

Illustrative Examples of the Proposed Factors in the Federal Register Notice



**Roundtable on the Written Description
Requirement for Design Applications**

United States Patent and Trademark Office



Illustrative Examples of the Proposed Factors in the Federal Register Notice

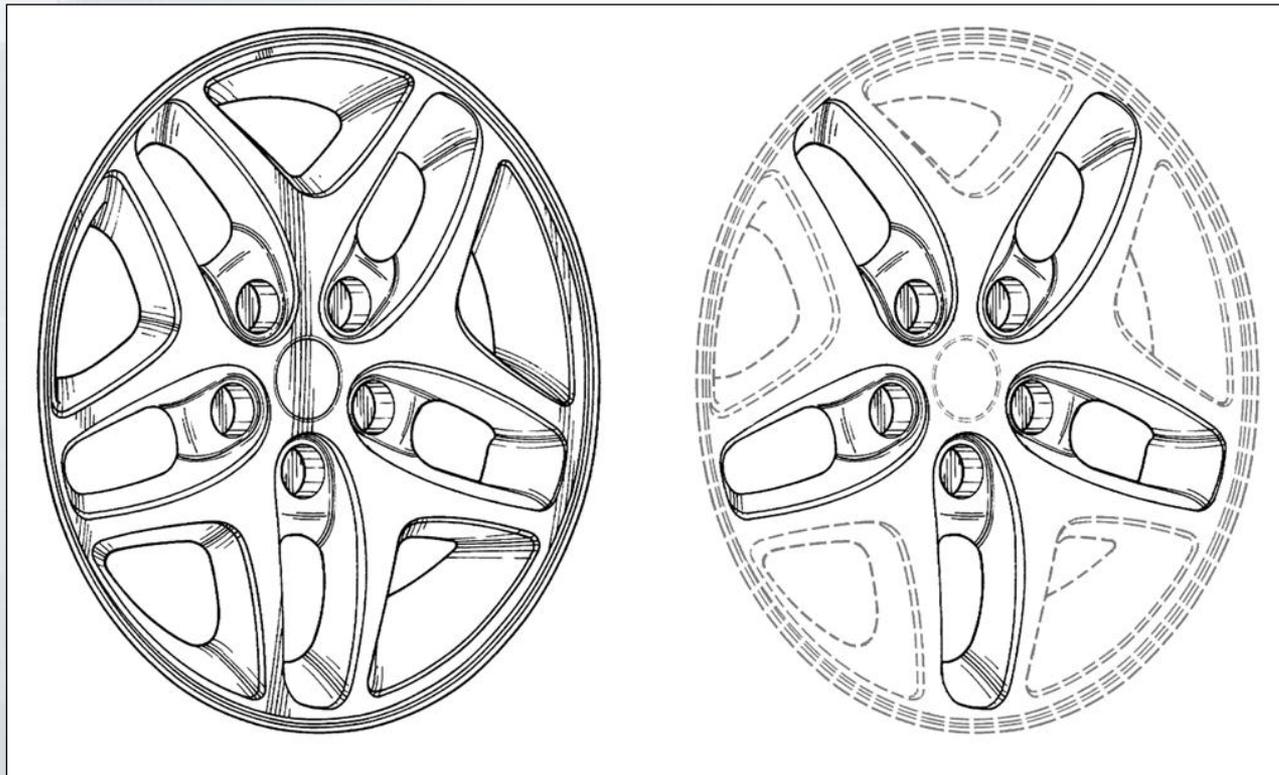
- In the Federal Register notice, input is requested as to whether it would be useful for design examiners to consider any of the following factors in determining whether an amended/continuation design claim, which includes only a subset of the originally disclosed elements (no new elements are introduced that were not originally disclosed), satisfies the written description requirement.
- The following examples illustrate the concepts described by the proposed factors in the Federal Register notice. The Office recognizes that many of the amendments depicted in these examples are not representative of situations that would require analysis under the proposed factors. The Office is providing these examples merely to promote understanding of the proposed factors.



Illustrative Examples of the Proposed Factors in the Federal Register Notice

Factor (1) the presence of a common theme among the subset of elements forming the newly identified design claim, such as a common appearance.

