

Appendix II List of Decisions Cited

A, Ex parte, 17 USPQ2d 1716 (Bd. Pat. App. & Inter. 1990)	716.02, 2131.02	Albrecht, In re, 514 F.2d 1389, 185 USPQ 585 (CCPA 1975)	2144.08, 2144.09
Abbott Laboratories v. Geneva Pharmaceuticals, Inc., 182 F.3d 1315, 51 USPQ2d 1307 (Fed. Cir. 1999)	2133.03(c)	Alcon Laboratories Inc., In re, 13 USPQ2d 1115 (Comm'r Pat. & Tm. 1989)	2751, 2755.01
Abbott Laboratories v. Young, 920 F.2d 984, 17 USPQ2d 1027 (D.C. Cir. 1990)	2751	Allen, Ex parte, 2 USPQ2d 1425 (Bd. Pat. App. & Inter. 1987)	2105
Abele, In re, 684 F.2d 902, 214 USPQ 682 (CCPA 1982)	2106, 2184	Allen Eng'g Corp. v. Bartell Indus., Inc., 299 F.3d 1336, 63 USPQ2d 1769 (Fed. Cir. 2002)	2133.03(e), 2133.03(e)(4)
Abseck, Ex parte, 133 USPQ 411 (P.O. Super. Exam. 1960)	1208.03	Allen & Hansbury Ltd., 227 USPQ 955 (Comm'r Pat. & Tm. 1985)	2756
Ackermann, In re, 444 F.2d 1172, 170 USPQ 340 (CCPA 1971)	706.03(w)	Aller, In re, 220 F.2d 454, 105 USPQ 233 (CCPA 1955)	2144.05
Adidas Fabrique v. Andsmore Sportswear Corp., 578 F. Supp. 1568, 223 USPQ 1109 (S.D. N.Y. 1984)	1504.06	Alpert v. Slatin, 305 F.2d 891, 134 USPQ 296 (CCPA 1962)	2138.04
Adler v. Kluver, 159 USPQ 511 (Bd. Pat. Inter. 1968)	715.05	Alpine Eng'g, Inc. v. Automated Building Components, Inc., BNA/PTCJ 367: A-12 (S.D. Fla. 1978)	1442.05
Aelony v. Arni, 547 F.2d 566, 192 USPQ 486 (CCPA 1977)	2301.02, 2306	Al-Site Corp. v. VSI International Inc., 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999)	2143.01, 2181, 2183, 2184
AFG Industries, Inc. v. Cardinal IG Company, Inc., 239 F.3d 1239, 57 USPQ2d 1776 (Fed. Cir. 2001)	2111.03	Alton, In re, 76 F.3d 1168, 37 USPQ2d 1578 (Fed. Cir. 1996)	2144.08, 2163, 2163.06, 2164.05
A.F. Stoddard & Co. v. Dann, 564 F.2d 556, 195 USPQ 97 (D.C. Cir. 1977)	1412.04	Altoona Publix Theatres v. American Tri-Ergon Corp., 294 U.S. 477, 24 USPQ 308 (1935)	1490
Affidavit Filed After Final Registration, In re, 152 USPQ 292, 1966 C.D. 53 (Comm'r Pat. 1966)	2265	Amazon.com v. Barnesandnoble.com, 73 F. Supp. 2d 1228, 53 USPQ2d 1115 (W.D. Wash. 1999)	2128
Ahlert, In re, 424 F.2d 1088, 165 USPQ 418 (CCPA 1970)	2144.03	American Fruit Growers, Inc. v. Brogdex Co., 283 U.S. 1 (1931)	2106
Ahrens v. Grey, 1931 C.D. 9, 402 O.G. 261 (Bd. App. 1929)	201.13	American Infra-Red Radiant Co. v. Lambert Indus. Inc., 360 F.2d 977, 149 USPQ 722 (8th Cir. 1966)	901.05, 2135.01
Ajinomoto Co. v. Archer-Daniels-Midland Co., 228 F.3d 1338, 56 USPQ2d 1332 (Fed. Cir. 2000), cert. denied, 121 S.Ct 1957 (2001)	2402	American Hoist & Derrick Co. v. Sowa & Sons, Inc., 725 F.2d 1350, 220 USPQ 763 (Fed. Cir. 1984)	410
Akron Brass Co. v. Elkhart Brass Mfg. Co., 353 F.2d 704, 147 USPQ 301 (7th Cir. 1965)	2133.03(e)(1)	Amgen, Inc. v. Chugai Pharmaceutical Co., 927 F.2d 1200, 18 USPQ2d 1016 (Fed. Cir. 1991)	2138, 2138.04, 2143.02, 2163, 2163.02, 2164.08, 2165.04, 2173.05(a), 2411.01
Aktiebolaget Astra v. Lehman, 71 F.3d 1578, 37 USPQ2d 1212 (Fed. Cir. 1995)	2757	Amgen, Inc. v. Hoechst Marion Roussel, Inc., 126 F. Supp. 2d 69, 57 USPQ2d 1449 (D. Mass. 2001)	706.04
Akzo N.V. v. International Trade Comm'n, 808 F.2d 1471, 1 USPQ2d 1241 (Fed. Cir. 1986)	2131.02	AMI Indus., Inc. v. E.A. Indus., Inc., 204 USPQ 568 (W.D.N.C. 1978)	1442.05(a)
Alappat, In re, 33 F.3d 1526, 31 USPQ2d 1545 (Fed. Cir. 1994)	2106		
Albertson, In re, 332 F.2d 379, 141 USPQ 730 (CCPA 1964)	2116.01		

MANUAL OF PATENT EXAMINING PROCEDURE

Amos, In re, 953 F.2d 613, 21 USPQ2d 1271 (Fed. Cir. 1991)	1412.01	Appeal No. 315-40, Ex Parte, 152 USPQ 71 (Bd. App. 1965)	1504.05
AMP, Inc., In re, 212 USPQ 826 (Comm'r Pat. 1981)	2225	Application Filed Nov. 16, 1945, In re, 89 USPQ 280, 1951 C.D. 1, 646 O.G. 5 (Comm'r Pat. 1951).	904.01(a)
Amphenol Corp. v. Gen'l Time Corp., 397 F.2d 431, 158 USPQ 113 (7th Cir. 1968)	2133.03(e)(1)	Application of Takao, 17 USPQ2d 1155 (Comm'r Pat. 1990).	711.03(c)
Anchor Hocking Corp. v. Eyelet Spe- cialty Co., 377 F. Supp 98, 183 USPQ 87 (D. Del. 1974)	1504.06	Application Papers Filed Jan. 20, 1956, In re, 706 O.G. 4 (Comm'r Pat. 1956).	714.07
Anderson, Ex parte, 21 USPQ2d 1241 (Bd. Pat. App. & Inter. 1991)	2173.05(a)	Application Papers Filed Sept. 10, 1954, In re, 108 USPQ 340 (Comm'r Pat. 1955)	409.03(c)
Anderson, In re, 471 F.2d 1237, 176 USPQ 331 (CCPA 1973).	601.01(d), 2163.07, 2181	Applied Materials Inc. v. Gemini Research Corp., 835 F.2d 279, 15 USPQ2d 1816 (Fed. Cir. 1988)	2136.05, 2137.01
Anderson's-Black Rock Inc. v. Pavement Salvage Co., 396 U.S. 57, 163 USPQ 673 (1969).	716.01(a), 2141	Argoudelis, Ex parte, 157 USPQ 437 (Bd. App. 1967).	1214.03
Anderson v. Crowther, 152 USPQ 504 (Bd. Pat. Inter. 1965).	2138.06	Argoudelis, In re, 434 F.2d 1390, 168 USPQ 99 (CCPA 1970).	2164.06, 2164.06(a), 2402
Andresen, Ex parte, 212 USPQ 100 (Bd. App. 1981)	2004, 2137, 2141.01	Armbruster, In re, 512 F. 2d 676, 185 USPQ 152 (CCPA 1975).	608.01(b), 2161, 2181
Andrew Corp. v. Gabriel Electronics, 847 F.2d 819, 6 USPQ2d 2010 (Fed. Cir. 1988)	2173.05(a)	Armour & Co. v. Swift & Co., 466 F.2d 767, 175 USPQ 70 (7th Cir. 1972)	2001.06(b), 2004
Andrews v. Wickenden, 194 F.2d 729, 93 USPQ 27 (CCPA 1952).	2307	Armstrong, In re, 280 F.2d 132, 126 USPQ 281 (CCPA 1960).	716.02(e)
Angstadt, In re, 537 F.2d 498, 190 USPQ 214 (CCPA 1976)	2164.01, 2164.06, 2164.08(b)	Arnott, In re, 19 USPQ2d 1049 (Comm'r Pat. 1991)	804.02, 1481
Anthony, Ex parte, 230 USPQ 467 (Bd. App. 1982), aff'd 770 F.2d 182 (Fed. Cir. 1985) (table).	1490	Arrhythmia Research Tech. v. Corazonix Corp., 958 F.2d 1053, 22 USPQ2d 1033 (Fed. Cir. 1992)	2106
Anthony, In re, 414 F. 2d 1383, 162 USPQ 594 (CCPA 1969).	2107.01, 2107.03	Arzberger, In re, 112 F.2d 834, 46 USPQ 32 (CCPA 1940)	1601
Antonie, In re, 559 F.2d 618, 195 USPQ 6 (CCPA 1977).	2141.02, 2144.05	Asano, Ex parte, 201 USPQ 315 (Bd. Pat. App. & Inter. 1978)	1503.02
Antonious v. Kamata-Ri & Co. Ltd., 204 USPQ 294 (D. Md. 1979).	1442.05	Ashland Oil, Inc. v. Delta Resins & Refractories, Inc., 776 F.2d 281, 227 USPQ 657 (Fed. Cir. 1985).	716.01(b), 716.01(c), 2144.08
A&P Tea Co. v. Supermarket Corp., 340 U.S. 147 (1950).	716.01(a)	Aslanian, In re, 590 F.2d 911, 200 USPQ 500 (CCPA 1979)	2125
Appeal, Decided 9/3/68, Ex parte, 866 O.G. 16 (Bd. App. 1968)	1504.02	Atlantic Thermoplastics Co. v. Faytex Corp., 970 F.2d 834, 23 USPQ2d 1481 (Fed. Cir. 1992)	2133.03(b), 2133.03(c)
Appeal No. 194-38, 152 USPQ 70, 1955 C.D. 31 (Bd. App. 1965).	901.05(b)		
Appeal No 239-48, 151 USPQ 711, 1966 C.D. 22, 833 O.G. 10 (Bd. App. 1965)	1504.02		
Appeal No. 242-47, 196 USPQ 828 (Bd. App. 1976)	901.05(b), 2135.01		

LIST OF DECISIONS CITED

Atlas Powder Co. v. E.I. duPont de Nemours & Co., 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984)	2111.03, 2164.01, 2164.08(b)	Barber, In re, 81 F.2d 231, 28 USPQ 187 (CCPA 1936)	804
Atlas Powder Co. v. IRECO, Inc., 190 F.3d 1342, 51 USPQ2d 1943 (Fed. Cir. 1999)	2131.01, 2131.05	Barker, In re, 559 F.2d 588, 194 USPQ 470 (CCPA 1977)	2106, 2161, 2163
Atmel Corp. v. Information Storage Devices Inc., 198 F.3d 1374, 53 USPQ2d 1225 (Fed. Cir. 1999)	2106, 2181	Barmag Barmer Maschinenfabrik AG v. Murata Mach., Ltd., 731 F.2d 831, 221 USPQ 561 (Fed. Cir. 1984)	2133.03(b)
AT&T Corp. v. Excel Communications, Inc., 172 F.3d 1352, 50 USPQ2d 1447 (Fed. Cir. 1999)	2106	Barr, In re, 444 F.2d 588, 170 USPQ 330 (CCPA 1971)	2111.01, 2173.05(a), 2173.05(g), 2173.05(i)
Attig, Ex parte, 7 USPQ2d 1092 (Bd. Pat. App. & Inter. 1986)	2173.05(a)	Bartfeld, Ex parte, 16 USPQ2d 1714 (Bd. Pat. App. & Inter. 1990)	2136.01
Autogiro Co. of America v. United States, 384 F.2d 391, 155 USPQ 697 (Ct. Cl. 1967)	2163	Bartfeld, In re, 925 F.2d 1450, 17 USPQ2d 1885 (Fed. Cir. 1991)	706.02(f)(2), 706.02(i), 804, 804.03, 2136.01, 2136.05, 2141.01
Automatic Weighing Mech. Co. v. Pneumatic Scale Corp., 166 F.2d 288, 1909 C.D. 498, 139 O.G. 991 (1st Cir. 1909)	715.07	Bartlett, In re, 300 F.2d 942, 133 USPQ 204 (CCPA 1962)	1504.02
Avia Group International, Inc. v. L.A. Gear California, Inc., 853 F.2d 1557, 7 USPQ2d 1548 (Fed. Cir. 1988)	1504.01(c), 1504.03	Bass, In re, 474 F.2d 1276, 177 USPQ 178 (CCPA 1973)	715, 2004, 2138, 2138.03
Ayers, Ex parte, 108 USPQ 444 (Bd. App. 1955)	608.04(a)	Bausch & Lomb v. Barnes-Hind/Hydrocurve, Inc., 796 F.2d 443, 230 USPQ 416 (Fed. Cir. 1986)	2141.02
Azar v. Burns, 188 USPQ 601 (Bd. Pat. Inter. 1975)	2138.05, 2308.02	Baxter Diagnostics v. AVL Scientific Corp., 798 F. Supp. 612, 25 USPQ2d 1428 (C.D., Cal. 1992)	2751
Badger, Ex parte, 1901 C.D. 195, 97 O.G. 1596 (Comm'r Pat. 1901)	608.02(f)	Baxter, In re, 656 F.2d 679, 210 USPQ 795 (CCPA 1987)	2111.03
Baird, In re, 16 F.3d 380, 29 USPQ2d 1550 (Fed. Cir. 1994)	2144.05, 2144.08, 2163	Baxter Int'l. Inc. v. McGaw Inc., 149 F.3d 1321, 47 USPQ2d 1225 (Fed. Cir. 1998)	601.01(e)
Baker Hughes Inc., In re, 215 F.3d 1297, 55 USPQ2d 1149 (Fed. Cir. 2000)	2249	Baxter Travenol Labs., In re, 952 F.2d 388, 21 USPQ2d 1281 (Fed. Cir. 1991)	2131.01, 2145
Baker Hughes, Inc. v. Kirk, 921 F. Supp. 801, 38 USPQ2d 1885 (D.D.C. 1995)	1412.04	Bayer, In re, 568 F.2d 1357, 196 USPQ 670 (CCPA 1978)	2128.01
Ball Corp., In re, 925 F.2d 1480, 18 USPQ2d 1491 (Fed. Cir. 1991)	2145, 1412.04	B. Braun Medical, Inc. v. Abbott Labs, 124 F.3d 1419, 43 USPQ2d 1896 (Fed. Cir. 1997)	2106, 2163, 2181, 2182
Ball Corp. v. United States, 729 F.2d 1429, 221 USPQ 289 (Fed. Cir. 1984)	1412.02, 1490	Beattie, In re, 974 F.2d 1309, 24 USPQ2d 1040 (Fed. Cir. 1992)	716.01(c), 2144.08
Balzarini, Ex parte, 21 USPQ2d 1892 (Bd. Pat. App. & Inter. 1991)	2107.03	Beck, In re, 155 F.2d 398, 69 USPQ 520 (CCPA 1946)	715.01(b)
Bandel, In re, 348 F.2d 563, 146 USPQ 389 (CCPA 1965)	715, 2305.01	Becker v. Patrick, 47 USPQ 314 (Comm'r Pat. 1939)	2309.01
Barber, Ex parte, 187 USPQ 244 (Bd. App. 1974)	2173.05(j)	Beckman Instruments v. LKB Produkter AB, 892 F.2d 1547, 13 USPQ2d 1301 (Fed. Cir. 1989)	2121.01

MANUAL OF PATENT EXAMINING PROCEDURE

Beech Aircraft Corp. v. EDO Corp., 990 F.2d 1237, 26 USPQ2d 1572 (Fed. Cir. 1993)	301	Biesecker, Ex parte, 144 USPQ 129 (Bd. App. 1964).	715.02, 715.03
Belk, Ex parte, 161 USPQ 795 (Bd. Pat. App. 1968)	901.05, 901.05(b), 2135.01	Bigham v. Godtfredsen, 857 F.2d 1415, 8 USPQ2d 1266 (Fed. Cir. 1988) . . .	2138.01, 2138.05
Bell Communications Research, Inc. v. Vitalink Communications Corp., 55 F.3d 615, 34 USPQ2d 1816 (Fed. Cir. 1995)	2111.02, 2163	Billottet, Ex parte, 192 USPQ 413 (Bd. App. 1976).	2137
Bell, In re, 991 F.2d 781, 26 USPQ2d 1529 (Fed. Cir. 1993)	2144.08, 2144.09, 2163	Bindra v. Kelly, 206 USPQ 570 (Bd. Pat. Inter. 1979)	2138.05
Benger Labs. Ltd. v. R.K. Laros Co., 209 F. Supp. 639, 135 USPQ 11 (E.D. Pa. 1966)	2165	Bird Provision Co. v. Owens Country Sausage, Inc., 568 F.2d 369, 197 USPQ 134 (5th Cir. 1978)	2133.03(a)
Benke, Ex parte, 1904 C.D. 63, 108 O.G. 1588 (Comm'r Pat. 1904)	811.02	Black & Decker, Inc. v. Pittway Corp., 636 F.2d 1193, 231 USPQ 252 (N.D. Ill. 1986)	1504.02
Bennage v. Phillippi, 1876 C.D. 135, 9 O.G. 1159 (Comm'r Pat. 1876)	1504.01(d)	Blaisdell, In re, 242 F.2d 779, 113 USPQ 289 (CCPA 1957)	2133.03(a), 2133.03(b), 2133.03(e)(3), 2133.03(e)(5)
Bennett, In re, 766 F.2d 524, 226 USPQ 413 (Fed. Cir. 1985)	1403, 1412.03	Blake, In re, 358 F.2d 750, 149 USPQ 217 (CCPA 1966)	715.07
Benno, In re, 768 F.2d 1340, 226 USPQ 683 (Fed. Cir. 1985)	2163, 2163.06	Blanc, Ex parte, 13 USPQ2d 1383 (Bd. Pat. App. & Inter. 1989)	716.02(c), 2142, 2143.02
Benson, In re, 122 USPQ 279, 1959 C.D. 5, 744 O.G. 353 (Comm'r Pat. 1959)	608.01, 714.07	Bland, Ex parte, 3 USPQ2d 1103 (Bd. Pat App. & Inter. 1986)	2141.01(a)
Berg, In re, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998)	804	Blattner, Ex parte, 2 USPQ2d 2047 (Bd. Pat. App. & Inter. 1987)	2144.09
Bergstrom, In re, 427 F.2d 1394, 166 USPQ 256 (CCPA 1970)	2144.04	Blisscraft of Hollywood v. United Plastic Co., 189 F. Supp 333, 127 USPQ 452 (S.D.N.Y. 1960)	1504.01(c)
Berkman, In re, 642 F.2d 427, 209 USPQ 45 (CCPA 1981)	1504.04, 1504.20	Blondel, In re, 499 F.2d 1311, 182 USPQ 294 (CCPA 1974)	716.02(b)
Bernhart, In re, 417 F.2d 1395, 163 USPQ 611 (CCPA 1969)	2106, 2173.05(j)	Blonder-Tongue Labs., Inc. v. Univ. of Ill., Foundation, 402 U.S. 313, 169 USPQ 513 (1971)	2012.01
Berry Sterling Corp. v. Pescor Plastics Inc., 122 F.3d 1452, 43 USPQ2d 1953 (Fed. Cir. 1997)	1504.01(c)	Blout, In re, 333 F.2d 928, 142 USPQ 173 (CCPA 1964)	715
Bertsch, In re, 132 F.2d 1014, 56 USPQ 379 (CCPA 1942)	2111.03	Blum, In re, 374 F.2d 904, 153 USPQ 177 (CCPA 1967)	1503.01, 1503.02, 1503.03
Best, In re, 562 F.2d 1252, 195 USPQ 430 (CCPA 1977)	2112, 2112.01, 2112.02	Blumcraft of Pittsburgh v. Ladd, 238 F. Supp. 648, 144 USPQ 562 (D.D.C. 1965)	1504.05, 1504.06
Best Lock Corp v. Ilco Unican Corp., 94 F.3d 1563, 40 USPQ2d 1048 (Fed. Cir. 1996)	1504.01(c)	Boeing Co. v. Comm'r Pat., 853 F.2d 878, 7 USPQ2d 1487 (Fed. Cir. 1988)	2279
Bey v. Kollonitsch, 806 F.2d 1024, 231 USPQ 967 (Fed. Cir. 1986)	2138.06	Boesch, In re, 617 F.2d 272, 205 USPQ 215 (CCPA 1980)	716.02(b), 716.02(d), 716.02(e), 2144.05
Bielomatik Lueze & Co. v. Southwest Tablet Mfg. Co., 204 USPQ 226 (N.D. Texas 1979)	1442.05, 1442.05(b)	Bogese, In re, 303 F.3d 1362, 64 USPQ2d 1448 (Fed. Cir. 2002)	2190

LIST OF DECISIONS CITED

Bogoslowsky v. Huse, 142 F.2d 75, 61 USPQ 349 (CCPA 1944).....	2138.03	Bradley, In re, 600 F.2d 807, 202 USPQ 480 (CCPA 1979)	2106.02
Bolkcom v. Carborundum Co., 523 F.2d 492, 187 USPQ 446 (6th Cir. 1975)	2003	Braithwaite, In re, 379 F.2d 594, 154 USPQ 29 (CCPA 1967).....	804, 804.02
Bond, In re, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)	2131, 2183, 2184	Braithwaite, In re, 379 F.2d 606, 154 USPQ 38 (CCPA 1967).....	806.04(i)
Bondiou, Ex parte, 132 USPQ 356 (Bd. App. 1961)	2163.07	Brana, In re, 51 F.3d 1560, 34 USPQ2d 1436 (Fed. Cir. 1995) ..	2107.01, 2107.02, 2107.03, 2164.01(c), 2164.02, 2164.04, 2164.07
Bonito Boats, Inc. v. Thunder Craft Boats, Inc., 489 U.S. 141, 9 USPQ2d 1847 (1989).....	2133.02	Brandstadter, In re, 484 F.2d 1395, 179 USPQ 286 (CCPA 1973).....	716.01(c), 716.09, 2106, 2106.02, 2164.05
Bonnie-B Co., Ex parte, 1923 C.D. 42, 313 O.G. 453 (Comm'r Pat. 1922)	103, 104	Brenner v. Ebbert, 398 F.2d 762, 157 USPQ 609 (D.C. Cir. 1968)	711.03(c)
Borden, In re, 90 F.3d 1570, 39 USPQ2d 1524 (Fed. Cir. 1996)	1504.03	Brenner v. Manson, 383 U.S. 519, 148 USPQ 689 (1966)	2106, 2107.01, 2107.02
Borkowski, In re, 422 F.2d 904, 164 USPQ 642 (CCPA 1970).....	707.07(l), 2164.02, 2174	Brenner v. State of Israel, 400 F.2d 789, 158 USPQ 584 (D.C. Cir. 1968)	201.14, 201.16, 1402, 1417, 1444
Borkowski, In re, 505 F.2d 713, 184 USPQ 29 (CCPA 1974).....	715.07, 2371	Breslow, In re, 616 F.2d 516, 205 USPQ 221 (CCPA 1980)	2106, 2164.01(b)
Bose Corp., In re, 772 F.2d 866, 227 USPQ 1 (Fed. Cir. 1985).....	1203	Brian, Ex parte, 118 USPQ 242 (Bd. App. 1958)	2173.05(t)
Bose Corp. v. JBL, Inc., 274 F.3d 1354, 61 USPQ2d 1216 (Fed. Cir. 2001)	2173.05	Bridgefurd, In re, 357 F.2d 679, 149 USPQ 55 (CCPA 1966).....	806.05(f)
Bosies v. Benedict, 27 F.3d 539, 30 USPQ2d 1862 (Fed. Cir. 1994).....	2138.04	Brooktree Corp. v. Advanced Micro Devices, Inc., 977 F.2d 1555, 24 USPQ2d 1401 (Fed. Cir. 1992).....	2107.01
Bostwick, In re, 102 F.2d 886, 41 USPQ 279 (CCPA 1939)	1449.02	Broos v. Barton, 142 F.2d 690, 61 USPQ 447 (CCPA 1944)	2138.06
Bosy, In re, 360 F.2d 972, 149 USPQ 789 (CCPA 1966).....	2165.01	Brouwer, In re, 77 F.3d 422, 37 USPQ2d 1663 (Fed. Cir. 1996)	706.02(n), 2116.01, 2144.08
Bourne v. Jones, 114 F. Supp 413, 98 USPQ 206 (S.D. Fla. 1951)	2133.03(e)(7)	Brower, In re, 433 F.2d 813, 167 USPQ 684 (CCPA 1970)	2172
Bowen, In re, 492 F.2d 859, 181 USPQ 48 (CCPA 1974)	2164.04	Brown, In re, 459 F.2d 531, 173 USPQ 685 (CCPA 1972)	2113, 2183
Bowers, In re, 359 F.2d 886, 149 USPQ 570 (CCPA 1966)	706.02(l)(2), 804	Brown, In re, 477 F.2d 946, 177 USPQ 691 (CCPA 1973)	2106.02
Bowser Inc. v. United States, 388 F.2d 346, 156 USPQ 406 (Ct. Cl. 1967).....	2141	Brown v. 3M, 265 F.3d 1349, 60 USPQ2d 1375 (Fed. Cir. 2001)	2131
Bowyer, Ex parte, 42 USPQ 526, 1939 C.D. 5, 505 O.G. 759 (Comm'r Pat. 1939).....	715.07(b)	Brummer, Ex parte, 12 USPQ2d 1653 (Bd. Pat. App. & Inter. 1989)	2173.05(a)
Boylan, In re, 392 F.2d 1017, 157 USPQ 370 (CCPA 1968)	804	Buchner, In re, 929 F.2d 660, 18 USPQ2d 1331 (Fed. Cir. 1991) ..	716.09, 2107.02, 2164.01, 2164.05, 2164.05(a), 2164.08
Braat, In re, 937 F.2d 589, 19 USPQ2d 1289 (Fed. Cir. 1991)	804	Budde v. Harley-Davidson, Inc., 250 F.3d 1369, 58 USPQ2d 1801 (Fed. Cir. 2001).....	2181
Brader v. Schaeffer, 193 USPQ 627 (Bd. Pat. Inter. 1976).....	2137.01		

