INTELLECTUAL PROPERTY Course Handbook Series Number G-1316

11th Annual Patent Law Institute

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EFS-Web Quick Start Guide: Application Data Sheet to Update and/or Correct Information (April 12, 2016)

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Quick Start Guide

April 12, 2016



EFS-Web Quick Start Guide

Application Data Sheet to Update and/or Correct Information



Quick Start Guide



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1. Introduction

This Quick Start Guide will provide you with the information you need in order to understand how to file a Corrected or Updated Web-based ADS, including a brief overview of the process and screen shots that identify critical aspects of the submission.

EFS-Web will automatically generate and attach a PDF version of the Corrected Web-based ADS. The information in the Corrected Web-based ADS will not be automatically entered in the Office automated systems, it will be reviewed by Office of Patent Application Processing to ensure compliance with the rules.

A more comprehensive guide on how to use EFS-Web can be found at the EFS-Web Guidance and Resources page located at: http://www.uspto.gov/patents-application-process/applying-online/efs-web-guidance-and-resources

2. Basic Guidelines for Filing an ADS for Corrected or Updated Information

- You must be able to access EFS-Web as a registered filer.
- The Corrected Application Data Sheet is available for existing applications under the following submission types: Utility (Nonprovisional), Reissue, and Designs.
- The Corrected Application Data Sheet is not permitted in PCT, 371, Hague, Provisional, Reexam, Plant, and Supplemental Examination submissions
- You MUST be a registered efiler and be associated to the Customer Number used as the correspondence address of the entered application.
- The Corrected Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). If
 an applicant is prosecuting the application pro se, all of the inventors must sign to comply
 with the rule, unless a power of attorney has been given (e.g., Form PTO/AIA/81). See MPEP
 402.
- All required fields must be completed in order to proceed with the submission. The
 required fields are indicated with an asterisk (*).
- A Corrected Application Data Sheet can only be submitted in an existing application that was filed on or after September 16, 2012.
- Do not attach an ADS as a PDF if submitting a Corrected Application Data Sheet.

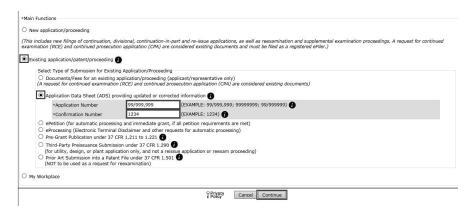
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Submissions for applications under a Secrecy Order may not be filed electronically.

Warning: EFS-Web sessions will time-out after one hour of inactivity. A Web-based ADS that has not been submitted or saved after one hour of inactivity will be lost. You will need to login to EFS-Web again and re-enter the information from the start.

3. Access the Corrected Application Data Sheet

To submit a Corrected Application Data Sheet, you must select the radio button located next to "Existing application/patent." The Web screen will expand to display additional options. Select the radio button next to "Application Data Sheet (ADS) providing updated or corrected information."



To start the Corrected ADS, you will need to enter the Application Number and Confirmation Number. Click the Continue button at the bottom of the screen to proceed.

NOTE: If there is a validation error, an error message will be displayed at the top of the screen and near the data field containing the error.

On the Application Data tab, the Corrected ADS will be made available displaying data retrieved from the USPTO Patent Application Locating and Monitoring (PALM) system. Please note not all data may be retrieved.

Not all inventor and applicant information of record may be retrieved. The system can only retrieve information stored in the USPTO Patent Application Locating and Monitoring (PALM) system, and not all information of record in the application file is entered and stored in PALM. If

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an EFS Web-based ADS or an uploadable PDF version of the ADS form has previously been used, all of the information should be stored in PALM. If there are multiple inventors, the system may only retrieve the mailing address of the first named inventor. For example:

If you previously provided mailing addresses for all of the inventors, which was accepted by the Office and are submitting a Corrected ADS to correct/update the domestic benefit claim information, you do not need to type in the mailing addresses for the second and any subsequent inventors, even though this information is not reflected on the web screen.

If you have previously provided mailing addresses for all of the inventors and are now submitting a Corrected ADS to make a change in the mailing address of the second or any subsequent inventor, just type in the new information on the web screen and it will be reflected with underlining on the Corrected ADS that is generated.

Warning: When submitting a corrected ADS, do not delete information that you are not changing or do not want deleted, otherwise the Corrected ADS that is generated will provide an instruction to the Office to delete that information.

When making a change to the domestic benefit claim, the Corrected ADS that will be generated will use internal PALM codes rather than the language that you use to specify the relationship. These codes on a Corrected Web-based ADS will be accepted.

