

## Appendix II List of Decisions Cited

	Sec. No.		Sec. No.
Abbot v. Coe, 1940 C.D. 13; 512 O.G. 3	716		716
Adams, Ex parte, Pat. No. 1,789,921	608.04 (b)		
Andrews v. Wickenden, 1952 C.D. 176; 659 O.G. 305	1101.02 (f)		706.03 (c)
Appeal No. 194-38, 1966 C.D. 31; 152 USPQ 70	901.05 (b)		706.03 (y)
Application Filed Nov. 16, 1945, In re, 1951 C.D. 1; 646 O.G. 5	904.01 (a)		1214.01
Application Papers Filed July 13, 1950; 693 O.G. 136; 1955 C.D. 3	1214.01		201.06
Application Papers Filed Jan. 20, 1956, In re, 706 O.G. 4	714.07		1101.02
Application Papers Filed Sept. 10, 1954, In re, 703 O.G. 434	409.03		1101.02
Arbeitet al., In re, 1953 C.D. 409; 677 O.G. 843	706.03 (c)		715.04
Arkless, Ex parte, 1958 C.D. 19; 726 O.G. 635	201.14, 1401		706.02 (a)
Armstrong, In re, 1960 C.D. 422; 759 O.G. 4	716		716
Arzberger, In re, 1940 C.D. 653; 521 O.G. 272	1601		716
Attwood, In re, 1958 C.D. 204; 730 O.G. 790	716		1214.01
Automatic Weighing Mach. Co. v. Pneumatic Scale Corp., Limited, 1909 C.D. 498; 139 O.G. 991	715.07		1214.01
Ayers et al., Ex parte, 108 U.S.P.Q. 444	608.04 (a)		603.01
Badger, Ex parte, 1901 C.D. 195; 97 O.G. 1596	608.02 (f)		604.02
Ball et al., Ex parte, 1953 C.D. 4; 675 O.G. 5	706.03 (c)		1105.04
Barber, In re, 1936 C.D. 184; 465 O.G. 724	1504		806.05 (b)
Beck et al., In re, 1946 C.D. 398; 590 O.G. 357	715.01 (b)		715.07
Benke, Ex parte, 1904 C.D. 63; 108 O.G. 1588	811.02		706.03 (y)
Benson, In re, 1959 C.D. 5; 744 O.G. 353	608.01, 714.07, 714.19		706.03 (z)
Berg, Ex parte, 1906 C.D. 36; 120 O.G. 903	715.09		706.03 (e)
Berry, In re, 137 U.S.P.Q. 353	716		706.03 (e)
Blanchard v. Ooms, 1946 C.D. 22; 585 O.G. 175	716		1102.01 (a)
Board of Appeals decision in Plant Patent File No. 412	1610		172 O.G.
Bonine, v. Bliss, 1919 C.D. 75; 265 O.G. 306	1101.02		403.01, 403.02
Bonnie-B Co. Inc., Ex parte, 1923 C.D. 42; 313 O.G. 453	104		901.05 (b)
Bowditch v. Todd, 1902 C.D. 27; 98 O.G. 792	1105.02		901.05 (b)
Bowyer, Ex parte, 1939 C.D. 5; 505 O.G. 759	715.07 (b), 715.09, 1212		901.05 (b)
Buchenberg, Ex parte, 1924 C.D. 55; 327 O.G. 216	1214.06		901.05 (b)
Buchli v. Rasmussen, 1925 C.D. 75; 339 O.G. 223	1105.02		901.05 (b)
Buck v. Ooms, 1947 C.D. 33; 602 O.G. 177	716		901.05 (b)
Budde, Ex parte, 150 U.S.P.Q. 469; 828 O.G. 409	706.03 (w)		901.05 (b)
Bullard & Co. v. Coe, 1945 C.D. 13; 573 O.G. 547	716		901.05 (b)
Bullock, Ex parte, 1907 C.D. 93; 127 O.G. 1580	706.03 (c)		901.05 (b)
Burke, Ex parte, 1934 C.D. 5; 441 O.G. 509	706.03 (y)		901.05 (b)
Burrowes, Ex parte, 1904 C.D. 155; 110 O.G. 599	1214.01		901.05 (b)
Campbell, In re, 1954 C.D. 191; 685 O.G. 470	201.06		901.05 (b)
Card and Card, Ex parte, 1904 C.D. 383; 112 O.G. 499	1101.02		901.05 (b)
Carlson et al., In re, 1936 C.D. 95; 462 O.G. 479	715.04		901.05 (b)
Chevenard, In re, 1944 C.D. 141; 560 O.G. 196	706.02 (a)		901.05 (b)
Chilowsky, In re, 1956 C.D. 155; 704 O.G. 213	716		901.05 (b)
Christie v. Seybold, 1893 C.D. 515; 64 O.G. 1650	715.07 (a)		901.05 (b)
Clifford, Ex parte, 49 U.S.P.Q. 152	901.02		901.05 (b)
Comstock, Ex parte, 1923 C.D. 82; 317 O.G. 4	1214.01		901.05 (b)
Crecelius, In re, 1937 C.D. 112; 474 O.G. 465	716		901.05 (b)
Crosby, In re, 1947 C.D. 35; 595 O.G. 5	716		901.05 (b)
Crowell, In re, 1930 C.D. 360; 397 O.G. 3	1214.01		901.05 (b)
Cutter Co. v. Metropolitan Electric Mfg. Co., 275 Fed. 158	603.01		901.05 (b)
Delavoys, Ex parte, 1906 C.D. 320; 124 O.G. 626	604.02		901.05 (b)
Den Beste v. Martin, 1958 C.D. 178; 729 O.G. 724	1105.04		901.05 (b)
Donnell, Ex parte, 1923 C.D. 54; 315 O.G. 398	806.05 (b)		901.05 (b)
Donovan, Ex parte, 1890 C.D. 109; 52 O.G. 309	715.07		901.05 (b)
Dotter, Ex parte, 12 U.S.P.Q. 382	706.03 (y)		901.05 (b)
Dreshfield, In re, 1940 C.D. 351; 518 O.G. 255	706.03 (z)		901.05 (b)
Dreyfus and Whitehead, In re, 1935 C.D. 386; 457 O.G. 479	706.03 (e)		901.05 (b)
Earll v. Love, 1909 C.D. 56; 140 O.G. 1200	1102.01 (a)		901.05 (b)
Eggan, Ex parte, 1911 C.D. 213; 172 O.G. 1091	403.01, 403.02		901.05 (b)
Ekenstam, In re, 1958 C.D. 462; 118 USPQ 349	901.05 (b)		901.05 (b)
Elliott, Ex parte, 1904 C.D. 103; 109 O.G. 1337	608.02 (g)		901.05 (b)
Emerson v. Beach, 103 U.S.P.Q. 45; 691 O.G. 170; 1955 C.D. 34	1101.02 (f)		901.05 (b)
Ferris v. Tuttle, 1940 C.D. 5; 521 O.G. 523	715.06, 1101.03		901.05 (b)
Finley, In re, 1949 C.D. 284; 624 O.G. 262	716		901.05 (b)
Fischer, In re, 1942 C.D. 295; 538 O.G. 503	706.02 (a)		901.05 (b)
Forsyth v. Richards, 1905 C.D. 115; 115 O.G. 1327	1105.02		901.05 (b)
Foster, Ex parte, 1903 C.D. 213; 105 O.G. 261	715.04		901.05 (b)
Fox, Ex parte, 1960 C.D. 28; 761 O.G. 906	608.04 (a)		901.05 (b)