MANUAL OF PATENT EXAMINING PROCEDURE

Budnick, In re, 537 F.2d 535, 190 USPQ 422 (CCPA 1976)	2106.02	Carella v. Starlight Archery, 804 F.2d 135, 231 USPQ 644 (Fed. Cir. 1986) . . .	2128, 2132
Buildex v. Kason Indus., 849 F.2d 1461, 7 USPQ2d 1325 (Fed. Cir. 1988)	2133.03(b)	Carl Zeiss Stiftung v. Renishaw PLC, 945 F.2d 1173, 20 USPQ2d 1094 (Fed. Cir. 1991).	2107.01, 2107.02
Bullier, Ex parte, 1899 C.D. 155, 88 O.G. 1161 (Comm'r Pat. 1899)	709.01	Carletti, In re, 328 F.2d 1020, 140 USPQ 653 (CCPA 1964)	1504.01(c)
Bundy, In re, 642 F.2d 430, 209 USPQ 48 (CCPA 1981).	2107.02, 2164.04, 2164.06(b), 2164.07, 2165.04	Carlson, In re, 79 F.2d 900, 27 USPQ 400 (CCPA 1935).	715.04
Burckel, In re, 592 F.2d 1175, 201 USPQ 67 (CCPA 1979)	716.02(e)	Carlson, In re, 983 F.2d 1032, 25 USPQ2d 1207 (Fed. Cir. 1992).	2126
Burhans, In re, 154 F.2d 690, 69 USPQ 330 (CCPA 1946)	2144.04	Carman Indus. Inc. v. Wahl, 724 F.2d 932, 220 USPQ 481 (Fed. Cir. 1983)	804, 1504.06
Burlington Industries Inc. v. Quigg, 822 F.2d 1581, 3 USPQ2d 1436 (Fed. Cir. 1987).	716.04	Carreira, In re, 532 F.2d 1356, 189 USPQ 461 (CCPA 1976)	716.09, 2136.05
Burr v. Duryee, 68 U.S. (1 Wall.) 531 (1863)	2106	Carroll, In re, 601 F.2d 1184, 202 USPQ 571 (CCPA 1979)	716.01(c)
Burroughs Wellcome Co. v. Barr Labs., Inc., 40 F.3d 1223, 32 USPQ2d 1915 (Fed. Cir. 1994).	2138.04, 2163	Carter, In re, 673 F.2d 1378, 213 USPQ 625 (CCPA 1982)	1504.03
Burrowes, Ex parte, 1904 C.D. 155, 110 O.G. 599 (Comm'r Pat. 1904).	1214.01	Carter-Wallace, Inc. v. Riverton Labs., Inc., 433 F.2d 1034, 167 USPQ 656 (2d Cir. 1970).	2165.01
Busse, Ex parte, 1 USPQ2d 1908 (Bd. Pat. App. & Inter. 1986)	2107.03	Case v. CPC Int'l Inc., 730 F.2d 745, 221 USPQ 196 (Fed. Cir. 1984).	2309.01
Butera, In re, 1 F.3d 1252, 28 USPQ2d 1399 (Fed. Cir. 1993)	2141.01(a)	Casey, In re, 370 F.2d 576, 152 USPQ 235 (CCPA 1967)	2115
Buting, In re, 418 F.2d 540, 163 USPQ 689 (CCPA 1969)	2107.03	Catalina Mktg. Int'l v. Coolsavings.com, Inc., 289 F.3d 801, 62 USPQ2d 1781(Fed. Cir. 2002)	2111.02
C, Ex parte, 27 USPQ2d 1492 (Bd. Pat. App. & Inter. 1992).	2133.03(a)	Cataphote Corp. v. Desoto Chem. Coat- ings, Inc., 356 F.2d 24, 148 USPQ 229 (9th Cir.)	2133.03(e)(1)
Cable Electric Products, Inc. v. Genmark, Inc., 770 F.2d 1015, 226 USPQ 881 (Fed. Cir. 1985).	716.03(b), 716.06, 1504.03	Caterpillar Inc. v. Deere & Co., 224 F.3d 1374, 56 USPQ2d 1305 (Fed. Cir. 2000)	2183, 2184
Cady, Ex parte, 1916 C.D. 62, 232 O.G. 621 (Comm'r Pat. 1916).	1502, 1504.04	Caterpillar Inc. v. Detroit Diesel Corp., 961 F. Supp. 1249, 41 USPQ2d 1876 (N.D. Ind. 1996)	2181
Caldwell, Ex parte, 1906 C.D. 58 (Comm'r Pat. 1906)	2173.05(a)	Caterpillar Tractor Co. v. Comm'r Pat., 650 F. Supp. 218, 231 USPQ 590 (E.D. Va. 1986).	1850
California Research Corp. v. Ladd, 356 F.2d 813, 148 USPQ 404 (D.C. Cir. 1966)	1216.02	Cavallito, In re, 282 F.2d 363, 127 USPQ 206 (CCPA 1960)	2164.07
Campbell, In re, 212 F.2d 606, 101 USPQ 406 (CCPA 1954)	1504.20	Cavallito, In re, 306 F.2d 505, 134 USPQ 370 (CCPA 1962)	2164.07
Card, Ex parte, 1904 C.D. 383 (Comm'r Pat. 1904)	2309.01	Cavanagh, In re, 436 F.2d 491, 168 USPQ 466 (CCPA 1971).	716.04
Cardiac Pacemakers, Inc. v. St. Jude Med., Inc., 296 F.3d 1106, 63 USPQ2d 1725 (Fed. Cir. 2002)	2181		

LIST OF DECISIONS CITED

Caveney, In re, 761 F.2d 671, 226 USPQ 1 (Fed. Cir. 1985)	2133.03(b)	Chore-Time Equipment, Inc. v. Cumberland Corp., 713 F.2d 774, 218 USPQ 673 (Fed. Cir. 1983)	2141.03
Celeritas Technologies Ltd. v. Rockwell International Corp., 150 F.3d 1354, 47 USPQ2d 1516 (Fed. Cir. 1998)	2123, 2131.05	Christensen, In re, 330 F.2d 652, 141 USPQ 295 (CCPA 1964)	804.03
Certain Ceramic Tile Setters, In re, No. 337-TA-41, BNA/PTJC 385: A-21 (Int'l Trade Comm'n 1978)	1442.05(b)	Christie v. Seybold, 1893 C.D. 515, 64 O.G. 1650 (6th Cir. 1893)	715.07(a)
Certain High-Voltage Circuit Interrupters and Components Thereof, In re, 204 USPQ 50 (Int'l Trade Comm'n 1979)	1442.05(a)	Chromalloy American Corp. v. Alloy Surfaces Co., 339 F.Supp 859, 173 USPQ 295 (D. Del. 1972)	201.11, 2004, 2012, 2016
Certain Limited-Charge Cell Culture Microcarriers, 221 USPQ 1165 (Int'l Trade Comm'n 1983),	2164.01	Chu, In re, 66 F.3d 292, 36 USPQ2d 1089 (Fed. Cir. 1995)	201.11, 716.02(f), 1504.20, 2144.08,
Chandler, In re, 319 F.2d 211, 138 USPQ 138 (CCPA 1963)	2173.05(n)	Chupp, In re, 816 F.2d 643, 2 USPQ2d 1437 (Fed. Cir. 1987)	716.01(d), 716.02, 2144.08
Chapman, In re, 357 F.2d 418, 148 USPQ 711 (CCPA 1966)	716.02(e)	Ciric v. Flanigen, 511 F.2d 1182, 185 USPQ 103 (CCPA 1975)	2138.05
Chemcast Corp. v. Acro Indus. Corp., 913 F.2d 923, 16 USPQ2d 1033 (Fed. Cir. 1990)	2106.01, 2107.01, 2165.03, 2411.01	Citron, In re, 325 F.2d 248, 139 USPQ 516 (CCPA 1963)	2107.01, 2107.02, 2107.03
Chemithon Corp. v. Procter & Gamble Co., 287 F. Supp 291, 159 USPQ 139 (D. Md. 1968)	2133.03(a)	Clamp, In re, 151 USPQ 423 (Comm'r Pat. 1966)	201.13
Chevenard, In re, 139 F.2d 71, 60 USPQ 239 (CCPA 1943)	2144.03	Clapp, Ex parte, 227 USPQ 972 (Bd. Pat. App & Inter. 1985)	706.02(j), 2142, 2144
Chicago Historical Antique Auto. Museum, Inc., In re, 197 USPQ 289 (Comm'r Pat. 1978)	513	Clark, Ex parte, 174 USPQ 40 (Bd. App. 1971)	2173.05(o)
Chicago Rawhide Mfg. Co., Ex parte, 223 USPQ 351 (Bd. Pat. App. & Inter. 1984)	2144.04	Clark, In re, 522 F.2d 623, 187 USPQ 209 (CCPA 1975)	2012, 2012.01, 2016
Chicopee Mfg. Corp. v. Columbus Fiber Mills Co., 165 F. Supp. 307, 118 USPQ 53 (M.D. Ga. 1958)	2133.03(e)(1)	Clark, In re, 457 F.2d 1004, 173 USPQ 359 (CCPA 1972)	715.05, 2308.01
Chiddix, In re, 209 USPQ 78 (Comm'r Pat. 1980)	1206	Clarke, In re, 356 F.2d 987, 148 USPQ 665 (CCPA 1966)	715.03
Chilowski, In re, 229 F.2d 457, 108 USPQ 321 (CCPA 1956)	2107.01, 2107.02, 2107.03, 2164.02, 2164.07	Clay, In re, 966 F.2d 656, 23 USPQ2d 1058 (Fed. Cir. 1992)	2141.01(a), 2144.08
Chilowsky, In re, 306 F.2d 908, 134 USPQ 515 (CCPA 1962)	716.01(c)	Clemens, In re, 622 F.2d 1029, 206 USPQ 289 (CCPA 1980)	716.02(d), 2144.08
Chiuminatta Concrete Concepts, Inc. v. Cardinal Indus. Inc., 145 F.3d 1303, 46 USPQ2d 1752 (Fed. Cir. 1998)	2183, 2184	Clement, In re, 131 F.3d 1464, 45 USPQ2d 1161 (Fed. Cir. 1997)	1412.02
Choat v. Rome Indus. Inc., 462 F Supp. 728, 203 USPQ 549 (N.D. Ga. 1979)	1442.05, 1442.05(b)	Clifford, Ex parte, 49 USPQ 152 (Bd. App. 1940)	901.02
		Clinical Products Ltd. v. Brenner, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966)	706.03(d), 2173.05(q)
		Cloud v. Standard Packaging Corp., 376 F.2d 384, 153 USPQ 317 (7th Cir. 1967)	2133.03(e)(1)

MANUAL OF PATENT EXAMINING PROCEDURE

Coca-Cola Co. v. Gemini Rising Inc., 346 F. Supp. 1183, 175 USPQ 56 (E.D.N.Y. 1972)	1512	Contico International, Inc. v. Rubbermaid Commercial Products, Inc., 506 F. Supp. 1072, 210 USPQ 649 (8th Cir. 1981)	1504.01(c)
Cochrane v. Deener, 94 U.S. 780 (1877)	2106	Continental Can Co., Inc. v. Schuyler, 326 F. Supp 283, 168 USPQ 625 (D.D.C. 1970)	201.06(a), 201.06(c), 201.11, 1216.01
Cofer, In re, 354 F.2d 664, 148 USPQ 268 (CCPA 1966)	2144.04	Continental Can Co. v. Monsanto Co., 948 F.2d 1264, 20 USPQ2d 1746 (Fed. Cir. 1991)	2131.01
Cogar v. Schuyler, 464 F.2d 747, 173 USPQ 389 (D.C. Cir. 1972)	409.03(i)	Cook, In re, 439 F.2d 730, 169 USPQ 298 (CCPA 1971)	2164.03, 2164.08(b)
Cohn, In re, 438 F.2d 984, 169 USPQ 95 (CCPA 1971)	2173.03	Cooper v. Goldfarb, 154 F.3d 1321, 47 USPQ2d 1896 (Fed. Cir. 1998)	2163
Colbert v. Lofdahl, 21 USPQ2d 1068 (Bd. Pat. App. & Inter. 1991)	2138.02	Cooper v. Goldfarb, 240 F.3d 1378, 57 USPQ2d 1990 (Fed. Cir. 2001)	2138.05
Cole, In re, 326 F.2d 769, 140 USPQ 230 (CCPA 1964)	2106.02	Cooper, In re, 230 USPQ 638 (Dep. Assist. Comm'r Pat. 1986)	201.03
Cole v. Kimberly-Clark Corp., 102 F.3d 524, 41 USPQ2d 1001 (Fed. Cir. 1996)	2181	Copenhaver, Ex parte, 109 USPQ 118 (Bd. App. 1955)	2173.05(a)
Coleman v. Dines, 754 F.2d 353, 224 USPQ 857 (Fed. Cir. 1985)	2138.04	Corba, In re, 212 USPQ 825 (Comm'r Pat. 1981)	1504.20
Colianni, In re, 561 F.2d 220, 195 USPQ 150 (CCPA 1977)	2164.06, 2164.06(b)	Corbett v. Chisholm, 568 F.2d 759, 196 USPQ 337 (CCPA 1977)	2307
Collier, In re, 397 F.2d 1003, 158 USPQ 266 (CCPA 1968)	2163, 2163.05, 2172.01 2173.05(k)	Cordova, Ex parte, 10 USPQ2d 1949 (Bd. Pat. App. & Inter. 1989)	2173.05(h)
Comstock, In re, 481 F.2d 905, 178 USPQ 616 (CCPA 1973)	2106.02	Corkill, In re, 711 F.2d 1496, 226 USPQ 1005 (Fed. Cir. 1985)	716.02, 2107.02
Comstock, Ex parte, 1923 C.D. 82, 317 O.G. 4 (Comm'r Pat. 1923)	1214.01	Cormany, In re, 476 F.2d 998, 177 USPQ 450 (CCPA 1973)	2172
Consolidated Aluminum Corp. v. Foseco Inc., 910 F.2d 804, 15 USPQ2d 1481 (Fed. Cir. 1990)	2165	Corneil, In re, 347 F.2d 563, 145 USPQ 702 (CCPA 1965)	2124
Consolidated Edison Co. v. NLRB, 305 U.S. 197 (1938)	1216.01	Corning Glass Works v. Sumitomo Elec. U.S.A., Inc., 868 F.2d 1251, 9 USPQ2d 1962 (Fed. Cir. 1989)	2111.02, 2163
Consolidated Fruit-Jar Co. v. Wright, 94 U.S. 92 (1876)	2133.03(b)	Cornwall, In re, 230 F.2d 457, 109 USPQ 57 (CCPA 1956)	1504.02, 1504.03
Constant, In re, 827 F.2d 728, 3 USPQ2d 1479 (Fed. Cir. 1987)	1414	Corona v. Dovan, 273 U.S. 692, 1928 C.D. 252 (1928)	2138.05
Constant v. Advanced Micro-Devices, Inc., 848 F.2d 1560, 7 USPQ2d 1057 (Fed. Cir. 1988)	2128.02, 2145	Correge v. Murphy, 705 F.2d 1326, 217 USPQ 753 (Fed. Cir. 1983)	2138.03
		Cortright, In re, 165 F.3d 1353, 49 USPQ2d 1464 (Fed. Cir. 1999)	2111, 2164.04
		Costello, In re, 717 F.2d 1346, 219 USPQ 389 (Fed. Cir. 1983)	716.09, 2136.05, 2137, 2138, 2138.04, 2138.05

LIST OF DECISIONS CITED

Craig, In re, 411 F.2d 1333, 162 USPQ 157 (CCPA 1969)	706.03(w)	Dart Indus. v. Banner, 636 F.2d 684, 207 USPQ 273 (C.A.D.C. 1980)	201.06(c), 201.11
Critikon, Inc. v. Becton Dickinson Vascular Access, Inc., 120 F.3d 1253, 43 USPQ2d 1666 (Fed. Cir. 1997).	2001.06(c)	Dart Indus. v. E.I. du Pont de Nemours & Co., 489 F.2d 1359, 179 USPQ 392 (7th Cir. 1973).	2133.03, 2133.03(c)
Crockett, In re, 279 F.2d 274, 126 USPQ 186 (CCPA 1960)	2144.06	Data Line Corp. v. Micro Technologies, Inc., 813 F.2d 1196, 1 USPQ2d 2052 (Fed. Cir. 1987)	2183, 2184
Cronyn, In re, 890 F.2d 1158, 13 USPQ2d 1070 (Fed. Cir.1989).	2128.01	Davis, Ex parte, 80 USPQ 448 (Bd. App. 1948)	2111.03, 2163
Crosby, In re, 157 F.2d 198, 71 USPQ 73 (CCPA 1946).	716.07	Davis, Ex parte, 56 USPQ2d 1434 (Bd. Pat. App. & Inter. 2000)	804
Cross v. Iizuka, 753 F.2d 1040, 224 USPQ 739 (Fed. Cir. 1985).	2107.01, 2107.03, 2164.02	Davis Harvester Co., Inc. v. Long Mfg. Co., 252 F. Supp. 989, 149 USPQ 420 (E.D.N.C. 1966)	2134
Crossman, In re, 187 USPQ 367 (PTO Solicitor 1975)	103	Davis v. Carrier, 81 F.2d 250, 28 USPQ 227 (CCPA 1936)	2137.01
Cruciferous Sprout Litig., In re, 301 F.3d 1343, 64 USPQ2d 1202 (Fed. Cir. 2002)	2111.02	DeBaun, In re, 687 F.2d 459, 214 USPQ 933 (CCPA 1982)	715.01(a), 716.09, 2136.05, 2137.01
Crystal Semiconductor Corp. v. TriTech Microelectronics Int'l Inc., 246 F.3d 1336, 57 USPQ2d 1953 (Fed. Cir. 2001)	2111.03	De Blauwe, In re, 736 F.2d 699, 222 USPQ 191 (Fed. Cir. 1984).	716.01(c), 2144.08
CTS Corp. v. Electro Materials Corp. of America, 469 F. Supp. 801, 202 USPQ 22 (S.D. N.Y. 1979)	2133.03(b)	DeCastelet, In re, 562 F.2d 1236, 195 USPQ 439 (CCPA 1977).	2106
CTS Corp. v. Piher Int'l Corp., 593 F.2d 777, 201 USPQ 649 (7th Cir. 1979)	2133.03(d)	Deckler, In re, 977 F.2d 1449, 24 USPQ2d 1448 (Fed. Cir. 1992).	715, 2138.01
Cutter Co. v. Metropolitan Elec. Mfg. Co., 275 F. 158 (2d Cir. 1921)	603.01	Deep Welding, Inc. v. Sciaky Bros., 417 F.2d 1227, 163 USPQ 144 (7th Cir. 1969)	2128.01
Dailey, In re, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).	2144.04	Defano, In re, 392 F.2d 280, 157 USPQ 192 (CCPA 1968)	715.02, 715.03
Dale Electronics Inc. v. R.C.L. Electronics, 488 F.2d 382, 180 USPQ 225 (1st Cir. 1973)	608.01(h), 2004	DeGeorge v. Bernier, 768 F.2d 1318, 226 USPQ 758 (Fed. Cir. 1985).	2106
Dallas Cowboys Cheerleaders, Inc. v. Pussycat Cinema, Ltd., 604 F.2d 200, 203 USPQ 161 (2d Cir. 1979).	1512	De Graffenried v. United States, 16 USPQ2d 1321 (Ct. Cl. 1990)	2133.02, 2181
Dana Corp. v. IPC Ltd. Partnership, 860 F.2d 415, 8 USPQ2d 1692 (Fed. Cir. 1988).	2165.04	De Lajarte, In re, 337 F.2d 870, 143 USPQ 256 (CCPA 1964).	2111.03, 2163
Dance, In re, 160 F.3d 1339, 48 USPQ2d 1635 (Fed. Cir. 1998)	2143.01	Delavoye, Ex parte, 1906 C.D. 320, 124 O.G. 626 (Comm'r Pat. 1906).	604.02
Daniels, In re, 144 F.3d 1452, 46 USPQ2d 1788 (Fed. Cir. 1998).	1503.02, 1504.04	Delgar Inc. v. Schuyler, 172 USPQ 513 (D.D.C. 1970)	711.03(c)
Danly, In re, 263 F.2d 844, 120 USPQ 528 (CCPA 1959)	2114	Demaco Corp. v. Von Langsdorff Licensing Ltd., 851 F.2d 1387, 7 USPQ2d 1222 (Fed. Cir. 1988)	716.01(b), 716.01(d), 716.03, 716.03(a), 716.03(b)
Dann v. Johnston, 425 U.S. 219, 189 USPQ 257 (1976)	2106, 716.01(a)		

MANUAL OF PATENT EXAMINING PROCEDURE

Dembiczak, In re, 175 F.3d 994, 50 USPQ2d 1614 (Fed. Cir. 1999)	1504.06, 2106, 2144.04	Donnell, Ex parte, 923 C.D. 54, 315 O.G. 398 (Comm'r Pat. 1923)	806.05(b), 820.01
Deminski, In re, 796 F.2d 436, 230 USPQ 313 (Fed. Cir. 1986)	2141.01(a)	Donohue, In re, 550 F.2d 1269, 193 USPQ 136 (CCPA 1977)	2106, 2164.06, 2164.06(a)
De Seversky, In re, 474 F.2d 671, 177 USPQ 144 (CCPA 1973)	201.06(c), 608.01(p), 1504.05	Donohue, In re, 766 F.2d 531, 226 USPQ 619 (Fed. Cir. 1985) . . .	2121.01, 2121.02, 2131.01
DeSeversky v. Brenner, 424 F.2d 857, 164 USPQ 495 (D.C. Cir. 1970)	1216.02	Donovan, Ex parte, 1890 C.D. 109, 52 O.G. 309 (Comm'r Pat. 1890)	715.07
De Solms v. Schoenwald, 15 USPQ2d 1507 (Bd. Pat. App. & Inter. 1990)	2138.05, 2138.06	Dossel, In re, 115 F.3d 942, 42 USPQ2d 1881 (Fed. Cir. 1997)	2106, 2181, 2185
DesOrmeaux, Ex parte, 25 USPQ2d 2040 (Bd. Pat. App. & Inter. 1992)	2136.04, 2137.01	Dotter, Ex parte, 12 USPQ 382 (Bd. App. 1931)	2173.05(h)
Deuel, In re, 51 F.3d 1552, 34 USPQ2d 1210 (Fed. Cir. 1995)	2144.08, 2144.09, 2163	Dow Chem. Co., In re, 837 F.2d 469, 5 USPQ2d 1529 (Fed. Cir. 1988)	716.05, 2144.08
Diamond v. Chakrabarty, 447 U.S. 303, 206 USPQ 193 (1980)	2105, 2106, 2107.01	Dow Chem. Co. v. American Cyanamid Co., 816 F.2d 617, 2 USPQ2d 1350 (Fed. Cir. 1987)	716.06, 2144.08
Diamond v. Diehr, 450 U.S. 175, 209 USPQ 1 (1981)	2106, 2107.01	Dow Chem. Co. v. Astro-Valcour, Inc., 267 F.3d 1334, 60 USPQ2d 1519 (Fed. Cir. 2001)	2138.04
Dickinson v. Zurko, 527 U.S. 150, 50 USPQ2d 1930 (1999)	1216.01	Doyle, In re, 482 F.2d 1385, 179 USPQ 227 (CCPA 1973)	1445, 2106.01
Dien, In re, 680 F.2d 151, 214 USPQ 10 (CCPA 1982)	1449.02	Dresser Indus. Inc. v. Ford Motor Co., 530 F. Supp. 303, 211 USPQ 1114 (N.D. Texas, 1981)	2286
Digital Magnetic Sys., Inc. v. Ansley, 213 USPQ 290 (W.D. Okla. 1982)	2286	Dreyfus, In re, 137 USPQ 475 (Comm'r Pat. 1961)	103
DiLeone, In re, 436 F.2d 1404 168 USPQ 592 (CCPA 1971)	2106	Driscoll v. Cebalo, 5 USPQ2d 1477 (Bd. Pat. Inter. 1982)	2137.01
Dillon, In re, 919 F.2d 688, 16 USPQ2d 1897 (Fed. Cir. 1990)	2144, 2144.08, 2144.09, 2145	Druey, In re, 319 F.2d 237, 138 USPQ 39 (CCPA 1963)	2144.08
Dilnot, In re, 319 F.2d 188, 138 USPQ 248 (CCPA 1963)	2144.04	DSL Dynamic Sciences, Ltd. v. Union Switch & Signal, Inc., 928 F.2d 1122, 18 USPQ2d 1152 (Fed. Cir. 1991)	2138.05
D.L. Auld Co. v. Chroma Graphics Corp., 714 F.2d 1144, 219 USPQ 13 (Fed. Cir. 1983)	2133.03(c)	Dubno, In re, 12 USPQ2d 1153 (Comm'r Pat. & Tm. 1989)	2763
D.M.I., Inc. v. Deere & Co., 755 F.2d 1570, 225 USPQ 236 (Fed. Cir. 1985)	2184	Dubost v. U.S. Patent and Trademark Office, 777 F.2d 1561, 227 USPQ 977 (Fed. Cir. 1985)	201.13
Doll, In re, 419 F.2d 925, 164 USPQ 218 (CCPA 1970)	1412.03	Dulberg, In re, 289 F.2d 522, 129 USPQ 348 (CCPA 1961)	2144.04
Donaldson, In re, 16 F.3d 1189, 29 USPQ2d 1845 (Fed. Cir. 1994)	2106, 2111.01, 2114, 2181, 2182	Dunki, Ex parte, 153 USPQ 678 (Bd. App. 1967)	706.03(d), 2173.05(q)
Donaldson, Ex parte, 26 USPQ2d 1250 (Bd. Pat. App. & Inter. 1992)	1504.01	Dunlop Holdings, Ltd. v. Ram Golf Corp., 524 F.2d 33, 188 USPQ 481 (7th Cir. 1975)	2133.03(a)