Vehicle Wheel
Front Face



Original

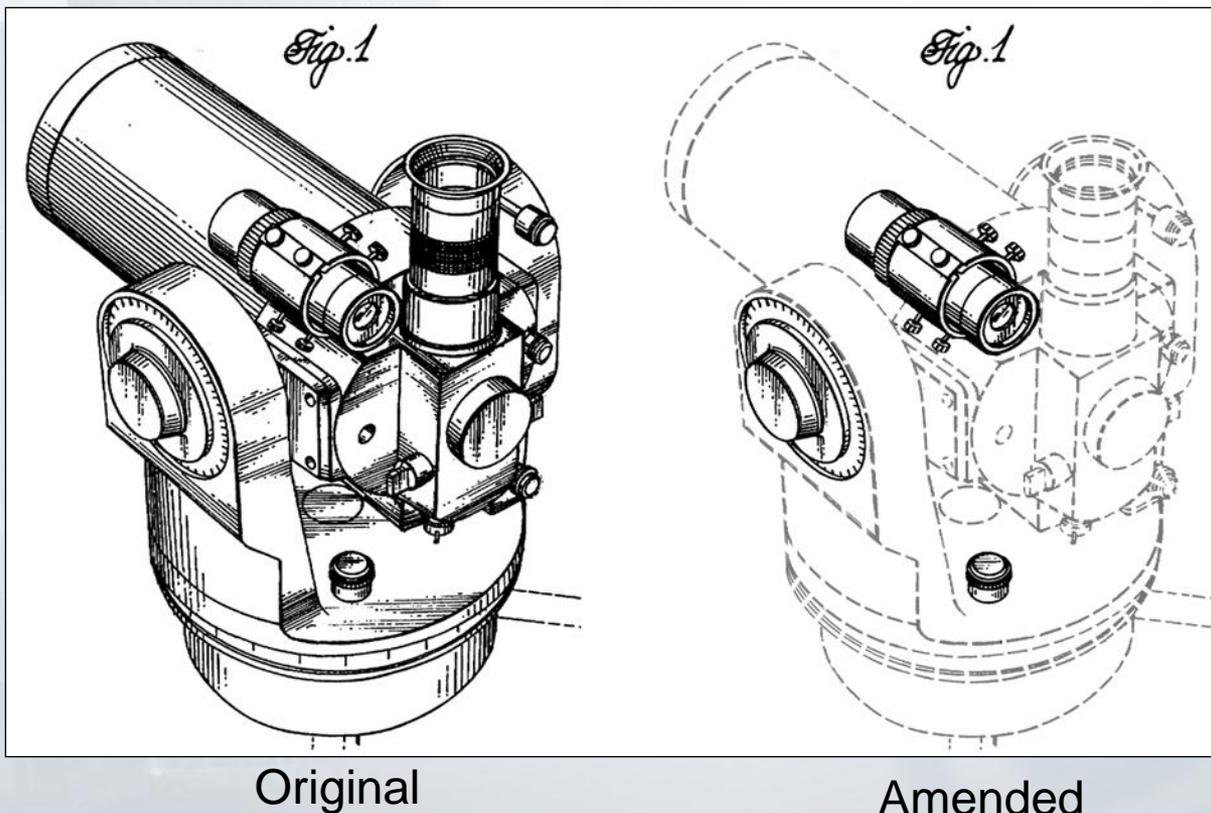
Amended



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Factor (2): the subset of elements forming the newly identified design claim share an operational (the elements making up the claimed design relate to aligning the telescope) and/or visual connection due to the nature of the particular article of manufacture.

