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DESIGN PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

First Named Inventor

Title

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DESIGN V. UTILITY: A "design patent" protects an article's ornamental appearance (e.g., the way an article looks) (35 U.S.C. 171), while a "utility patent" protects the way an article is used and works (35 U.S.C. 101). The ornamental appearance of an article includes its shape/configuration or surface ornamentation upon the article, or both. Both a design and a utility patent may be obtained on an article if invention resides both in its ornamental appearance and its utility. For more information, see MPEP § 1502.01.

APPLICATION ELEMENTS

See MPEP chapter 1500 concerning design patent application contents.

1. ☐ **Fee Transmittal Form**
(PTO/SB/17 or equivalent)
2. ☐ **Applicant asserts small entity status.**
See 37 CFR 1.27
3. ☐ **Applicant certifies micro entity status.** See 37 CFR 1.29.
Applicant must attach form PTO/SB/15A or B or equivalent.
4. ☐ **Specification** [Total Pages _____]
(preferred arrangement set forth below, MPEP § 1503.01)
 - Preamble
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Description of the figure(s) of the drawings
 - Feature description
 - Claim (only one (1) claim permitted, MPEP § 1503.03)
5. ☐ **Drawing(s)** [Total Sheets _____]
See 37 CFR 1.152
6. **Inventor's Oath or Declaration** [Total Pages _____]
(including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e))
 - a. ☐ Newly executed (original or copy)
 - b. ☐ A copy from a prior application (37 CFR 1.63(d))
7. ☐ **Application Data Sheet** * See note below.
See 37 CFR 1.76 (PTO/AIA/14 or equivalent)

ACCOMPANYING APPLICATION PARTS

8. ☐ **Assignment Papers**
(cover sheet & document(s))
9. ☐ **37 CFR 3.73(c) Statement** ☐ **Power of Attorney**
(when there is an assignee)
10. ☐ **English Translation Document**
(if applicable)
11. ☐ **Information Disclosure Statement (IDS)**
(PTO/SB/08 or PTO-1449)
 - ☐ Copies of foreign patent documents, publications, and other information
12. ☐ **Preliminary Amendment**
13. ☐ **Return Receipt Postcard**
(MPEP § 503) (Should be specifically itemized)
14. ☐ **Certified Copy of Priority Document(s)**
(if foreign priority is claimed)
15. ☐ **Request for Expedited Examination of a Design Application**
(37 CFR 1.155) (NOTE: Use "Mail Stop Expedited Design")
16. ☐ **Other:** _____

***Note:** (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must** be included in an Application Data Sheet (ADS).
(2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).

17. CORRESPONDENCE ADDRESS

☐ The address associated with Customer Number: _____ **OR** ☐ Correspondence address below

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