LIST OF DECISIONS CITED

Dunn, In re, 349 F.2d 433, 146 USPQ 479 (CCPA 1965)	804.02	Ekenstam, In re, 256 F.2d 321, 118 USPQ 349 (CCPA 1958)	901.05, 901.05(b), 2126, 2126.01, 2132
Dunn v. Ragin, 50 USPQ 472 (Bd. Pat. Inter. 1941)	2138.02, 2138.04	Electric Storage Battery Co. v. Shimadzu, 307 U.S. 5, 41 USPQ 155 (1938)	2133.03(b)
Dunne, Ex parte, 20 USPQ2d 1479 (Bd. Pat. App. & Inter. 1991)	2134	Eli Lilly and Co. v. American Cyanamid Co., 82 F. 3d 1568, 38 USPQ2d 1705 (Fed. Cir. 1996)	1412.03
Durden, In re, 763 F.2d 1406, 226 USPQ 359 (Fed. Cir. 1985)	2116.01	Eli Lilly & Co. v. Barr Laboratories, Inc., 251 F.3d 955, 58 USPQ2d 1865 (Fed. Cir. 2001)	804, 2144.08, 2165, 2165.01
Dybel, In re, 524 F.2d 1393, 187 USPQ 593 (CCPA 1975)	2133.03(b), 2133.03(e)(3)	Eli Lilly & Co. v. Medtronic, Inc., 496 US 661, 15 USPQ2d 1121 (1990)	2750
East Chicago Machine Tool Corp. v. Stone Container Corp., 181 USPQ 744 (N.D. Ill. 1974)	2012	Eli Lilly, In re, 902 F.2d 943, 14 USPQ2d 1741 (Fed. Cir. 1990)	716.01(d), 716.02(b), 716.02(c), 2142, 2144, 2144.08, 2145
Eastwood, Ex parte, 163 USPQ 316 (Bd. App. 1968)	2173.05(a)	Elliott, Ex parte, 1904 C.D.103, 109 O.G. 1337 (Comm'r Pat. 1904)	608.02(g)
Eaton v. Evans, 204 F.3d 1094, 53 USPQ2d 1696 (Fed. Cir. 2000)	2138.05	Ellis, In re, 476 F.2d 1370, 177 USPQ 526 (CCPA 1973)	2141.01(a)
Ebata, Ex parte, 19 USPQ2d 1952 (Bd. Pat. App. & Inter. 1991)	2136.03	Elmwood Liquid Prod., Inc. v. Singleton Packing Corp., 328 F. Supp 974, 170 USPQ 398 (M.D. Fla. 1970)	2004
E.C.H. Will v. Freundlich-Gomez Machinery Corp., 201 USPQ 476 (S.D. N.Y. 1978)	1442.05(b)	Elrich, Ex parte, 3 USPQ2d 1009 (Bd. Pat. App. & Inter. 1987)	2136.03
Eckel, In re, 393 F.2d 848, 157 USPQ 415 (CCPA 1968)	804.02	Eltgroth, In re, 419 F.2d 918, 164 USPQ 221 (CCPA 1970)	2107.01
Edge, In re, 359 F.2d 896, 149 USPQ 556 (CCPA 1966)	2144.04	Emerson v. Beach, 215 F.2d 290, 103 USPQ 45 (CCPA 1954)	2307
Edgerton v. Kingsland, 168 F.2d 121, 75 USPQ 307 (D.C. Cir. 1947)	706.03(w)	Emert, In re, 124 F.3d 1458, 44 USPQ2d 1149 (Fed. Cir. 1997)	804
Edwards, In re, 568 F.2d 1349, 196 USPQ 465 (CCPA 1978)	2138.05	Emery v. Ronden, 188 USPQ 264 (Bd. Pat. Inter. 1974)	2138.06
Egbers, In re, 6 USPQ2d 1869 (Comm'r Pat. 1988)	711.03(c), 2268	Emm, Ex parte, 118 USPQ 180 (Bd. App. 1957)	1208
Egbert v. Lippmann, 104 U.S. 333 (1881)	2133.03(a)	Engelhardt v. Judd, 369 F.2d 408, 151 USPQ 732 (CCPA 1966)	2138.03, 2138.05
Eggan, Ex parte, 1911 C.D. 213, 172 O.G. 1091 (Comm'r Pat. 1911)	403.01, 403.02	Envirco Corp. v. Clestra Cleanroom, Inc., 209 F.3d 1360, 54 USPQ2d 1449 (Fed. Cir. 2000)	2181
Ehrreich, In re, 590 F.2d 902, 200 USPQ 504 (CCPA 1979)	2129, 2172, 2411.01	Environ Prods., Inc. v. Total Containment, Inc., 43 USPQ2d 1288 (E.D. Pa. 1997)	2001.06(c)
E.I. du Pont de Nemours & Co. v. Berkeley and Co., 620 F.2d 1247, 205 USPQ 1 (8th Cir. 1980)	2107.01	Environmental Designs, Ltd. v. Union Oil Co., 713 F.2d 693, 218 USPQ 865 (Fed. Cir. 1983)	716.04, 2141.03
E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co., 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988)	2138		
Eickmeyer, In re, 602 F.2d 974, 202 USPQ 655 (CCPA 1979)	715.05, 715.07		
Eiselstein v. Frank, 52 F.3d 1035, 34 USPQ2d 1467 (Fed. Cir. 1995)	1302.01		

MANUAL OF PATENT EXAMINING PROCEDURE

Envirotech Corp. v. Westech Eng'g, Inc., 904 F.2d 1571, 15 USPQ2d 1230 (Fed. Cir. 1990)	2133.03(b)	Faulkner v. Baldwin Piano and Organ Co., 561 F.2d 677, 195 USPQ 410 (7th Cir. 1977).	2004
Enzo Biochem, Inc. v. Calgene, Inc., 188 F.3d 1362, 52 USPQ2d 1129 (Fed. Cir. 1999)	2164.06(b)	Feldman v. Aunstrup, 517 F.2d 1351, 186 USPQ 108 (CCPA 1975).	2406.01
Enzo Biochem, Inc. v. Gen-Probe, Inc., 296 F.3d 1316, 63 USPQ2d 1609 (Fed. Cir. 2002)	2163	Ferag AG v. Quipp, Inc., 45 F.3d 1562, 33 USPQ2d 1512 (Fed. Cir. 1995)	2133.03(b)
Epstein, In re, 32 F.3d 1559, 31 USPQ2d 1817 (Fed. Cir. 1994) . . .	716.07, 2128, 2133.03(b)	Ferens, In re, 417 F.2d 1072, 163 USPQ 609 (CCPA 1969)	2107.01
Erlich, Ex parte, 3 USPQ2d 1011 (Bd. Pat. App. & Inter. 1986)	2143.02, 2173.05(q)	Ferguson, Ex parte, 117 USPQ 229 (Bd. App. 1957).	2107.02, 2107.03, 2164.07
Erlich, Ex parte, 22 USPQ 1463 (Bd. Pat. App. & Inter. 1992).	2124, 2141.03	Fessmann, In re, 489 F.2d 742, 180 USPQ 324 (CCPA 1974).	2113
Ernsthausen v. Nakayama, 1 USPQ2d 1539 (Bd. Pat. App. & Inter. 1985).	2165.01	Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 535 U.S. 722, 122 S.Ct. 1831, 62 USPQ2d 1705 (2002)	2173.02
Estee Lauder, Inc. v. L'Oreal S.A., 129 F.3d 588, 44 USPQ2d 1610 (Fed. Cir. 1997)	2138.05, 2163	Field v. Knowles, 183 F.2d 593, 86 USPQ 373 (CCPA 1950)	2133.03(c)
Ethicon, Inc. v. United States Surgical Corp., 135 F.3d 1456, 45 USPQ2d 1545 (Fed. Cir. 1998)	2137.01, 2181	Fielder, In re, 471 F.2d 640, 176 USPQ 300 (CCPA 1973)	716.01(a), 716.03(b)
Ethicon v. Quigg, 849 F.2d 1422, 7 USPQ2d 1152 (Fed. Cir. 1988).	2242, 2286	Fields v. Conover, 443 F.2d 1386, 170 USPQ 276 (CCPA 1970).	2163, 2163.03
Etter, In re, 756 F.2d 852, 225 USPQ 1 (Fed. Cir. 1985).	2242, 2258, 2279	Fiers v. Revel, 984 F.2d 1164, 25 USPQ2d 1601 (Fed. Cir. 1993).. . . .	2137.01, 2138.04, 2163
EWP Corp. v. Reliance Universal, Inc., 755 F.2d 898, 225 USPQ 20 (Fed. Cir. 1985)	716.03(b)	Fine, Ex parte, 217 USPQ 76 (Bd. App. 1981)	2307.02
Eynde, In re, 480 F.2d 1364, 178 USPQ 470 (CCPA 1973)	2144.03	Fine, In re, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)	2143.01, 2143.03, 2144
EZ Dock v. Schafer Sys., Inc., 276 F.3d 1347, 61 USPQ2d 1289 (Fed. Cir. 2002)	2133.03(e), 2133.03(e)(4)	Finley, In re, 174 F.2d 130, 81 USPQ 383 (CCPA 1949).	716.02(e)
Facius, In re, 408 F.2d 1396, 161 USPQ 294 (CCPA 1969)	715.01(a), 715.01(c), 715.01(c), 2132.01, 2136.04, 2136.05, 2137, 2137.01	Fischer, In re Application of, 6 USPQ2d 1573 (Comm'r Pat. 1988)	711.03(c)
Farrenkopf, In re, 713 F.2d 714, 219 USPQ 1 (Fed. Cir. 1983).	2145	Fischer & Porter Co. v. Corning Glass Works, 61 F.R.D. 321, 181 USPQ 329 (E.D. Pa. 1974)	1701.01
Fas-Line Sales & Rentals Inc. v. E.Z. Lay Pipe Corp., 203 USPQ 497 (W.D. Okla. 1979)	1442.05(a)	Fisher, In re, 427 F.2d 833, 166 USPQ 18 (CCPA 1970).	706.03(w), 2164.01(b), 2164.03, 2164.08, 2173.05(a), 2173.05(t)
Fassett, 1877 C.D. 32, 11 O.G. 420 (Comm'r Pat. 1877)	1410.01	Fisher Controls Co., v. Control Compo- nents, Inc., 443 F. Supp. 581, 196 USPQ 817 (S.D. Iowa 1977)	1442.05(a)
		Fisons Plc. V. Quigg, 876 F.2d 99, 10 USPQ2d 1491 (Fed. Cir. 1989)	2751
		Fitzgerald, In re, 619 F.2d 67, 205 USPQ 594 (CCPA 1980)	2112, 2183
		Fitzgerald v. Arbib, 268 F.2d 763, 122 USPQ 530 (CCPA 1959).	2138.05, 2138.06

LIST OF DECISIONS CITED

Flick Reedy Corp. v. Hydro Line Mfg. Co., 351 F.2d 546, 146 USPQ 694 (7th Cir. 1965)	608.01(h)	Freeman, In re, 573 F.2d 1237, 197 USPQ 464 (CCPA 1978).	2184
Flint, In re, 411 F.2d 1353, 162 USPQ 228 (CCPA 1969)	2173.05(n)	Freeman, In re, 30 F.3d 1459, 31 USPQ2d 1444 (Fed. Cir. 1994).	706.03(w)
Floyd, In re, Appeal No. 94-1071, slip op. at page 4 (Fed. Cir. July 20, 1994)	2144.07	Fregeau v. Mossinghoff, 776 F.2d 1034, 227 USPQ 848 (Fed. Cir. 1985)	2107.01, 2107.02
FMC Corp. v. Hennessy Indus., Inc., 836 F.2d 521, 5 USPQ2d 1272 (Fed. Cir. 1987).	410	Fressola, Ex parte, 27 USPQ2d 1608 (Bd. Pat. App. & Inter. 1993)	2173.05(r), 2173.05(s)
FMC Corp. v. Manitowoc Co., 835 F.2d 1411, 5 USPQ2d 1112 (Fed. Cir. 1987)	410, 2010	Fressola v. Manbeck, 36 USPQ2d 1211 (D.D.C. 1995)	608.01(m)
Folkers, In re, 344 F.2d 970, 145 USPQ 390 (CCPA 1965)	2107.02	Frey, In re, 182 F.2d 184, 86 USPQ 99 (CCPA 1950).	2307
Fonar Corp. v. General Electric Co., 107 F.3d 1543, 41 USPQ2d 1801 (Fed. Cir. 1997).	2106, 2106.01, 2163	Fried, In re, 312 F.2d 930, 136 USPQ 429 (CCPA 1963).	706.03(w)
Fong, In re, 288 F.2d 932, 129 USPQ 264 (CCPA 1961).	715.02, 715.03	Fried, In re, 329 F.2d 323, 141 USPQ 27 (CCPA 1964).	608.01(p)
Fong, In re, 378 F.2d 977, 154 USPQ 25 (CCPA 1967).	804	Frilette, In re, 412 F.2d 164, 162 USPQ 163 (CCPA 1969)	715.01(b)
Forman, In re, 463 F.2d 1125, 175 USPQ 12 (CCPA 1972)	2106.02	Fritch, In re, 972 F.2d 1260, 23 USPQ2d 1780 (Fed. Cir. 1992)	2143.01
Fortel Corp. v. Phone-Mate, Inc., 825 F.2d 1577, 3 USPQ2d 1771 (Fed. Cir. 1987).	2293	Fritsch v. Lin, 21 USPQ2d 1731 (Bd. Pat. App. & Inter. 1991)	2137.01, 2138.06
Foster, Ex parte, 1903 C.D. 213, 105 O.G. 261 (Comm'r Pat. 1903).	715.04	Fuge, In re, 272 F.2d 954, 124 USPQ 105 (CCPA 1959).	901.05, 2126.02
Foster, In re, 343 F.2d 980, 145 USPQ 166 (CCPA 1965)	2132.01, 2133, 2133.02, 2133.03(c)	Fujikawa v. Wattanasin, 93 F.3d 1559, 39 USPQ2d 1895 (Fed. Cir. 1996)	2163, 2163.05
Foster, In re, 438 F.2d 1011, 169 USPQ 99 (CCPA 1971)	2106	Fujishiro, Ex parte, 199 USPQ 36 (Bd. App. 1977).	901.05, 2135.01
Fotland, In re, 779 F.2d 31, 228 USPQ 193 (Fed. Cir. 1985)	1403, 1412.03	Funk Bros. Seed Co. v. Kalo Inoculant Co., 333 U.S. 127, 76 USPQ 280 (1948).	2105, 2106
Fouche, In re, 439 F.2d 1237, 169 USPQ 429 (CCPA 1971)	716.02(b), 2107.01, 2164.07	Future's Technology Ltd. v. Quigg, 684 F. Supp. 430, 7 USPQ2d 1588 (E.D. Va. 1988)	711.03(c)
Fout, In re, 675 F.2d 297, 213 USPQ 532 (CCPA 1982).	706.02(l)(2), 2129, 2144.06	G, In re Application of, 11 USPQ2d 1378 (Comm'r Pat. 1989)	711.03(c)
Fox, Ex parte, 128 USPQ 157, 1960 C.D. 28, 761 O.G. 906 (Bd. App. 1957)	608.04(a)	Gallo, In re, 231 USPQ 496 (Comm'r Pat. 1986)	103
Fox, In re, 471 F.2d 1405, 176 USPQ 340 (CCPA 1973).	2144.03	Gambro Lundia AB v. Baxter Healthcare Corp., 110 F.3d 1573, 42 USPQ2d 1378 (Fed. Cir. 1997).	2137
Fredericksen, In re, 213 F.2d 547, 102 USPQ 35 (CCPA 1954).	2173.05(c)	Gandy v. Main Belting Co., 143 U.S. 587 (1892)	2133.03(d)
Fredkin v. Irasek, 397 F.2d 342, 158 USPQ 280 (CCPA 1968).	2138.05	Garbo, In re, 287 F.2d 192, 129 USPQ 72 (CCPA 1961).	1504.03
		Gardner, In re, 475 F.2d 1389, 177 USPQ 396 (CCPA 1973)	2107.01, 2107.03, 2163

MANUAL OF PATENT EXAMINING PROCEDURE

Gardner v. TEC Systems, Inc., 725 F.2d 1338, 220 USPQ 777 (Fed. Cir. 1984)	2144.04	General Elec. v. United States, 206 USPQ 260 (Ct. Cl. 1979)	2133.03(e)(1)
Garfinkel, In re, 437 F.2d 1000, 168 USPQ 659 (CCPA 1971).	715	General Electro Music Corp. v. Samick Music Corp., 19 F.3d 1405, 30 USPQ2d 1149 (Fed. Cir. 1994).	410
Garnero, In re, 412 F.2d 276, 162 USPQ 221 (CCPA 1979)	2113	General Foods Corp. v. Studiengesell- schaft Kohle mbH, 972 F.2d 1272, 23 USPQ2d 1839 (Fed. Cir. 1992).	804
Garret Corp. v. United States, 422 F.2d 874, 164 USPQ 521 (Ct. Cl. 1970)	2128.01	General Motors Corp. v. Bendix Aviation Corp., 123 F. Supp 506, 102 USPQ 58 (N.D. Ind. 1954)	2133.03(e)(6)
Garrett v. Cox, 233 F.2d 343, 110 USPQ 52 (CCPA 1956)	1302.04	General Tire and Rubber Co. v. Watson- Bowman Assoc., Inc., 193 USPQ 479 (D. Del. 1977)	1442.05(b)
Gartside, In re, 203 F.3d 1305, 53 USPQ2d 1769 (Fed. Cir. 2000)	1216.01, 2144.03	Gentry Gallery, Inc. v. Berkline Corp., 134 F.3d 1473, 45 USPQ2d 1498 (Fed. Cir. 1998)	2163, 2163.05
Gaubert, In re, 524 F.2d 1222, 187 USPQ 664 (CCPA 1975)	2107.03	George, Ex parte, 21 USPQ2d 1058 (Bd. Pat. App. & Inter. 1991)	716.01(c)
Gaubert, In re, 530 F.2d 1402, 189 USPQ 432 (CCPA 1975)	2107.02, 2107.03	George, In re, 2 USPQ2d 1880 (Bd. Pat. App. & Inter. 1987)	2128.01
Gay, In re, 309 F.2d 769, 135 USPQ 311 (CCPA 1962).	608.01(h), 2106.01, 2165.01	Gerber Garment Technology, Inc. v. Lec- tra Systems, Inc., 916 F.2d 683, 16 USPQ2d 1436 (Fed. Cir. 1990).	804.01
Gazave, In re, 379 F.2d 973, 154 USPQ 92 (CCPA 1967)	2164.07, 2107.01, 2107.02, 2107.03	Gershon, In re, 372 F.2d 535, 152 USPQ 602 (CCPA 1967)	716.02(c), 716.04
Gazda, In re, 219 F.2d 449, 104 USPQ 400 (CCPA 1955)	2144.04	Ghiron, In re, 442 F.2d 985, 169 USPQ 723 (CCPA 1971)	2106, 2106.01, 2106.02, 2164.01(b), 2164.06, 2164.06(a), 2185
Gearon v. United States, 121 F. Supp. 652, 101 USPQ 460 (Ct. Cl. 1954)	601.01(e)	Gibbs, In re, 437 F.2d 486, 168 USPQ 578 (CCPA 1971)	715, 2134
Gebauer-Fuelnegg, In re, 121 F.2d 505, 50 USPQ 125 (CCPA 1941)	608.01(v)	Gibson, Ex parte, 20 USPQ 249 (Bd. App. 1933)	1504.01(b)
Geiger, In re, 815 F.2d 686, 2 USPQ2d 1276 (Fed. Cir. 1987)	716.02(e), 2144.06	Gibson, In re, 39 F.2d 975, 5 USPQ 230 (CCPA 1930).	2144.04
Geiger, In re, 425 F.2d 1276, 165 USPQ 572 (CCPA 1970)	1504.06	Gilderdale, Ex parte, 1990 Pat. App. LEXIS 25 (Bd. Pat. App. & Inter. Appeal no. 89-0352)	2136.03
Geisler, In re, 116 F.3d 1465, 43 USPQ2d 1362 (Fed. Cir. 1997)	2144.05, 2145	Gillman v. Stern, 114 F.2d 28, 46 USPQ 430 (2d Cir. 1940)	2133.03(a)
Gellert v. Wanberg, 495 F.2d 779, 181 USPQ 648 (CCPA 1974).	2138.05	Ginos v. Nedelec, 220 USPQ 831 (Bd. Pat. Inter. 1983)	2138.05, 2138.06
Gelles, Ex parte, 22 USPQ2d 1318 (Bd. Pat. App. & Inter. 1992)	716.02, 716.02(b)	Glaser v. Strickland, 220 USPQ 446 (Bd. Pat. Inter. 1983)	716.09
Gelnovatch, In re, 595 F.2d 32, 201 USPQ 136 (CCPA 1979).	2106	Glass, In re, 492 F.2d 1228, 181 USPQ 31 (CCPA 1974).	608.01(h), 2124, 2165.02
Genveto Jewelry Co. v. Lambert Bros., Inc., 542 F. Supp. 933, 216 USPQ 976 (S.D. N.Y. 1982)	2001.06(a), 2004, 2016	Glavas, In re, 230 F.2d 447, 109 USPQ 50 (CCPA 1956)	1504.02, 1504.03
Genentech, Inc. v. Chiron Corp., 112 F.3d 495, 42 USPQ2d 1608 (Fed. Cir. 1997)	2111.03, 2138.05, 2163		
Genentech v. Wellcome Foundation, 29 F.3d 1555, 31 USPQ2d 1161 (Fed. Cir. 1994)	2164.04		

LIST OF DECISIONS CITED

Glaxo Inc. v. Novopharm Ltd., 52 F.3d 1043, 34 USPQ2d 1565 (Fed. Cir. 1995) . . .	2107.01	Graziak, In re, 769 F.2d 729, 226 USPQ 871 (Fed. Cir. 1985)	2144.08, 2144.09
Glaxo Operations UK Ltd. V. Quigg, 706 F. Supp. 1224, 10 USPQ2d 1100 (E.D. Va. 1989)	2751	Graff, In re, 111 F.3d 874, 42 USPQ2d 1471 (Fed. Cir. 1997)	1403, 1412.02, 1412.03, 1451
Goffe, In re, 542 F.2d 564, 191 USPQ 429 (CCPA 1976)	2164.08, 2164.08(c)	Graham v. John Deere, 383 U.S. 1, 148 USPQ 459 (1966)	706.02(j), 716.01(a), 804, 1504.03, 2106, 2141, 2144.08
Golden Valley Microwave Food Inc. v. Weaver Popcorn Co., 837 F. Supp. 1444, 24 USPQ2d 1801 (N.D. Ind. 1992)	410	Grall, Ex parte, 202 USPQ 701 (Bd. App. 1978)	2308.02
Goldstein, In re, 16 USPQ2d 1963 (Dep. Assist. Comm'r Pat. 1988)	402.10	Gramme Elec. Co. v. Arnoux and Hoch- hausen Elec. Co., 17 F. 838, 1883 C.D.418 (S.D. N.Y. 1883)	901.05, 2135.01
Golota v. Strom, 489 F.2d 1287, 180 USPQ 396 (CCPA 1974)	2308.02	Grasselli, Ex parte, 231 USPQ 393 (Bd. App. 1983)	2143.03, 2173.05(i)
Good, Ex parte, 1911 C.D. 43, 164 O.G. 789 (Comm'r Pat. 1911)	608.02(d)	Grasselli, In re, 713 F.2d 731, 218 USPQ 769 (Fed. Cir. 1983)	716.02(d), 2112, 2145, 2144.08
Goodman, In re, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993)	804, 1504.06, 2164.06(b), 2164.08	Graver Tank & Mfg. Co. v. Linde Air Products, 339 U.S. 605, 85 USPQ 328 (1950)	2183, 2184, 2186
Goodyear Tire & Rubber Co., Ex parte, 230 USPQ 357 (Bd. Pat. App. & Inter. 1985)	2141.01(a)	Gray, Ex parte, 10 USPQ2d 1922 (Bd. Pat. App. & Inter. 1989)	716.01(c), 716.02(g), 2113, 2144.04
Gordon, In re, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)	2143.01, 2144.08	Gray, In re, 115 USPQ 80 (Comm'r Pat. 1956)	409.03(d), 409.03(f)
Gorham Manufacturing Co. v. White, 81 U.S. (14 Wall.) 511 (1871)	1504.01(d)	Gray, In re, 53 F.2d 520, 11 USPQ 255 (CCPA 1931)	2111.03
Gorman, In re, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991)	2145	Grayson, Ex parte, 51 USPQ 413 (Bd. App. 1941)	706.03(a)
Gosteli, In re, 872 F.2d 1008, 10 USPQ2d 1614 (Fed. Cir. 1989)	715.03, 2131.02, 2136.05, 2163.02, 2163.03, 2163.05	Greenberg v. Ethicon Endo-Surgery, Inc., 91 F.3d 1580, 39 USPQ2d 1783 (Fed. Cir. 1996)	2181
Gottlieb, In re, 328 F.2d 1016, 140 USPQ 665 (CCPA 1964)	2107.02	Greenewalt v. Stanley, 54 F.2d 195, 12 USPQ 122 (3d Cir. 1931)	2133.03(e)(1)
Gottschalk v. Benson, 409 U.S. 63, 175 USPQ 673 (1972)	2106	Greenfield, In re, 40 F.2d 775, 5 USPQ 474 (CCPA 1930)	1214.01
Gould v. Control Laser Corp., 705 F.2d 1340, 217 USPQ 985 (Fed. Cir. 1983)	2286	Greenfield, In re, 571 F.2d 1185, 197 USPQ 227 (CCPA 1978)	2144.08
Gould v. Quigg, 822 F.2d 1074, 3 USPQ2d 1302 (Fed. Cir. 1987)	2164.02, 2164.05(a)	Greenwood v. Seiko Instruments, 8 USPQ2d 1455 (D.D.C. 1988)	2273
Gould v. Schawlow, 363 F.2d 908, 150 USPQ 634 (CCPA 1966)	2138.06	Greer, In re, 484 F.2d 488, 179 USPQ 301 (CCPA 1973)	1605
Gourtoff, Ex parte, 1924 C.D. 153, 329 O.G. 536 (Comm'r Pat. 1924)	707.13, 710.06	Grier, Ex parte, 1923 C.D. 27, 309 O.G. 223 (Comm'r Pat. 1923)	820
GPAC, In re, 57 F.3d 1573, 35 USPQ2d 1116 (Fed. Cir. 1995)	716.03, 2144.08	Griffith v. Kanamaru, 816 F.2d 624, 2 USPQ2d 1361 (Fed. Cir. 1987)	2138.06

MANUAL OF PATENT EXAMINING PROCEDURE

Griswold, In re, 365 F.2d 834, 150 USPQ 804 (CCPA 1966)	804.02	Haines v. Quigg, 673 F. Supp 314, 5 USPQ2d 1130 (N.D. Ind. 1987)	711.03(c)
Grose, In re, 592 F.2d 1161, 201 USPQ 57 (CCPA 1979)	2144.02, 2144.03, 2144.08	Hale, Ex parte, 49 USPQ 209 (Bd. App. 1941)	715.09
Group One, Ltd. v. Hallmark Cards, Inc., 254 F.3d 1041, 59 USPQ2d 1121 (Fed. Cir. 2001)	2133.03(b)	Hall, Ex parte, 83 USPQ 38 (Bd. App. 1949)	2173.05(d)
Grunwell, In re, 609 F.2d 486, 203 USPQ 1055 (CCPA 1979)	2107.02	Hall, In re, 208 F.2d 370, 100 USPQ 46 (CCPA 1953)	2173.05(j)
Gruschwitz, Ex parte, 138 USPQ 505, 1963 C.D. 859, 138 USPQ 505 (Bd. App. 1961)	901.05, 901.05(b)	Hall, In re, 781 F.2d 897, 228 USPQ 453 (Fed. Cir. 1986)	2128, 2128.01, 2128.02
Guastavino, In re, 83 F.2d 913, 29 USPQ 532 (CCPA 1936)	1449.02	Hall v. Macneale, 107 U.S. 90 (1882)	2133.03(a)
Gulack, In re, 703 F.2d 1381, 217 USPQ 401 (Fed. Cir. 1983)	2106	Halleck, In re, 422 F.2d 911, 164 USPQ 647 (CCPA 1970)	2173.05(c)
Gulliksen v. Halberg, 75 USPQ 252 (Bd. App. 1937)	2128.01	Haller, Ex parte, 103 USPQ 332 (Bd. App. 1953)	901.05, 2127
Gunn, In re, 537 F.2d 1123, 190 USPQ 402 (CCPA 1976)	2106, 2106.02, 2164.05(a), 2164.06, 2164.06(a)	Hallmark Cards, Inc. v. Lehman, 959 F. Supp. 539, 42 USPQ2d 1134 (D.D.C. 1997)	1480
Gunn v. Bosch, 181 USPQ 758 (Bd. Pat. Inter. 1973)	2138.06	Hamilton, In re, 882 F.2d 1576, 11 USPQ2d 1890 (Fed. Cir. 1989)	2133.03(c)
Gunter v. Stream, 573 F.2d 77, 197 USPQ 482 (CCPA 1978)	2138.04	Hammack, In re, 427 F.2d 1378, 166 USPQ 204 (CCPA 1970)	2173.03
Gurley, In re, 27 F.3d 551, 31 USPQ2d 1130 (Fed. Cir. 1994)	2123, 2145	Hammack, In re, 427 F.2d 1384, 166 USPQ 209 (CCPA 1970)	2173.05(e)
Gustafson, In re, 331 F.2d 905, 141 USPQ 585 (CCPA 1964)	2173.05(k)	Hammell, In re, 332 F.2d 796, 141 USPQ 832 (CCPA 1964)	709.01
Gustafson v. Strange, 227 USPQ 174 (Comm'r Pat. 1985)	513	Hanback, Ex parte, 231 USPQ 739 (Bd. Pat. App. & Inter. 1986)	1504.04
Gwinn, Ex parte, 112 USPQ 439 (Bd App. 1955)	706.03(a)	Hardee, In re, 223 USPQ 1122 (Comm'r Pat. 1984)	201.03, 803.02, 2137.01
Haas, In re, 580 F.2d 461, 198 USPQ 334 (CCPA 1978)	803.02	Hargraves, In re, 53 F.2d 900, 11 USPQ 240 (CCPA 1931)	804
Hack, In re, 245 F.2d 246, 114 USPQ 161 (CCPA 1957)	2112.02	Harito, In re, 847 F.2d 801, 6 USPQ2d 1930 (Fed. Cir. 1988)	2010
Hadco Products, Inc., v. Lighting Corp. of America, Inc., 312 F.Supp 1173, 165 USPQ 496 (E.D. Pa 1970)	1503.02	Harley v. Lehman, 981 F. Supp. 9, 44 USPQ2d 1699 (D.D.C. 1997)	1308
Hafner, In re, 410 F.2d 1403, 161 USPQ 783 (CCPA 1969)	201.11	Harnish, In re, 631 F.2d 716, 206 USPQ 300 (CCPA 1980)	803.02, 2173.05(h)
Hageman, Ex parte, 179 USPQ 747 (Bd. App. 1971)	201.11	Harrington Mfg. Co. v. Powell Mfg. Co., 815 F.2d 1478, 2 USPQ2d 1364 (Fed. Cir. 1986)	2133.03(e)(2)
Hahn v. Wong, 892 F.2d 1028, 13 USPQ2d 1313 (Fed. Cir. 1989)	2308.02	Harris, Ex parte, 79 USPQ 439 (Comm'r Pat. 1948)	707.05(f)
		Harry, In re, 333 F.2d 920, 142 USPQ 164 (CCPA 1964)	715.07, 2138.06
		Hartley, Ex parte, 1908 C.D. 224 (Comm'r Pat. 1908)	720.05

LIST OF DECISIONS CITED

Hartop, In re, 311 F.2d 249, 135 USPQ 419 (CCPA 1962)	2107.01, 2107.03	Helfgott & Karas P.C. v. Dickinson, 209 F.3d 1328, 54 USPQ2d 1425 (Fed. Cir. 2000)	1821, 1836
Harvey, In re, 12 F.3d 1061, 29 USPQ2d 1206 (Fed. Cir. 1993)	1504.04	Helifix Ltd. v. Blok-Lok Ltd., 208 F.3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000)	2133.03(e)(1)
Harwood, In re, 390 F.2d 985, 156 USPQ 673 (CCPA 1968)	2107.01	Hellbaum, In re, 371 F.2d 1022, 152 USPQ 571 (CCPA 1967).	706.03(w)
Harza, In re, 274 F.2d 669, 124 USPQ 378 (CCPA 1960)	2144.04	Hellsund, In re, 474 F.2d 1307, 177 USPQ 170 (CCPA 1973).	715
Hasche, Ex parte, 86 USPQ 481 (Bd. App. 1949)	2173.05(d)	Hengehold, In re, 440 F.2d 1395, 169 USPQ 473 (CCPA 1971).	821
Haskell v. Colebourne, 671 F.2d 1362, 213 USPQ 192 (CCPA 1982)	2138.06	Henrich, Ex parte, 1913 Dec. Comm'r Pat. 139 (Comm'r Pat. 1913)	711.03(c)
Hata, Ex parte, 6 USPQ2d 1652 (Bd Pat. App. & Int. 1987)	2404.02	Henriksen, In re, 399 F.2d 253, 158 USPQ 224 (CCPA 1968).	201.11
Hawkins, In re, 179 USPQ 157, 486 F.2d 569 (CCPA 1973)	608.01(p)	Heritage, In re, 182 F.2d 639, 86 USPQ 160 (CCPA 1950)	901.02
Hawkins, In re, 179 USPQ 163, 486 F.2d 579 (CCPA 1973)	608.01(p)	Heritage Pat. No. 2,375,414, Ex parte, decided Jan. 26, 1944	819.01
Hawkins, In re, 179 USPQ 167, 486 F.2d 577 (CCPA 1973)	608.01(p)	Herman v. Huddleston, 459 U.S. 375 (1983)	2107.02
Hayes Microcomputer Products, Inc., In re, 982 F.2d 1527, 25 USPQ2d 1241 (Fed. Cir. 1992)	1414.01, 2163	Herman v. William Brooks Shoe Co., 39 USPQ2d 1773 (S.D.N.Y. 1996).	410
Hay, Ex parte, 1909 C.D. 18, 139 O.G. 197 (Comm'r Pat. 1909).	706.04	Herr, In re, 377 F.2d 610, 153 USPQ 548 (CCPA 1967).	706.03(w)
Hay, In re, 534 F.2d 917, 189 USPQ 790 (CCPA 1976).	608.01(h), 2165.01, 2411.04	Herrmann, In re, 261 F.2d 598, 120 USPQ 182 (CCPA 1949).	707.07(f)
Hays v. Sony Corp. of Am., 847 F.2d 412, 7 USPQ2d 1043 (7th. Cir. 1988).	410	Hershberger, Ex parte, 96 USPQ 54 (Bd. App. 1952).	2128.01
Hazeltine Research Inc. v. Brenner, 382 U.S. 252, 147 USPQ 429 (1965).	2136.02	Herschler, In re, 591 F.2d 693, 200 USPQ 711 (CCPA 1979)	2106.01, 2163, 2163.05
Head, Ex parte, 214 USPQ 551 (Bd. App. 1981)	2173.05(h)	Herz, In re, 537 F.2d 549, 190 USPQ 461 (CCPA 1976).	2111.03
Healy, Ex parte, 1898 C.D. 157, 84 O.G. 1281 (Comm'r Pat. 1898).	806.04(b)	Hester Industries, Inc. v. Stein, Inc., 142 F.3d 1472, 46 USPQ2d 1641 (Fed. Cir. 1998)	1412.02
Heany, In re, 1911 C.D. 138 (Comm'r Pat. 1911)	2012, 2012.01	Hewlett-Packard Co. v. Bausch & Lomb Inc., 909 F.2d 1464, 15 USPQ2d 1525 (Fed. Cir. 1990)	2114
Heck, In re, 699 F.2d 1331, 216 USPQ 1038 (Fed. Cir. 1983)	2123	Hiatt v. Ziegler, 179 USPQ 757 (Bd. Pat. Inter. 1973)	2138.04
Heckman, Ex parte, 135 USPQ 229 (P.O. Super. Exam. 1960).	1504.05	Hibberd, Ex parte, 227 USPQ 443 (Bd. Pat. App. & Inter. 1985)	1206, 1601, 2105
Hedges, In re, 783 F.2d 1038, 228 USPQ 685 (Fed. Cir. 1986)	2145	Hidy, In re, 303 F.2d 954, 133 USPQ 650 (CCPA 1962).	715.05, 804.02, 2308.01
Hedgewick v. Akers, 497 F.2d 905, 182 USPQ 167 (CCPA 1974).	2137	Hilborn v. Dann, 546 F.2d 401, 192 USPQ 132 (CCPA 1976).	2308.02
Heinl v. Godici, 143 F. Supp. 2d 593 (E.D. Va. 2001)	2242, 2246		

MANUAL OF PATENT EXAMINING PROCEDURE

Hildebrand, Ex parte, 15 USPQ2d 1662 (Bd. Pat. App. & Inter. 1990)	2404.01, 2410.01	Hoechst-Roussel Pharmaceuticals Inc. v. Lehman, 109 F.3d 756, 42 USPQ2d 1220 (Fed. Cir. 1997)	2751
Hill, In re, 161 F.2d 367, 73 USPQ 482 (CCPA 1947).	2111.01, 2173.05(a)	Hoeksema, In re, 399 F.2d 269, 158 USPQ 597 (CCPA 1968).	2121.01, 2121.02, 2144.08, 2144.09
Hill, In re, 284 F.2d 955, 128 USPQ 197 (CCPA 1960).	716.02(d)	Hoeschele, In re, 406 F.2d 1403, 160 USPQ 809 (CCPA 1969).	2144.05
Hill-Rom Co. v. Kinetic Concepts, Inc., 209 F.3d 1337, 54 USPQ2d 1437 (Fed. Cir. 2000)	2181	Hoffman, Ex parte, 12 USPQ2d 1061 (Bd. Pat. App. & Inter. 1989)	2111.03
Hilmer, In re, 359 F.2d 859, 149 USPQ 480 (CCPA 1966)	706.02(f)(1), 715, 2136.03, 2308.01	Hoffman v. Klaus, 9 USPQ2d 1657 (Bd. Pat. App. & Inter. 1988)	2107.02
Hilton, Ex parte, 148 USPQ 356 (Bd. App. 1965)	2144.04	Hogan, In re, 559 F.2d 595, 194 USPQ 527 (CCPA 1977)	2124
Hiniker Co., In re, 150 F.3d 1362, 47 USPQ2d 1523 (Fed. Cir. 1998)	2106, 2242, 2246, 2258	Holladay, In re, 584 F.2d 384, 199 USPQ 516 (CCPA 1978)	716.02(e)
Hirao, In re, 535 F.2d 67, 190 USPQ 15 (CCPA 1976).	2141.02	Hollingsworth, In re, 253 F.2d 238, 117 USPQ 182 (CCPA 1958).	716.03(a)
Hirschfield v. Banner, 462 F. Supp 135, 200 USPQ 276 (D.D.C. 1978)	2106.02	Holmes v. Kelly, 586 F.2d 234, 199 USPQ 778 (CCPA 1978).	2371
Hirschler, Ex parte, 110 USPQ 384 (Bd. App. 1952)	2132.01	Holmwood v. Cherpeck, 2 USPQ2d 1942 (Bd. Pat. App. & Inter. 1986)	2138.03
Hitchings, In re, 342 F.2d 80, 144 USPQ 637 (CCPA 1965)	2164.01(c)	Homan, Ex parte, 1905 C.D. 288 (Comm'r Pat. 1905).	715.07
Hitzeman v. Rutter, 243 F.3d 1345, 58 USPQ2d 1161 (Fed. Cir. 2001)	2138.04	Honeywell v. Diamond, 499 F. Supp. 924, 208 USPQ 452 (D.D.C. 1980).	2165.04
Hiyamizu, Ex parte, 10 USPQ2d 1393 (Bd. Pat. App. & Inter. 1988)	2141.03	Honigsbaum v. Lehman, 903 F. Supp 8, 37 USPQ2d 1799 (D.D.C. 1995).	513
H.K. Porter Co. v. Gates Rubber Co., 187 USPQ 692 (D. Colo. 1975).	608.01(h)	Honn, In re, 364 F.2d 454, 150 USPQ 652 (CCPA 1966).	608.01(h), 2165.01
Hobbs v. United States, 451 F.2d 849, 171 USPQ 713 (5th Cir. 1971).	2133.03, 2133.03(b)	Hoogendam, Ex parte, 1939 C.D. 3, 499 O.G. 3, 40 USPQ 389 (Comm'r Pat. 1939)	706.07
Hoch, In re, 428 F.2d 1341, 166 USPQ 406 (CCPA 1970)	706.02(j), 1208.01, 2144.08	Hook, Ex parte, 102 USPQ 130 (Bd. App. 1953)	715.07
Hockerson-Halberstadt, Inc. v. Avia Group Int'l, 222 F.3d 951, 55 USPQ2d 1487 (Fed. Cir. 2000)	2125	Hoover Co., In re, 134 F.2d 624, 57 USPQ 111 (CCPA 1943).	2363.02
Hodge v. Rostker, 501 F. Supp 332 (D.D.C. 1980)	1216.02	Hormone Research Foundation Inc. v. Genentech Inc., 904 F.2d 1558, 15 USPQ2d 1039 (Fed. Cir. 1990).	2173.05(a)
Hodosh v. Block Drug Co., Inc., 786 F.2d 1136, 229 USPQ 182 (Fed. Cir. 1986)	2141, 2144.08	Horton, Ex parte, 226 USPQ 697 (Bd. Pat. App. & Inter. 1985)	2258
Hoechst Aktiengesellschaft v. Quigg, 916 F.2d 522, 16 USPQ2d 1549 (Fed. Cir. 1990)	2758	Horvitz v. Pritchard, 182 USPQ 505 (Bd. Pat. & Int. 1974)	2308.02
		Hostettler, In re, 356 F.2d 562, 148 USPQ 514 (CCPA 1966)	715.03
		Hough, In re, 108 USPQ 89, 703 O.G.200 (Comm'r Pat. 1955).	409.03(i)

LIST OF DECISIONS CITED

Houghton, In re, 433 F.2d 820, 167 USPQ 687 (CCPA 1970).....	2107.01	Hybritech, Inc. v. Monoclonal Antibodies, Inc., 802 F.2d 1367, 231 USPQ 81 (Fed. Cir. 1986) 716.03(b), 2138.04, 2141, 2144.08, 2163, 2164.01, 2164.05(d), 2173.05(a), 2182, 2184	
Hovlid v. Asari, 305 F.2d 747, 134 USPQ 162 (9th Cir. 1962)	201.06(d), 201.11	Hycor Corp. v. The Schlueter Co., 740 F.2d 1529, 222 USPQ 553 (Fed. Cir. 1984)	2004
Howarth, In re, 654 F.2d 103, 210 USPQ 689 (CCPA 1981)	716.09, 2164.01(b)	I.C.E. Corp. v. Armco Steel Corp., 250 F. Supp 738, 148 USPQ 537 (S.D.N.Y. 1966)	2128
Hozumi, Ex parte, 3 USPQ2d 1059 (Bd. Pat. App. & Inter. 1984)	803.02	IMS Technology Inc. v. Haas Automation Inc., 206 F.3d 1422, 54 USPQ2d 1129 (Fed. Cir. 2000)	2111.02, 2181, 2183, 2184
Hruby, In re, 373 F.2d 997, 153 USPQ 61 (CCPA 1967).....	1504.01(a)	Indiana General Corp. v. Krystinel Corp., 297 F. Supp 427, 161 USPQ 82 (S.D. N.Y. 1969).....	608.01(h)
Huang, In re, 100 F.3d 135, 40 USPQ2d 1685 (Fed. Cir. 1996) ..	716.03, 716.03(b), 2144.08	Intellicall, Inc. v. Phonometrics, Inc., 952 F.2d 1384, 21 USPQ2d 1383 (Fed. Cir. 1992)	2106, 2181
Huber, Ex parte, 148 USPQ 447 (Bd. Pat. App. 1965)	2172.01	Intermountain Research and Eng'g Co. v. Hercules, Inc., 171 USPQ 577 (C.D. Cal. 1971)	2012
Huelster v. Reiter, 168 F.2d 542, 78 USPQ 82 (CCPA 1948).....	2138.06	International Glass Co. v. United States, 408 F.2d 395, 159 USPQ 434 (Ct. Cl. 1968)	2138.03
Hull v. Bonis, 214 USPQ 731 (Bd. Pat. Inter. 1982)	2138.05	Interroyal Corp. v. Simmons Co., 204 USPQ 562 (S.D. N.Y. 1979)	2133.03(e)(1), 2133.03(e)(3)
Hull v. Davenport, 90 F.2d 103, 33 USPQ 506 (CCPA 1937)	2138.01, 2138.06	Ionescu, Ex parte, 222 USPQ 537 (Bd. App. 1984).....	2143.03, 2171, 2173.06
Humber, Ex parte, 217 USPQ 265 (Bd. App. 1961)	716.02(e)	Irish, In re, 433 F.2d 1342, 167 USPQ 764 (CCPA 1970)	2136.01
Humphreys, Ex parte, 24 USPQ2d 1255 (Bd. Pat. App. & Inter. 1992)	2404.01, 2405	Irons, In re, 340 F.2d 974, 144 USPQ 351 (CCPA 1965).....	2107.02, 2164.07
Hunt Co. v. Mallinckrodt Chem. Works, 177 F.2d 583, 83 USPQ 277 (2d Cir. 1949)	201.11, 1504.20	Irwin, Ex parte, 1928 C.D. 13, 367 O.G. 701 (Comm'r Pat. 1928)	604.02
Hunter, Ex parte, 1889 C.D. 218, 49 O.G. 733 (Comm'r Pat. 1889).....	715.07(a)	Isaacs, In re, 347 F.2d 889, 146 USPQ 193 (CCPA 1963)	2107.02, 2107.03
Hunter v. Biessbarth, 15 USPQ2d 1343 (Comm'r Pat. 1990)	2361	Ishida Co. v. Taylor, 221 F.3d 1310, 55 USPQ2d 1449 (Fed. Cir. 2000)	2184
Hupp v. Siroflex of America, Inc., 122 F.3d 1456, 43 USPQ2d 1887 (Fed. Cir. 1997)	1504.02	Ishizaka, Ex parte, 24 USPQ2d 1621 (Bd. Pat. App. & Inter. 1992)	716.02(b)
Hyatt, In re, 211 F.3d 1367, 54 USPQ2d 1664 (Fed. Cir. 2000)	2111	Iwahashi, In re, 888 F.2d 1370, 12 USPQ2d 1908 (Fed. Cir. 1989).....	2106
Hyatt, In re, 708 F.2d 712, 218 USPQ 195 (Fed. Cir. 1983).....	2164.08(a), 2181	Jackson, Ex parte, 217 USPQ 804 (Bd. Pat. App. & Inter. 1982)	2164.06, 2164.06(a), 2404.02
Hyatt v. Boone, 146 F.3d 1348, 47 USPQ2d 1128 (Fed. Cir. 1998)	2106, 2138.05, 2163, 2163.03		

MANUAL OF PATENT EXAMINING PROCEDURE

Jaffe, Ex parte, 147 USPQ 45 (Bd. of App. 1964)	1504	Jones, In re, 373 F.2d 1007, 153 USPQ 77 (CCPA 1967)	706.03(a)
J. A. La Porte, Inc. v. Norfolk Dredging Co., 787 F.2d 1577, 229 USPQ 435 (Fed. Cir. 1986)	2133.03(b)	Jones, In re, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)	2143.01, 2144, 2144.05, 2144.08
Janakirama-Rao, In re, 317 F.2d 951, 137 USPQ 893 (CCPA 1963)	2111.03, 2163	Jones v. Hardy, 727 F.2d 1524, 220 USPQ 1021 (Fed. Cir. 1984)	2141.02, 2144.08
Japikse, In re, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950)	2144.04	Jones v. Progress Ind., Inc., 163 F. Supp. 824, 119 USPQ 92 (D. R.I. 1958)	1504.02, 1504.03
J.E.M. Ag Supply, Inc. v. Pioneer Hi-Bred Int'l, Inc., 534 U.S. 124, 122 S.Ct. 593, 60 USPQ2d 1865 (2001)	2105	Josserand, In re, 188 F.2d 486, 89 USPQ 371 (CCPA 1951)	2133.03(e)(1)
Jennings, In re, 182 F.2d 207, 86 USPQ 68 (CCPA 1950)	1504.03	Jovanovics, Ex parte, 211 USPQ 907 (Bd. Pat. App. & Inter. 1981)	2107.03
Jentoft, In re, 392 F.2d 633, 157 USPQ 363 (CCPA 1968)	804.02, 1490	Joy Mfg. Co. v. National Mine Service Co., 810 F.2d 1127, 1 USPQ2d 1627 (Fed. Cir. 1987)	2246
Jessel v. Newland, 195 USPQ 678 (Comm'r Pat. 1977)	1605	Joy Technologies Inc. v. Manbeck, 751 F. Supp 225, 17 USPQ2d 1257 (D.D.C. 1990)	716.03(a)
Jockmus v. Leviton, 28 F.2d 812 (2d Cir. 1928)	2121.04, 2125	J. P. Stevens & Co. v. Lex Tex Ltd., 747 F.2d 1553, 223 USPQ 1089 (Fed. Cir. 1984)	2016
John O. Butler Co. v. Block Drug Co. Inc., 620 F. Supp. 771, 226 USPQ 855 (D. Ill. 1985)	1504	Judin v. United States, 110 F.3d 780, 42 USPQ2d 1300 (Fed. Cir. 1997)	410
Johns-Manville Corp. v. Guardian Industries Corp., 586 F. Supp 1034, 221 USPQ 319 (E.D. Mich. 1983)	2165.01	Justus v. Appenzeller, 177 USPQ 332 (Bd. Pat. Inter. 1971)	2138.06
Johnson, In re, 282 F.2d 370, 127 USPQ 216 (CCPA 1960)	2164.01(c)	Kaghan, In re, 387 F.2d 398, 156 USPQ 130 (CCPA 1967)	706.03(w)
Johnson, In re, 558 F.2d 1008, 194 USPQ 187 (CCPA 1977)	2164.08, 2173.05(i)	Kahn, In re, 202 USPQ 772 (Comm'r Pat. 1979)	2012.01, 2040.02
Johnson, In re, 589 F.2d 1070, 200 USPQ 199 (CCPA 1978)	2106, 2184	Kaiser Industries Corp. v. Jones & Laughlin Steel Corp., 515 F.2d 964, 185 USPQ 343 (3d Cir. 1975)	2012.01
Johnson, In re, 747 F.2d 1456, 223 USPQ 1260 (Fed. Cir. 1984)	716.02(e)	KangaROOS U.S.A., Inc. v. Caldor, Inc., 585 F. Supp. 1516, 222 USPQ 703 (S.D. N.Y. 1984)	2004
Johnson Worldwide Associates v. Zebco Corp., 175 F.3d 985, 993, 50 USPQ2d 1607, (Fed. Cir. 1999)	2163, 2163.05	KangaROOS U.S.A., Inc., v. Caldor, Inc., 778 F.2d 1571, 228 USPQ 32 (Fed. Cir. 1985)	1504.20, 2004
Jolles, In re, 628 F.2d 1322, 206 USPQ 885 (CCPA 1980)	2107.01, 2107.02, 2107.03	Kanter, In re, 399 F.2d 249, 158 USPQ 331 (CCPA 1968)	2116.01
Jolley, In re, 308 F.3d 1317, 64 USPQ2d 1901 (Fed. Cir. 2002)	2138.04, 2138.06	Kantor, Ex parte, 177 USPQ 455 (Bd. App. 1958)	715.07(a)
Joly, In re, 376 F.2d 906, 153 USPQ 45 (CCPA 1967)	608.01(p), 2107.02	Kaplan, In re, 789 F.2d 1574, 229 USPQ 678 (Fed. Cir. 1986)	804
Jones, Ex parte, 62 USPQ2d 1206, 1208 (Bd. Pat. App. & Inter. 2001)	706.02	Kaslow, In re, 707 F.2d 1366, 217 USPQ 1089 (Fed. Cir. 1983)	2106.01, 2141.02, 2163.02
Jones, Ex parte, 1924 C.D. 59, 327 O.G. 681 (Comm'r Pat. 1924)	709.01		

