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From: Jeremy R. Kriegel [e-mail address redacted]
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To: preissuance_submissions
Subject: Third Party Submission of Prior Art in a Patent Application (Response to Proposed Rules)

Proposed Section 1.291(c)(1)(iii) would require that each foreign patent or published foreign patent application be identified, in part, by the first named inventor. Non-US patent applications are often filed in the name of a corporate entity as the Applicant, and while inventors are also identified, it is typical practice for US Patent Examiners and practitioners alike to refer to such non-US patent documents in the name of the corporate entity, as opposed to the inventor. Third party submitters should be permitted to identify corporate Applicants, instead of the first named inventor, of non-US patent documents for purposes of Section 1.291(c)(1)(iii) identifications. Because English translations of names of corporate entities may be more readily available than translations of inventor names, providing this option may also reduce the number of translation errors in 1.291(c)(1)(iii) identifications for third party submissions of non-English language foreign patent documents.

Respectfully,
Jeremy R. Kriegel
This comment should not be construed as being made on behalf of the law firm of Marshall, Gerstein & Borun or any clients thereof.

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