Continuation of – CON
Division of – DIV
Continuation in part of – CIP
A 371 of international – NST
Substitution of – SUB
Reissue of – REI
Claims benefit of provisional - PRO

3.1 Inventor Information

In the Inventor Information section, data of record will be displayed and editable. To make changes in the information, just type in the new information on the web screen and it will be reflected with underlining on the Corrected ADS that is generated.

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Inventor Information:

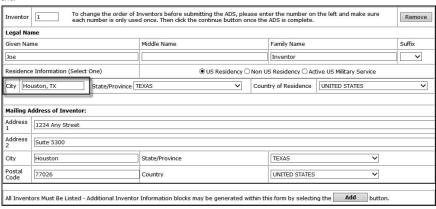
Any request to add, delete, correct, update or change the order of the names of the inventors must include a request and the proper fee(s) in accordance with 37 CFR 1.48.

Legal Name					
Given Name		Middle Name	Family Name		Suffix
Joe			Inventor	-	~
Residence In	formation (Select One)	● US Residency C	Non US Residency O Activ	e US Military Service	•
City Houst	on State	Province TEXAS	Country of Residence	UNITED STATES	~
Mailing Add	ress of Inventor:				
Address 1	1234 Any Street				
Address 2	Suite 5300				
/ Iddi obb L		State/Province	TEXAS	~	
City	Houston				

Warning: the State/Province is currently not printing on the Corrected ADS that is generated. Until the issue is resolved, please select the state/province from the drop down menu, but additionally after the city enter the abbreviation for the State/Province (Example: Houston, TX).

Inventor Information: 6

Any request to add, delete, correct, update or change the order of the names of the inventors must include a request and the proper fee(s) in accordance with 37 CFR 1.48.



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To change the order of Inventors before submitting the ADS, please enter the number on the left and make sure each number is only used once. Then click the Continue button once the ADS is complete.

Inventor Information:

Any request to add, delete, correct, update or change the order of the names of the inventors must include a request and the proper fee(s) in accordance with 37 CFR 1.48.

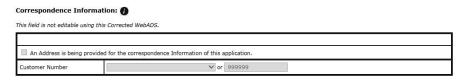
Inventor	Inventor To change the order of Inventors before submitting the ADS, please enter the number on the left and make sure each number is only used once. Then click the continue button once the ADS is complete.				
Legal Name					
Given Name			Middle Name	Family Name	Suffix
Joe				Inventor	~

NOTE: If you are adding or deleting inventor(s), then a request under 37 CFR 1.48(a) with the proper fee(s) must also be submitted. Note that both a processing fee and an additional fee may be due if the correction of inventorship is being made after the first action on the merits. See 37 CFR 1.48(c). If you are correcting or updating the name of an inventor, or changing the order of the names of joint inventors, then a request under 37 CFR 1.48(f) with the proper fee must also be submitted.

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3.2 Correspondence Information

In the Correspondence Information section, data of record will be displayed, but the data is not editable. A change of correspondence address can be effected via private PAIR or filed in paper (see USPTO form PTO/AIA/122, "Change of Correspondence Address").



3.3 Application Information

In the Application Information section, data of record will be displayed and editable. The Title of the Invention is a required field. Note: Special characters may not be entered in this field as it may not transfer correctly to USPTO databases.

Application Information: * Title of the Invention My Very Important Invention Attorney Docket Number Doe_Invent Small Entity Status Claimed

You can claim small entity status by checking this box and properly signing the Corrected Web-ADS. See 37 CFR 1.27.

If you are no longer entitled to small entity status, you must submit a properly signed written notification of a loss of small entity status pursuant to 37 CFR 1.27(g)(2). You cannot make this change by submitting a Corrected Web-ADS. A proper micro entity certification must be submitted in order to establish micro entity status. $\frac{\text{PTO/SB/15A}}{\text{PTO/SB/15B}}$

3.4 Representative Information

In the Representative Information section, data of record will be displayed, but the data is not editable. Providing representative information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). To appoint or revoke a power of attorney, a properly signed power of attorney must be filed in the application. See USPTO Forms PTO/AIA/82, PTO/AIA/81, or PTO/AIA/80 (which must be accompanied by Form PTO/AIA/96).