LIST OF DECISIONS CITED

Kathawala, In re, 9 F.3d 942, 28 USPQ2d 1785 (Fed. Cir. 1993)	2126, 2126.02, 2135.01
Katrapat, In re, 6 USPQ2d 1863 (Comm'r Pat. 1988)	711.03(c), 2268
Kattwinkle, Ex parte, 12 USPQ 11 (Bd. App. 1931)	608.01(v)
Katz, In re, 467 F.2d 939, 167 USPQ 487 (CCPA 1970).	706.03(w)
Katz, In re, 687 F.2d 450, 215 USPQ 14 (CCPA 1982).	715.01(c), 716.09, 804, 2132, 2132.01, 2133, 2136.05, 2137, 2138.02
Kaufman Co. v. Lantech, Inc., 807 F.2d 970, 1 USPQ2d 1202 (Fed. Cir. 1986)	2293
Kawai v. Metlesics, 480 F.2d 880, 178 USPQ 158 (CCPA 1973).	2107.02, 2138, 2138.05, 2163.03
Keil, In re, 808 F.2d 830, 1 USPQ2d 1427 (Fed. Cir. 1987)	1449.02
Keizer v. Bradley, 270 F.2d 396, 123 USPQ 215 (CCPA 1959).	2138.06
Keller, In re, 642 F.2d 413, 208 USPQ 871 (CCPA 1981)	2145
Kellogg Switchboard & Supply Co., The, In re, 1906 C.D. 274 (Comm'r Pat. 1906)	106
Kelly, In re, 200 USPQ 560 (Comm'r Pat. 1978)	1504.05
Kelly, In re, 305 F.2d 909, 134 USPQ 397 (CCPA 1962).	2173.05(o)
Kemco Sales Inc. v. Control Papers Co., 208 F.3d 1352, 54 USPQ2d 1308 (Fed. Cir. 2000)	2106, 2183, 2184
Kemps, In re, 97 F.3d 1427, 40 USPQ2d 1309 (Fed. Cir. 1996)	2144.08
Kendall v. Searles, 173 F.2d 986, 81 USPQ 363 (CCPA 1949).	2138.06
Kerkhoven, In re, 626 F.2d 846, 205 USPQ 1069 (CCPA 1980).	2144.06
Key Mfg. Group Inc. v. Microdot, Inc., 679 F. Supp. 648, 4 USPQ2d 1687 (E.D. Mich. 1987).	2293
Keyes, Ex parte, 214 USPQ 579 (Bd. App. 1982)	716.01(c)
Keystone Driller Co. v. Gen'l Excavator Co., 290 U.S. 240, 19 USPQ 228 (1933)	2012
Khoury, In re, 207 USPQ 942 (Comm'r Pat. 1980)	1904
Khusid, Ex parte, 174 USPQ 59 (Bd. App. 1971).	2173.05(c)
Kilbey v. Thiele, 199 USPQ 290 (Bd. Pat. Inter. 1978).	2137
Killian v. Watson, 121 USPQ 507 (D.D.C. 1958)	1216.02
Kim v. Quigg, 718 F. Supp. 1280, 12 USPQ2d 1604 (E.D. Va. 1989)	711.03(c)
Kimbell, Ex parte, 226 USPQ 688 (Bd. App. 1985).	2258
Kimberly-Clark v. Johnson & Johnson, 745 F.2d 1437, 223 USPQ 603 (Fed. Cir. 1984).	2138
Kimberly-Clark Corp. v. Procter & Gamble Distrib. Co., 973 F.2d 911, 23 USPQ2d 1921 (Fed. Cir. 1992).	2137.01
King Instrument Corp. v. Otari Corp., 767 F.2d 853, 226 USPQ 402 (Fed. Cir. 1985)	2133.03(a), 2138.05
King, In re, 801 F.2d 1324, 231 USPQ 136 (Fed. Cir.1986)	1206, 2112.02, 2131.01
Kirk, In re, 376 F.2d 936, 153 USPQ 48 (CCPA 1967).	2107.01, 2107.02
Kirsch, In re, 498 F.2d 1389, 182 USPQ 286 (CCPA 1974)	2173.05(c)
Kistler v. Weber, 412 F.2d 280, 162 USPQ 214 (CCPA 1969).	2308.02
Klein, In re, 5 USPQ 259, 1930 C.D. 2, 393 O.G. 519 (Comm'r Pat. 1930)	201.08
Kluis, Ex parte, 70 USPQ 165 (Bd. App. 1945)	1604
Klumb, Ex parte, 159 USPQ 694 (Bd. App. 1967).	2181
Knapp v. Anderson, 477 F.2d 588, 177 USPQ 688 (CCPA 1973).	2107.01
Knapp Monarch Co., In re, 296 F.2d 230, 132 USPQ 6 (CCPA 1961)	2144.03
Knell v. Muller, 174 USPQ 460 (Comm'r Pat. 1971)	804.02
Knight, In re, 217 USPQ 294 (Comm'r Pat. 1982)	2225, 2258
Knohl, In re, 386 F.2d 476, 155 USPQ 586 (CCPA 1967)	804.02
Knowlton, In re, 481 F.2d 1357, 178 USPQ 486 (CCPA 1973).	2106, 2106.02, 2181, 2185
Knowlton, In re, 500 F.2d 266, 183 USPQ 33 (CCPA 1974).	2106.02

MANUAL OF PATENT EXAMINING PROCEDURE

Kochan, Ex parte, 131 USPQ 204 (Bd. App. 1961)	2173.05(n)	Kusko, Ex parte, 215 USPQ 972 (Bd. App. 1981)	2137, 2138.01
Kohler, Ex parte, 1905 C.D. 192., 116 O.G. 1185 (Comm'r Pat. 1905)	1503.02, 1504.04	Kuttwinkle, Ex parte, 12 USPQ 11, (Bd. App. 1931)	608.01
Kokaji, In re, 2 USPQ2d 1309 (Comm'r Pat. 1987)	201.06(b)	LaBounty Mfg. Inc. v. United States Int'l Trade Comm'n, 958 F.2d 1066, 22 USPQ2d 1025 (Fed. Cir. 1992)	2004, 2133.03, 2133.03(e), 2133.03(e)(2)
Kollar, In re, 286 F.3d 1326, 62 USPQ2d 1425 (Fed. Cir. 2002)	2133.03(b), 2133.03(c)	Lafferty, Ex parte, 190 USPQ 202 (Bd. App. 1975)	1403
Koller, In re, 613 F.2d 819, 204 USPQ 702 (CCPA 1980)	2124, 2163	L.A. Gear, Inc. v. Thom McAn Shoe Co., 988 F.2d 1117, 25 USPQ2d 1913 (Fed. Cir. 1993)	1504.01(c)
Kollman, In re, 595 F.2d 48, 201 USPQ 193 (CCPA 1979)	716.02(d)	Lalu, In re, 747 F.2d 703, 223 USPQ 1257 (Fed. Cir. 1984)	2144.08, 2144.09
Kondo v. Martel, 220 USPQ 47 (Bd. Pat. Inter. 1983)	2138.02	Lamb, In re, 286 F.2d 610, 128 USPQ 539 (CCPA 1961)	1504.03
Komenak, Ex parte, 45 USPQ 186, 1940 C.D. 1, 512 O.G. 739 (Comm'r Pat. 1940)	201.09	Lamberti, In re, 545 F.2d 747, 192 USPQ 278 (CCPA 1976)	2144.01
Kotler, Ex parte, 1901 C.D. 62, 95 O.G. 2684 (Comm'r Pat. 1901)	608.01(o)	Lambrech, In re, 202 USPQ 620 (Comm'r Pat. 1976)	1481
Kotzab, In re, 217 F.3d 1365, 55 USPQ2d 1313 (Fed. Cir. 2000)	2143.01	Lampi Corp. v. American Power Products Inc., 228 F.3d 1365, 56 USPQ2d 1445 (Fed. Cir. 2000)	2111.03
Krahn v. Commissioner, 15 USPQ2d 1823 (E.D. Va. 1990)	711.03(c)	Lancaster, Ex parte, 151 USPQ 713, 1966 C.D. 20, 833 O.G. 8 (Bd. App. 1965)	1504.02
Krepelka, Ex parte, 231 USPQ 746 (Bd. Pat. App. & Inter. 1986)	2107.03	Land, In re, 368 F.2d 866, 151 USPQ 621 (CCPA 1966)	2136.04, 2136.05
Krimmel, In re, 292 F.2d 948, 130 USPQ 215 (CCPA 1961)	2107.02, 2107.03	Lander, Ex parte, 223 USPQ 687 (Bd. App. 1983)	1504.02
Kristensen, Ex parte, 10 USPQ2d 1701 (Bd. Pat. App. & Inter. 1989)	2173.05(a), 2173.05(o)	Lange v. Comm'r, 352 F. Supp 166, 176 USPQ 162 (D. D.C. 1972)	1701.01
Kroekel, In re, 504 F.2d 1143, 183 USPQ 610 (CCPA 1974)	2173.05(c)	Langer, In re, 465 F.2d 896, 175 USPQ 169 (CCPA 1972)	2144.09
Kroekel, In re, 803 F.2d 705, 231 USPQ 640 (Fed. Cir. 1986)	715	Langer, In re, 503 F.2d 1380, 183 USPQ 288 (CCPA 1974)	2107.02, 2107.03, 2124
Kroger, Ex parte, 218 USPQ 370 (Bd. App. 1982)	716.09, 2132.01	Langer v. Kaufman, 465 F.2d 915, 175 USPQ 172 (CCPA 1972)	2138.04
Kronig, In re, 539 F.2d 1300, 190 USPQ 425 (CCPA 1976)	1208.01	Lanham, Ex parte, 135 USPQ 106 (Bd. App. 1961)	608.01(p)
Kropa v. Robie, 187 F.2d 150, 88 USPQ 478 (CCPA 1951)	2111.02	Lanham, In re, 1 USPQ2d 1877 (Comm'r Pat. 1986)	2258
Kuehl, In re, 425 F.2d 658, 177 USPQ 250 (CCPA 1973)	2116.01	Lantzke, Ex parte, 1910 C.D. 100, 156 O.G. 257 (Comm'r Pat. 1910)	810.01
Kuhle, In re, 526 F.2d 553, 188 USPQ 7 (CCPA 1975)	2144.04	Lantech Inc. v. Kaufman Co. of Ohio, Inc., 878 F.2d 1446, 12 USPQ2d 1076 (Fed. Cir. 1989)	2145
Kuklo, Ex parte, 25 USPQ2d 1387 (Bd. Pat. App. & Inter. 1992)	2133.03(a)		
Kulling, In re, 897 F.2d 1147, 14 USPQ2d 1056 (Fed. Cir. 1990)	2144.05, 2144.08		

LIST OF DECISIONS CITED

Lapworth, In re, 451 F.2d 1094, 172 USPQ 129 (CCPA 1971)	1504	Lindell, In re, 385 F.2d 453, 155 USPQ 521 (CCPA 1967)	716.01(c)
Larson, In re, 340 F.2d 965, 144 USPQ 347 (CCPA 1965)	2144.04	Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984)	716.03, 2164.01, 2164.05(a)
Larson v. Classic Corp., 683 F. Supp. 1202, 7 USPQ2d 1747 (N.D. Ill. 1988) .	1504.01(c)	Lindner, In re, 457 F.2d 506, 173 USPQ 356 (CCPA 1972) . . .	716.01(c), 716.02(d), 2144.08
Lasscell, Ex parte, 1884 C.D. 66, 29 O.G. 861 (Comm'r Pat. 1884)	711.01	Linear Tech. Corp. v. Micrel, Inc., 275 F.3d 1040, 61 USPQ2d 1225 (Fed. Cir. 2001)	2133.03(b)
Lawrence, Ex parte, 70 USPQ 326, 1946 C.D. 1 (Comm'r Pat. 1946)	1509	Links, Ex parte, 184 USPQ 429 (Bd. App. 1974)	901.05(b), 2135.01
Lee, Ex parte, 31 USPQ2d 1105 (Bd. Pat. App. & Inter. 1993)	2131.03	Lintner, In re, 458 F.2d 1013, 173 USPQ 560 (CCPA 1972)	2142, 2143.01, 2144, 2144.08, 2145
Lee Pharmaceutical v. Kreps, 577 F.2d 610, 198 USPQ 601 (9th Cir. 1978)	2127	Litchfield v. Eigen, 535 F.2d 72, 190 USPQ 113 (CCPA 1976)	2138.06
Lee v. Dayton-Hudson Corp., 838 F.2d 1186, 5 USPQ2d 1625 (Fed. Cir. 1988)	1504	Litton Systems, Inc. v. Whirlpool Corp., 728 F.2d 1423, 221 USPQ 97 (Fed. Cir. 1984)	601.01(e), 716.03(b), 1504.03
Lee, In re, 199 USPQ 108 (Comm'r Pat. 1978)	803	Ljungstrom, Ex parte, 1905 C.D. 541, 119 O.G. 2335 (Comm'r Pat. 1905)	814
Lee, In re, 277 F.3d 1338, 61 USPQ2d 1430 (Fed. Cir. 2002)	2143.01, 2144.03	Lockheed Aircraft Corporation v. United States, 193 USPQ 449 (Ct. Cl. 1977) . . .	2183, 2184
Lee-Boy Mfg. Co. v. Puckett, 202 USPQ 573 (N.D. Ga. 1978)	1442.05	Lockwood v. American Airlines, Inc., 107 F.3d 1505, 41 USPQ2d 1961 (Fed. Cir. 1997)	2133.03(a), 2163, 2163.02
Leggett v. Avery, 101 U.S. 256 (1879)	1490	Loewenbach, Ex parte, 1904 C.D. 170, 110 O.G. 857 (Comm'r Pat. 1904)	819
LeGrice, In re, 301 F.2d 929, 133 USPQ 365 (CCPA 1962)	2121.03	Loffland Bros. Co. v. Mid-Western Energy Corp., 225 USPQ 886 (W.D. Okla. 1985)	2286
Lemelson, In re, 397 F.2d 1006, 158 USPQ 275 (CCPA 1968)	2123	Lohman, Ex parte, 1912 C.D. 336, 184 O.G. 287 (Comm'r Pat. 1912)	1503.02
Lemieux, Ex parte, 115 USPQ 148, 1957 C.D. 47, 725 O.G. 4 (Bd. App. 1957)	715.01(c)	Lonardo, In re, 119 F.3d 960, 43 USPQ2d 1262 (Fed. Cir. 1997)	804, 2217, 2258
Leonard, Ex parte, 187 USPQ 122 (Bd. App. 1974)	2116	Longi, In re, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985)	804
Le Roy v. Tatham, 55 U.S. (14 How.) 156 (1852)	2106	Lopresti, In re, 333 F.2d 932, 142 USPQ 177 (CCPA 1964)	715
Leshin, In re, 227 F.2d 197, 125 USPQ 416 (CCPA 1960)	2144.07	Lorenz v. Finkl, 333 F.2d 885, 142 USPQ 26 (CCPA 1964)	711.03(c)
Leslie, In re, 547 F.2d 116, 192 USPQ 427 (CCPA 1977)	1503.01, 1504.03	Lowry, In re, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994)	2106
Levengood, Ex parte, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993)	2143.01, 2144	Luck, In re, 476 F.2d 650, 177 USPQ 523 (CCPA 1973)	2173.05(o)
Levy, Ex parte, 17 USPQ2d 1461 (Bd. Pat. App. & Inter. 1990)	2112		
Lincoln Engineering Co. v. Stewart- Warner Corp., 303 U.S. 545, 37 USPQ 1 (1938)	2173.05(j)		
Lindberg, In re, 194 F.2d 732, 93 USPQ 23 (CCPA 1952)	2144.04		

MANUAL OF PATENT EXAMINING PROCEDURE

Ludtke, In re, 441 F.2d 660, 169 USPQ 563 (CCPA 1971)	2112.01	Manville Sales Corp. v. Paramount Sys., Inc., 917 F.2d 544, 16 USPQ2d 1587 (Fed. Cir. 1990)	2133.03, 2133.03(a)
Lukach, In re, 442 F.2d 967, 169 USPQ 795 (CCPA 1971)	201.11, 2163, 2163.05	Margolis, In re, 785 F.2d 1029, 228 USPQ 940 (Fed. Cir. 1986)	716.01(a)
Lumenyte Int'l Corp. v. Cable Lite Corp., 92 F.3d 1206 (Fed. Cir. 1996) (table)	711.03(c)	Margolis v. Banner, 599 F.2d 435, 202 USPQ 365 (CCPA 1979)	804.03
Lund, In re, 376 F.2d 982, 153 USPQ 625 (CCPA 1967)	901.01, 901.02, 2127, 2136.02, 2136.03	Marinissen, Ex parte, 155 USPQ 528, 842 O.G. 528 (Bd. App. 1966)	1504.02
Lundak, In re, 773 F.2d 1216, 227 USPQ 90 (Fed. Cir. 1985)	2163, 2164.06, 2164.06(a), 2406.01	Markman v. Westview Instruments, 52 F.3d 967, 34 USPQ2d 1321 (Fed. Cir. 1995)	2106
Lutzker v. Plet, 843 F.2d 1364, 6 USPQ2d 1370 (Fed. Cir. 1988)	2138.03	Markush, Ex parte, 1925 C.D. 126, 340 O.G. 839 (Comm'r Pat. 1924)	2173.05(h)
Lyell, Ex parte, 17 USPQ2d 1548 (Bd. Pat. App. & Inter. 1990)	2173.05(p)	Marosi, In re, 710 F.2d 799, 218 USPQ 289 (Fed. Cir. 1983)	706.02(m), 2111.01, 2113, 2173.05(a)
Maas, Ex parte, 9 USPQ2d 1746 (Bd. Pat. App. & Inter. 1987)	2107.03	Marsh Eng'g Co., In re, 1913 C.D. 183 (Comm'r Pat. 1913)	103
Mackay Radio & Telegraph Co. v. Radio Corp. of America, 306 U.S. 86, 40 USPQ 199 (1939)	2106	Martin, In re, 154 F.2d 126, 69 USPQ 75 (CCPA 1946)	1212
MacKay v. Quigg, 641 F. Supp 567, 231 USPQ 90 (D.D.C. 1986)	1216.02	Martin v. Johnson, 454 F.2d 746, 172 USPQ 391 (CCPA 1972)	2163, 2173.05(t)
MacMillan v. Moffett, 432 F.2d 1237, 167 USPQ 550 (CCPA 1970)	2138.04	Martin v. Mayer, 823 F.2d 500, 3 USPQ2d 1333 (Fed. Cir. 1987)	2163
Mageli, In re, 470 F.2d 1380, 176 USPQ 305 (CCPA 1973)	716.03(b)	Marzocchi, In re, 439 F.2d 220, 169 USPQ 367 (CCPA 1971)	2107.01, 2107.02, 2124, 2163, 2163.04, 2164.03, 2164.04, 2164.08
Magerlein, In re, 602 F.2d 366, 202 USPQ 473 (CCPA 1979)	716.02(b)	Masco Corp. v. United States, 303 F.3d 1316, 64 USPQ2d 1182 (Fed. Cir. 2002)	2181
Magnetics v. Arnold Eng'g Co., 438 F.2d 72, 168 USPQ 392 (7th Cir. 1971) . . .	2133.03(e)(7)	Masham, Ex parte, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987)	2114
Mahurkar v. C.R. Bard, Inc., 79 F.3d 1572, 38 USPQ2d 1288 (Fed. Cir. 1996)	2163	Mas-Hamilton Group v. LaGard, Inc., 156 F.3d 1206, 48 USPQ2d 1010 (Fed. Cir. 1998)	2181
Malachowski, In re, 530 F.2d 1402, 189 USPQ 432 (CCPA 1976)	2107.02, 2107.03	Massachusetts Institute of Technology v. A.B. Fortia, 774 F.2d 1104, 227 USPQ 428 (Fed. Cir. 1985)	2128.01, 2164.01
Maldague, In re, 10 USPQ2d 1477 (Comm'r Pat. 1988)	711.03(c)	Mathews, In re, 408 F.2d 1393, 161 USPQ 276 (CCPA 1969)	715.01(c), 2136.04, 2136.05
Mancy, In re, 499 F.2d 1289, 182 USPQ 303 (CCPA 1974)	2116.01	Mattison, In re, 509 F.2d 563, 184 USPQ 484 (CCPA 1975)	2173.05(a), 2173.05(c)
Mann, In re, 861 F.2d 1581, 8 USPQ2d 2030 (Fed. Cir. 1988)	1504.02, 1504.04, 2133.03(e)(6)	Mattor v. Coolegem, 530 F.2d 1391, 189 USPQ 201 (CCPA 1976)	2137.01
Mannesmann Demag Corp. v. Engineered Metal Products Co., 793 F.2d 1279, 230 USPQ 45 (Fed. Cir. 1986)	2111.03	Mattson, In re, 208 USPQ 168 (Comm'r Pat. 1980)	601.01(e)
Mantell, In re, 454 F.2d 1398, 172 USPQ 530 (CCPA 1972)	715.03		

LIST OF DECISIONS CITED

Mattullath, In re, 38 App. D.C. 497 (1912)	711.03(c)	Medtronic, Inc. v. Cardiac Pacemakers, 721 F.2d 1563, 220 USPQ 97 (Fed. Cir. 1983)	2141.01(a)
Maucorps, In re, 609 F.2d 481, 203 USPQ 812 (CCPA 1979).	2184	Meitzner v. Corte, 537 F.2d 524, 190 USPQ 407 (CCPA 1976).	2138.05
May, In re, 574 F.2d 1082, 197 USPQ 601 (CCPA 1978).	716.02(c), 2112.02, 2144.08, 2144.09	Mendenhall v. Cedarapids, Inc., 5 F.3d 1557, 28 USPQ2d 1081 (Fed. Cir. 1993). . . .	201.11
Mayewsky, In re, 860 F.2d 430, 162 USPQ 86 (E.D. Va. 1969).	1701.01	Mentor Corp. v. Coloplast, Inc., 998 F.2d 992, 27 USPQ2d 1521 (Fed. Cir. 1993) . . .	1412.02
Mayhew, In re, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976)	2163, 2163.05, 2164.08(c), 2172.01, 2174	Merchant, In re, 575 F.2d 865, 197 USPQ 785 (CCPA 1978)	716.02(e)
Mayne, In re, 104 F.3d 1339, 41 USPQ2d 1451 (Fed. Cir. 1977)	2144.08, 2144.09	Merck & Co. v. Biocraft Laboratories, 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir. 1989).	716.02, 2123, 2144.05, 2144.08
Mazer v. Stein, 347 U.S. 201, 100 USPQ 325 (1954).	1512	Merck & Co., Inc., In re, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986) . .	716.02, 2143.02, 2144.08, 2144.09, 2145
Maziere, Ex parte, 27 USPQ2d 1705 (Bd. Pat. App. & Inter. 1993)	608.01(p)	Merck & Co., Inc. v. Chase Chem. Co., 273 F. Supp 68, 155 USPQ 139 (D.N.J. 1967)	2402
McCormick, Ex parte, 1904 C.D. 575 113 O.G. 2508 (Assist. Comm'r 1924)	709.01	Merck & Co. v. Kessler, 80 F.3d 1543, 38 USPQ2d 1347 (Fed. Cir. 1996)	2758
McCulloch Gas Processing Co. v. Dept. of Energy, 650 F.2d 1216 (Temp. Emer. Ct. App. 1981).	1701.01	Mergenthaler v. Scudder, 11 App. D.C., 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897)	706.02(l)(2), 715.07
McCullough, Ex parte, 7 USPQ2d 1889 (Bd. Pat. App. & Inter. 1987)	2145	Merz, Ex parte, 75 USPQ 296 (Bd. App. 1947)	715.07(a)
McGaughey, Ex parte, 6 USPQ2d 1334 (Bd. Pat. App. & Inter. 1988)	2258	Messick, Ex parte, 7 USPQ 57, 1930 C.D. 6, 400 O.G. 3 (Comm'r Pat.1930). . .	710.01(a)
McGrady v. Aspenglas Corp., 487 F. Supp 859, 208 USPQ 242 (S.D. N.Y. 1981).	1503.01, 1504.01(a)	Metcalfe, In re, 410 F.2d 1378, 161 USPQ 789 (CCPA 1969).	608.01(v), 2404.01
McGrew, In re, 120 F.3d 1236, 43 USPQ2d 1632 (Fed. Cir. 1997).	715.05, 2307	Metropolitan Eng. Co. v. Coe, 78 F.2d 199, 25 USPQ 216 (D.C. Cir. 1935)	716.07
McKellin, In re, 529 F.2d 1342, 188 USPQ 428 (CCPA 1976).	715	Metz, In re, 173 F.3d 433 (Fed. Cir. 1998) (table)	1449.02
McKenna, In re, 203 F.2d 717, 97 USPQ 348 (CCPA 1953)	716.01(c)	Meyer, Ex parte, 6 USPQ2d 1966 (Bd. Pat. App. & Inter. 1988)	2145
McLaughlin, In re, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).	2145	Meyer, In re, 599 F.2d 1026, 202 USPQ 175 (CCPA 1979)	2131.02
Mead, In re, 581 F.2d 257, 198 USPQ 412 (CCPA 1978)	1402, 1412.01, 1450	Meyer, In re, 688 F.2d 789, 215 USPQ 193 (CCPA 1982)	2184
Mead Johnson & Co., Ex parte, 227 USPQ 78 (Bd. Pat. App. & Inter. 1985)	716.02	Michalek, In re, 162 F.2d 229, 74 USPQ 107 (CCPA 1947)	716.07
Mead Johnson Pharmaceutical Group v. Bowen, 838 F.2d 1332, 6 USPQ2d 1565 (DC Cir. 1988)	2754.01	Micro Chemical, Inc. v. Great Plains Chemical Co., 103 F.3d 1538, 41 USPQ2d 1238 (Fed. Cir. 1997).	2133.03(b)
Meden v. Curtis, 1905 C.D. 272, 117 O.G. 1795 (Comm'r Pat. 1905).	819.01		

