

available to the public. Copies of any such assignment records and related information that are not available to the public shall be obtainable only upon written authority of the applicant or applicant's assignee or patent attorney or patent agent or upon a showing that the person seeking such information is a bona fide prospective or actual purchaser, mortgagee, or licensee of such application, unless it shall be necessary to the proper conduct of business before the Office or as provided in this part.

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4. Revise § 1.31 to read as follows:

§ 1.31 Applicants may be represented by a registered patent attorney or patent agent.

An applicant for patent may file and prosecute his or her own case, or he or she may give a power of attorney so as to be represented by a registered patent attorney, registered patent agent, or other individual authorized to practice before the United States Patent and Trademark Office in patent cases. See § 10.6 and § 10.9(a) and (b) of this subchapter. The United States Patent and Trademark Office cannot aid in the selection of a registered patent attorney or patent agent.

5. Add new § 1.32 to read as follows:

§ 1.32 Power of attorney.

(a) Definitions:

(1) *Power of attorney* means a written document by which a principal designates an agent to act on his or her behalf.

(2) *Principal* means either the applicant for patent (§ 1.41(b)) or the assignee of the entire interest. The principal executes a power of attorney designating one or more agents to act on his or her behalf.

(3) *Revocation* means the cancellation by the principal of the authority previously given by the principal to an agent.

(4) *Customer Number* means a number that may be used to:

(i) Designate the correspondence address of a patent application such that the correspondence address for the patent application would be the address associated with the Customer Number;

(ii) Designate the fee address (§ 1.363) of a patent by a Customer Number such that the fee address for the patent would be the address associated with the Customer Number; and

(iii) Submit a list of practitioners by Customer Number such that those registered patent practitioners associated with the Customer Number would have power of attorney.

(b) A power of attorney, other than a power of attorney in an international application (§ 1.455), must:

- (1) Be in writing;
- (2) Name as agent either:
 - (i) One or more joint inventors (§ 1.45);
 - (ii) Up to ten registered patent attorneys, registered patent agents, or other individuals authorized to practice before the United States Patent and Trademark Office in patent cases (see § 10.6 and § 10.9(a) and (b) of this subchapter); or
 - (iii) Those registered patent practitioners associated with a Customer Number;

(3) Give the agent power to act on behalf of the principal; and

(4) Be signed by the applicant for patent (§ 1.41(b)) or the assignee of the entire interest.

6. Amend § 1.33 to revise paragraphs (a), introductory text, (b)(1), (b)(2) and (c) to read as follows:

§ 1.33 Correspondence respecting patent applications, reexamination proceedings, and other proceedings.

(a) *Correspondence address and daytime telephone number.* When filing an application, a correspondence address must be set forth in either an application data sheet (§ 1.76), or elsewhere, in a clearly identifiable manner, in any paper submitted with an application filing. If no correspondence address is specified, the Office may treat the mailing address of the first named inventor (if provided, see §§ 1.76(b)(1) and 1.63(c)(2)) as the correspondence address. The Office will direct all notices, official letters, and other communications relating to the application to the correspondence address. The Office will not engage in double correspondence with an applicant and a registered patent attorney or patent agent, or with more than one registered patent attorney or patent agent except as deemed necessary by the Director. If more than one correspondence address is specified, in a single document, the Office will establish one as the correspondence address and will use the address associated with a Customer Number, if the address associated with a Customer Number is one of the addresses given. For the party to whom correspondence is to be addressed, a daytime telephone number should be supplied in a clearly identifiable manner and may be changed by any party who may change the correspondence address. The correspondence address may be changed as follows:

(1) * * *

(b) *Amendments and other papers.* Amendments and other papers, except for written assertions pursuant to

§ 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

(1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b);

(2) A registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34;

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(c) All notices, official letters, and other communications for the patent owner or owners in a reexamination proceeding will be directed to the patent attorney or patent agent of record (see § 1.32(b)) in the patent file at the address listed on the register of patent attorneys and patent agents maintained pursuant to § 10.5 and § 10.11 or, if no patent attorney or patent agent is of record, to the patent owner or owners at the address or addresses of record. Amendments and other papers filed in a reexamination proceeding on behalf of the patent owner must be signed by the patent owner, or if there is more than one owner by all the owners, or by a patent attorney or patent agent of record in the patent file, or by a registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34. Double correspondence with the patent owner or owners and the patent owner's patent attorney or patent agent, or with more than one patent attorney or patent agent, will not be undertaken. If more than one patent attorney or patent agent is of record and a correspondence address has not been specified, correspondence will be held with the last patent attorney or patent agent made of record.

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7. Revise § 1.34 to read as follows:

§ 1.34 Acting in a Representative Capacity.

When a registered patent attorney or patent agent acting in a representative capacity appears in person or signs a paper in practice before the United States Patent and Trademark Office in a patent case, his or her personal appearance or signature shall constitute a representation to the United States Patent and Trademark Office that under the provisions of this subchapter and the law, he or she is authorized to represent the particular party in whose behalf he or she acts. In filing such a paper, the registered patent attorney or patent agent must specify his or her registration number with his or her signature. Further proof of authority to act in a representative capacity may be required.

8. Revise § 1.36 to read as follows: