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> By Michael E. Dergosits and Samuel Lee*

U.S. Patent and Trademark Office, Commerce

(b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to \$1.27(c)(2)(iii) or (c)(2)(iv), filed in the application must be signed by:

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§1.36

prior application. (g) A patent practitioner acting in a representative capacity whose correspondence address is the correspondence address of record in an application may change the correspondence address after the patent has issued, provided that the change of correspondence address is accompanied by a statement that notice has been given to the patentee or owner.

[36 FR 12617, July 2, 1971, as amended at 46 FR 29181, May 29, 1981; 49 FR 34724, Aug. 31, 1984; 50 FR 5171, Feb. 6, 1985; 62 FR 53184, Oct. 10, 1997; 65 FR 54661, Sept. 8, 2000; 69 FR 29877, May 26, 2004; 69 FR 35452, June 24, 2004; 70 FR 3889, Jan. 27, 2005; 70 FR 56127, Sept. 26, 2005; 72 FR 2776, Jan. 23, 2007; 72 FR 18904, Apr. 16, 2007; 77 FR 48814, Aug. 14, 2012; 78 FR 62396, Oct. 21, 2013]

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[70 FR 56127, Sept. 26, 2005]

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equivalents was available in every case, without requiring tain equitable factors. The Supreme that prosecution history estoppel was cope of the equivalents. The Supreme s the patentee's burden to explain the n amendments made in response to none were expressly stated in the With regard to the tripartite test, the luded that this was just one way of her the accused product was ed from the patented invention, and ircuit the case-by-case development e test for equivalents he Federal Circuit in Festo held that indments for any reason r



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March 2016



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CONTAINING THE GENERAL AND PERMANENT LAWS OF THE UNITED STATES ENACTED THROUGH THE 112TH CONGRESS

(ending January 2, 2013, the last law of which was signed on January 15, 2013)

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