MANUAL OF PATENT EXAMINING PROCEDURE

Milburn v. Davis-Bournonville Co., 270 U.S. 390, 46 S. Ct. 324, 1926 C.D. 303, 344 O.G. 817 (1926)	2136.04	Moore, In re, 444 F.2d 572, 170 USPQ 260 (CCPA 1971)	715.07
Miles Labs. Inc. v. Shandon Inc., 997 F.2d 870, 27 USPQ2d 1123 (Fed. Cir. 1993)	716.01(a)	Moore v. U.S., 194 USPQ 423 (Ct. Cl. 1977)	2134
Miller, In re, 418 F.2d 1392, 164 USPQ 46 (CCPA 1969)	706.03(a)	Morehouse, In re, 545 F.2d 162, 192 USPQ 29 (CCPA 1976)	2106.02
Miller, In re, 441 F.2d 689, 169 USPQ 597 (CCPA 1971)	2173.04	Moreton, In re, 288 F.2d 708, 129 USPQ 227 (CCPA 1961)	2121
Miller v. Eagle Mfg. Co., 151 U.S. 186 (1894)	804	Morgan, In re, 990 F.2d 1230, 26 USPQ2d 1392 (Fed. Cir. 1993)	1415.01, 1443
Mills, In re, 281 F.2d 218, 126 USPQ 513 (CCPA 1960)	2144.09	Morris, In re, 127 F.3d 1048, 44 USPQ2d 1023 (Fed. Cir. 1997)	904.01, 2106, 2111, 2163, 2173.05, 2181
Mills, In re, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)	2143.01, 2144.08	Morse v. Porter, 155 USPQ 280 (Bd. Pat. Inter. 1965)	2137.01, 2138.04
Mills, In re, 12 USPQ2d 1847 (Comm'r Pat. 1989)	711.03(c)	Morton, Ex parte, 134 USPQ 407 (Bd. App. 1961)	2173.05(t)
Milton, Ex parte, 63 USPQ 132 (P.O. Super. Exam. 1938)	710.04(a)	Morton Int'l, Inc. v. Cardinal Chem. Co., 5 F.3d 1464, 28 USPQ2d 1190 (Fed. Cir. 1993)	2173.02
Mineral Separation v. Hyde, 242 U.S. 261 (1916)	2164.01	Morway v. Bondi, 203 F.2d 742, 97 USPQ 318 (CCPA 1953)	2138.06
Mlot-Fijalkowski, In re, 676 F.2d 666, 213 USPQ 713 (CCPA 1982)	2141.01(a)	Mosher, In re, 248 F.2d 956, 115 USPQ 140 (CCPA 1957)	1216.01
Mochel, In re, 470 F.2d 638, 176 USPQ 194 (CCPA 1974)	2173.05(c)	Mott, In re, 539 F.2d 1291, 190 USPQ 536 (CCPA 1976)	804, 2181
Mogen David Wine Corp., In re, 328 F.2d 925, 140 USPQ 575 (CCPA 1964)	1512	Mowry, Ex parte, 91 USPQ 219 (Bd. App. 1950)	2144.09
Moleculon Research Corp. v. CBS, Inc., 793 F.2d 1261, 229 USPQ 805 (Fed. Cir. 1986)	2111.03, 2133.03(a), 2133.03(b)	Mowry v. Whitney, 81 U.S. (14 Wall.) 620 (1871)	2164.07
Moler v. Purdy, 131 USPQ 276 (Bd. Pat. Inter. 1960)	2137.01	Mraz, In re, 455 F.2d 1069, 173 USPQ 25 (CCPA 1972)	2125
Molins, In re, 368 F.2d 258, 151 USPQ 570 (CCPA 1996)	1449.02	MSM Investments Co. v. Carolwood Corp., 259 F.3d 1335, 59 USPQ2d 1856 (Fed. Cir. 2001)	2111.01
Molins PLC v. Textron Inc., 48 F.3d 1172, 33 USPQ2d 1823 (Fed. Cir. 1995)	2004	Mulder, In re, 716 F.2d 1542, 219 USPQ 189 (Fed. Cir. 1983)	2138.06, 2183, 2184
Monaco v. Watson, 270 F.2d 335, 122 USPQ 564 (D.C. Cir. 1959)	2358	Multiform Desiccants Inc. v. Medzam Ltd., 133 F.3d 1473, 45 USPQ2d 1429 (Fed. Cir. 1998)	2106, 2111.01
Monks, In re, 588 F.2d 308, 200 USPQ 129 (CCPA 1978)	901.05, 901.05(b), 1504, 2126.01, 2135.01	Multiple Litigation Involving Frost Patent, In re, 540 F.2d 601, 185 USPQ 729 (3d Cir. 1976)	2016
Monogram Mfg. v. F & H Mfg., 62 USPQ 409 (9th Cir. 1944)	2133.03(e)(1)	Murphy v. Eiseman, 166 USPQ 149 (Bd. Pat. Int. 1970)	2308.02
Monsanto Co. v. Kamp, 269 F. Supp 818, 154 USPQ 259 (D.D.C. 1967)	1216.02	Murray, Ex parte, 1891 Dec. Comm'r Pat. 130 (1891)	711.03(c)
Moore, In re, 439 F.2d 1232, 169 USPQ 236 (CCPA 1971)	1504.04, 2164.08, 2172		

LIST OF DECISIONS CITED

Musgrave, In re, 431 F.2d 882, 167 USPQ 280 (CCPA 1970).....	2106	Nitto Chemical Indus. Co. v. Comer, 39 USPQ2d 1778 (D.D.C. 1994).....	513
Myers v. Feigelman, 455 F.2d 596, 172 USPQ 580 (CCPA 1972).....	2344	Nitz v. Ehrenreich, 537 F.2d 539, 190 USPQ 413 (CCPA 1976).....	2309.01
Naber v. Cricchi, 567 F.2d 382, 196 USPQ 294 (CCPA 1977).....	2138.06	Nolan, In re, 553 F.2d 1261, 193 USPQ 641 (CCPA 1977).....	716.02(b), 716.02(c)
Nalbandian, In re, 661 F.2d 1214, 211 USPQ 782 (CCPA 1981).....	1504.02, 1504.03	Nolden, Ex parte, 149 USPQ 378 (Bd. Pat. App. 1965).....	2172.01
Napier, In re, 55 F.3d 610, 34 USPQ2d 1782 (Fed. Cir. 1995).....	2112	Noll, In re, 545 F.2d 141, 191 USPQ 721 (CCPA 1976).....	2163, 2181, 2182, 2184
Naquin, In re, 398 F.2d 863, 158 USPQ 317 (CCPA 1968).....	2106, 2106.02, 2164.05(a)	Nomiya, In re, 509 F.2d 566, 184 USPQ 607 (CCPA 1975).....	2129, 2258
Nehrenberg, In re, 280 F.2d 161, 126 USPQ 383 (CCPA 1960).....	2173.05(a)	Norco Products, Inc. v. Mecca Develop- ment, Inc., 617 F. Supp 1079, 227 USPQ 724 (D. Conn. 1985).....	1504.01(c)
Nelson, In re, 280 F.2d 172, 126 USPQ 242 (CCPA 1960).....	2165	Nordberg, Inc. v. Telsmith, Inc., 82 F.3d 394, 38 USPQ2d 1593 (Fed. Cir. 1996).....	410
Nelson, In re, 420 F.2d 1079, 164 USPQ 458 (CCPA 1970).....	715.07(a)	Norlund, Ex parte, 1913 C.D. 161, 192 O.G. 989 (Comm'r Pat. 1913).....	1213.01
Nelson v. Bowler, 212 USPQ 760 (Comm'r Pat. 1981).....	2361	Northam Warren Corp. v. D. F. Newfield Co., 7 F. Supp 773, 22 USPQ 313 (E.D.N.Y. 1934).....	2112.01
Nelson v. Bowler, 626 F.2d 853, 206 USPQ 881 (CCPA 1980).....	2107.01, 2107.02, 2107.03, 2138.05	Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 15 USPQ2d 1321 (Fed. Cir. 1990).....	2106, 2128.01
New England Braiding Co. v. A.W. Ches- terton Co., 970 F.2d 878, 23 USPQ2d 1622 (Fed. Cir. 1992).....	2137.01	Northern Telecom Ltd. v. Samsung Elec- tronics Co., 215 F.3d 1281, 55 USPQ2d 1065 (Fed. Cir. 2000).....	2165.01
New Idea Farm Equip. Corp. v. Sperry Corp., 916 F.2d 1561, 16 USPQ2d 1424 (Fed. Cir. 1990).....	2138	Norton v. Curtiss, 433 F.2d 779, 167 USPQ 532 (CCPA 1970).....	2012
New Railhead Mfg., L.L.C. v. Vermeer Mfg. Co., 298 F.3d 1290, 63 USPQ2d 1843 (Fed. Cir. 2002).....	201.11, 2163	Novak, In re, 306 F.2d 924, 134 USPQ 335 (CCPA 1962).....	2107.02, 2107.03
Newell Cos. v. Kenney Mfg Co., 864 F.2d 757, 9 USPQ2d 1417 (Fed. Cir. 1988) ..	716.01(d), 716.04	Novitski, Ex parte, 26 USPQ2d 1389 (Bd. Pat. App. & Inter. 1993).....	2112.02
Newman v. Quigg, 877 F.2d 1575, 11 USPQ2d 1340 (Fed. Cir. 1989).....	2107.01	Noznick, In re, 478 F.2d 1260, 178 USPQ 43 (CCPA 1973).....	716.03(b)
Newton, In re, 414 F.2d 1400, 163 USPQ 34 (CCPA 1969).....	2161, 2165.02	Obiaya, Ex parte, 227 USPQ 58 (Bd. Pat. App. & Inter. 1985).....	2145, 2258
Nielson, In re, 816 F.2d 1567, 2 USPQ2d 1525 (Fed. Cir. 1987).....	1206	Ochiai, In re, 71 F.3d 1565, 37 USPQ2d 1127 (Fed. Cir. 1995).....	706.02(n), 2116.01, 2144.08
Nievelt, In re, 482 F.2d 965, 179 USPQ 224 (CCPA 1973).....	2145	Ockert, In re, 245 F.2d 467, 114 USPQ 330 (CCPA 1957).....	804
Nilssen, In re, 851 F.2d 1401, 7 USPQ2d 1500 (Fed. Cir. 1988).....	1701.01, 2144	Oda, In re, 443 F.2d 1200, 170 USPQ 268 (CCPA 1971).....	2163, 2163.07
Nitinol Medical Technologies Inc., In re, 17 USPQ2d 1492 (Comm'r Pat. & Tm. 1990).....	2751	OddzOn Products, Inc. v. Just Toys, Inc., 122 F.3d 1396, 43 USPQ2d 1641 (Fed. Cir. 1997).....	706.02(l), 2004

MANUAL OF PATENT EXAMINING PROCEDURE

Odetics Inc. v. Storage Tech. Corp., 185 F.3d 1259, 51 USPQ2d 1225 (Fed. Cir. 1999)	2183, 2184	Orthopedic Equip. Co., Inc. v. All Orthopedic Appliances, Inc., 707 F.2d 1376, 217 USPQ 1281 (Fed. Cir. 1983)	716.04
Oelrich, In re, 579 F.2d 86, 198 USPQ 210 (CCPA 1978)	716.01(c), 2144.08	Osmond, Ex parte, 191 USPQ 334 (Bd. App. 1973)	711.06(a), 2136
Oelrich, In re, 666 F.2d 578, 212 USPQ 323 (CCPA 1981)	2112	Osmond, Ex parte, 191 USPQ 340 (Bd. App. 1976)	711.06(a)
Oetiker, Ex parte, 23 USPQ2d 1641 (Bd. Pat. App. & Inter. 1992)	2173.05(a)	Ott v. Goodpasture, 40 USPQ2d 1831 (D. N.Tex. 1996)	410
Oetiker, In re, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992)	716.01(d), 1504.01(a), 1504.01(a), 2107.02, 2141, 2141.01(a), 2142, 2144.08, 2145, 2164.07	Otto, In re, 312 F.2d 937, 136 USPQ 458 (CCPA 1963)	2111.02, 2115
O'Farrell, In re, 853 F.2d 894, 7 USPQ2d 1673 (Fed. Cir. 1988)	2143.02, 2144.08, 2145	Ovist, Ex parte, 152 USPQ 709 (Bd. App. 1963)	901.05, 2126.02
Oguie, In re, 517 F.2d 1382, 186 USPO 227 (CCPA 1975)	2305.01, 2306.01	Ovshinsky, Ex parte, 10 USPQ2d 1075 (Bd. Pat. App. & Inter. 1989)	715.07
Ohshiro, Ex parte, 14 USPQ2d 1750 (Bd. Pat. App. & Inter. 1989)	2163.05	Pabst-Motoren, In re, 1 USPQ2d 1659 (Bd. Pat. App. & Inter. 1986)	2258
Ohsumi, Ex parte, 21 USPQ2d 1020 (Bd. Pat. App. & Inter. 1991)	1206	Pac-Tec Inc. v. Amerace Corp., 903 F.2d 796, 14 USPQ2d 1871 (Fed. Cir. 1990)	2111.02, 2163
O.I. Corp. v. Tekmar Corp., 115 F.3d 1576, 42 USPQ2d 1777 (Fed. Cir. 1997)	2181	Paine, Webber, Jackson & Curtis, Inc. v. Merrill Lynch, Pierce, Fenner, & Smith, Inc., 564 F. Supp. 1358, 218 USPQ 212 (D. Del. 1983)	2106
Oka v. Youssefyeh, 849 F.2d 581, 7 USPQ2d 1169 (Fed. Cir. 1988)	2138.04	Palmer, In re, 451 F.2d 1100, 172 USPQ 126 (CCPA 1971)	716.01(a)
Okajima v. Bourdeau, 261 F.3d 1350, 59 USPQ2d 1795 (Fed. Cir. 2001)	2141.03	Panagrossi, In re, 277 F.2d 181, 125 USPQ 410 (CCPA 1960)	2174
Okuzawa, In re, 537 F.2d 545, 190 USPQ 464 (CCPA 1976)	2111.01	Panduit Corp. v. Dennison Mfg. Co., 774 F.2d 1082, 227 USPQ 337 (Fed. Cir. 1985)	716.06, 1504.03, 2134
Olah, Ex parte, 131 USPQ 41 (Bd. App. 1960)	201.13, 706.02(a), 901.05, 2133, 2135.01	Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561, 1 USPQ2d 1593 (Fed. Cir. 1987)	2141.01, 2141.02, 2144.08
Onda, In re, 229 USPQ 235 (Comm'r Pat. 1985)	706.02(l)(2), 1449.01, 2285	Pantzer, Ex parte, 176 USPQ 141 (Bd. App. 1972)	2173.05(o)
Opinion of Hon. Edward Bates, 10 Op. Atty. Gen. 137 (1861)	605.04(a)	Paperless Accounting v. Bay Area Rapid Transit System, 804 F.2d 659, 231 USPQ 649 (Fed. Cir. 1986)	2133.01
Oppenauer, In re, 143 F.2d 974, 62 USPQ 297 (CCPA 1944)	716.09	Papesch, In re, 315 F.2d 381, 137 USPQ 43 (CCPA 1963)	716.02, 2141.02, 2144.08, 2144.09
O'Reilly v. Morse, 56 U.S. (15 How.) 62 (1854)	706.03(a), 2106		
Orita, In re, 550 F.2d 1277, 193 USPQ 145 (CCPA 1977)	1402, 1450		
Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 806 F.2d 1565, 1 USPQ2d 1081 (Fed. Cir. 1986)	2173.02, 2173.05(a)		

LIST OF DECISIONS CITED

Pappas, Ex parte, 23 USPQ2d 1636 (Bd. Pat. App. & Inter. 1992)	1503.01, 1504.04, 2141.01(a), 2173.05(a)	Pentec, Inc. v. Graphic Controls Corp., 776 F.2d 309, 227 USPQ 766 (Fed. Cir. 1985)	716.03(b), 716.06, 2129, 2141.01(a)
Paragon Podiatry Laboratory, Inc. v. KLM Labs., Inc., 984 F.2d 1182, 25 USPQ2d 1561 (Fed. Cir. 1993)..	410, 2133.03(e)(2)	Perkin-Elmer Corp. v. Westinghouse Elec. Corp., BNA/PTCJ 376: A-11 (E.D. N.Y. 1978)	1442.05(b)
Parker v. Flook, 437 U.S. 584, 198 USPQ 193 (1978)..	2106	Personalized Media Communications LLC v. ITC, 161 F.3d 696, 48 USPQ2d 1880 (Fed. Cir. 1998)	2181
Parker v. Frilette, 462 F.2d 544, 174 USPQ 321 (CCPA 1972)..	2138.05	Petering, In re, 301 F.2d 676, 133 USPQ 275 (CCPA 1962)	2131.02, 2131.03, 2144.08
Parks v. Fine, 773 F.2d 1577, 227 USPQ 432 (Fed. Cir. 1985)	2307	Peters, In re, 723 F.2d 891, 221 USPQ 952 (Fed. Cir. 1983)	2163.05
Parks, Ex parte, 30 USPQ2d 1234 (Bd. Pat. App. & Inter. 1993)	2173.05(i)	Petersen v. Fee Int'l Ltd., 381 F. Supp 1071, 182 USPQ 264 (W.D. Okla. 1974)	2134
Patent No. 4,409,763, In re, 7 USPQ2d 1798 (Comm'r Pat. 1988)	2590	Peterson, Ex parte, 49 USPQ 119, 1941 C.D. 8 (Comm'r Pat. 1941)..	710.02(b), 2315, 2363
Patent Term Extension Application, US Patent No. 3,849,549, In re, 226 USPQ 283 (Pat. & Tm. Office 1985)	2751	Peterson, Ex parte, 63 USPQ 99 (Bd. App. 1944)..	901.02
Patlex Corp. v. Mossinghoff, 771 F.2d 480, 226 USPQ 985 (Fed. Cir. 1985) . .	2225, 2240, 2244, 2249	Peterson, In re, 315 F.3d 1325, 65 USPQ2d 1379 (Fed. Cir. 2003)..	716.02(d), 2144.05
Patlex Corp. v. Mossinghoff, 758 F.2d 594, 225 USPQ 243 (Fed. Cir. 1985)	2211	Pfaff v. Wells Elecs., Inc., 525 U.S. 55, 48 USPQ2d 1641 (1998)	706.02(1)(2), 2133.03(b), 2133.03(c), 2163, 2163.02
Patlex Corp. v. Quigg, 6 USPQ2d 1296 (D. D.C. 1988)	2246	Phelan, In re, 205 F.2d 183, 98 USPQ 156 (CCPA 1953)..	804
Paulik v. Rizkalla, 760 F.2d 1270, 226 USPQ 224 (Fed. Cir. 1985)..	2138.01, 2138.03	Philco Corp. v. Admiral Corp., 199 F. Supp. 797 131 USPQ 413 (D. Del. 1961)	1503.02, 1504.04, 2133.03(e)(1)
Paulsen, In re, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994)	716.03, 2106, 2144.08	Phillips, In re, 608 F.2d 879, 203 USPQ 971 (CCPA 1979)	2106
Payne, Ex parte, 1904 C.D. 42, 108 O.G. 1049 (Comm'r Pat. 1903)..	707.07(g)	Piasecki, In re, 745 F.2d 1468, 223 USPQ 785 (Fed. Cir. 1984)	716.01(d), 2107.02, 2142, 2144.08
Payne, In re, 606 F.2d 303, 203 USPQ 245 (CCPA 1979)	716.02, 716.02(e), 2144.09	PIC, Inc. v. Prescon Corp., 77 F.R.D. 678, 195 USPQ 525 (D. Del. 1975)	1442.05(a)
Peeler v. Miller, 535 F.2d 647, 190 USPQ 117 (CCPA 1976)	2138.03	Pickles, Ex parte, 1904 C.D. 126, 109 O.G. 1888 (Comm'r Pat. 1904)..	810.02
Peck, Ex parte, 1901 C.D. 136, 96 O.G. 2409 (Comm'r Pat. 1901)..	608.02(f)	Pierce v. Allen B. DuMont Laboratories, Inc., 297 F.2d 323, 131 USPQ 340 (3d Cir. 1961)..	804
Penn Yan Boats, Inc. v. Sea Lark Boats Inc., 354 F. Supp 948, 175 USPQ 260 (S.D. Fla. 1972)..	2004	Pierce v. Watson, 275 F.2d 890, 124 USPQ 356 (D.C. Cir. 1960)	715.01(b)
Pennwalt Corp. v. Akzona, Inc., 740 F.2d 1573, 222 USPQ 833 (Fed. Cir. 1984) . .	2133.03(e)	Pilkington, In re, 411 F.2d 1345, 162 USPQ 145 (CCPA 1969)..	2173.05(o)
Pennwalt Corp. v. Durand-Wayland, Inc., 833 F.2d 931, 4 USPQ2d 1737 (Fed. Cir. 1987)	2184		

MANUAL OF PATENT EXAMINING PROCEDURE

PIN/NIP, Inc. v. Platte Chem. Co., 304 F.3d 1235, 64 USPQ2d 1344 (Fed. Cir. 2002)	2163	Prater, In re, 415 F.2d 1393, 162 USPQ 541 (CCPA 1969)	2106, 2111, 2172, 2173.05(a), 2173.05(q), 2411.01
Pio, In re, 217 F.2d 956, 104 USPQ 177 (CCPA 1954)	716.07	Pratt, Ex parte, 1887 Dec. Comm'r Pat. 31 (Comm'r Pat. 1887)	711.03(c), 2590
Pitney Bowes, Inc. v. Hewlett-Packard Co., 182 F.3d 1298, 51 USPQ2d 1161 (Fed. Cir. 1999)	2111.02	Preda, In re, 401 F.2d 825, 159 USPQ 342 (CCPA 1968)	2144.01
Plant Genetic Sys., N.V. v. DeKalb Genetics Corp., 315 F.3d 1335, 65 USPQ2d 1452 (Fed. Cir. 2003)	2164.08	Price v. Symsek, 988 F.2d 1187, 26 USPQ2d 1031 (Fed. Cir. 1993)	2137, 2138.01
Plastic Contact Lens Co. v. Gottschalk, 484 F.2d 837, 179 USPQ 262 (D.C. Cir. 1973)	706.03(w)	Process Control Corp. v. HydReclaim Corp., 190 F.3d 1350, 52 USPQ2d 1029 (Fed. Cir. 1999)	2111.01, 2173.05(a)
Platner, In re, 155 USPQ 222 (Comm'r Pat. 1967)	1504.05	Protein Found., Inc. v. Brenner, 260 F. Supp 519, 151 USPQ 561 (D.D.C. 1966)	706.02(a)
Pleuddemann, In re, 910 F.2d 823, 15 USPQ2d 1738 (Fed. Cir. 1990)	2116.01	Purdue Pharma L.P. v. Faulding, Inc., 230 F.3d 1320, 56 USPQ2d 1481 (Fed. Cir. 2000)	2163, 2163.05
Plockinger, In re, 481 F.2d 1327, 179 USPQ 103 (CCPA 1973)	2317	Quad Environmental Technologies Corp. v. Union Sanitary District, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991)	804.02
Plumb, In re, 470 F.2d 1403, 176 USPQ 323 (CCPA 1973)	715.03	Quadranti, Ex parte, 25 USPQ2d 1071 (Bd. Pat. App. & Inter. 1992)	2144.06
Polumbo v. Don-Joy Co., 762 F.2d 969, 226 USPQ 5 (Fed. Cir. 1985)	2183, 2184	Quayle, Ex parte, 25 USPQ 74, 1935 C.D. 11, 453 O.G. 213 (Comm'r Pat. 1935)	710.02(b), 713.04, 714.03, 714.14, 714.15, 2266.01
Popoff v. Orchin, 144 USPQ 762 (Bd. Pat. Int. 1963)	2371	Rackham, Ex parte, 1923 C.D. 4 (Comm'r Pat. 1922)	901.05
Porter, Ex parte, 25 USPQ2d 1144 (Bd. Pat. App. & Inter. 1992)	608.01(n), 2173.05(e), 2173.05(f), 2173.05(q)	Radio Corp. of America v. Radio Eng'g Labs., Inc., 293 U.S. 1, 21 USPQ 353 (1934)	2138.01
Portola Packaging, Inc., In re, 110 F.3d 786, 42 USPQ2d 1295 (Fed. Cir. 1997)	2242, 2244, 2246, 2247, 2258	Radio Steel and Mfg. Co. v. MTD Products, Inc., 731 F.2d 840, 221 USPQ 657 (Fed. Cir. 1984)	2173.05(j)
Potter v. Dann, 201 USPQ 574 (D.D.C. 1978)	711.03(c)	Rainer, In re, 305 F.2d 505, 134 USPQ 343 (CCPA 1962)	2124
Pottier, In re, 376 F.2d 328, 153 USPQ 407 (CCPA 1967)	2107.02	Rainer, In re, 390 F.2d 771, 156 USPQ 334 (CCPA 1968)	715.03
Powell, Ex parte, 37 USPQ 285, 1938 C.D. 15, 489 O.G. 231 (Bd. App. 1938)	715.01(c)	Ralston Purina Co. v. Far-Mar-Co., Inc., 772 F.2d 1570, 227 USPQ 177 (Fed. Cir. 1985)	2163.02
Power Controls Corp., v. Hybrinetics, Inc., 806 F.2d 234, 231 USPQ 774 (Fed. Cir. 1986)	1504.01(c)	Rapoport v. Dement, 254 F.3d 1053, 59 USPQ2d 1215 (Fed. Cir. 2001)	2111.01
PPG Ind. v. Guardian Ind., 75 F.3d 1558, 37 USPQ2d 1618 (Fed. Cir. 1996)	2164.06(b)	Rasmussen, In re, 650 F.2d 1212, 211 USPQ 323 (CCPA 1981)	706.03(o), 1504.04, 2163, 2163.01, 2163.04, 2163.05, 2163.06
PPG Industries v. Guardian Industries, 156 F.3d 1351, 48 USPQ2d 1351 (Fed. Cir. 1998)	2111.03, 2163		

