

# EXHIBIT

23-d

## References

- A. PTO/SB/08a/08b and EFS-Web Information Disclosure Statement by Applicant
- B. PTO/SB/21 Transmittal Form
- C. PTO/SB/22/23 Petitions for Extension of Time
- D. PTO/SB/24 Express Abandonment
- E. PTO/SB/24A Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)
- F. PTO/SB/25/26/43/62/63 Disclaimers
- G. PTO/SB/27 Request for Expedited Examination of a Design Application
- H. PTO/SB/31 Notice of Appeal
- I. PTO/SB/42 Information Disclosure Citation
- J. PTO/SB/61/64 Petitions to Revive Unintentionally or Unavoidably Abandoned Applications
- K. PTO/SB/64a Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing
- L. PTO/SB/67/68 Requests to Access, Inspect and Copy
- M. PTO/SB/91 Deposit Account Order Form
- N. PTO/SB/92/97 Certificates of Mailing/Transmission
- O. PTO/SB/96 Statement under 37 CFR 3.73(b)
- P. PTO/SB/35 Non-publication Request
- Q. PTO/SB/36 Notice of Rescission of Previous Non-publication Request (35 U.S.C. § 122(b)(2)(B)(ii)) and, if applicable, Notice of Foreign Filing (35 U.S.C. § 122(b)(2)(B)(iii))
- R. Electronic form via EFS-Web Electronic filing system (EFS) copy of application for publication
- S. PTO-2053-A/B Notice Under 37 CFR 1.251-Pending Application
- T. PTO-2054-A/B Notice Under 37 CFR 1.251 – Abandoned Application
- U. PTO-2055-A/B Notice under 37 CFR 1.152 – Patent
- V. PTO/SB/30 Request for Continued Examination (RCE)
- W. PTO/SB/30EFS Request for Continued Examination (RCE) EFS-Web
- X. PTO/SB/32 Request for Oral Hearing Before the Board of Patent Appeals and Interferences
- Y. PTO/SB/37 Request for Deferral of Examination 37 CFR 1.103(d)
- Z. PTOL/413A Applicant Initiated Interview Request Form
- AA. PTO/SB/17i Processing Fee under 37 CFR 1.17i) Transmittal
- BB. PTO/SB/17P Petition Fee under 37 CFR 1.17(f), (g) and (h) Transmittal
- CC. PTO/SB/38 Request to Retrieve Electronic Priority Application(s) under 37 CFR 1.55(d)
- DD. PTO/SB/39 Authorization for Permit Access to Application by Participating Offices under 37 CFR 1.14(h)
- EE. PTO/SB/24B Petition for Express Abandonment to Obtain a Refund
- FF. PTO/SB/33 Pre-Appeal Brief Request for Review
- GG. PTO/SB/28 EFS-Web Petition to Make Special under Accelerated Examination Program
- HH. PTO/SB/216 Examination Support Document Transmittal
- II. PTO/SB/211 Examination Support Document Listing of References 37 CFR 1.265(c)
- JJ. PTO/SB/206 Listing of Commonly Owned Applications and Patent 37 CFR 1.78(f)
- KK. PTO/SB/206 EFS-Web Listing of Commonly Owned Applications and Patent 37 CFR 1.78(f)
- LL. PTOL-413C EFS-Web Only Request for First-Action Interview (Pilot Program)

- MM. PTO/SB/130 EFS-Web Only Petition to Make Special Based on Age for Advancement of Examination under 37 CFR 1.102(c)(1)**
- NN. PTO/SB/201 Request for Streamlining Docketing Procedure**

## ATTACHMENT TO CHANGE WORKSHEET FOR 0651-0031

### OTHER CHANGE

Due to program changes, feedback based on the public comments received in response to the Notice of Proposed Rulemakings entitled Changes to Practice for the Examination of Claims in Patent Applications (RIN 0651-AB94) and Proposed Changes to Practice for Continuing Applications, Requests for Continued Examination Practice, and Applications Containing Patentably Indistinct Claims (RIN 0651-AB93), and further study, the USPTO is revising its estimates for the examination support document, and petitions for further continued examination. For the examination support documents, the USPTO now estimated that there will 10,000 received annually, with 24 hour estimated burden at a rate of \$218, which is a weighed average of 16 hours of attorney time and 8 hours of a searching professional time. In the final rule, the USPTO is revising the rules to change the criteria of when an examination support document is required to be filed. Accordingly, the USPTO now estimates an increased number of these examination support documents may be filed. The USPTO now estimates the examination support documents will take 24 hours based upon further feedback from the public and further study. Likewise, for the petitions for further continued examination (whether via continuations, continuations-in-part, or requests for continued examination), the USPTO now estimates that fewer such petitions will be filed because the final rule will change the conditions for when such petitions are required. The USPTO now estimates such petitions will take 4 hours based upon further feedback from the public and further study.