Telescope

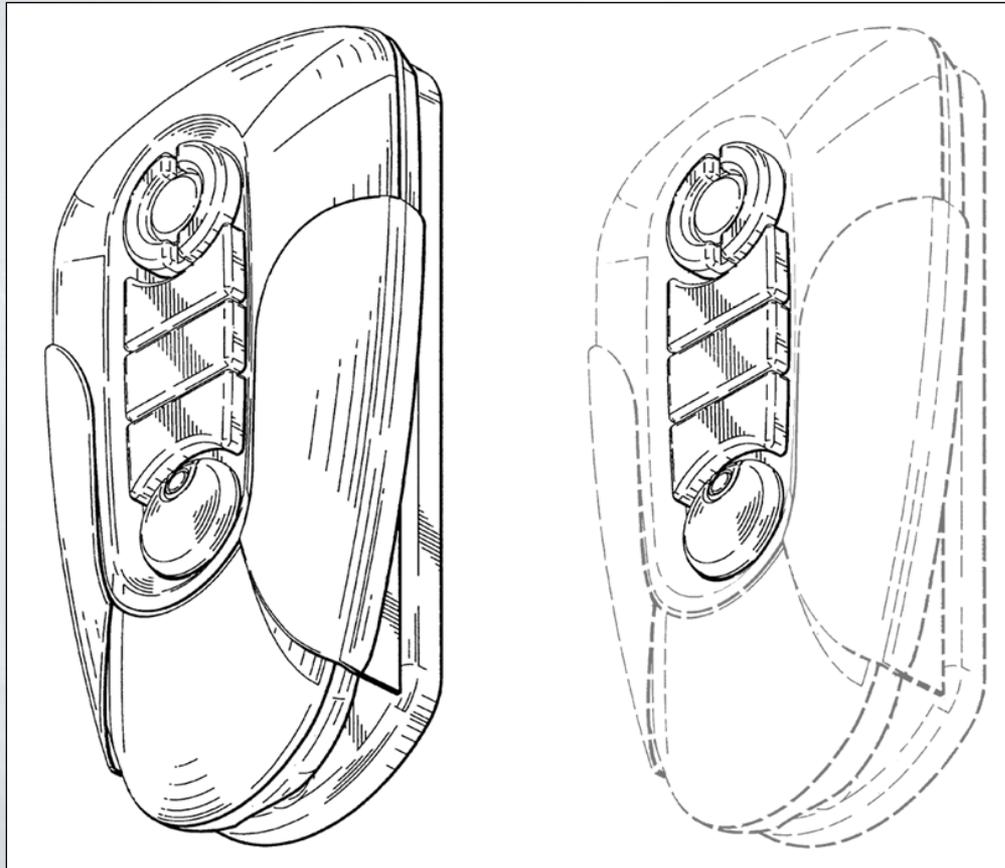




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Factor (3): the subset of elements forming the newly identified design claim is a self-contained design within the original design.

Remote Control and Cradle
Assembly for a Ceiling Fan
and Light Fixture



Original

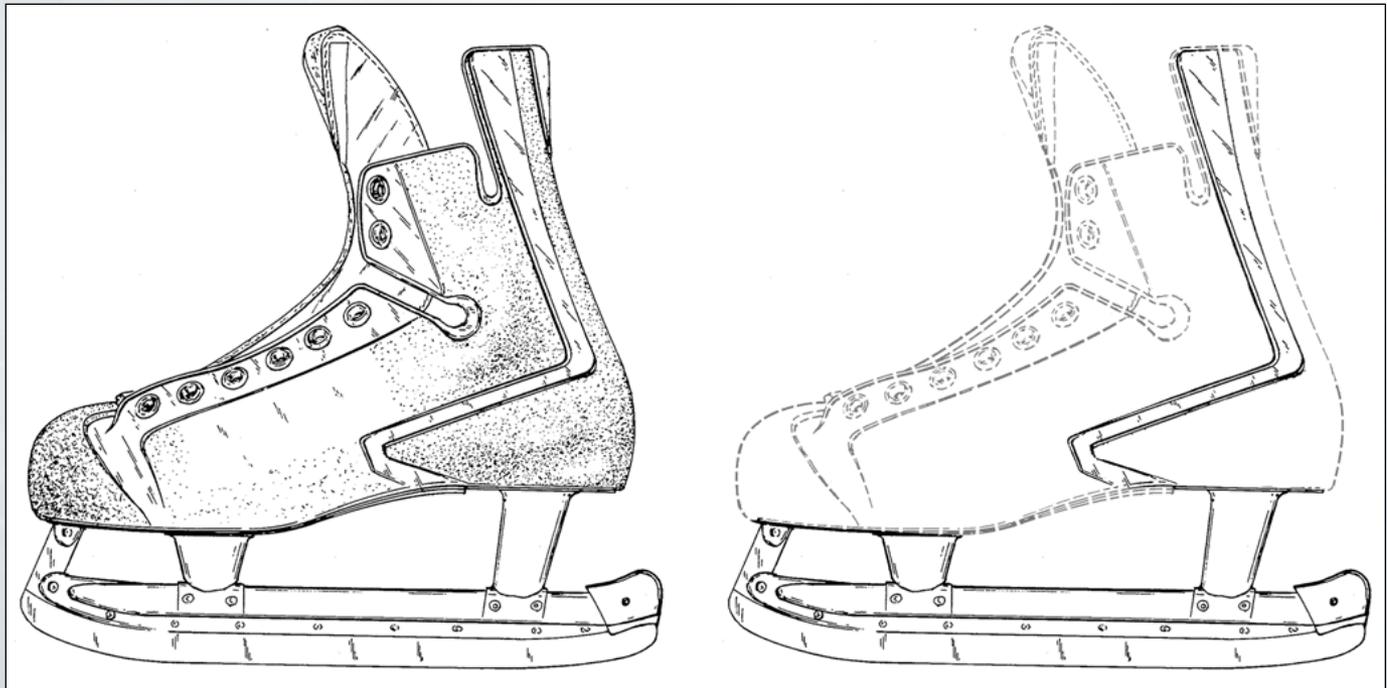
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Factor (4): a fundamental relationship among the subset of elements forming the newly identified design claim is established by the context in which the elements appear (In the context of an ice skate, the blade can be part of any design recognized within the whole ice skate).

