 1103.

7. Correspondence for the **Office of General Counsel** or the **Solicitor’s Office** may be hand-carried directly to the Office of General Counsel in Crystal Park 2, Room 905.

8. Correspondence relating to **interferences** may be hand-carried to the Board of Patent Appeals and Interferences in Crystal Gateway 2, Room 10C01.

9. Correspondence relating to **PCT international applications** prior to national stage entry (35 U.S.C. § 371) may continue to be hand-carried to the PCT Operations customer window located at Crystal Plaza Two, 8th floor. After national stage entry (indicated by the mailing of the Notice of Acceptance (Form 903)), correspondence relating to the national stage of the international application should be hand-carried to the Customer Window.

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**Part 2. Centralized Facsimile Number for Official Patent Application Related Correspondence**

**A. Central Number**

Effective **December 1, 2003**, all patent application related correspondence transmitted by facsimile must be directed to the central facsimile number, **(703) 872-9306**, with a few exceptions below in Part B. Replies to Office actions including after-final amendments that are transmitted by facsimile must be directed to the central facsimile number. Unofficial correspondence such as draft proposed amendments for interviews may continue to be transmitted by facsimile to the Technology Centers (TCs). *See Fax Automation in Technology Center 1700, 1237 Off. Gaz. Pat. Office 140* (August 29, 2000). Any official correspondence transmitted by facsimile in error to prior published facsimile numbers will be either automatically re-routed to the central facsimile number, or manually forwarded to the central facsimile facility for processing but may thereby incur a delay before being processed. The central facsimile number is capable of simultaneous receipt of facsimile transmissions from multiple customers. All other Office facsimile numbers remain unchanged. Prior published facsimile numbers will continue in operation until further notice. Applicants are advised that since correspondence successfully sent by facsimile transmission to the old numbers (as evidenced by a “successful facsimile receipt” or “transmission complete” message) will always be routed or forwarded to the central facsimile facility; no further action on the applicants’ part is required. Do not send a duplicate facsimile to the central number.
See Patent Customers Advised to FAX Communications to USPTO, 1270 Off. Gaz. Pat. Office 151 (May 27, 2003) for a discussion of the correspondence that can and cannot be sent by facsimile transmission to the Office. Questions related to receipt of a facsimile to the Technology Centers should be directed to the Technology Center Customer Service representative listed in the above-mentioned notice.

B. Correspondence Which May be Sent By Facsimile to Other Than the Central Facsimile Number
The correspondence items below may be sent by facsimile to specific facsimile numbers as indicated as these items are for non-patent application related papers and a few exceptions to the general rule (for facsimile transmission to a central number).

1. Facsimile transmissions to the Office of Initial Patent Examination
New applications, correspondence being submitted for the purpose of obtaining an application filing date, and (except with issue fee payment) drawings may NOT be transmitted by facsimile. Other types of responses to notices from the Office of Initial Patent Examination (OIPE) and requests for corrected filing receipts may be transmitted by facsimile directly to the OIPE. The following is a list of official facsimile numbers for OIPE:

| Facsimile number for corrected Filing Receipt Requests: | (703) 746-9195 |
| Facsimile number for Response to Notice to File Missing Parts (drawings may not be submitted by facsimile): | (703) 746-4060 |
| Telephone number for Customer Service: | (703) 308-1202 |

2. Facsimile transmissions to PCT Operations and PCT Legal Administration
An international application for patent or a copy of the international application and the basic national fee necessary to entry the national stage, as specified in 37 CFR 1.495(b), may NOT be submitted by facsimile. Correspondence in an application before the U.S. Receiving Office, the U.S. International Searching Authority, or the U.S. International Examining Authority may be facsimile-transmitted but the correspondence will NOT receive the benefit of any certificate of transmission (or mailing). See 37 CFR 1.6(d)(3) (referencing 37 CFR 1.8(a)(2)(i)(D)-(F)). Papers relating to international applications should be directed to one of the following numbers, if applicable:

| Facsimile number for papers in international applications: | (703) 305-3230 |
| Facsimile number for Response to Decisions on Petition | (703) 308-6459 |
| Facsimile number for the PCT Help Desk: | (703) 305-2919 |
| Telephone number for the PCT Help Desk: | (703) 305-3257 |

3. Facsimile transmissions to the Office of Patent Publication
Payment of an issue fee and any required publication fee by authorization to charge a deposit account or credit card may be submitted by facsimile transmission. When drawings are submitted with payment of an issue fee, they may be submitted by facsimile, although applicants are reminded that the facsimile process may reduce the quality of the drawings, and the Office will generally print the drawings as received.

