

generally state the relationship to, and difference from, other identified subject matter collections. It is intended that each note should guide a user to the extent necessary to reach a decision either to include or exclude an area containing relevant subject matter.

Search notes are not exhaustive and should be regarded as suggestive of additional fields of search, but not as limiting the search. Additionally, since a search note which applies to a particular subclass is rarely repeated for subclasses indented thereunder, it is advisable to review the search notes of all parent subclasses.

902.02(b) Search Cards

Many older subclasses have "search cards" containing the subclass definition in the first shoe of each defined subclass in both the examining group and the Public Search Room.

902.03 Classification Information

Current classification information for U.S. patents is available from the sources indicated below.

902.03(a) Master Classification File (MCF) on Microfilm

A patent number index of domestic patents giving their current original and cross-reference classification is available on microfilm in the Public Search Room. Patent numbers are arranged in both numeric and classified array. The microfilm is updated semiannually, in June and December.

902.03(b) Patent Index

Original and cross-reference classification information for individual patents can be obtained by use of computer terminals located in the Public Search Room or by calling the Patent Index telephone service (see MPEP § 1730). This data is updated bimonthly with new issues and reclassifications.

902.03(c) Subclass Listings

Computer printout listings of patents contained in subclasses may be obtained by request from the Office of Classification Support. Listings can be inclusive or limited by use of a cutoff date or patent number. This data is updated bimonthly with new issues and reclassifications.

902.03(d) Patent Information and Search Tools: the Cassis CD-ROM Series

Access to a great deal of patent information as well as various search tools is available in the Cassis CD-ROM series. These include:

Patents CLASS: Provides a list of all classifications of a patent number and a list of all patent numbers in a classification, showing ORs and XRs.

Patents BIB: Bibliographic information for utility patents issued since 1969 (other patents, since 1977), including issue date, title, current classifications, assignee at time of issue, status (withdrawn, reexamined, extended term, certificate of correction issued or expired due to nonpayment of maintenance fee), and abstracts for the most recent 2 1/2 – 3 years depending on disc space.

Patents ASSIGN: Shows assignment of patent rights recorded at the USPTO from August 1980 to present.

Patents ASSIST: This disc provides a variety of files: Manual of Classification; Manual of Patent Examining Procedure; Index to the U.S. Patent Classification System; Attorneys and Agents Registered to Practice before the U.S. Patent and Trademark Office; Classification Orders Index showing Classes/subclasses abolished or established since 1976; IPC-USPC Concordance; Classification, Art Unit, Supervisory Patent Examiner and Telephone Number (CAST) showing which Art Units examine which art according to classification; Classification Definitions; and Patentee-Assignee File showing assignment of patent rights at time of issue since 1969 for utility patents (other patents, since 1977), and inventor names since 1975.

The above CD-ROMs are text-searchable. Search results can be viewed on-screen, printed, or down-loaded to diskette. Patents CLASS and Patents BIB are updated with new information every two months; Patents ASSIGN and Patents ASSIST are updated every three months.

In addition to the text-searchable discs, USAPat offers full facsimile images on CD-ROM of U.S. patents issued weekly. The backfile includes patents issued since January 1994. Intended as a document delivery system, USAPat allows retrieval of patents by document number only. Excellent printed copies can be obtained using a laser printer.

902.03(e) Automated Patent System (APS)

APS is the PTO online system which allows access to the full text of U.S. patents granted since 1970. In addition, APS provides access to current classification information for all U.S. patents.

902.04 Classification Orders

Classification Orders issue once a month, each Order detailing the changes resulting from a classification project effected that month.

Since classification projects issue monthly throughout the year, orders are used to bridge the gap between the time a project issues and the time the other search tools (Manual, Index, Definitions) are updated.

The order includes the following:

- (A) Either the new class schedules or changes to existing class schedules necessitated by the project;
- (B) The changes to the definitions necessary to support the changes in (A), above;
- (C) Source and disposition lists showing how the old art has been distributed into the newly established subclasses; and
- (D) A revised concordance showing the relationship between the newly established subclasses and their International Patent Classification (IPC) counterparts.