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Representative Information: This field is not editable using this Corrected WebADS. Please Select One: © Customer Number © US Patent Practitioner © Limited Recognition (37 CFR 11.9)

3.5 Domestic Benefit/National Stage Information

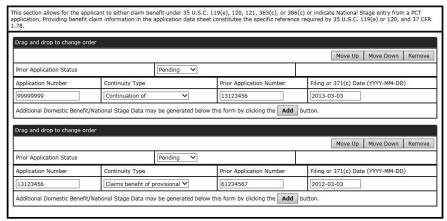
In the Domestic Benefit/National Stage section, data of record will be displayed and editable. If any domestic benefit claims are being added in a utility or plant application after the time period set forth in 37 CFR 1.78 (e.g., after the later of four months from the actual filing date of the instant application or sixteen months from the filing date of the application for which benefit is being claimed), a petition to accept an unintentionally delayed benefit claim in compliance with 37 CFR 1.78 (including the petition fee) must also be submitted.

For any domestic benefit claims that are being deleted, please ensure that deletion of the domestic benefit claim(s) is actually desired. A deletion of a benefit claim to a prior application may be considered as a showing that the applicant is intentionally waiving the benefit claim to the prior application in the instant application.

If you are claiming benefit of more than one prior-filed application, you must start with the most recent application and go back chronologically to the earliest application. Otherwise, the benefit claims may not be recognized by the Office if not presented in this manner. If there is more than one chain of applications for which benefit is being claimed, you must start each chain with the most recent application and go back chronologically to the earliest application in each chain . Otherwise, the benefit claims may not be recognized by the Office if not presented in this manner.

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Domestic Benefit/National Stage Information:



Change of order is completed in three ways:

- A benefit claim may be added or removed at any point of the claim chain by clicking the 'Add' or 'Remove' buttons
- A benefit claim may be moved up or down by using the 'Move Up' and 'Move Down' buttons
- Benefit claim order may be reorganized by using the Drag and Drop functionality

Domestic Benefit/National Stage Information: 👔

3.6 Foreign Priority Information

In the Foreign Priority section, data of record will be displayed and editable. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55.

Additional foreign priority claims may be added by clicking the 'Add' button, and deleted by clicking the 'Remove' button for the indicated claim. If any foreign priority claims are being added in a utility or plant application after the time period set forth in 37 CFR 1.55 (e.g., after

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the later of four months from the actual filing date of the instant application or sixteen months from the filing date of the prior foreign application), a petition to accept an unintentionally delayed foreign priority claim in compliance with 37 CFR 1.55 (including the petition fee) must also be submitted. For any foreign priority claims that are being deleted, please ensure that deletion of the foreign priority claim(s) is actually desired. A deletion of a foreign priority claim may be considered as a showing that the applicant is intentionally waiving the foreign priority claim.

Enter the access code number to uniquely identify a patent application that is registered into the WIPO DAS (World Intellectual Property Organization Digital Access Service). Please <u>click here</u> for more information.

priority as required by 35 U.S exchange program (PDX) the program, applicant bears the	.C. 119(b) and 37 CFR 1.55. When information will be used by the Office	priority is claimed to a ce to automatically att that a copy of the fore	foreign application that is eligible empt retrieval pursuant to 37 CFR ign application is received by the	Office from the participating foreign
				Remove
Application Number	Country		Filing Date (YYYY-MM-DD)	Access Code (if applicable)
2013-123456	JAPAN	~	2013-12-11	
Additional Foreign Priority D	lata may be generated below this fo	orm by clicking the A	dd button.	

3.7 Applicant Information

In the Applicant Information section, data of record will be displayed and editable. For each applicant entered, select either Assignee, Legal Representative under 35 U.S.C. 117, Joint Inventor, Person to whom the inventor is obligated to assign, or Person who shows sufficient proprietary interest. For more detailed Applicant Information instructions, see http://www.uspto.gov/forms/aia ads form inst.doc

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Applicant Information:

If the inventors are currently the applicant, the inventor information will not appear in the Applicant Information field. Applicant information will only appear in this field if there is at least one applicant who is not an inventor (e.g., an assignee who is an applicant under 37 CFR 1.46, or a legal representative who is an applicant under 37 CFR 1.43).

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

If there are multiple applicants, the order on the Corrected ADS may not match the order on the filing receipt and in the Office's systems. The order of applicants on the filing receipt is maintained.

