

**EXHIBIT C**

**IN SUPPORT OF DECLARATION OF  
ANDREW I. FAILE**



United States Patent and Trademark Office

PATENTS

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

[Patents](#) > [Office of the Deputy Commissioner for Patent Examination Policy](#) > [Claims and Continuations Practice - Final Rule](#)

The USPTO has revised the rules of practice in patent cases relating to continuing applications and requests for continued examination practices, and for the examination of claims in patent applications. The revised rules require that any third or subsequent continuing application that is a continuation application or a continuation-in-part application, and any second or subsequent request for continued examination in an application family, be filed to obtain consideration of an amendment, argument, or evidence, and be supported by a showing as to why the amendment, argument, or evidence sought to be entered could not have been previously submitted. The revised rules also require an applicant to file an examination support document that covers all of the claims in an application if the application contains more than five independent claims or more than twenty-five total claims. The USPTO has also revised rules of practice with respect to multiple applications that have the same claimed filing or priority date, substantial overlapping disclosure, a common inventor, and common ownership. These changes will allow the USPTO to conduct a better and more thorough and reliable examination of patent applications.

The effective date for this change in practice is: **November 1, 2007.**

### ⇒ Notices

- [Changes to Practice for Continued Examination Filings, Patent Applications Containing Patentably Indistinct Claims, and Examination of Claims in Patent Applications, Final rule](#)  
(72 Fed. Reg. 46716 - 21Aug2007) [PDF]
- [Clarification of the Transitional Provisions Relating to Continuing Applications and Applications Containing Patentably Indistinct Claims](#) (signed 10 October 2007) [PDF]

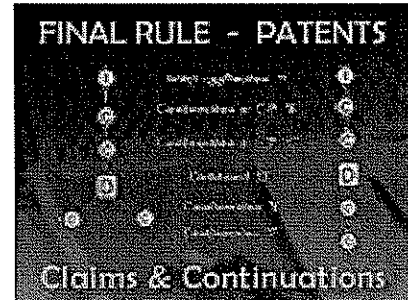
### ⇒ Summaries

- [Highlights](#)
- [Changes from Proposed Rule](#)
- [Section-by-Section Rule Summary](#)

### ⇒ Presentation Slide Set [updated 18Sep2007]

- [Claims and Continuations Final Rule \[HTML accessible\]](#)
- [Claims and Continuations Final Rule \[PPT\]](#)
- [Claims and Continuations Final Rule \[PDF\]](#)
- [Claims and Continuations Final Rule \[ZIP\]](#)

### ⇒ Frequently Asked Questions [updated 10Oct2007, PDF]



### ⇒ Contacts

- E-mail:  
[Patent.Practice@uspto.gov](mailto:Patent.Practice@uspto.gov)
- Telephone:  
(571) 272-7704

## ⇒ Charts

- **Commonly Owned Applications and Applications Containing Patentably Indistinct Claims** [PDF]
  - **Comparison of Accelerated Examination Support Document and Examination Support Document Under 37 CFR 1.265** [PDF]
  - **Transitional Practice for Continuation and Continuation-in-Part Applications** [PDF]
- 

## ⇒ Guidelines

- **Examination Support Document Guidelines** [PDF]
- 

## ⇒ Forms

- **Form SB/216, Examination Support Document Transmittal** [PDF]
  - **Form SB/211, Examination Support Document Listing of References** [PDF]
  - **Form SB/206, Listing of Commonly Owned Applications and Patents** [PDF]
  - **Form SB/201, Request for Streamlined Docketing Procedure** [PDF]
- 

## ⇒ Certification Analysis [PDF]

- *Some contents linked to on this page require a plug-in for DOC files.*
- *Some contents linked to on this page require a plug-in for PDF files.*
- *Some contents linked to on this page require a plug-in for PPT files.*
- *Some contents linked to on this page require a plug-in for ZIP files.*

**KEY:** =online business system =fees =forms =help =laws/regulations =definition (glossary)

*The Inventors Assistance Center is available to help you on patent matters. Send questions about USPTO programs and services to the **USPTO Contact Center (UCC)**. You can suggest USPTO webpages or material you would like featured on this section by E-mail to the [webmaster@uspto.gov](mailto:webmaster@uspto.gov) . While we cannot promise to accommodate all requests, your suggestions will be considered and may lead to other improvements on the website.*

---

[|.HOME](#) | [SITE INDEX](#)| [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)