

code of federal regulations



37

**Patents, Trademarks,
and Copyrights**

Revised as of July 1, 1978



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37

Patents, Trademarks, and Copyrights

Revised as of July 1, 1978

**CONTAINING
A CODIFICATION OF DOCUMENTS
OF GENERAL APPLICABILITY
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AS OF JULY 1, 1978

With Ancillaries

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Cite this Code C F R
thus: 34 CFR 1.1

Explanation

The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

ISSUE DATES

Each volume of the Code is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

Title 1 through Title 16.....	as of January, 1
Title 17 through Title 27.....	as of April 1
Title 28 through Title 41.....	as of July 1
Title 42 through Title 50.....	as of October 1

The appropriate revision date is printed on the cover of each volume.

LEGAL STATUS

The contents of the Federal Register are required to be judicially noticed (44 U.S.C. 1507). The Code of Federal Regulations is prima facie evidence of the text of the original documents (44 U.S.C. 1510).

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The Code of Federal Regulations is kept up to date by the individual issues of the Federal Register. These two publications must be used together to determine the latest version of any given rule.

To determine whether there have been any amendments since the revision date of the Code volume in which the user is interested (in this case, July 3, 1978) the following two lists must be consulted: the "List of CFR Sections Affected (LSA)" issued monthly and the "Cumulative List of Parts Affected" which appears daily in the Federal Register. These two lists will refer the user to the Federal Register page where he may find the latest amendment of any given rule.

EFFECTIVE DATES

Each volume of the Code contains amendments published in the Federal Register since the last revision of that volume of the Code. Source citations for the regulations are referred to by volume number and page number of the Federal Register and date of publication. Publication dates and effective dates are usually not the same and care must be exercised by the user in determining the actual effective date. In instances where the effective date is beyond the cut-off date for the Code a note has been inserted to reflect the future effective date.

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Provisions that become obsolete before the revision date stated on the cover of each volume are not carried. Code users may find the text of provisions in effect on a given date in the past by using the appropriate numerical list of sections affected. For the period before January 1, 1964, the user should consult the "List of Sections Affected, 1949-1963" published in a separate volume. For the period beginning January 1, 1964, a "List of CFR Sections Affected" is published at the end of each CFR volume.

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An index to the text of Presidential documents appears at the end of each compilation of Title 3, The President.

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A List of CFR Sections Affected (LSA) is published monthly, keyed to the revision dates of the 50 CFR titles.

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FRED J. EMERY,
Director,
Office of the Federal Register.

July 3, 1978.

THIS TITLE

Title 37—PATENTS, TRADEMARKS AND COPYRIGHTS is composed of one volume. The contents of this volume represent all current regulations codified under this title of the CFR as of July 1, 1978.

In this revision, the parts in Chapter I, Subchapter A are regrouped according to subject matter. All parts pertaining to patents—Parts 1, 3, 5, and 7 and the index pertaining to patents appear sequentially. All parts pertaining to trademarks—Parts 2, 4, and 6 and the index pertaining to trademarks follow, also in sequence. Appropriate notes are inserted in the text to guide the user.

The *Code of Federal Regulations* is published under the editorial direction of Robert E. Lewis, assisted by Pearl Einhorn. For this volume, Marie F. Faria Yeast was Chief Editor, and Melanie Yager, Associate Editor.

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Title 37—Patents, Trademarks, and Copyrights

	<i>Part</i>
CHAPTER I—Patent and Trademark Office, Department of Commerce	1
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CHAPTER I—PATENT AND TRADEMARK OFFICE, DEPARTMENT OF COMMERCE

NOTE: Chapter I—Patent and Trademark Office, Department of Commerce, Subchapter A—General, contains patent and trademark regulations. Subchapter A has been restructured to allow parts pertaining to patent regulations and trademark regulations to be grouped separately. Therefore, the parts in Subchapter A are restructured as set forth below.

SUBCHAPTER A—GENERAL

PATENTS

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NOTE: Nomenclature changes affecting Chapter I appear at 40 FR 5158, Feb. 4, 1975.

quest for refund and a statement setting forth reasons for disagreement or why the required additional fees are considered excessive, or both (PCT Rule 40.2(c)).