The applicable facsimile numbers for payment of the issue and/or publication fee(s) by facsimile transmission are as follows:

<table>
<thead>
<tr>
<th>Facsimile number for Issue Fee (and any Publication Fee) Payments:</th>
<th>(703) 746-4000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone number to check on receipt of payment (with Office of Patent Publication):</td>
<td>(703) 305-8283</td>
</tr>
</tbody>
</table>

4. Facsimile transmissions to the Office of Pre-Grant Publication

Petitions for express abandonment to avoid publication under 37 CFR 1.138(c), requests to rescind a nonpublication request and notices of foreign filing should be directed to the Pre-Grant Publication Division. Questions regarding publication of patent applications (or rescissions of nonpublication requests) may also be directed by e-mail to pgpub@uspto.gov.

<table>
<thead>
<tr>
<th>Facsimile number for PG-PUB correspondence:</th>
<th>(703) 305-8568</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone number for the Pre-Grant Publication Division:</td>
<td>(703) 605-4283</td>
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</tbody>
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5. Facsimile transmissions to the Electronic Business Center

Requests for Customer Number Data Change (PTO/SB/124) and Requests for a Customer Number (PTO/SB/125) may be facsimile-transmitted to the Electronic Business Center (EBC). The EBC may also be reached by e-mail at: ebc@uspto.gov

<table>
<thead>
<tr>
<th>Facsimile number for the Electronic Business Center:</th>
<th>(703) 308-2840</th>
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<tr>
<td>Telephone number for assistance from the EBC:</td>
<td>(866) 217-9197</td>
</tr>
</tbody>
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6. Facsimile transmissions of Assignment Documents

Facsimile transmission to record an assignment or other documents affecting title is also permitted. This process allows customers to submit their documents directly into the automated Patent and Trademark Assignment System and receive the resulting recordation notice at their facsimile machine. Credit card payments to record assignment documents are now accepted, and use of the Credit Card form (PTO-2038) is required for the credit card information to be separated from the assignment records. Only documents with an identified patent application or patent number, a single cover sheet to record a single type of transaction, and the fee paid by an
authorization to charge a USPTO deposit account or credit card may be submitted via facsimile. Please refer to the USPTO Web Site, at http://www.uspto.gov/web/offices/ac/ido/opr/ptasfax.pdf for more information regarding the submission of assignment documents via facsimile.

| Facsimile number for the Automated Patent and Trademark Assignment system: | (703) 306-5995 |
| Telephone number for the Assignment Division for assistance: | (703) 308-9723 |

7. Facsimile transmissions of Papers for Reexamination Proceedings

Correspondence related to reexamination proceedings will be separately scanned in the Central Reexamination Unit (CRU). Inter partes reexamination correspondence, except for the initial request, may be sent by facsimile transmission directly to the CRU facsimile number below. All ex parte reexamination correspondence, except for the initial request, may be sent by facsimile transmission to the central facsimile number, (703) 872-9306. For questions concerning Reexaminations, contact the CRU at the number below:

| Facsimile number for all inter partes correspondence except initial requests: | (703) 305-1013 |
| All ex parte reexamination correspondence: except initial requests | (703) 872-9306 |
| Telephone number for customer service and inquiries: | (703) 306-2892 |

8. Facsimile transmissions of Papers to the Board of Patent Appeals and Interferences

Correspondence permitted to be transmitted by facsimile related to pending interferences may be transmitted by facsimile to the Board of Patent Appeals and Interferences at the number below. Correspondence should not be transmitted to this number if an interference has not yet been declared.

| Facsimile number for pending interference correspondence | (703) 305-0942 |

9. Facsimile transmissions of Papers to the Office of the General Counsel

Correspondence permitted to be transmitted by facsimile to the Office of the General Counsel may sent to the number below:

| Facsimile number for the Office of the General Counsel | (703) 305-5907 |
10. Facsimile transmissions to the Office of the Solicitor

Correspondence that is permitted to be transmitted by facsimile may sent directly to the Office of the Solicitor at the number below:

| Facsimile number for the Office of the Solicitor | (703) 305-9373 |

FOR FURTHER INFORMATION CONTACT:

Inquiries concerning receipt and status of specific correspondence should continue to be directed to the appropriate office that considers the correspondence on the merits. Please allow sufficient time for the correspondence to be scanned into the IFW system or to be forwarded to the appropriate location before contacting the Office. Applicants may electronically verify the receipt and status of the correspondence using the private side of the Patent Application Information Retrieval (PAIR) system and are strongly encouraged to make use of this PAIR capability.

* Questions related to the operation of the facsimile system should be directed to the Electronic Business Center at (866) 217-9197.
* Inquiries concerning only hours and location of the Customer Window may be directed to OIPE Customer Service at (703) 308-1202.

Technical information on the operation of the IFW system can be found on the USPTO website at http://www.uspto.gov/web/patents/ifw/index.html.

Date: 10/1/03

Stephen G. Kunin
Deputy Commissioner for Patent Examination Policy