Classification Orders are distributed to classifiers and examiners associated with the reclassification project of the order, to Patent Depository Libraries, and to the Public Search Room. Copies can be obtained through the Group Post Classifier or from the Office of Classification Support.

902.04(a) Reclassification Alert Report

The Reclassification Alert Report is distributed to examiners, classifiers, and technicians each quarter. It lists numerically the classes and subclasses affected by classification orders which issued during the quarter, indicating if the classifications were established, abolished, or had definition changes.

Copies of definitions of newly established subclasses, definition changes to existing subclasses, or entire classification orders are available from the Office of Classification Support.

903 Classification**903.01 Statutory Authority**

The statutory authority for establishing and maintaining a classification system is given in the following statute, which states:

35 U.S.C. 9. *Classification of patents.*

The Commissioner may revise and maintain the classification by subject matter of United States letters patent, and such other patents and printed publications as may be necessary or practicable, for the purpose of determining with readiness and accuracy the novelty of inventions for which applications for patent are filed.

903.02 Basis and Principles of Classification

The basis of classification used in the U.S. Patent and Trademark Office, the principles followed, and the reasons why such principles were adopted are set forth in the booklet *Development and Use of Patent Classification Systems*, which is available in each art unit. The booklet is also available from the Editorial Division of the Office of Classification Support. Since classification is the basic tool of every examiner, this booklet, particularly as it relates to the present classification system, should be carefully studied. Also available is the "Examiner Handbook to the U.S. Patent Classification System" which can be accessed on the PTO Home Page.

903.02(a) New and Revised Classes

The establishment of new classes or subclasses and the revision of old classes are done under the supervision of a patent classifier.

The classifier performing the reclassification is provided with a set of patent copies of the present classification. With these copies, by study and successive groupings, he or she develops an arrangement of the patents which is satisfactory for searching. Usually expert examiner opinion is sought.

The definition of the new class or revised class is written or modified, the lines between the class and other classes are drawn up, and the subclass definitions are established.

The Index to the U.S. Classification System and the Classification Data System files are also updated.

Notification of the new class or subclass is published in a Classification Order, and Supplementary sheets necessary to correct the looseleaf Manual of Classification are published.

Definitions of all revised classes and subclasses are included in Classification Orders.

Board or a court affects existing PTO policy or practice, he or she should bring the matter to the attention of his/her Group Director through normal chain-of-command procedures.

When the Group Director believes that guidance to the Corps is warranted as a result of a decision, the Director should consult with the Deputy Assistant Commissioner for Patent Policy and Projects and provide a draft of the guidance that is recommended as appropriate under the circumstances. The Deputy Assistant Commissioner for Patent Policy and Projects will then consult appropriate Office officials, as necessary, to formulate a recommendation to the Assistant Commissioner for Patents on the policy implications of the opinion.

It may be necessary for the Commissioner, Solicitor, Chief Administrative Patent Judge, A/C for Patents, Deputy A/C for Patent Policy and Projects, Deputy A/C for Patents and Director making the recommendation to meet to review and discuss the policy ramifications of the case enabling the Commissioner to decide how the PTO will proceed.

Communication of the decision on the policy implications of the court or Board decision will normally take place by either notice in the *Official Gazette* and/or via memorandum to PTO personnel. Ultimately, the policy implications of the decision will be officially incorporated into the Manual of Patent Examining Procedure and Patent Academy curriculum materials during the next update cycle for these reference materials.

1730 Information Sources

IN GENERAL

General information about patents, trademarks, products and services offered by the Patent and Trademark Office, and other related information, can be obtained 7 days a week, 24 hours a day, by calling PTO's automated message system at:

800-PTO-9199 or 703-308-HELP
(FAX) 703-305-7786
(TDD) 703-305-7785

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

For questions or concerns relating to other technical trademark matters, the Trademark Assistance Center can be reached at 703-308-9000 or by facsimile at 703-308-7016.