(b) Protest under paragraph (c) of this section will be examined by the Commissioner or the Commissioner's designee. In the event that the applicant's protest is determined to be justified, the additional fees or a portion thereof will be refunded.

(c) An applicant who desires that a copy of the protest and the decision thereon accompany the international search report when forwarded to the Designated Offices, may notify the International Searching Authority to that effect any time prior to the issuance of the international search report. Thereafter, such notification should be directed to the International Bureau (PCT Rule 40.2(c)).

PART 2—RULES OF PRACTICE IN TRADEMARK CASES

CODIFICATION NOTE: Part 2 is placed in a separate grouping of parts pertaining to trademarks. It appears on page 131 of this volume.

PART 3—FORMS FOR PATENT CASES

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3.1 [Reserved]

3.11 Oath to accompany application for patent.

3.11a Declaration to accompany application for patent.

3.12 Oath to accompany application for patent, by an administrator (or executor).

3.12a Declaration to accompany application for patent by an administrator (or executor).

3.13 Oath not accompanying application.

3.13a Declaration not accompanying application.

3.14 Supplemental oath for amendment presenting claims for matter disclosed but not originally claimed.

3.14a Supplemental declaration for amendment presenting claims for matter disclosed but not originally claimed.

3.16 Combined oath and power of attorney in original application.

3.16a Combined declaration and power of attorney in original application.

3.17 Oath in division or continuation application.

Sec.

3.17a Declaration in division or continuation application.

3.18 Oath in copending application containing additional subject matter.

3.18a Declaration in copending application containing additional subject matter.

3.22 Design patent application; specification.

3.23 Design patent application; oath.

3.23a Design patent application; declaration.

3.25 [Reserved]

3.26 Plant patent application; oath.

3.26a Plant patent application; declaration.

3.28 Reissue application by the inventor, offer to surrender.

3.29 Reissue application by the assignee, offer to surrender.

3.31 Reissue application, oath; by the inventor.

3.31a Reissue application, declaration; by inventor.

3.32 Reissue application, oath; by assignee.

3.32a Reissue application, declaration; by assignee.

3.33 Oath as to loss of letters patent.

3.36 Power of attorney or authorization of agent, not accompanying application.

3.37 Revocation of power of attorney or authorization of agent.

3.39 Amendment.

3.41 Notice of appeal from the Principal Examiner to the Board of Appeals.

3.43 Disclaimer in patent.

3.44 Interference; preliminary statement of domestic inventor.

3.45 Interference; preliminary statement of foreign inventor.

3.46 Interference; disclaimer during interference.

3.47 Interference; notice of taking testimony.

3.48 Interference; form of deposition.

3.49 Interference; certificate of officer.

3.50 Waiver of patent rights.

3.51 Application transmittal letter.

3.52 Amendment transmittal letter.

3.53 Terminal disclaimers in application.

3.54 Division-continuation program application transmittal form.

3.55 A suggested format for the certificate under 37 CFR 1.8(a) to be included with the correspondence.

3.56 Oath to be filed with United States Designated Office under 35 U.S.C. 371(c)(4).

3.57 Declaration to be filed with United States Designated Office under 35 U.S.C. 371(c)(4).

3.61 Symbols for draftsmen.

AUTHORITY: 35 U.S.C. 6, unless otherwise noted.

Source: 42 FR 27883, June 1, 1977, unless otherwise noted.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature.....

Date

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Citizenship.....
Post Office Address

Full name of second joint inventor, if
any.....
Second Inventor's signature.....

