

**Before the  
UNITED STATES PATENT AND TRADEMARK OFFICE  
DEPARTMENT OF COMMERCE  
Washington, DC**

**In the Matter of** )  
 )  
**Rules of Practice Before the Board of Patent** )  
**Appeals and Interferences in Ex Parte Appeals** )

**Docket No. PTO-P-2009-0021**

**COMMENTS OF THE WISCONSIN ALUMNI RESEARCH FOUNDATION**

On October 21, 2010, the United States Patent and Trademark Office (“USPTO”) requested comments regarding its proposal to rescind the stayed final rule published on June 10, 2008 (*see* 73 Fed. Reg. 32,938) and to instead implement new changes to the current rules of practice before the Board of Patent Appeals and Interferences (“BPAI”) in *ex parte* appeals. *See* 75 Fed. Reg. 69828 (November 15, 2010). As explained in significant detail, the proposed revisions were designed largely in response to public input regarding the stayed final rule and subsequent proposals.

WARF wishes to commend the USPTO for its exemplary utilization of the federal public notice and comment procedure. The improvements and modifications described therein will result in an improved *ex parte* appeal procedure that will benefit citizens, inventors, patent practitioners, and the USPTO. WARF also commends the USPTO for its careful and thoughtful consideration of the previously submitted comments, and appreciates the explanations provided for the modifications proposed. WARF agrees that the proposed changes reduce the burden for both appellants and examiners, and generally clarify and improve the procedures for *ex parte* patent appeals.

Respectfully,



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