

## FOR DESIGN APPLICATIONS ONLY: CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

DUPLICATE

Address to:  <b>Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</b>	Attorney Docket No. of Prior Application	
	First Named Inventor	
	Examiner Name	
	Art Unit	
	Priority Mail Express® Label No.	

This is a request for a  continuation or  Divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number \_\_\_\_\_,  
filed on \_\_\_\_\_, entitled \_\_\_\_\_.

### NOTES

A CPA may **only** be filed in a **design** application but not in an international design application. A CPA **cannot** be filed in a utility or plant application. See "Elimination of Continued Prosecution Application Practice as to Utility and Plant Applications; Final Rule," 68 FR 32376 (May 30, 2003). Applicant may consider filing a Request for Continued Examination (RCE) under 37 CFR 1.114 in utility or plant applications. See MPEP 706.07(h) and form PTO/SB/30.

**Filing Qualifications:** The prior application identified above must be a design application that is complete as defined by 37 CFR 1.51(b).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the Application Data Sheet (ADS). A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(d)(4).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior design application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventor(s) named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior design application:  
\_\_\_\_\_  
\_\_\_\_\_
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney (PTO/AIA/82) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed;
  - a.  PTO/SB/08, PTO-1449 or equivalent
  - b.  Copies of IDS Citations

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6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Director is hereby authorized to credit overpayments or change the following fees to Deposit Account No. \_\_\_\_\_:

a.  Fees required under 37 CFR 1.16.

b.  Fees required under 37 CFR 1.17.

c.  Fees required under 37 CFR 1.18.

8.  A check in the amount of \$ \_\_\_\_\_ is enclosed.

9.  Payment by credit card. Form PTO-2038 is attached.

10.  Payment made via USPTO patent electronic filing system.

11.  Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

12.  New Attorney Docket Number, if desired \_\_\_\_\_  
 [Prior application Attorney Docket Number will carry over to this CPA unless a new Attorney Docket Number has been provided herein.]

13. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)

b.  Return Receipt Postcard (Should be specifically itemized. See MPEP 503)

14.  Other:

**NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.**

**14. NEW CORRESPONDENCE ADDRESS**

The address associated with Customer Number: \_\_\_\_\_ **OR**  New correspondence address below

Name			
Address			
City		State	
Zip Code		Country	Email

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	
Name (Print/Type)	
Registration No. (Attorney/Agent)	
Date	
Telephone Number	

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. The United States Patent and Trademark Office (USPTO) collects the information in this record under authority of 35 U.S.C. 2. The USPTO's system of records is used to manage all applicant and owner information including name, citizenship, residence, post office address, and other information with respect to inventors and their legal representatives pertaining to the applicant's/owner's activities in connection with the invention for which a patent is sought or has been granted. The applicable Privacy Act System of Records Notice for the information collected in this form is COMMERCE/PAT-TM-7 Patent Application Files, available in the Federal Register at 78 FR 19243 (March 29, 2013). <https://www.govinfo.gov/content/pkg/FR-2013-03-29/pdf/2013-07341.pdf>

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- 4) the Department of Justice for determination of whether the Freedom of Information Act (FOIA) requires disclosure of the record;
- 5) a Member of Congress submitting a request involving an individual to whom the record pertains, when the individual has requested the Member's assistance with respect to the subject matter of the record;
- 6) a court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel in the course of settlement negotiations;
- 7) the Administrator, General Services Administration (GSA), or their designee, during an inspection of records conducted by GSA under authority of 44 U.S.C. 2904 and 2906, in accordance with the GSA regulations and any other relevant (i.e., GSA or Commerce) directive, where such disclosure shall not be used to make determinations about individuals;
- 8) another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c));
- 9) the Office of Personnel Management (OPM) for personnel research purposes; and
- 10) the Office of Management and Budget (OMB) for legislative coordination and clearance.

If you do not furnish the information requested on this form, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings, abandonment of the application, and/or expiration of the patent.