

EXHIBIT 3

Proposed Topics for John J. Love - Deputy Commissioner for Patent Examination Policy

	Broad Lines of Inquiry	Exemplar Issues
1.	Good faith basis for data proffered to Office of Management and Budget by USPTO in respect of continuation/claim rules.	<ul style="list-style-type: none"> • Mr. Love’s involvement in the OMB process in respect of the continuation/claim new rules (and proposed rules). • Discrepancies noted between USPTO’s claimed savings in public paperwork burden and the actual increase in burden. • Failure of the USPTO to disclose its assumptions and models to FOIA request by David Boundy of Cantor Fitzgerald.
2.	Good faith basis for the USPTO asserting that it considered alternative methods of resolving its backlog problem.	<ul style="list-style-type: none"> • USPTO’s consideration of satellite offices in promulgating new rules in light of November 2007 statement by John Doll that “It’s a really good idea, but right now we’re still very much in the preliminary stages.” • USPTO’s full consideration of the idea of deferred examination alternatives in light of its statements in Federal Register that it still considering the idea. • Review of petty patent idea and collaborative examination. • Efforts undertaken by USPTO to deal with its large attrition rate. • Consideration of its backlog problem due to its high examiner attrition rate – consideration of ways to reduce attrition rate.
3.	<i>Ex officio</i> communications without confidence pertaining to new	<ul style="list-style-type: none"> • <i>Ex officio</i> communications between Robert Spar, John Love, Joseph Rolla, and others made

	<p>continuation/claim rules.</p>	<p>concerning the continuation/claim rules that were not kept in confidence.</p> <ul style="list-style-type: none"> • Inquiries into certain “form” letters transmitted by several patent firms, including LeMonine Patent, Kacvinsky LLC, and Caven & Aghevli, in support of the new rules posted very early in the comment period – Basis for withdrawal of other such form letters from USPTO comments. • Communications about the 5/25 proposal to groups outside of the administrative record (BIO meeting New York October 3, 2007).
<p>4.</p>	<p>Inquiry into the good faith belief of the USPTO in respect of its assertion that the final rules are a logical outgrowth of the proposed rules.</p>	<ul style="list-style-type: none"> • Statements made by John Love indicating that the new rules are not a logical outgrowth of the proposed rules.
<p>5.</p>	<p>Inquiry into vagueness of USPTO final rules and confusion at the USPTO in respect of its final rules.</p>	<ul style="list-style-type: none"> • Information given to practitioners that the filing of a demand in an international case would be counted against continuation filings in U.S. • Flagging of applications for 5/25 claims prior to effective date of new rules.