The USPTO estimates that there will be an increase in the annual burden for this submission of 196,800 burden hours as a program change, bringing the total annual hours to 3,724,791. The USPTO also estimates that the annual (non-hour) cost burden will decrease by \$2,880,039 as a program change, bringing the total annual (non-hour) cost burden to \$114,723,256.



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- [EO 12866 Regulatory Review](#)
- [Information Collection Review](#)
- [Information Collection Review](#)
- [Advanced Search](#)
- [XML Reports](#)

Display additional information by clicking on the following:  All  Brief

Abstract/Justification  Legal Statutes  Rulemaking  FR Notices/Comments  IC List  Burden  Misc.  Certification

[View Information Collection \(IC\) List](#) [View Supporting Statement and Other Documents](#)

### View ICR - Agency Submission

OMB Control No: 0651-0031 ICR Reference No: 200707-0651-005  
 Status: Received in OIRA Previous ICR Reference No: 200703-0651-001  
 Agency/Subagency: DOC/PTO Agency Tracking No:  
 Title: Patent Processing (Updating)  
 Type of Information Collection: Revision of a currently approved collection  
 Type of Review Request: Regular Date Submitted to OIRA: 09/26/2007

|                       | Requested               | Previously Approved |
|-----------------------|-------------------------|---------------------|
| Expiration Date       | 36 Months From Approved | 11/30/2007          |
| Responses             | 2,643,259               | 2,508,139           |
| Time Burden (Hours)   | 3,632,456               | 3,724,791           |
| Cost Burden (Dollars) | 149,814,540             | 114,723,256         |

**Abstract:** This collection of information is required by 35 U.S.C. sec. 101 et.seq. and is administered through 37 CFR Part 1. During the pendency of a patent application or the period of enforceability of a patent, situations arise that require collection of information for the USPTO to further process the patent or application. This information can be used by the USPTO to continue the processing of the patent or application or to ensure that applicants are complying with the patent regulations.

**Authorizing Statute(s):** US Code: 35 USC 101 Name of Law: 37 CFR Part 1  
**Citations for New Statutory Requirements:** None

**Associated Rulemaking Information**

|             |                                |                                   |              |
|-------------|--------------------------------|-----------------------------------|--------------|
| <b>RIN:</b> | <b>Stage of Rulemaking:</b>    | <b>Federal Register Citation:</b> | <b>Date:</b> |
|             | Not associated with rulemaking |                                   |              |

**Federal Register Notices & Comments**

|                       |                                   |                       |
|-----------------------|-----------------------------------|-----------------------|
| <b>30-day Notice:</b> | <b>Federal Register Citation:</b> | <b>Citation Date:</b> |
|                       | 71 FR 103                         | 05/30/2006            |
| <b>0-day Notice:</b>  | <b>Federal Register Citation:</b> | <b>Citation Date:</b> |
|                       | 72 FR 180                         | 09/18/2007            |

**Did the Agency receive public comments on this ICR?** No

**Number of Information Collection (IC) in this ICR: 56**

| IC Title                             | Form No. | Form Name |
|--------------------------------------|----------|-----------|
| Petitions under 37 CFR 1.17(f) :     |          |           |
| Petition to Accord a Filing Date     |          |           |
| under 1.57(a) and 1.153(d), Petition |          |           |
| for Decision on a Question Not       |          |           |



Specifically Provided, and Petition to Suspend the Rules

Petitions under 37 CFR 1.17(g) include: Petitions to Access

Assignment Records and Applications, Petition for Expungement/Return of Information, and Petition to Suspend Action in an Application

Petition for Extension of Time under 37 CFR 1.136(a)