Date

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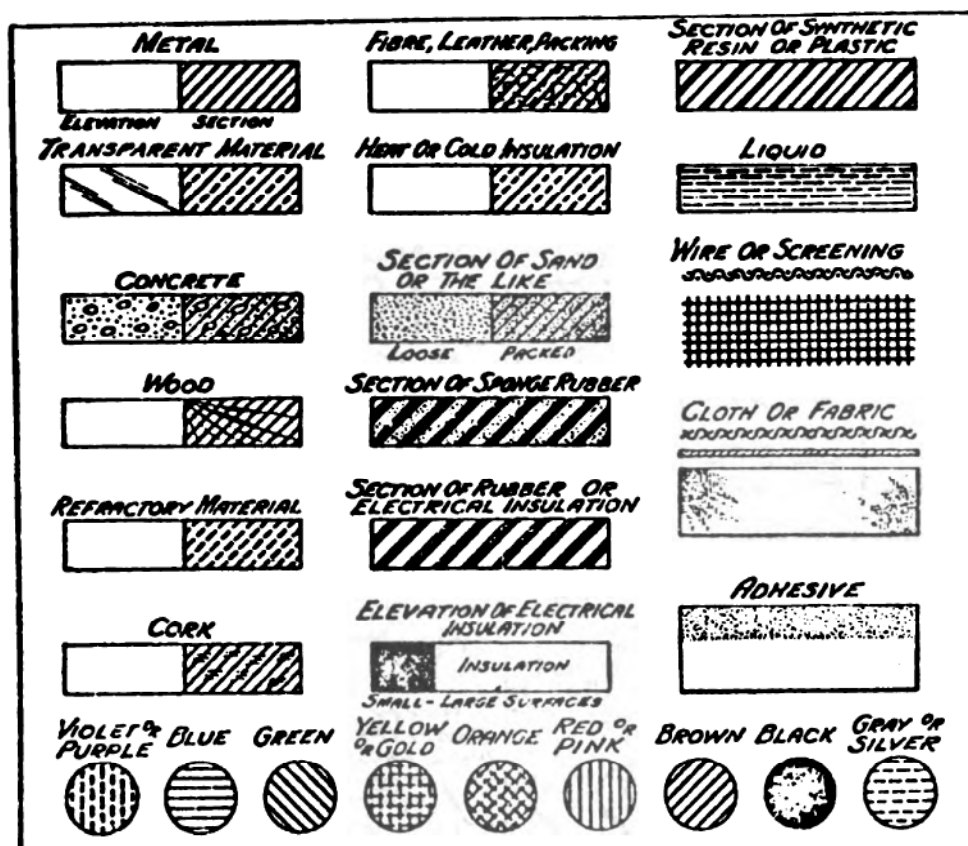
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(Pub. L. 94-131, 89 Stat. 685)

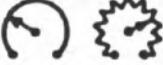
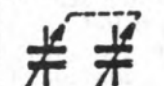
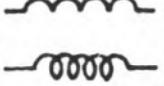
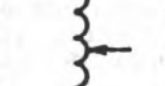
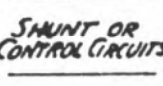
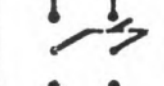
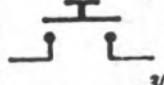
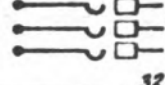
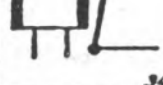
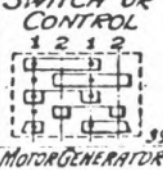
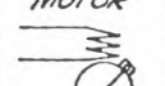
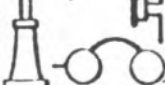
[43 FR 20470, May 11, 1978]

§ 3.61 Symbols for Draftsmen.

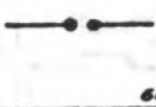
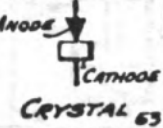
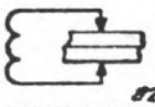
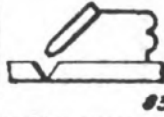
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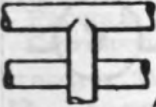
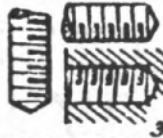
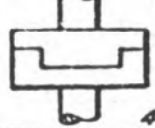
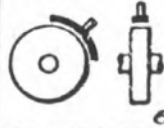
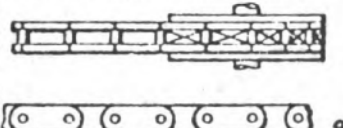
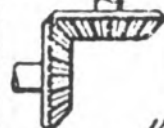
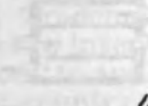
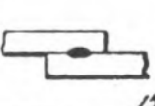
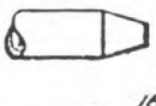
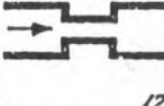
Electrical Symbols