Ice Skate



Original

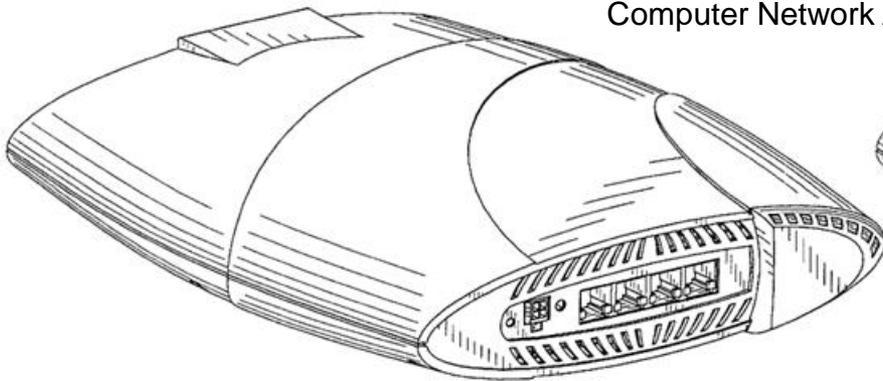
Amended



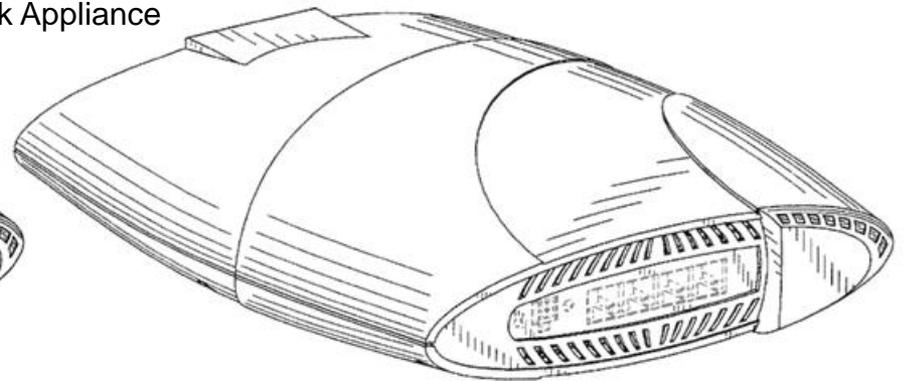
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Factor (5): the subset of elements forming the newly identified design claim gives the same overall impression as the original design claim.

Computer Network Appliance



Original



Amended