

CERTIFICATION AND REQUEST FOR EXTENDED MISSING PARTS PILOT PROGRAM (Page 1 of 2)

First Named Inventor:		Nonprovisional Application Number (if known):	
Title of Invention:			

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS TO PARTICIPATE IN THE EXTENDED MISSING PARTS PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION.

1. This certification and request is being filed with the nonprovisional application. The application is an original nonprovisional utility or plant application filed under 35 U.S.C. 111(a) within the duration of the pilot program. The following are excluded from the program: design applications, provisional applications, national stage applications, PCT international applications, reissue applications, and reexamination proceedings.
2. The application directly claims the benefit of a provisional application filed within the previous 12 months. Applicant is including the benefit claim to the provisional application in the first sentence of the specification or an application data sheet (see 37 CFR 1.78).
3. A nonpublication request is not included.
4. By filing this certification and request, applicant also acknowledges the following:
 - A nonprovisional application must have a specification including at least one claim and a drawing(s) if necessary for an understanding of the invention to be entitled to a filing date (see 35 U.S.C. 111(a)) and thus be eligible for the pilot program.
 - The nonprovisional application as originally filed must have a complete disclosure that complies with the enablement and written description requirements of 35 U.S.C. 112, first paragraph, which is sufficient to support the claims submitted on filing and any claims submitted later during prosecution. New matter cannot be added to an application after the filing date of the application. See 35 U.S.C. 132(a).
 - Provisional rights to a reasonable royalty under 35 U.S.C. 154(d) may only be available if the claims that are published in the patent application publication are substantially identical to the patented claims that are infringed (if a patent is granted). Therefore, applicant may wish to consider the benefits of submitting a complete set of claims on filing of the nonprovisional application.
 - Any foreign application (or international application) must still be filed within 12 months of the provisional application's filing date if applicant wishes to rely on the provisional application in the foreign application (or international application).
 - Any patent term adjustment (PTA) accrued by applicant based on certain administrative delays by the USPTO is offset by a reduction for failing to reply to a notice by the USPTO within three months. See 37 CFR 1.704(b). Thus, if applicant replies to a notice to file missing parts more than three months after the mailing date of the notice, the additional time that applicant takes to reply to the notice will be treated as an offset to any positive PTA accrued by the applicant. In no event will a reduction under 37 CFR 1.704(b) reduce the 20-year patent term (if a patent is granted). For more information on patent term, see MPEP § 2701.
 - A general authorization to charge fees, or a specific authorization to charge the search, examination, and/or excess claims fees to a deposit account, should not be submitted if participation in the pilot program is desired.
 - Fees are subject to change and the fees that are due are the fees in effect at the time of fee payment. Therefore, if the search fee, examination fee, excess claims fees, and/or the surcharge (or any other fees) have increased after the mailing of a Notice to File Missing Parts, applicant will be required to pay the increased fee amounts. Applicants should consult the current fee schedule on the USPTO Web site before paying any fees that are due.

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5. Applicant acknowledges that if the application is not in condition for publication, applicant will be required to place the application in condition for publication within two months (extendable under 37 CFR 1.136) of notification.

To be in condition for publication (37 CFR 1.211(c)), the application must contain the following:

- a. Basic filing fee;
- b. Executed oath or declaration in compliance 37 CFR 1.63;
- c. Application size fee (if required);
- d. Specification in compliance with 37 CFR 1.52;
- e. Abstract in compliance with 37 CFR 1.72(b);
- f. Drawings in compliance with 37 CFR 1.84 (if required);
- g. Sequence listing in compliance with 37 CFR 1.821-1.825 (if applicable); and
- h. English language translation and statement in compliance with 37 CFR 1.52(d) (if required).

Signature	Date
Name (Print/Typed)	Practitioner Registration Number
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.	
<input style="width: 20px; height: 20px; margin-right: 10px;" type="checkbox"/> *Total of _____ forms are submitted.	

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.