Applicant	,					Remove
provided in this s person to whom applicant under 3	section is the na the inventor is a 37 CFR 1.46. If a sufficient propri	me and addres under an obliga the applicant is	s of the legal represent ation to assign the inver an applicant under 37	tative who is the applicant und ntion, or person who otherwise CFR 1.46 (assignee, person to	ler 37 CFR 1.43; or the s shows sufficient propr whom the inventor is	completed. The information to be name and address of the assignee, letary interest in the matter who is the obligated to assign, or person who ers who are also the applicant should
Assignee		O Legal Rep	resentative under 35 U	.S.C. 117		O Joint Inventor
O Person to who	om the inventor	is obligated to	assign	O Person who sh	ows sufficient proprieta	ary interest
If the Applicant is	s an Organizatio	on check here.	✓			
Organization Nan	ne Appli	cant Organizat	ion			
Mailing Address	s Information	For Applicant	:			
Address 1						
Address 2						
City	Minato-ku			State/Province		~
Country	JAPAN		~	Postal Code		
Phone Number				Fax Number		
Email Address				•	•	
Additional Applica	ant Data may b	e generated wi	thin this form by select	ing the Add button.		

Additional applicant information may be added by clicking the 'Add' button, and deleted by clicking the 'Remove' button for the indicated Applicant entry.

NOTE: If you are changing the applicant, then you must also submit a request to change the applicant in compliance with 37 CFR 1.46(c)(2) (which requires compliance with 37 CFR 3.71 and 3.73). If you are correcting or updating the name of the applicant, then you must also submit a request under 37 CFR 1.46(c)(1). If a specific request is not submitted that indicates the change is a correction or update of the name of the applicant under 37 CFR 1.46(c)(1), then the Office may consider the change to be a change in the applicant under 37 CFR 1.46(c)(2) and require a 37 CFR 3.73 statement.

3.8 Assignee Information Including Non-Applicant Assignee Information

In the Assignee Information section, data of record will be displayed and editable. Complete this section only if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication in accordance with 37 CFR 1.215(b). An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For more detailed Assignee Including

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Non-Applicant Assignee Information instructions, see http://www.uspto.gov/forms/aia ads form inst.doc

Assignee Information including Non-Applicant Assignee Information: 👔

Providing assignment information in this section does not subsitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication . An assignee-applicant identified in the 'Applicant Information' section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if dentification as an assignee is also desired on the patent application publication.

If the Assignee or Non-Applicant Assign Given Name Janice Mailing Address Information For A: Address 1 1234 N. Aikman Dr Address 2 City City Juneau Country UNITED STATES	Middle Name		Family Name Assignee		Suffix
Janice Mailing Address Information For Astronometric Address 1 1234 N. Aikman Dr. Address 2 City Juneau	signee including Non-Applic	cant Assignee:			
Mailing Address Information For Ast Address 1 [1234 N. Aikman Dr Address 2 [Ity Juneau]		cant Assignee:	Assignee		>
Address 1 1234 N. Aikman Dr Address 2 City Juneau		cant Assignee:	·		
Address 2 City Juneau	ve				
City Juneau					
City [Filling					
Country UNITED STATES		State/Province	ALASKA	~	
	~	Postal Code	99801		
Phone Number 555-555-5555		Fax Number	555-555-5556		
Email Address AssigneeJ@somewh	AssigneeJ@somewhere.org				

Additional assignee information may be added by clicking the 'Add' button, and deleted by clicking the 'Remove' button for the indicated Assignee entry. To change the order of Assignees before submitting the ADS, please enter the number on the left and make sure each number is only used once. Then click the Continue button once the ADS is complete.

3.9 Signature

This form must be signed in accordance with 37 CFR 1.33(b). This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants. If an applicant is prosecuting the application *pro se*, all of the inventors must sign to comply with the rule, unless a power of attorney has been given. MPEP 402.

See 37 CFR 1.4 for signature requirements and certifications.

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Signature:

NOTE: This Application Date Sheet must be signed in accordance with 37 CFR 1.33(b).

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventorapplicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/SI) on behalf of **all** joint-inventorapplicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications.					
* Signature	(EXAMPLE: /John Smith/)				
* First Name		* Last Name		Registration Number	
* First Name		* Last Name		Registration Number	

Additional Signature may be generated within this form by selecting the Add button.

Once you have signed you may proceed to the next screen by selecting "Continue".

4. Attach Documents

Once you have made all necessary updates or corrections to the Web-ADS information on the "Application Data" screen, a CorrectedADS.pdf document will be auto-generated. This document cannot be removed from the Attach Documents Screen.

You may click on the respective PDF hyperlink to preview the document. If you need to make any corrections, go back to the "Application Data" screen by clicking on the "Application Data" tab at the top of the screen. After making any corrections, you must click on the "Continue" button located at the bottom of the "Application Data" screen in order to apply any changes. The corrected ADS identifies the information that is being changed, with underlining for insertions, and strike-through for text removed, as stated in 37 CFR 1.76(c)(2).

