

**Open Forum**  
**PTRC 35<sup>th</sup> Annual Seminar, Monday, March 16<sup>th</sup>, 2015, 3 – 4 p.m.**

Compiled by Suzanne Reinman, Secretary, PTRC

Moderator: Christine Kitchens, PTRC Program Manager

Panelists:

Martha Sneed, Director, Public Search Services Division

Lyn Donaldson, Director, Collaborative Services Division

Donna Cooper, Director, Public Records Division

David Williams, Chief Website management Branch

Terri Howard, Head of Public Search Facility

Chris Kitchens said that several comments had been received on cards and these would be read and answered afterwards.

Chris also said that the hit list button in Pat FT that used to be available was lost during one of the upgrades. Tom Melvin first brought this up, also Linda Spiro. Lyn Donaldson has worked on this to see if it could be corrected. ALLPTRCs email went out recently that this has been corrected!

Q1. Spruce Fraser, St. Louis, MO: What happens to a patent application when it is classified or if the government has an interest in it? Is there a procedure in place for this?

A1. Martha Sneed: There was a technology center whereby mostly Department of Defense initiated inventions were placed in a security division. These were not published until deemed ok to publish. In the news recently has been mention of SAWS – a program at the USPTO where certain patent applications would be received and would be held with no action. This was eventually abolished. This question has several implications – the patron should receive more basic guidance regarding patents.

Chris Kitchens: Pro bono (free assistance) programs are being handled in several ways at USPTO. Through the USPTO, states, etc. These will be useful to independent inventors.

Q2. Nancy Spitzer, Madison, WI: There is a new nationwide pro bono program for legal assistance - 20 states have a pro-bono program. What is the status of this in states that do not yet have this program?

A2. Chris Kitchens: The sessions during patents day (Tuesday) will be addressing this. USPTO has turned this over to the states.

\*Q3. Aleta Burge, Miami, FL: What happens to a non-provisional application when it a regular application is not filed within the year?

A3. Martha Sneed: If a regular patent application isn't filed within a year, the applicant must start over. And the date is important.

Tom Turner: if the person made a public disclosure this put things in motion and may impact the filing of another provisional application.

Q4. Andy Wohrley, Auburn, AL: Who has had problems logging into East and West? It is very difficult to log in! Would it be possible to make it the login easier with the next upgrade to login?

A4. Michael Hydorn: There is a five minute wait once you click on East or West. And you cannot click on anything else during that five minute time period.

Martha Sneed: Please contact the PTRC Office with problems with logging in etc. Also contact the Help Desk. PTRC Office can also help, so contact them with a ticket no.

Q5. Jared Hoppenfeld, College Station, TX: For published applications, there is an 18 month window before publishing, but an example was found that was published earlier.

A5. Martha Sneed: This is because the applicant said to publish as soon as possible. The law reads that applications will publish at 18 months (in part due to the change from 17 years from date of issue to 20 years from date of file) – American Inventor Protection Act. An independent inventor can also opt out of publishing at all.

Q6. Jim Miller, Baltimore, MD: The USPC going away, but it useful to keep for older technologies.

A6. Chris Kitchens: The PTRC Office has forwarded all of these questions to the speakers on Tuesday.

Q7. Barbara Hampton, Fairfield, CT: In the news has been the proposed changes to patent law; what will be the consequences of this.

A7. Chris Kitchens: See the Legislative up date in the packets. Also see documents librarians who will be able to help track legislation.

Q8. Hal Mendelsohn, Orlando, FL: Must we continue to change the password for to East/West every 60 days?

A8. Chris Kitchens: This is due to federally mandated policies. The 60 days applies to many things. One suggestion for creating a password is to put numbers on the end of a simple word.

Michael Hydorn: Password 11 can be the same as password one, so you will only have to have ten passwords.

Q9. Kathy Berry, Dallas, TX: Will there be an update to the 7 Step Process?

A9. Chris Kitchens: Tom Turner is the resident expert, so he will be addressing this. The PTRC Office came up with a 7 step strategy using CPC. We will be going over this Tuesday afternoon. There are three 7 step strategies that have been proposed. Part of this has been due to waiting to see the new USPTO website.

Q10. Chuck Malone, Macomb, IL: With the new patent search database being planned, will this replace East and West and web searching.

A10.: Chris Kitchens: Yes, this is correct.

Q11. Charlotte Erdmann, West Lafayette, IN: She has seen USPC subclasses being assigned to patents after January 2015.

A11. Chris Kitchens: Bring his up at the classification presentation.

Tom Turner: The examiners are no longer assigning USPC classes, but there are some patents still in the backlog.

Q12. Ran Raider, Dayton, OH: Are there examples available on the USPTO website for examiners about software that can be patented.

A12. Michael Hydorn: This will be put into the MPEP and then it will be viewable.

Q13. Judy Triplehorn, Fairbanks, AK: What new tutorials can we look forward to?

A13. Chris Kitchens: What are you interested in? – Both patents and trademarks. Please bring these up to the speakers at the patent and trademark days, Tuesday and Wednesday.

Q14. Marian Armour-Gemmen, Morgantown, WV: Will the new web pages have any more color in them and they are also difficult to navigate.

A 14. Lyn Donaldson: See the Quick Links button on the web page. The redesign was a big effort and geared toward first time users while preserving the experience for return users. The website team is using data from the feedback on the website, so send feedback, positive and negative.

Q15. Barbara Hampton, Fairfield, CT: Is there an option on website to identify someone giving helpful/not helpful feedback, not just anonymous responses.

A15. David Williams: This is being considered. If PTRCs can identify the 20 top pages that we use, USPTO may be able to come up with URLs for these pages that will be easier to navigate to.

Barbara Hampton: Also color when helping users remotely is an issue. And using of YouTube for video is an issue as this is blocked in schools.

Lyn Donaldson: We will consider these.

Michael Hydorn: We will look to see if some of these videos can be included on PTRC web pages.

Q16. Dave Morrison, Salt Lake City, UT: Provisional patent information on EFS web seems to be reverting back to paper forms. And there is some back and forth between electronic and paper. There are also nine or 10 different documents that can be added to the general form. So it is more complicated than it should be for patrons.

A16. Chris Kitchens: The Program Office will work with Dave later on to draft something for EFS.

\*Q17. Charlotte Erdmann, West Lafayette, IN: Is there a video for first to invent/first to file?

A17. Chris Kitchens: There is outdated information on the website. Some of the older pages are still coming up.

Lyn Donaldson: Almost all pages were moved to the new system. There should be a banner at the top of these pages saying that this page may be outdated.

David Williams: The focus has been on updating pages that generate the most traffic. USPTO is working slowly through all pages to update the.

Lyn Donaldson: Assigning ownership to some of these pages is also at issue; the update has been quite a large task.

Martha Sneed: Can't you still find older things on earlier pages?

David Williams: Yes, but there are some older materials that are still accurate. It has been a difficult process.

Lyn Donaldson: Old pages were carried over.

Martha Sneed: Is Provisional patent information in the top 20 pages?

David Williams: ...

Ended promptly at 4 p.m. for event for Martha Sneed.