LIST OF DECISIONS CITED

Ratny, In re, 24 USPQ2d 1713 (Comm'r Pat. 1992)	323	Rekers, In re, 203 USPQ 1034 (Comm'r Pat. 1979)	804.03
Ratti, In re, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).	2143.01	Remark, Ex parte, 15 USPQ2d 1498 (Bd. Pat. App. & Inter. 1990)	716.03, 716.03(b), 2144.08
Ray v. Lehman, 55 F.3d 606, 34 USPQ2d 1786 (Fed. Cir. 1995)	2590	Remington, Ex parte, 1905 C.D. 28, 114 O.G. 694 (Comm'r Pat. 1904).	1503.01
Raytek, Inc. v. Solfan Systems, Inc., 211 USPQ 405 (N.D. Cal., 1981)	2286	Republic Indus., Inc. v. Schlage Lock Co. 593 F.2d 963, 200 USPQ 769 (7th Cir. 1979)	2141
Raytheon v. Roper, 724 F.2d 951, 220 USPQ 592 (Fed. Cir. 1983).	2107.02, 2164.08	Reuge, Ex parte, 115 USPQ 51 (Bd. Pat. App. & Inter. 1957).	901.05, 901.05(b)
RCA v. Applied Digital Data Sys., Inc., 467 F. Supp 99, 201 USPQ 451 (D. Del. 1979).	1442.05, 1442.05(b)	Reuter, In re, 651 F.2d 751, 210 USPQ 249 (CCPA 1981)	1901.06
RCA Corp. v. Data Gen. Corp., 887 F.2d 1056, 12 USPQ2d 1449 (Fed. Cir. 1989)	2133.03, 2133.03(b), 2133.03(e)(3)	Rexnord Corp. v. Laitram Corp., 274 F.3d 1336, 60 USPQ2d 1851 (Fed. Cir. 2001).	2111.01
Reading & Bates Construction Co. v. Baker Energy, 748 F.2d 645, 223 USPQ 1168 (Fed. Cir. 1984)	2129	Rey-Bellet v. Engelhardt, 493 F.2d 1380, 181 USPQ 453 (CCPA 1974)	2107.02, 2138.05
Rebstock v. Flouret, 191 USPQ 342 (Bd. Pat. Inter. 1975).	2138.06	Reynolds, In re, 443 F.2d 384, 170 USPQ 94 (CCPA 1971)	2163.07(a)
Reckitt & Colman Products Ltd., In re, 230 USPQ 369 (Comm'r Pat. & Tm. 1986)	2755.01	Reynolds Metal Co. v. Acorn Building Components, Inc., 548 F.2d 155, 192 USPQ 737 (6th Cir. 1977).	608.01(h)
Recreative Technologies, In re, 83 F.3d 1394, 38 USPQ2d 1776 (Fed. Cir. 1996)	2242, 2244, 2246, 2258	Reynolds Metal Co. v. Aluminum Co. of America, 457 F. Supp. 482, 198 USPQ 529 (N.D. Ind. 1978).	1442.05(a)
Red Cross Mfg. v. Toro Sales Co., 525 F.2d 1135, 188 USPQ 241 (7th Cir. 1975).	2133.03(e)(1)	Richardson, Ex Parte, 1906 Dec. Comm'r Pat. 83 (1905)	711.03(c)
Reed v. Quigg, 110 F.R.D. 363, 230 USPQ 2 (D.D.C. 1986).	2279	Richardson v. Suzuki Motor Co., 868 F.2d 1226, 9 USPQ2d 1913 (Fed. Cir. 1989)	2131
Reeves Bros., Inc. v. U.S. Laminating Corp., 282 F. Supp. 118, 157 USPQ 235 (E.D. N.Y. 1968)	901.05	Richardson-Vicks, Inc. v. The Upjohn Co., 122 F.3d 1476, 44 USPQ2d 1181 (Fed. Cir. 1997).	716.01(d)
Refac Int'l Ltd. v. Lotus Development Corp., 81 F.3d 1576, 38 USPQ2d 1665 (Fed. Cir. 1996).	410	Richman, In re, 409 F.2d 269, 161 USPQ 359 (CCPA 1969)	1412.02
Regents of the University of California v. Eli Lilly & Co., 119 F.3d 1559, 43 USPQ2d 1398 (Fed. Cir. 1997).	2106, 2111.03, 2163, 2163.02, 2163.03	Riegger v. Beierl, 1910 C.D. 12, 150 O.G. 826 (Comm'r Pat. 1910)	604.06
Reid, In re, 179 F.2d 998, 84 USPQ 478 (CCPA 1950).	716.07	Rieser v. Williams, 225 F.2d 419, 118 USPQ 96 (CCPA 1958).	2138.06, 2307
		Rijckaert, In re, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993)	2112, 2141.02, 2144.08
		Rinehart, Ex parte, 10 USPQ2d 1719 (Bd. Pat. App. & Inter. 1985)	2404.01
		Rinehart, In re, 531 F.2d 1048, 189 USPQ 143 (CCPA 1976)	2107.02, 2142, 2143.02, 2144.04

MANUAL OF PATENT EXAMINING PROCEDURE

Robbins Co. v. Lawrence Mfg. Co., 482 F.2d 426, 178 USPQ 577 (9th Cir. 1973)	2133.03(d), 2133.03(e)(1), 2133.03(e)(4)	Royka, In re, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)	2143.03
Roberts, In re, 470 F.2d 1399, 176 USPQ 313 (CCPA 1973)	2181	Rubber-Tip Pencil Co. v. Howard, 87 U.S. (20 Wall.) 498 (1874)	2106
Robertson, In re, 169 F.3d 743, 49 USPQ2d 1949 (Fed. Cir. 1999)	2112, 2114, 2163, 2163.07(a)	Rubin, Ex parte, 128 USPQ 440 (Bd. App. 1959).	2144.04
Robins, In re, 429 F.2d 452, 166 USPQ 552 (CCPA 1970)	2163	Rubinfield, In re, 270 F.2d 391, 123 USPQ 210 (CCPA 1959).	1504.05
Robotic Vision Sys. v. View Eng'g, Inc., 112 F.3d 1163, 42 USPQ2d 1619 (Fed. Cir. 1997)	2106	Ruff, In re, 256 F.2d 590, 118 USPQ 340 (CCPA 1958).	2144.06
Roche Products v. Bolar Pharmaceuticals, 733 F.2d 858, 221 USPQ 937 (Fed. Cir. 1984)	2750	Ruscetta, In re, 255 F.2d 687, 118 USPQ 101 (CCPA 1958)	201.11, 2004, 2217, 2218
Rodime PLC v. Seagate Technology, Inc., 174 F.3d 1294, 50 USPQ2d 1429 (Fed. Cir. 1999)	2181	Ruschig, In re, 343 F.2d 965, 145 USPQ 274 (CCPA 1965)	2144.08
Rogoff, In re, 261 F.2d 601, 120 USPQ 185 (CCPA 1958)	1412.03, 2258	Ruschig, In re, 379 F.2d 990, 154 USPQ 118 (CCPA 1967)	2163, 2163.05
Rohm & Haas Co. v. Crystal Chem.Co., 722 F.2d 1556, 200 USPQ 289 (Fed. Cir. 1983)	410	Ruskin, In re, 347 F.2d 843, 146 USPQ 211 (CCPA 1965)	2114
Rohm & Haas Co. v. Mobil Oil Corp., 462 F. Supp. 732, 201 USPQ 80 (D. Del. 1978)	1442.05(a)	Ruskin, In re, 354 F.2d 395, 148 USPQ 221 (CCPA 1966)	2107.01
Rohm & Haas Co. v. Roberts Chem., Inc., 142 F. Supp. 499, 110 USPQ 93 (S.W. Va. 1956)	1403	Russell, In re, 239 F.2d 387, 112 USPQ 58 (CCPA 1956)	1504.05
Rose, In re, 220 F.2d 459, 105 USPQ 237 (CCPA 1955).	2144.04	Russell, In re, 439 F.2d 1228, 169 USPQ 426 (CCPA 1971)	706.03(w)
Rosen, In re, 673 F.2d 388, 213 USPQ 347 (CCPA 1982)	1503.01, 1504.03, 2141.01(a)	Rutan, In re, 231 USPQ 864 (Comm'r Pat. 1986)	150
Rosenberg, Ex parte, 46 USPQ 393 (Bd. App. 1939)	1610	Ruth, In re, 278 F.2d 729, 126 USPQ 155 (CCPA 1960).	1412.03, 2258
Rosenblum v. Hiroshima, 220 USPQ 383 (Comm'r Pat. 1983)	1206	Ryco, Inc. v. Ag-Bag Corp., 857 F.2d 1418, 8 USPQ2d 1323 (Fed. Cir. 1988)	2144.07
Rothermel, In re, 276 F.2d 393, 125 USPQ 328 (CCPA 1960).	716.01	Rydeen v. Quigg, 748 F. Supp 900, 16 USPQ2d 1876 (D.D.C. 1990)	2590
Rouffet, In re, 149 F.3d 1350, 47 USPQ2d 1453 (Fed. Cir. 1998)	1216.01, 2143.01	Ryko Manufacturing Co. v. Nu-Star, Inc., 950 F.2d 714, 21 USPQ2d 1053 (Fed. Cir. 1991).	2141.03, 2144.08
Rowand, In re, 526 F.2d 558, 187 USPQ 487 (CCPA 1975)	1412.01	S, In re Application of, 8 USPQ2d 1630 (Comm'r Pat. 1988).	711.03(c)
Rowe v. Dror, 112 F.3d 473, 42 USPQ2d 1550 (Fed. Cir. 1997)	2111.02, 2303	Sage Prods., Inc. v. Devon Indus., Inc., 126 F.3d 1420, 44 USPQ2d 1103 (Fed. Cir. 1997)	2181
		Sakraida v. Ag Pro, Inc., 425 U.S. 273, 189 USPQ 449 (1979).	716.01(a), 2141
		Salmon, In re, 705 F.2d 1579, 217 USPQ 981 (Fed. Cir. 1983)	1504.04, 1504.20
		Salsbury, Ex parte, 38 USPQ 149 (Comm'r Pat. 1938).	1504.04
		Samour, In re, 571 F.2d 559, 197 USPQ 1 (CCPA 1978).	2131.01

LIST OF DECISIONS CITED

Sampson v. Ampex Corp., 463 F.2d 1042, 174 USPQ 417 (2d Cir. 1972)	201.06(d)	Schier, Ex parte, 21 USPQ2d 1016 Bd. Pat. App. & Inter. 1991)	1206
Sampson v. Comm'r Pat., 195 USPQ 136 (D.D.C. 1976)	1402	Schlittler, In re, 234 F.2d 882, 110 USPQ 304 (CCPA 1956)	2128.02
Sampson v. Dann, 466 F. Supp. 965, 201 USPQ 15 (D.D.C. 1978)	1308	Schnell, In re, 46 F.2d 203, 8 USPQ 19 (CCPA 1931)	1504.01
Sanford, Ex parte, 1914 C.D. 69, 204 O.G. 1346 (Comm'r Pat. 1914)	1504.05	Schneller, In re, 397 F.2d 350, 158 USPQ 210 (CCPA 1968)	804, 1504.06
Sapp, In re, 324 F.2d 1021, 139 USPQ 552 (CCPA 1963)	1504.03	Schoenwald, In re, 964 F.2d 1122, 22 USPQ2d 1671 (Fed. Cir. 1992)	2122
Sarett, In re, 327 F.2d 1005, 140 USPQ 474 (CCPA 1964)	804	Schrader, In re, 22 F.3d 290, 30 USPQ2d 1445 (Fed. Cir. 1994)	2106
Sarkar, In re, 575 F.2d 870, 197 USPQ 788 (CCPA 1978)	724	Schreiber, In re, 128 F.3d 1473, 44 USPQ2d 1429 (Fed. Cir. 1997)	2111.02, 2112, 2114
Sarkar, In re, 588 F.2d 1330, 200 USPQ 132 (CCPA 1978)	2106	Schulze, In re, 346 F.2d 600, 145 USPQ 716 (CCPA 1965)	716.01(c), 2106.02, 2145
Sasajima, Ex parte, 212 USPQ 103 (Bd. App. 1981)	716.02(f)	Schuurs, In re, 218 USPQ 443 (Comm'r Pat. 1983)	1481
Sasse, In re, 629 F.2d 675, 207 USPQ 107 (CCPA 1980)	716.07, 2121, 2121.02	Schwab v. Pittman, 451 F.2d 637, 172 USPQ 69 (CCPA 1971)	2308.02
Sauder Indus., Inc. v. Carborundum Co., 201 USPQ 240 (N.D. Ohio 1978)	1442.05(a)	Schwarze, Ex parte, 151 USPQ 426 (Bd. App. 1966)	608.01(p)
Saunders, Ex parte, 1883 C.D. 23, 23 O.G. 1224 (Comm'r Pat. 1883)	715.07	Scott, In re, 323 F.2d 1016, 139 USPQ 297 (CCPA 1963)	2144.06
Saunders, In re, 444 F.2d 599, 170 USPQ 213 (CCPA 1971)	716.02(f), 2142, 2172	Scott v. Brandenburger, 216 USPQ 326 (Bd. App. 1982)	2137
Scaltech, Inc. v. Retec/Tetra, L.L.C., 269 F.3d 1321, 60 USPQ2d 1687 (Fed. Cir. 2001)	2133.03(c)	Scott v. Finney, 34 F.3d 1058, 32 USPQ2d 1115 (Fed. Cir. 1994)	2107.01, 2107.03, 2164.05
Scarborough, In re, 500 F.2d 560, 182 USPQ 298 (CCPA 1974)	2106, 2106.01, 2106.02, 2164.06, 2164.06(a)	Scott v. Koyama, 281 F.3d 1243, 61 USPQ2d 1856 (Fed. Cir. 2002)	2138.06
Schaub, In re, 537 F.2d 509, 190 USPQ 324 (CCPA 1976)	715.03	Scragg, In re, 215 USPQ 715 (Comm'r Pat. 1982)	2285
Schauman, In re, 572 F.2d 312, 197 USPQ 5 (CCPA 1978)	2131.02, 2144.08	Scripps Clinic and Res. Found. v. Genen- tech, Inc., 927 F.2d 1565, 18 USPQ2d 1001 (Fed. Cir. 1991)	2165.04, 2411.01
Schechter, In re, 205 F.2d 185, 98 USPQ 144 (CCPA 1953)	2144.08, 2144.09, 2173.05(i)	Scudder, Ex parte, 169 USPQ 814 (Bd. App. 1971)	1402, 1412.04
Scheiber, In re, 587 F.2d 59, 199 USPQ 782 (CCPA 1978)	201.11, 2163.03	Scully Signal Co. v. Electronics Corp. of America, 570 F.2d 355, 196 USPQ 657 (1st Cir. 1977)	716.04
Schenck v. Nortron Corp., 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983)	2141.02, 2144.04	Seal-Flex, Inc. v. Athletic Track and Court Construction, 172 F.3d 836, 50 USPQ2d 1225 (Fed. Cir. 1999)	2181
Schendel v. Curtis, 83 F.3d 1399, 38 USPQ2d 1743 (Fed. Cir. 1996)	2308.02	Searles, In re, 422 F.2d 431, 164 USPQ 623 (CCPA 1970)	602.03, 2132.01
Schering Corp. v. Amgen, Inc., 222 F.3d 1347, 55 USPQ2d 1650 (Fed. Cir. 2000)	2163.07		
Schering-Plough Corp., In re, 1 USPQ2d 1926 (Comm'r Pat. & Tm. 1986)	2760		

MANUAL OF PATENT EXAMINING PROCEDURE

Seattle Box Co. v. Industrial Crating & Packing, Inc., 731 F.2d 818, 221 USPQ 568 (Fed. Cir. 1984)	2173.05(a)	Silvestri v. Grant, 496 F.2d 593, 181 USPQ 706 (CCPA 1974)	2138.04
Seebach, In re, 88 F.2d 722, 33 USPQ 149 (CCPA 1937)	709.01	Simon, In re, 302 F.2d 737, 133 USPQ 524 (CCPA 1962)	2174
Seid, In re, 161 F.2d 229, 73 USPQ 431 (CCPA 1947)	2144.04	Simpson, Ex parte, 218 USPQ 1020 (Bd. App. 1982)	706.03(d), 2173.05(u)
Seiko Epson Corp. v. Nu-Kote Int'l, Inc., 190 F.3d 1360, 52 USPQ2d 1011 (Fed. Cir. 1999)	1504.01(c)	Sinclair & Carroll Co. v. Interchemical Corp., 325 U.S. 327, 65 USPQ 297 (1945)	2144.07
Seiko Koko Kabushiki Kaisha, Ex parte, 225 USPQ 1260 (Bd. App. 1984)	2258	Sitz, In re, 331 F.2d 617, 141 USPQ 505 (CCPA 1964)	2307
Self, In re, 671 F.2d 1344, 213 USPQ 1 (CCPA 1982)	1412.03, 2131.05	Sivaramakrishnan, In re, 673 F.2d 1383, 213 USPQ 441 (CCPA 1982)	2131.02
Semiconductor Energy Laboratory Co. v. Samsung Electronics Co., 204 F.3d 1368, 54 USPQ2d 1001 (Fed. Cir. 2000)	609, 2001.05, 2004	Sivertz, In re, 227 USPQ 255 (Comm'r Pat. 1985)	711.03(c)
Sernaker, In re, 702 F.2d 989, 217 USPQ 1 (Fed. Cir. 1983)	1206, 2144	Sjolund v. Musland, 847 F.2d 1573, 6 USPQ 2020 (Fed. Cir. 1988)	2129
Shaffer Tool Works v. Joy Mfg. Co., 687 F. Supp 80, 167 USPQ 170 (S.D. Tex. 1970)	1701.01	Skil Corp. v. Rockwell Manufacturing Co., 358 F. Supp. 1257, 178 USPQ 562 (N.D. Ill. 1973)	2133.03(e)(3)
Sharp, Ex parte, Pat. No. 2,232,739	820	Skinner, Ex parte, 2 USPQ2d 1788 (Bd. Pat. App. & Inter. 1986)	2142
Shatterproof Glass Corp. v. Libbey-Owens Ford Co., 758 F.2d 613, 225 USPQ 634 (Fed. Cir. 1985)	2133.03(b), 2173.05(a)	Skrivan, In re, 427 F.2d 801, 166 USPQ 85 (CCPA 1970)	2164.08
Shell Development Co. v. Watson, 149 F. Supp 279, 113 USPQ 265 (D. D.C. 1957)	2106	Skuballa, Ex parte, 12 USPQ2d 1570 (Bd. Pat. App. & Inter. 1989)	2173.05(c)
Shepherd, In re, 172 F.2d 560, 80 USPQ 495 (CCPA 1949)	716.07	Sinex, In re, 309 F.2d 488, 135 USPQ 302 (CCPA 1962)	2111.02
Sherwood, In re, 613 F.2d 809, 204 USPQ 537 (CCPA 1980)	608.01(h), 2106.01, 2165.04	Slayter, In re, 276 F.2d 408, 125 USPQ 345 (CCPA 1960)	715.03, 2131.02
Shindelar v. Holdeman, 628 F.2d 1337, 207 USPQ 112 (CCPA 1980)	2138.03	Slip Track Systems, Inc. v. Metal Lite, Inc., 159 F.3d 1337, 48 USPQ2d 1055 (Fed. Cir. 1998)	1449.02
Shohan, Ex parte, 1941 C.D. 1 (Comm'r Pat. 1940)	2307.03	Smernoff, Ex parte, 215 USPQ 545 (Bd. App. 1982)	2137.01, 2133.03(e)
Shokal, In re, 242 F.2d 771, 113 USPQ 283 (CCPA 1957)	715.03	Smith, Ex parte, 1888 C.D. 131, 44 O.G. 1183 (Comm'r Pat. 1888)	806.04(c)
Sichert, In re, 566 F.2d 1154, 196 USPQ 209 (CCPA 1977)	2107.01, 2107.02, 2107.03	Smith, In re, 458 F.2d 1389, 173 USPQ 679 (CCPA 1972)	2163, 2163.05
Signtech USA Ltd. v. Vutek, Inc., 174 F.3d 1352, 50 USPQ2d 1372 (Fed. Cir. 1999)	2181	Smith, In re, 714 F.2d 1127, 218 USPQ 976 (Fed. Cir. 1983)	2133.03(a), 2133.03(b), 2133.03(e)
		Smith v. Diamond, 209 USPQ 1091 (D.D.C. 1981)	711.03(c)
		Smith v. Hayashi, 209 USPQ 754 (Bd. of Pat. Inter. 1980)	2144.06
		Smith v. M & B Sales & Mfg., 13 USPQ2d 2002 (N.D. Cal. 1990)	1504.01(c)

LIST OF DECISIONS CITED

Smith v. Mossinghoff, 671 F.2d 533, 213 USPQ 977 (D.C. Cir. 1982)	711.03(c)	Standard Oil Co. v. Montedison, S.p.A., 494 F. Supp 370, 206 USPQ 676 (D.Del. 1980)	2165.01
Smith Davis Mfg. Co. v. Mellon, 58 F. 705 (8th Cir. 1893)	2133.03(e)(6)	Standish, Ex parte, 10 USPQ2d 1454 (Bd. Pat. App. & Inter. 1988)	716.03(a), 716.03(b), 2138.01
Smyth, In re, 189 F.2d 982, 90 USPQ 106 (CCPA 1951).	716.09	Stanley, Ex parte, 121 USPQ 621 (Bd. App. 1958).	2181
Smythe, In re, 480 F.2d 1376, 178 USPQ 279 (CCPA 1973)	2163, 2163.05, 2163.07(a)	State Street Bank & Trust Co. v. Signa- ture Financial Group Inc., 149 F.3d 1368, 47 USPQ2d 1596 (Fed. Cir. 1998)	2106
Sneed, In re, 710 F.2d 1544, 218 USPQ 385 (Fed. Cir. 1983)	1445, 2111.01, 2145	Steele, In re, 305 F.2d 859, 134 USPQ 292 (CCPA 1959)	2143.03, 2173.06
Snyder, Ex parte, 1904 C.D. 242, 110 O.G. 2636 (Comm'r Pat. 1904).	810.02	Steenbock, In re, 83 F.2d 912, 30 USPQ 45 (CCPA 1936)	201.11
Sobin, Ex parte, 139 USPQ 528 (Bd. App. 1962)	2173.05(t)	Steierman v. Connelly, 192 USPQ 433 (Bd. Pat. Int. 1975)	2004
Soli, In re, 317 F.2d 941, 137 USPQ 797 (CCPA 1963).	2144.02, 2144.03	Steierman v. Connelly, 192 USPQ 446 (Bd. Pat. Int. 1976)	2004
Soll, In re, 97 F.2d 623, 38 USPQ 189 (CCPA 1938).	2164.03	Steierman v. Connelly, 197 USPQ 288 (Comm'r Pat. 1976)	2138.03
Solomon v. Kimberly-Clark Corp., 216 F.3d 1372, 55 USPQ2d 1279 (Fed. Cir. 2000)	2172	Steigerwald, Ex parte, 131 USPQ 74 (Bd. App. 1961).	2173.05(d)
Soni, In re, 54 F.3d 746, 34 USPQ2d 1684 (Fed. Cir. 1995)	707.07(f), 2144.08	Steinberg v. Seitz, 517 F.2d 1359, 186 USPQ 209 (CCPA 1975).	2133.03(c)
Sorenson, Ex parte, 3 USPQ2d 1462 (Bd. Pat. App. & Inter. 1987)	2163.05	Stemniski, In re, 444 F.2d 581, 170 USPQ 343 (CCPA 1971)	2144.08, 2144.09
Southwest Software, Inc. v. Harlequin, Inc., 226 F.3d 1280, 56 USPQ2d 1161 (Fed. Cir. 2000)	1480	Stempel, In re, 241 F.2d 755, 113 USPQ 77 (CCPA 1957)	715.03
Spada, In re, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990)	2112.01	Stencel, In re, 828 F.2d 751, 4 USPQ2d 1071 (Fed. Cir. 1987)	2111.02
Spectra-Physics, Inc. v. Coherent, Inc., 827 F.2d 1524, 3 USPQ2d 1737 (Fed. Cir.)	2164.01(b), 2165.02, 2165.04	Steppan, In re, 394 F.2d 1013, 156 USPQ 143 (CCPA 1967)	2173.05(o)
Spencer, In re, 273 F.2d 181, 124 USPQ 175 (CCPA 1959)	1449.02	Stern, Ex parte, 13 USPQ2d 1379 (Bd. Pat. App. & Inter. 1987)	2144.04
Spiller, In re, 500 F.2d 1170, 182 USPQ 614 (CCPA 1974)	715.02, 715.03	Stevens, Ex parte, 16 USPQ2d 1379 (Bd. Pat. App. & Inter. 1990)	2107.03
Sponnoble, In re, 405 F.2d 578, 160 USPQ 237 (CCPA 1969).	2141.02	Stevens, In re, 173 F.2d 1015, 81 USPQ 362 (CCPA 1949)	1504.01(c)
Staeger v. Commissioner, 189 USPQ 272 (D.D.C. 1976)	409.03(b), 605.04(a)	Stevens, In re, 212 F.2d 197, 101 USPQ 284 (CCPA 1954)	2144.04
Staehelin v. Secher, 24 USPQ2d 1513 (Bd. Pat. App. & Inter. 1992)	2138.04	Stevenson v. International Trade Comm'n, 612 F.2d 546, 204 USPQ 276 (CCPA 1979).	2141.01(a)
Stalego, Ex parte, 154 USPQ 52 (Bd. App. 1966)	901.01, 2127, 2136.02	Stewart Sys. v. Commissioner, 1 USPQ2d 1879 (E.D. Va. 1986).	2258
Stalego v. Heymes, 263 F.2d 334, 120 USPQ 473 (CCPA 1959).	2307		

