

**PARTNERSHIP AGREEMENT BETWEEN  
THE UNITED STATES PATENT AND TRADEMARK OFFICE  
AND  
THE PATENT OFFICE PROFESSIONAL ASSOCIATION**

The Commissioner for Patents and the President of the Patent Office Professional Association hereby adopt the Partnership Working Group recommended procedures for the rule package entitled "Changes to Application Examination and Provisional Applications", which includes the rules on RCEs, necessary to implement certain provisions of the "American Inventors Protection Act of 1999", to be implemented corp-wide as of May 29, 2000. The Working Group recommendations agreed to, in the spirit of partnership, by representatives of the Patent and Trademark Office and the Patent Office Professional Association shall be implemented in accordance with the document attached hereto.

Ronald Stern  
President,  
Patent Office Professional  
Association

Nicholas P. Godici  
Commissioner for Patents

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For: POPA

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For: Patent and Trademark Office

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Date

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Date

**Partnership Working Group Recommendations on the rule package entitled  
“Changes to Application Examination and Provisional Applications”  
May 29, 2000**

**Requests for Continued Examination of Applications**

Requests for Continued Examination of Applications (RCEs) will be placed on an examiner’s amended case docket. For purposes of workflow, RCE filings will be treated in the same manner as amendments before final rejection.

An examiner shall receive timely *actual* notice of filing and processing of an RCE before the abandonment count is credited. Any RCE abandonment count credited to the examiner at the end of a fiscal year (i.e. the last full production period of 10 or more business days) without timely notice will be subtracted from the examiner’s productivity during the correction cycle if requested by the examiner. Timely notice for the end of the fiscal year is actual notice by the close of business on the next to the last business day of the fiscal year.

An examiner will receive counts for every RCE filed by analogy to the previously established practice of CPAs and of rules 37 CFR 1.60 and 1.62, i.e., every RCE filed is analogous to an express abandonment count and the examiner will receive two additional counts during the continued examination of the application to disposal.

**Other**

Detailed information will be provided to each examiner on these new rules in a briefing session.

With regard to the instant partnership effort, situations pertaining to the rule changes entitled “Changes to Application Examination and Provisional Applications” implemented May 29, 2000 which have not been addressed in Working Group Partnership discussions will be jointly addressed with the goal being to reach a reasonable decision in an expedient manner.

Partnership Working Group

Dave Dalke: \_\_\_\_\_ Date:\_\_\_\_\_

Jose Dees \_\_\_\_\_ Date:\_\_\_\_\_

Kathy Duda \_\_\_\_\_ Date:\_\_\_\_\_

Art Grimley \_\_\_\_\_ Date:\_\_\_\_\_

Karen Hastings \_\_\_\_\_ Date:\_\_\_\_\_

Andres Kashnikow \_\_\_\_\_ Date:\_\_\_\_\_

Howard Locker \_\_\_\_\_ Date:\_\_\_\_\_

Pamela Schwartz \_\_\_\_\_ Date:\_\_\_\_\_