RESISTOR  1	VARIABLE RESISTOR  2	POTENTIOMETER  3	RHEOSTATS  4	CONDENSERS  5	GANGED VARIABLE CONDENSERS  6
INDUCTORS  7	INDUCTOR ADJUSTABLE CORE  8	INDUCTOR OR REACTOR POWDERED MAGNETIC CORE  9	TRANSFORMER SATURABLE CORE  10	TRANSFORMER AIR CORE  11	VARIABLE TRANSFORMER  12
TRANSFORMER MAGNETIC CORE  13	AUTO-TRANSFORMER ADJUSTABLE  14	CROSSED AND JOINED WIRES  15	MAIN CIRCUITS  16	FUSE  17	COAXIAL CABLES  18
SHIELDING  19	BATTERY  20	THERMOELEMENT  21	BELL  22	AMMETER  23	MILLIAMMETER  24
VOLTMETER  25	GALVANOMETER  26	WATTMETER  27	SWITCH  28	DOUBLE POLE SWITCH  29	DOUBLE POLE DOUBLE THROW SWITCH  30
PUSH BUTTON TWO POINT MAKE  31	SELECTOR OR CONNECTOR OR FINDER SWITCH  32	CIRCUIT BREAKER OVERLOAD  33	RELAY  34	POLARIZED RELAY  35	DIFFERENTIAL RELAY  36
ANNUNCIATORS SIDE  FRONT  37	DROP ANNUNCIATOR  38	DRUM TYPE SWITCH OR CONTROL  39	COMMUTATOR MOTOR OR GENERATOR  40	REPULSION MOTOR  41	INDUCTION MOTOR THREE PHASE SQUIRREL CAGE  42
INDUCTION MOTOR PHASE WOUND SECONDARY  43	SYNCHRONOUS MOTOR OR GEN. THREE PHASE  44	MOTOR GENERATOR  45	ROTARY CONVERTER THREE PHASE  46	FREQUENCY CHANGER THREE PHASE  47	TROLLEYS  48
THIRD RAIL SHOE  49	RECEIVERS  50	TRANSMITTER OR MICROPHONE  51	TELEPHONE HOOK  52	TELEGRAPH KEY  53	SWITCH BOARD PLUG AND JACK  54

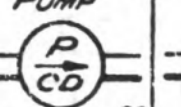
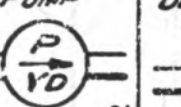
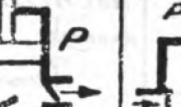
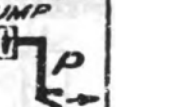
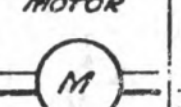
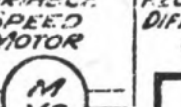
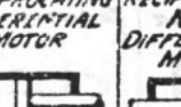
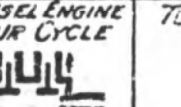
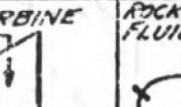
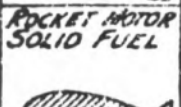
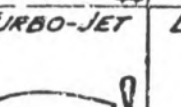
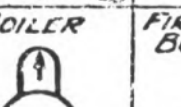
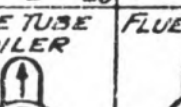
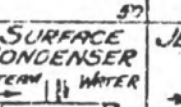
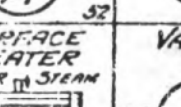
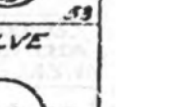
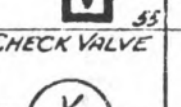
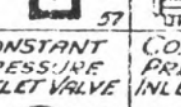
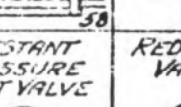
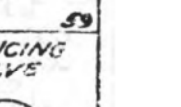
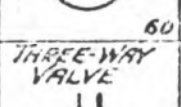
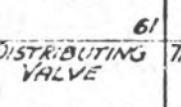
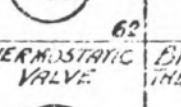
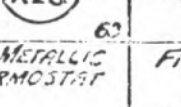
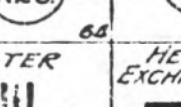
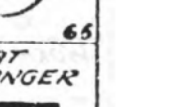
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[24 FR 10375, Dec. 22, 1959]

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