PTO/SB/22

Petition for Extension of Time Under 37 CFR 1.136(a) FY 2006

Petition for Extension of Time under 37 CFR 1.136(b)

PTO/SB/23

Petition for Extension of Time Under 37 CFR 1.136(b)

Request for Corrected Filing Receipt (electronic)

Petitions under 37 CFR 1.17(h): Petition for Accepting Color Drawings/Photos, Petition for Entry of Model/Exhibit, Petition to Withdraw Application from Issue, and Petition to Defer Issue of Patent

Authorization To Permit Access to Application by Participating Offices Under 37 CFR 1.14(h)

PTO/SB/39

Authorization to Permit Access to Application by Participating Offices

Information Disclosure Statements filed during the second time period that require the explanation and non-cumulative description

Petition for Revival of an Application for Patent Abandoned Unavoidably

PTO/SB/61

Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(a)

Pre-Appeal Brief Request for Review

PTO/SB/33

Pre-Appeal Brief Request for Review

Request to Retrieve Electronic Priority Application(s) Under 37 CFR 1.55(d)

PTO/SB/38

Request to Retrieve Electronic Priority Application(s)

Petition for Express Abandonment to Obtain a Refund

PTO/SB/24B

Petition for Express Abandonment to Obtain a Refund

Petition to Make Special Under Accelerated Examination Program

PTO/SB/28 EFS-Web

Petition to Make Special under Accelerated Examination Program

Request for Voluntary Publication or Republication EFS-Web

Request for Continued Examination (RCE) EFS-Web

PTO/SB/30EFS

Request for Continued Examination (RCE) Transmittal

Request for Deferral of Examination 37 CFR 1.103(d)

PTO/SB/37

Request for Deferral of Examination 37 CFR 1.103(d)

Non-publication Request

PTO/SB/35

Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i)

Applicant Initiated Interview Request Form

PTOL-413A

Applicant Initiated Interview Request Form

IDS (Information Disclosure Statements) filed with no additional disclosure requirements

Information Disclosure Statements with no additional disclosure requirements

PTO/SB/08A,  
PTO/SB/08B

Information Disclosure Statement by Applicant, Information Disclosure Statement by Applicant

Petition for a second request for continued examination showing why the amendment, argument, or evidence could not have been submitted prior to the close of prosecution in the application

Petition for a second continuation or continuation-in-part application showing why the amendment, argument, or evidence could not have been submitted prior to the close of prosecution in the prior fil

Examination Support Document Transmittal PTO/SB/216

Examination Support Document Transmittal

Information Disclosure Citation in a Patent PTO/SB/42

37 CFR 1.501 Information Disclosure Citation in a Patent

Petition for Request for Documents in a Form Other Than That Provided by 1.19

Request for Corrected Filing Receipt

Electronic Filing System (EFS) Copy of Application for Publication

Copy of File Content Showing Redactions

Copy of the Applicant or Patentee's Record of the Application

(including copies of the correspondence, list of the correspondence, and statements verifying whether the record is complete or not) PTO-2053-A/B, PTO-2054-A/B, PTO/2055-A/B

Notice Under 37 CFR 1.251 - Pending Application, Notice Under 37 CFR 1.251 - Abandoned Application, Notice Under 37 CFR 1.251 - Patent

Request for Continued Examination (RCE) Transmittal PTO/SB/30

Request for Continued Examination (RCE) Transmittal

Listing of Commonly Owned Applications and Patents 37 CFR 1.78(f) EFS-Web PTO/SB/206 EFS-Web

Listing of Commonly Owned Applications and Patents 37 CFR 1.78(f) EFS-Web

Petition for Revival of an Application for Patent Abandoned Unintentionally PTO/SB/64

Petition for Revival of an Application for Patent Abandoned Unintentionally Under

Request for Oral Hearing Before the Board of Patent Appeals and Interferences PTO/SB/32

Request for Oral Hearing Before the Board of Patent Appeals and Interferences

Processing Fee Under 37 CFR 1.17(i) Transmittal PTO/SB/17i

Processing Fee under 37 CFR 1.17(i) Transmittal

Petition Fee Under 37 CFR 1.17(f), (g), (h) Transmittal PTO/SB/17p

Petition Fee under 37 CFR 1.17(f), (g) and (h) Transmittal

Information Disclosure Statements Filed during the third time period that require the second patentability justification