In addition, the PTO web site (<http://www.uspto.gov/>) provides a wealth of information to all users. Of particular interest is the General Information page, which offers links to recent publications (including *Official Gazette* notices back to 1964, the MPEP, press releases, speeches, hearings, and public comments); a variety of searchable and browsable general references (notably PTO addresses and telephone numbers, an employee telephone locator, and the attorneys and agents roster); and major outreach programs (such as the PTDL, Technology Assessment and Forecast, and Public Search Room programs). In addition, the web site allows downloading of a variety of PTO forms (including PCT forms), information on ordering copies of patents and trademarks, a list of all current fees, access to various legal materials, links to related web sites, etc. The PTO web site also offers access to two database collections, i.e., the PatBib Patent Database and the AIDS Patent Database. The PatBib Patent Database provides the public with very flexible and powerful searching of the first-page bibliographic information and abstracts for all patents from January 1, 1976 to the present. It is updated each Tuesday as the O.G. is issued. The AIDS Patent Database is designed to provide AIDS researchers with a central reference to related text and image patent data from selected U.S., European or Japanese Patent Office patents which may be of value in their work. It is updated monthly, or as the contributing offices make data available.

PCT

For questions and information concerning the Patent Cooperation Treaty (PCT), the PCT Help Desk is available to provide assistance and may be reached by telephone at (703) 305-3257 between the hours of 9:00 am and 4:30 pm (EST/EDT), Monday through Friday, or by facsimile at (703) 305-2919, 24 hours a day. In addition, helpful information is available through the internet at the PCT Legal Office page (<http://www.uspto.gov/web/offices/pac/dapps/pct/>) and at the World Intellectual Property Office web site (<http://www.wipo.org/>).

PTO SEARCH AND INFORMATION RESOURCE FACILITIES

The following PTO search and information resource facilities are accessible to the public:

(A) Patent Search Room (Crystal Plaza 3, 1A03) at (703) 308-0595

(Hours: Weekdays, 8:00 a.m. to 8:00 p.m., EST/EDT);

(B) Patent Image Retrieval (Crystal Mall 1, 1A02) at (703) 308-6001

(Hours: Weekdays, 8:00 a.m. to 8:00 p.m., EST/EDT);

(C) Patent Assignment Search Room (Crystal Plaza 3, 2C03) at (703) 308-2768

(Hours: Weekdays, 8:30 a.m. to 5:00 p.m., EST/EDT); and

(D) Scientific and Technical Information Center (Crystal Plaza 3/4, 2C08) at (703) 308-0810

(Hours: Weekdays, 8:30 a.m. to 5:00 p.m., EST/EDT).

MISCELLANEOUS

For information and questions concerning recently filed patent applications and filing receipts, contact the Customer Service Center of the Office of Initial Patent Examination at (703) 308-1202 (hours: weekdays, 8:30 a.m. to 5:00 p.m., EST/EDT. For receipt of mail only: weekdays, 8:30 a.m. to 12 midnight, EST/EDT). For information on the status of a patent application, or to order file histories for self-service copying, contact the File Information Unit at (703) 308-2733.

Inquiries regarding certified copies of documents, including patent applications—as-filed, patent related file wrappers, patent copies, and reproduced copies of individual replacement pages or previous revisions of the MPEP, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382. Orders for certified copies may be placed by facsimile when paying by VISA/Mastercard or PTO Deposit Account at (703) 308-7048. Orders for uncertified copies of patents may be placed by phone at (703) 305-8716 or by fax at (703) 305-8759.

Information regarding maintenance fees may be obtained by contacting the Status and Entity Division at (703) 308-5068.

For matters decided by the Office of Petitions, the appropriate PTO personnel may be reached at (703) 305-9282 or by facsimile at (703) 308-6916.

Current patent classification information can be obtained by calling (703) 305-5227.

To obtain a list of registered patent attorneys and agents for a particular area, applicants may either write to the Commissioner of Patents and Trademarks, Box OED, Washington, D.C., 20231, contact a customer service representative through PTO's automated message system (see "In General" above), or acquire the information from the PTO web site.

For information regarding orders for the PatentIn software program, call the Office of Electronic Information Products and Services at (703) 306-2600. For assistance using PatentIn, call (703) 287-0200.

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