Checklist for review and processing of Petitions filed under the Streamlined, Expedited Patent Appeal Pilot for Small Entities

1. REVIEW OF PETITION: Items to be checked on Form PTO/SB/4XX:

*Note: Petitions assigned for review will be sent via email. Review the petition in eDan (Doc Code PET 41.3)*

□ Verify Appeal & Application numbers of APPEAL TO BE MADE SPECIAL match Appeal & Application numbers in the USPTO database. (Use ACTS and/or PALM)

□ Verify APPEAL TO BE MADE SPECIAL was docketed at the PTAB on or before 09/11/2015. (Use ACTS and/or PALM - Docketing Notice Mailed Appellant date)

□ Verify signature information. (either a handwritten signature or S-signature)

□ Verify registration number is provided.

□ Verify that the appeal does not involved any claim subject to a rejection under 35 U.S.C. § 112. (Review Office Action being appealed and Examiner’s Answer)

*Note: If you believe petition DOES NOT comply with the above, contact the Paralegal Operations Manager for further guidance.*
2. PREPARATION/REVIEW OF DECISION ON PETITION:

Note: The preparation and review process basically mirrors the process all of you are already familiar with in the processing of remand orders and dismissals.

☐ Prepare the Decision on Petition (granted) using the template provided in the S:\Appeals Processing\Opinion Processing\Appeals Administrator folders.

☐ Place draft Decision on Petition in the “Drafts” folder.

☐ Send the “READY FOR REVIEW” email to the “Expedited Patent Appeals Pilot” mailbox.

☐ Upon receipt of “APPROVED FOR MAILING” email, review document for, and accept any, “track changes.”

☐ Prepare to mail Decision on Petition by converting document into PDF.
3. MAILING OF DECISION ON PETITION – APPEAL TO BE MADE SPECIAL

☐ Enter the Petition using the Appeals tab in PALM as follows:
  ◦ Actions: PET-- Petition Entered (near bottom of pull down menu)
  ◦ Action Date: Date petition filed (from eDan)
  ◦ Petition Type: 709 (for all petitions filed under this pilot)

☐ Enter Decision on Petition using the Appeals tab in PALM as follows:
  ◦ Browse/Upload document as you would for any document entered here. Important: ensure you select the correct document as you do not get any opportunity to preview uploaded document
  ◦ Select the “Petition Entered” radio button from the above-created Petition Entered entry
  ◦ Actions: PTGR – Petition Decision – Granted (near bottom of pull down menu)
  ◦ Action Date: Date petition decided (normally current date)
  ◦ Petition Type: 709
  ◦ Click the “Add” button. Note the delivery mode and mail document if “Paper” is reflected

☐ Update the “Special Type” in ACTS to “Small Entity Pilot”

☐ Create an eWF for the appeal to be made special and copy to the S:\Appeals Processing\Working Files\Ready for Paneling folder.