

cursory inspection the nature and gist of the technical disclosure.

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11. Section 1.75 is amended by revising paragraph (h) to read as follows:

§ 1.75 Claim(s).

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(h) The claim or claims must commence on a separate sheet and any sheet including a claim or portion of a claim may not contain any other parts of the application.

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12. Section 1.97 is amended by revising paragraphs (b)(3), (b)(4) and (c) to read as follows:

§ 1.97 Filing of information disclosure statement.

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(b) * * *

(3) Before the day of the mailing of a first Office action on the merits; or

(4) Before the day of the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

(c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the day of the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by either:

(1) The statement specified in paragraph (e) of this section; or

(2) The fee set forth in § 1.17(p).

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13. Section 1.98 is amended by adding paragraph (e) to read as follows:

§ 1.98 Content of information disclosure statement.

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(e) The requirement in paragraph (a)(2)(i) of this section for a copy of all listed U.S. patents and U.S. patent application publications does not apply to any information disclosure statement submitted in compliance with the Office's electronic filing system.

14. Section 1.99 is amended by revising paragraphs (d) and (e) to read as follows:

§ 1.99 Third-party submission in published application.

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(d) A submission under this section shall not include any explanation of the patents or publications, or any other information. The Office will not enter

such explanation or information if included in a submission under this section. A submission under this section is also limited to ten total patents or publications.

(e) A submission under this section must be filed within two months from the date of publication of the application (§ 1.215(a)) or prior to the mailing of a notice of allowance (§ 1.311), whichever is earlier. Any submission under this section not filed within this period is permitted only when the patents or publications could not have been submitted to the Office earlier, and must also be accompanied by the processing fee set forth in § 1.17(i). A submission by a member of the public to a pending published application that does not comply with the requirements of this section will not be entered.

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15. Section 1.121 is revised to read as follows:

§ 1.121 Manner of making amendments in applications.

(a) *Amendments in applications, other than reissue applications.* Amendments in applications, other than reissue applications, are made by filing a paper, in compliance with § 1.52, directing that specified amendments be made.

(b) *Specification.* Amendments to the specification other than the claims and computer listings (§ 1.96) and sequence listings (§ 1.825) must be made by replacement paragraph, replacement section or substitute specification in the manner specified in this section.

(1) *Amendment by instruction to delete, replace, or add a paragraph.* Amendments to the specification may be made by submitting:

(i) An instruction, which unambiguously identifies the location, to delete one or more paragraphs of the specification, replace a deleted paragraph with one or more replacement paragraphs, or add one or more paragraphs; and

(ii) Any replacement or added paragraph(s) marked-up to show all the changes relative to the previous version of the paragraph(s). The changes must be shown by strike-through (for deleted matter) or underlining (for added matter).

(2) *Amendment by replacement section.* If the sections of the specification contain section headings as provided in § 1.77(b), § 1.154(b), or § 1.163(c), amendments to the specification, other than the claims, may be made by submitting:

(i) A reference to the section heading along with an instruction to delete that

section of the specification and to replace such deleted section with a replacement section; and

(ii) A replacement section marked-up to show all changes relative to the previous version of the section. The changes must be shown by strike-through (for deleted matter) or underlining (for added matter).

(3) *Amendment by substitute specification.* The specification, other than the claims, may also be amended by submitting:

(i) An instruction to replace the specification; and

(ii) A substitute specification in compliance with § 1.125(c).

(4) *Reinstatement:* Deleted matter may be reinstated only by a subsequent amendment presenting the previously deleted matter.

(5) *Presentation:* Instructions for entry of replacement paragraphs or sections must be provided with an unambiguous and precise location. Deletion of a paragraph or section is permitted by instruction only; no text to be canceled should be presented. Once a paragraph, section, or specification is amended in a first amendment document, the paragraph, section or specification shall not be re-presented in successive amendment documents unless it is amended again or a substitute specification is provided.

(c) *Claims.* Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions, deletions, modifications) as indicated in this section. Each amendment document that includes a change to an existing claim, or submission of a new claim, must include a complete listing of all claims in the application. The listing will serve to replace all prior versions of the text of the claims (except for withdrawn claims) in the application. The text of all pending claims (except for withdrawn claims) must be submitted in a single amendment document each time any claim is amended. The status of each of the claims in the application, including any previously canceled or withdrawn claims, must be indicated in each amendment document. Status is indicated by a parenthetical expression following the claim number and should be indicated by use of one of the following identifiers: (Original), (Currently amended), (Previously amended), (Canceled), (Withdrawn), (Previously added), (New), (Reinstated—formerly claim # __), (Previously reinstated), (Re-presented—formerly dependent claim # __), or (Previously re-presented). Only claims of status “currently amended” shall include markings.