Petition for Revival of an Application for Patent Abandoned or Failure to Notify the Office of a Foreign or International Filing PTO/SB/64a

Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing (37 CFR 1.137(f))

Request for First-Action Interview Pilot Program)

Petition to Make Special Based on

|  |   |   |
|--|---|---|
| <u>Age for Advancement of Examination under 37 CFR 1.102(c)(1)</u>   | PTO/SB/130 EFS-Web                                    | <u>Petition to Make Special Based on Age for Advancement of Examination under 37 CFR 1.102(c)(1)</u>  |
| <u>Request for Streamlined Docketing Procedure</u>   | PTO/SB/201  | <u>Request for Streamlined Docketing Procedure</u>  |
| <u>Examination Support Document Listing of References 37 CFR 1.265(c)</u>  | PTO/SB/211  | <u>Examination Support Document Listing Of References 37 CFR 1.265(c)</u>   |
| <u>Information Disclosure Statements filed during the first time period that require the explanation</u>   |   |   |
| <u>Information Disclosure Statements filed during the third time period that require the first patentability justification</u>                             |   |   |
| <u>Listing of Commonly Owned Applications and Patents 37 CFR 1.73(f)</u>   | PTO/SB/206  | <u>Listing of Commonly Owned Applications and Patents 37 CFR 1.78(f)</u>  |
| <u>Rescission of Previous Non-publication Request (35 U.S.C. 122(b)(B)(ii)) and, if applicable, Notice of Foreign Filing (35 U.S.C. 122(b)(2)(B)(iii))</u> | PTO/SB/36   | <u>Rescission of Previous Nonpublication Request (35 U.S.C. 122(b)(2)(B)(ii)) and, if applicable, Notice of Foreign Filing (35 U.S.C. 122(b)(2)(B)(iii))</u>  |
| <u>Request for Processing of Replacement Drawings to Include the Drawings in Any Patent Application Publication</u>  |   |   |
| <u>Express Abandonment under 37 CFR 1.138</u>  | PTO/SB/24   | <u>Express Abandonment Under 37 CFR 1.138</u>   |
| <u>Petition for Express Abandonment to Avoid Publication Under 37 CFR 1.138(c)</u>   | PTO/SB/24A  | <u>Petition for Express Abandonment to Avoid Publication Under 37 CFR 1.138(c)</u>  |
| <u>Disclaimers</u>   | PTO/SB/62, PTO/SB/43, PTO/SB/63, PTO/SB/25, PTO/SB/26 | <u>Terminal Disclaimer to Accompany Petition (Period Specified), Disclaimer in Patent Under 37 CFR 1.321(a), Terminal Disclaimer to Accompany Petition, Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending "Reference" Application, Terminal Disclaimer to Obviate a Double Patenting Rejection over a "Prior" Patent</u> |
| <u>Request for Expedited Examination of a Design Application</u>   | PTO/SB/27   | <u>Request for Expedited Examination of a Design Application (37 CFR 1.155)</u>   |
| <u>Notice of Appeal</u>  | PTO/SB/31   | <u>Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences</u>  |
| <u>Statement Under 37 CFR 3.73(b)</u>  | PTO/SB/96   | <u>Statement under 37 CFR 3.73(b)</u>   |
| <u>Transmittal Form</u>  | PTO/SB/21   | <u>Transmittal Form</u>   |
| <u>Requests to Access, Inspect and Copy</u>  | PTO/SB/67, PTO/SB/68                                  | <u>Power to Inspect/Copy, Request for Access to an Abandoned Application under 37 CFR 1.14</u>  |
| <u>Deposit Account Order Form</u>  | PTO/SB/91   | <u>Deposit Account Order Form</u>   |
| <u>Certificates of Mailing/Transmission</u>  | PTO/SB/97, PTO/SB/92                                  | <u>Certificate of Transmission under 37 CFR 1.8, Certificate of Mailing under 37 CFR 1.8</u>  |

**RR Summary of Burden**

| Total Request | Previously | Change Due to New | Change Due to | Change Due to Adjustment in | Change Due to Potential Violation |
|---------------|------------|-------------------|---------------|-----------------------------|-----------------------------------|
|---------------|------------|-------------------|---------------|-----------------------------|-----------------------------------|