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Document Description: Application Data Sheet to update correct info Doc Code: ADS.CORR

CORRECTED ADS FORM

Application Number	99/999,999
Title of Invention	MY VERY IMPORTANT INVENTION

Inventor Information

** If no data is shown, no data has been corrected**

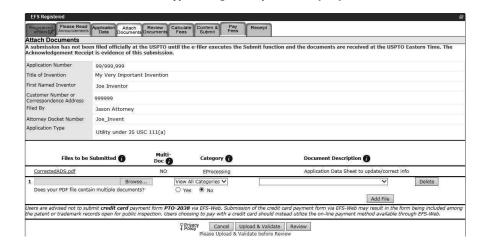
	Data of Record	Updated Data	
Order Number	1	2	
Name		Displaying data being added	
Residence Informa	tion		
Residency	Displaying data being removed		
City	Bethesda .	Displaying data being updated/corrected	
Country of Residence	us		
Mailing Address of	Inventor		
Address 1	12345 Any Street	4321 Another Street	
Address 2		Suite 112	
City, State/Province, Postal Code	Arlington, Virginia		
Country			

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If you have additional PDF documents, you may add them to the submission. If you do not have any required documents to upload, click on the "Review" button. The following documents descriptions are made available for submission with a Corrected ADS filing:

Request under Rule 48 correcting inventorship R48.REO OATH Oath or Declaration filed LET. Miscellaneous Incoming Letter R3.73 Assignee showing of ownership per 37 CFR 3.73 TRAN.LET Transmittal Letter Petition for review by the Office of Petitions PET.OP PET.PCT Petition for review by the PCT legal office CFILE Request for Corrected Filing Receipt FRPR.IC Interim Copy of Foreign Priority Document (PDF)

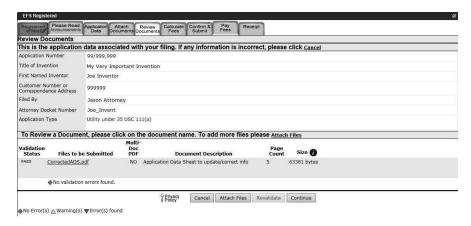
FRPR.IC.TXT Interim Copy of Foreign Priority Document (TXT)



5. Review Documents

On the "Review Documents" screen, the CorrectedADS.pdf cannot be removed. If you need to remove the CorrectedADS.pdf from the submission, you must cancel the filing.

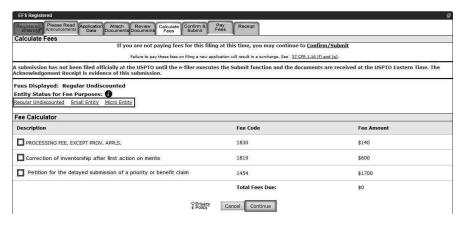
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6. Calculate Fees

The "Calculate Fees" screen allows eFilers to select the appropriate entity status in the top left hand corner of the screen, adjusting the listed fee codes and amounts accordingly. The following fees are available when submitting a Corrected ADS filing:

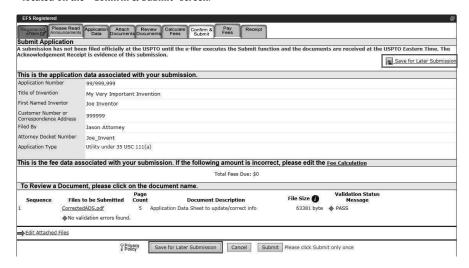
- Processing Fee, Except Prov. Appls.
- Correction of inventorship after first action on merits
- Petition for the delayed submission of a priority or benefit claim, or to restore the right of priority or benefit



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7. Save Submission Feature for Registered eFilers

You have the option of saving the submission for later if you are a Registered eFiler. All of the required ADS fields on the "Application Data" tab must be completed. The save option is located on the "Confirm & Submit" screen.



After clicking on the "Save for Later" button, the next screen will display the details of the saved submission. There is a notification statement that explains that the submission has not been filed officially at the USPTO until the Submit function is executed. A statement at the bottom of the screen details that the submission will be saved for up to 7 days.

If you have any questions or concerns regarding filing in EFS-Web, please contact the Patent EBC Monday - Friday, from 6:00 a.m. to 12 Midnight Eastern Time, by email ebc@uspto.gov or telephone 866-217-9197.

NOTES

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