

EXHIBIT 23

Final USPTO Rule on Claims and Continuations

Overview of Major Issues and Concerns

SDIPLA

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Claims and Continuations Final Rule

Four Prosecution Burdens Shifted

Situations where examination burdens have been shifted from the examiner to applicant; and the expected results

1. When there is a large number of claims to examine:
If more than 5/25 claims are presented

- An ESD will be required to aid in the examination

but it is expected that most applicants will not file an ESD,
so the net effect expected is:

compliance with the 5/25 limits; and

elimination of almost all applications with very large numbers of claims.

- Because only a limited number of claims will be prosecuted in an application, practitioners will probably put more emphasis on drafting claims before filing, in meaningfully amending claims and/or traversing rejections, and in advancing prosecution issues with each response.

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