MANUAL OF PATENT EXAMINING PROCEDURE

Sticker Indus. Supply Corp. v. Blaw-Knox Co., 405 F.2d 90, 160 USPQ 177 (7th Cir. 1968)	201.06(d), 201.11	Swinehart, In re, 439 F.2d 210, 169 USPQ 226 (CCPA 1971)	2114, 2173.01, 2173.05(g), 2183
Stoddard, In re, 213 USPQ 386 (Comm'r Pat. 1982)	2285	Switzer, In re, 166 F.2d 827, 77 USPQ 156 (CCPA 1948)	901.02
Stratoflex, Inc. v. Aeroquip Corp., 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983)	716.01(a), 2141, 2141.01(a), 2141.02, 2144.08	Switzer v. Sockman, 333 F.2d 935, 142 USPQ 226 (CCPA 1964)	1403, 1412.03, 2307
Srijland, Ex parte, 26 USPQ2d 1259 (Bd. Pat. App. & Inter. 1992)	1503.01, 1504.01(a), 1504.04	Sylgab Steel & Wire Corp. v. Imoco-Gateway Corp., 357 F. Supp 657, 178 USPQ 22 (N.D. Ill. 1973)	608.01(h), 2165.01
Striker, In re, 182 USPQ 507 (Comm'r Pat. 1973)	409.03(b), 605.04(a)	Symbol Techs., Inc. v. Opticon, Inc., 935 F.2d 1569, 19 USPQ2d 1241 (Fed. Cir. 1991)	804, 2121.01
Strong v. General Electric Co., 305 F. Supp. 1084, 162 USPQ 141 (N.D. Ga. 1969)	2012, 2133.03(b)	Szwarc, In re, 319 F.2d 277, 138 USPQ 208 (CCPA 1963)	706.03(w)
Stryker, In re, 435 F.2d 1340, 168 USPQ 372 (CCPA 1971)	715.02	Tabuchi v. Nubel, 559 F.2d 1183, 194 USPQ 521 (CCPA 1977)	2404.02
Studiengesellschaft Kohle mbH v. Northern Petrochemical Co., 784 F.2d 351, 228 USPQ 837 (Fed. Cir. 1986)	804.01	Talbott, In re, 443 F.2d 1397, 170 USPQ 281 (CCPA 1971)	901.05, 1504.02, 2135.01
STX LLC. v. Brine, 211 F.3d 588, 54 USPQ2d 1347 (Fed. Cir. 2000)	2111.02, 2133.03(c)	Tallent v. Lemoine, 204 USPQ 1058 (Comm'r Pat. 1979)	2361
Suh v. Hoefle, 23 USPQ2d 1321 (Bd. Pat. App. & Inter. 1992)	2138.05	Tanczyn, In re, 347 F.2d 830, 146 USPQ 298 (CCPA 1965)	715.02
Sun Studs v. ATA Equipment Leasing, Inc., 872 F.2d 978, 10 USPQ2d 1338 (Fed. Cir. 1989)	2136.02, 2136.03	Taner, In re, 681 F.2d 787, 214 USPQ 678 (CCPA 1982)	2106
Sus, In re, 306 F.2d 494, 134 USPQ 301 (CCPA 1962)	2163.05	Tangsrud, In re, 184 USPQ 746 (Comm'r Pat. 1973)	201.14(b)
Susi, In re, 440 F.2d 442, 169 USPQ 423 (CCPA 1971)	2123, 2144.08	Tanke, In re, 213 F.2d 551, 102 USPQ 93 (CCPA 1954)	2307
Suska, In re, 589 F.2d 527, 200 USPQ 497 (CCPA 1979)	2138.03	Tansel, In re, 253 F.2d 241, 117 USPQ 188 (CCPA 1958)	706.02(l)(2)
Swanberg, In re, 129 USPQ 364 (Comm'r Pat. 1960)	608.01	Tarczy-Hornoch, In re, 397 F.2d 856, 158 USPQ 141 (CCPA 1955)	2173.05(v)
Swartz, In re, 232 F.3d 862, 56 USPQ2d 1703 (Fed. Cir. 2000)	2107.01, 2164.07	Teague, In re, 254 F.2d 145, 117 USPQ 284 (CCPA 1958)	715.05, 804.02
Sweet, In re, 136 F.2d 722, 58 USPQ 327 (CCPA 1943)	1211.01	Technicon Instruments Corp. v. Alpkem Corp., 664 F. Supp 1558, 2 USPQ2d 1729 (D. Ore 1986)	2164.05(a)
Swet, In re, 145 F.2d 631, 172 USPQ 72 (CCPA 1971)	1504.06	Tennant v. Hako Minuteman, 4 USPQ2d 1167 (N.D. Ill. 1987)	2293
		Tenney, In re, 254 F.2d 619, 117 USPQ 348 (CCPA 1958)	2128.01
		Texas Instruments, Inc. v. Int'l Trade Comm'n, 988 F.2d 1165, 26 USPQ2d 1018 (Fed. Cir. 1993)	716.04

LIST OF DECISIONS CITED

Theis, In re, 610 F.2d 786, 204 USPQ 188 (CCPA 1979)	2133.03(b), 2133.03(e)(1), 2133.03(e)(3), 2133.03(e)(6)	Toro Co. v. White Consol. Indus., Inc., 199 F.3d 1295, 53 USPQ2d 1065 (Fed. Cir. 1999)	2106, 2111.01
The Gentry Gallery, Inc. v. The Berkline Corp., 134 F.3d 1473, 45 USPQ2d 1498 (Fed. Cir. 1998)	2163.05	Touval v. Newcombe, 194 USPQ 509 (Comm'r Pat. 1976)	2301.02
The NutraSweet Co., Ex parte, 19 USPQ2d 1586 (Bd. Pat. App. & Inter. 1991)	716.02	Townsend, In re, 1913 C.D. 55 (Comm'r Pat. 1929)	720.05
Theodor Groz & Sohne & Ernst Beckert Nadelfabrik KG v. Quigg, 10 USPQ2d 1787 (D.D.C. 1988)	711.03(c), 2265, 2272	Townsend v. Smith, 36 F.2d 292, 4 USPQ 269 (CCPA 1929)	2138.04
Thibault, Ex parte, 164 USPQ 666 (Bd. App. 1969)	2115	TP Labs., Inc. v. Professional Positioners, Inc., 724 F.2d 965, 220 USPQ 577 (Fed. Cir. 1984)	2133.03(a)
Thomson, Ex parte, 24 USPQ2d 1618 (Bd. Pat. App. & Inter. 1992)	2121.03	Transco Products, Inc. v. Performance Contracting, Inc., 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994)	201.11, 2107.01, 2165.01
Thompson v. Hamilton, 152 F.2d 994, 68 USPQ 161 (CCPA 1946)	2307	Transmatic, Inc. v. Gulton Indus., Inc., 601 F.2d 904, 202 USPQ 559 (6th Cir. 1979)	1504.06
Thorington, In re, 418 F.2d 528, 163 USPQ 644 (CCPA 1969)	804, 1504.06	Trevette, Ex parte, 1901 C.D. 170, 97 O.G. 1173 (Comm'r Pat. 1901)	820
Thorpe, In re, 777 F.2d 695, 227 USPQ 964 (Fed. Cir. 1985)	2113	Trimless Cabinets, In re, 128 USPQ 95 (Comm'r Pat. 1960)	103
Thumm, Ex parte, 132 USPQ 66 (Bd. App. 1961)	716.02	Tronzo v. Biomet, Inc., 156 F.3d 1154, 47 USPQ2d 1829 (Fed. Cir. 1998)	201.11, 2163, 2163.03, 2163.05
Tiffin, In re, 443 F.2d 394, 170 USPQ 88 (CCPA 1971)	716.04, 2142	Tucker, Ex parte, 1901 C.D. 140, 47 O.G. 187 (Comm'r Pat. 1901)	1503.02
Tiffin, In re, 448 F.2d 791, 171 USPQ 294 (CCPA 1971)	716.03(a)	Tucker v. Naito, 188 USPQ 260 (Bd. Pat. Inter. 1975)	2137.01
Tillotson Ltd. v. Walbro Corp., 831 F.2d 1033, 4 USPQ2d 1450 (Fed. Cir. 1987)	1412.03,	Tucker v. Natta, 171 USPQ 494 (Bd. Pat. Inter. 1971)	2138.06
Titanium Metals Corp. of America v. Banner, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985)	2112.01, 2131.01, 2131.03, 2144.05	Tucker Aluminum Prods. v. Grossman, 312 F.2d 393, 136 USPQ 244 (9th Cir. 1963)	2133.03(e)(1)
Tol-O-Matic, Inc. v. Proma Produkt-Und Mktg. Gesellschaft m.b.H., 945 F.2d 1546, 20 USPQ2d 1332 (Fed. Cir. 1991)	2107.02	Twin Disc, Inc. v. United States, 231 USPQ 417 (Cl. Ct. 1986)	2131.05
Toma, In re, 575 F.2d 872, 197 USPQ 852 (CCPA 1978)	2106	Tytgat, Ex parte, 225 USPQ 907 (Bd. App. 1985)	2363.03
Tomlinson, In re, 363 F.2d 928, 150 USPQ 623 (CCPA 1966)	2112.02	UMC Elecs. Co. v. United States, 816 F.2d 647, 2 USPQ2d 1465 (Fed. Cir. 1987)	804, 2133.03(c), 2163
Tone Brothers, Inc. v. Sysco Corp., 28 F.3d 1192, 31 USPQ2d 1321 (Fed. Cir. 1994)	1504.02, 2133.03(e)(6)	Unidynamics Corp. v. Automatic Prod. Int'l, 157 F.3d 1311, 48 USPQ2d 1099 (Fed. Cir. 1998)	2181
Toro Co. v. L.R. Nelson Corp., 223 USPQ 636 (C.D. Ill. 1984)	2286	Unimed, Inc. v. Quigg, 888 F.2d 826, 12 USPQ2d 1644 (Fed. Cir. 1989)	2754.01

MANUAL OF PATENT EXAMINING PROCEDURE

Union Carbide Corp. v. Borg-Warner Corp., 550 F.2d 355, 193 USPQ 1 (6th Cir. 1977)	608.01(h), 2165	Van Geuns, In re, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993)	2145
Union Oil of Cal. v. Atlantic Richfield Co., 208 F.3d 989, 54 USPQ2d 1227 (Fed. Cir. 2000)	2163.05	Van Langenhoven, In re, 458 F.2d 132, 173 USPQ 426 (CCPA 1972)	201.11, 2004, 2135.01, 2217, 2258
Union Pacific Resources Co. v. Chesapeake Energy Corp., 236 F.3d 684, 57 USPQ2d 1293 (Fed. Cir. 2001)	2164.06(a)	Vanmoor v. Wal-Mart Stores, Inc., 201 F.3d 1363, 53 USPQ2d 1377 (Fed. Cir. 2000)	2133.03(c)
Uniroyal, Inc. v. Rudkin-Wiley Corp., 837 F.2d 1044, 5 USPQ2d 1434 (Fed. Cir. 1988)	2144.08	Van Ornum, In re, 686 F.2d 937, 214 USPQ 761 (CCPA 1982)	804, 804.02
United States v. Adams, 383 U.S. 39, 148 USPQ 479 (1966)	716.01(b), 716.04, 2145	Van Otteren v. Hafner, 278 F.2d 738, 126 USPQ 151 (CCPA 1960)	2336
United States v. Morgan, 313 U.S. 409, 61 S. Ct. 999 (1941)	1701.01	Varga, Ex Parte, 189 USPQ 209 (Bd. App. 1973)	2012.01
United States v. Teletronics, Inc., 857 F.2d 778, 8 USPQ2d 1217 (Fed. Cir. 1988)	2164.01, 2164.06	Vas-Cath, Inc. v. Mahurkar, 935 F.2d 1555, 19 USPQ2d 1111 (Fed. Cir. 1991)	1504.20, 2161, 2163, 2163.02, 2164, 2181
United States Indus. Chem., Inc. v. Carbide and Carbon Chem. Corp., 315 U.S. 668, 53 USPQ 6 (1942)	1411.02	Venezia, In re, 530 F.2d 956, 189 USPQ 149 (CCPA 1976)	2163, 2163.05, 2172.01, 2173.05(g)
U.S. Industries v. Norton Co., 210 USPQ 94 (N.D. N.Y. 1980)	2004	Venner, In re, 262 F.2d 91, 120 USPQ 193 (CCPA 1958)	2106, 2144.04
Ushakoff v. United States, 327 F.2d 669, 140 USPQ 341 (Ct. Cl. 1964)	2133.03(e)(1)	Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987)	2131
Utschig, Ex parte, 156 USPQ 156 (Bd. App. 1966)	2137.01	Vickers, In re, 141 F.2d 522, 61 USPQ 122 (CCPA 1944)	2164.03
Vaeck, In re, 947 F.2d 448, 20 USPQ2d 1438 (Fed. Cir. 1991)	706.02(j), 904.01(d), 2107.01, 2142, 2143, 2144.08, 2164.01, 2164.01(c), 2164.03, 2164.06(b), 2164.08	Vincent v. Mossinghoff, 230 USPQ 621 (D.D.C. 1985)	513, 711.03(c)
Valmont Industries, Inc. v. Reinke Manufacturing Co., 983 F.2d 1039, 25 USPQ2d 1451 (Fed. Cir. 1993)	2183, 2184, 2186	Vogel, In re, 422 F.2d 438, 164 USPQ 619 (CCPA 1970)	804, 804.02, 1504.06, 2111.01
Vamco Machine and Tool, Inc., In re, 752 F.2d 1564, 224 USPQ 617 (Fed. Cir. 1985)	716.03(b), 2286	Von Brimer v. Whirlpool Corp., 536 F.2d 838, 190 USPQ 528 (9th Cir. 1976)	1208.03
Vandenberg v. Dairy Equipment Co., 740 F.2d 1560, 224 USPQ 195 (Fed. Cir. 1984)	716.06	Wadlinger, In re, 496 F.2d 1200, 181 USPQ 826 (CCPA 1974)	1412.02
Vander Wal, Ex parte, 109 USPQ 119, 1956 C.D. 11, 705 O.G. 5 (Bd. Pat. App. 1955)	608.04(a)	Wagenhorst, In re, 62 F.2d 831, 16 USPQ 126, 20 CCPA 829 (CCPA 1933)	715.05
Van Esdonk, In re, 187 USPQ 671 (Comm'r Pat. 1975)	201.06(a), 201.16, 1481	Wagner, In re, 371 F.2d 877, 152 USPQ 552 (CCPA 1967)	716.02
		Wahl v. Rexnord, Inc., 624 F.2d 1169, 206 USPQ 865 (3rd Cir. 1980)	1504.06
		Wakefield, In re, 422 F.2d 897, 164 USPQ 636 (CCPA 1970)	715.02, 2173.05(i)
		Waldeck v. Lewis, 120 USPQ 88 (Comm'r Pat. 1955)	2309.01
		Waldemar Link, GmbH & Co. v. Osteonics Corp., 32 F.3d 556, 31 USPQ2d 1855 (Fed. Cir. 1994)	706.03(o)

LIST OF DECISIONS CITED

Walsdorf v. Commissioner, 229 USPQ 559 (D.D.C. 1986)	1216.02	Weiss, In re, 989 F.2d 1202, 26 USPQ2d 1885 (Fed. Cir. 1993)	2111.01
Walsh v. Sakai, 167 USPQ 465 (Comm'r Pat. 1970)	2337	Wells v. Fremont, 177 USPQ 22 (Bd. Pat. Inter. 1972)	2138.05
Walter, In re, 618 F.2d 758, 205 USPQ 397 (CCPA 1980)	2183, 2184	Wende v. Horine, 225 F. 501 (7th Cir. 1915)	2133.03(b)
Wands, In re, 858 F.2d 731, 8 USPQ2d 1400 (Fed. Cir. 1988)	2164.01, 2164.01(a), 2164.06, 2164.06(b)	Wertheim, In re, 541 F.2d 257, 191 USPQ 90 (CCPA 1976)	1302.01, 2144.05, 2163, 2163.03, 2163.04, 2163.05
Wang Labs., Inc. v. Toshiba Corp., 993 F.2d 858, 26 USPQ2d 1767 (Fed. Cir. 1993)	2164.01, 2141.01(a), 2163, 2164.06, 2164.06(b)	Wertheim, In re, 646 F.2d 527, 209 USPQ 554 (CCPA 1981)	2136.03
Ward, In re, 236 F.2d 428, 111 USPQ 101 (CCPA 1956)	715.05, 804.02	Western Elec. Co. v. Piezo Technology, Inc., 860 F.2d 428, 8 USPQ2d 1853 (Fed. Cir 1988)	1701.01
Warmerdam, In re, 33 F.3d 1354, 31 USPQ2d 1754 (Fed. Cir. 1994)	2106	Weston, Ex parte, 1911 C.D. 218, 173 O.G. 285 (Comm'r Pat. 1911)	810.02
Warner, In re, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967)	2142	Wetmore v. Quick, 536 F.2d 937, 190 USPQ 223 (CCPA 1976)	2138.05, 2308.02
Warner-Jenkinsen Co. v. Hilton Davis Chemical Co., 520 U.S. 17, 41 USPQ2d 1865 (1997)	2183, 2184, 2186	Wetterau, In re, 356 F.2d 556, 148 USPQ 499 (CCPA 1966)	804
Water Technologies Corp. v. Calco Ltd., 850 F.2d 660, 7 USPQ2d 1097 (Fed. Cir. 1988)	2111.03	White, Ex parte, 759 O.G. 783 (Bd. App. 1958)	2173.05(o)
Watkinson, In re, 900 F.2d 230, 14 USPQ2d 1407 (Fed. Cir. 1990)	1201, 1402, 1450	White, In re, 405 F.2d 904, 160 USPQ 417 (CCPA 1969)	804
Watson, In re, 517 F.2d 465, 186 USPQ 11 (CCPA 1975)	2107.01, 2107.03	White Consol. Indus. v. Vega Servo-Con- trol, Inc., 214 USPQ 796 (S.D. Mich. 1982)	608.01(p), 2106.01, 2106.02
Watson v. Allen, 254 F.2d 342, 117 USPQ 68 (D.C. Cir. 1958)	2133.03(e)(3), 2133.03(e)(7)	Whitelaw, Ex parte, 1915 C.D. 18, 219 O.G. 1237 (Comm'r Pat. 1914)	2173.05(n)
Watts v. XL Systems, Inc., 232 F.3d 877, 56 USPQ2d 1836 (Fed. Cir. 2000)	2181	Whittle, In re, 454 F.2d 1193, 172 USPQ 535 (CCPA 1972)	2136.05
Waugh, In re, 135 F.2d 627, 57 USPQ 371 (CCPA 1943)	819	Wiechert, In re, 370 F.2d 927, 152 USPQ 247 (CCPA 1967)	2144.09
Waymouth, In re, 499 F.2d 1273, 182 USPQ 290 (CCPA 1974)	716.02	Wiesner v. Weigert, 666 F.2d 582, 212 USPQ 721 (CCPA 1981)	2138.05
Weatherchem Corp. v. J.L. Clark, Inc., 163 F.3d 1326, 49 USPQ2d 1001 (Fed. Cir. 1998)	2133.03(b), 2133.03(c)	Wiggins, In re, 488 F.2d 538, 179 USPQ 421 (CCPA 1973)	2121.02, 2131.04, 2173.02, 2173.05(a)
Webb, Ex parte, 30 USPQ2d 1064 (Bd. Pat. App. & Inter. 1993)	1504.01(c)	Wikdahl, Ex parte, 10 USPQ2d 1546 (Bd. Pat. App. & Inter. 1989)	1412.02, 1412.03,
Webb, In re, 916 F.2d 1553, 16 USPQ2d 1433 (Fed. Cir. 1990)	1504.01(c)	Wilder, In re, 563 F.2d 457, 195 USPQ 426 (CCPA 1977)	2144.08, 2144.09, 2163
Weber, In re, 405 F.2d 1403, 160 USPQ 549 (CCPA 1969)	716.07	Wilder, In re, 736 F.2d 1516, 222 USPQ 369 (Fed. Cir. 1984)	1402, 1414, 2163.05
Weber, In re, 580 F.2d 455, 198 USPQ 328 (CCPA 1978)	803.02	Wilkinson, In re, 304 F.2d 673, 134 USPQ 171 (CCPA 1962)	715.07
		Willien, In re, 74 F.2d 550, 24 USPQ 210 (CCPA 1935)	715

MANUAL OF PATENT EXAMINING PROCEDURE

Willingham, In re, 282 F.2d 353, 127 USPQ 211 (CCPA 1960).....	714.19, 1302.04, 1412.02	Wyer, In re, 655 F.2d 221, 210 USPQ 790 (CCPA 1981).....	901.05, 2127, 2128
Wilson, In re, 311 F.2d 266, 135 USPQ 442 (CCPA 1962)	2124	Yale, In re, 434 F.2d 66, 168 USPQ 46 (CCPA 1970).....	716.07
Wilson, In re, 424 F.2d 1382, 165 USPQ 494, (CCPA 1970).....	2143.03, 2173.06	Yamamoto, In re, 740 F.2d 1569, 222 USPQ 934 (Fed. Cir. 1984).....	2258
Wilson v. Yakel, 1876 C.D. 245 (Comm'r Pat. 1876)	2301.02	Yardley, In re, 493 F.2d 1389, 181 USPQ 331 (CCPA 1974)	1504.03, 1512
Winkhaus, In re, 527 F.2d 637, 188 USPQ 129 (CCPA 1975).....	2173.05(q)	Yarn Processing Patent Validity Litiga- tion, 183 USPQ 65 (5th Cir. 1974)	2128.01
Winkler v. Ladd, 221 F. Supp. 550, 138 USPQ 666 (D.D.C. 1963).....	711.03(c)	York Products, Inc. v. Central Tractor Farm & Family Center, 99 F.3d 1568, 40 USPQ2d 1619 (Fed. Cir. 1996)	2181
Wirt, Ex parte, 1905 C.D. 247, 117 O.G. 599 (Comm'r Pat. 1905).....	714.13	Yoshino, Ex parte, 227 USPQ 52 (Bd. Pat. App. & Inter. 1985)	2141.01
Wise, In re, 340 F.2d 982, 144 USPQ 354 (CCPA 1965).....	1504.01(d)	Young, Ex parte, 18 Gour. 24.....	1213.01
Wiseman, In re, 596 F.2d 1019, 201 USPQ 658 (CCPA 1979)....	2106.02, 2141.02, 2145	Young, In re, 75 F.2d 966, 25 USPQ 69 (CCPA 1935).....	2115
W.L. Gore & Assoc., Inc. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983)....	2132, 2133.03(a), 2133.03(c), 2141.01, 2141.02, 2144.08, 2164.08, 2165.04, 2173.05(a)	Young, In re, 927 F.2d 588, 18 USPQ2d 1089 (Fed. Cir. 1991)	1206, 2143.01
Wolfensperger, In re, 302 F.2d 950, 133 USPQ 537 (CCPA 1962)	2163, 2181	Young v. Dworkin, 489 F.2d 1277, 180 USPQ 388 (CCPA 1974).....	2138.03
Woody, In re, 331 F.2d 636, 141 USPQ 518 (CCPA 1964)	2107.03	Yuasa Battery v. Comm'r, 3 USPQ2d 1143 (D.D.C. 1987).....	2279
Woodruff, In re, 919 F.2d 1575, 16 USPQ2d 1934 (Fed. Cir. 1990).....	2144.05	Zacharin v. United States, 213 F.3d 1366, 55 USPQ2d 1047 (Fed. Cir. 2000) ..	2133.03(e)(3)
Wright, 1876 C.D. 217, 10 O.G. 587 (Comm'r Pat. 1876)	1410.01	Zahn, In re, 617 F.2d 261, 204 USPQ 988 (CCPA 1980).....	1502, 1503.02, 1504.04
Wright, In re, 569 F.2d 1124, 193 USPQ 332 (CCPA 1977)	2125, 2145	Zechall, Ex parte, 194 USPQ 461 (Bd. App. 1973).....	2106, 2164.05(a)
Wright, In re, 866 F.2d 422, 9 USPQ2d 1649 (Fed. Cir. 1989)	2163, 2163.03	Zenith Labs., Inc. v. Bristol-Myers Squibb Co., 19 F.3d 1418, 30 USPQ2d 1285 (Fed. Cir. 1996)	1302.14
Wright, In re, 999 F.2d 1557, 27 USPQ2d 1510 (Fed. Cir. 1993)	2107.01, 2163, 2164.03, 2164.01(a), 2164.04, 2164.05(a), 2164.06(b), 2164.08	Zenitz, In re, 333 F.2d 924, 142 USPQ 158 (CCPA 1964)	716.02(f)
Wu, Ex parte, 10 USPQ 2031 (Bd. Pat. App. & Inter. 1989).....	2144.04, 2173.05(h)	Zickendraht, In re, 319 F.2d 225, 138 USPQ 22 (CCPA 1963).....	804, 804.03, 1504.06
Wu v. Jucker, 167 USPQ 467 (Bd. Pat. Inter. 1968)	2138.05, 2138.06	Ziegler, In re, 443 F.2d 1211, 170 USPQ 129 (CCPA 1971)	804.01
		Ziegler, In re, 992 F.2d 1197, 26 USPQ2d 1600 (Fed. Cir. 1993)	2106, 2107.01, 2107.02, 2163, 2163.03
		Zimmerley, Ex parte, 153 USPQ 367 (Bd. App. 1966).....	2181

LIST OF DECISIONS CITED

Zletz, In re, 893 F.2d 319, 13 USPQ2d
1320 (Fed. Cir. 1989) 715, 2106, 2111.01,
2111.03, 2138, 2171, 2173.05(a), 2181

Zurko, In re, 258 F.3d 1379, 59 USPQ2d
1693 (Fed. Cir. 2001) 2144.03

MANUAL OF PATENT EXAMINING PROCEDURE