**MANUAL OF PATENT EXAMINING PROCEDURE**

	Sec. No.		Sec. No.
Frey, In re, 1950 C.D. 362; 639 O.G. 5	1101.02(f)	Jewett et al., In re, 1957 C.D. 420; 724 O.G.	
Fried et al. v. Murray et al., 1959 C.D. 311;		225	716
746 O.G. 503	1105.04	Johnson, Ex parte, 1958 C.D. 22; 731 O.G. 6	1401
Fuller, In re, 1929 C.D. 172; 388 O.G. 279	706.03(c)	Jones, Ex parte, 1924 C.D. 59; 327 O.G. 681	709.01
Gardner et al., In re, 42 CCPA 1022; 106 USPQ		Joyce, In re, 1958 C.D. 2; 727 O.G. 4	706.03(k)
273	706.03(r)	Kay, In re, 1964 C.D. 630; 141 USPQ 829	804.02
Gelder v. Henry, 77 U.S.P.Q. 223	1105.02	Klein, In re, 1930 C.D. 2; 393 O.G. 519	201.08
Good, Ex parte, 1911 C.D. 43; 164 O.G. 739	608.02(d)	Kluis et al., Ex parte, Board of Appeals decision	
Gourtoff, Ex parte, 1924 C.D. 153; 329 O.G.		in Plant Patent File 707	1604
536	707.13, 710.06	Komenak, Ex parte, 1940 C.D. 1; 512 O.G. 739	201.09
Grayson, Ex parte, 51 U.S.P.Q. 413	706.03(a)	Kopf et al., In re Application Papers of, 779	
Greenawalt v. Mark, 1904 C.D. 352; 111 O.G.		O.G. 290	201.06
2224	1105.04	Kotler, Ex parte, 1901 C.D. 62; 95 O.G.	
Greenfield, In re, 1930 C.D. 531; 400 O.G. 226	1214.01	2684	608.01(o)
Gresselin, Ex parte, 1896 C.D. 39; 76 O.G. 1573	716	Kulleke, In re, 1960 C.D. 281; 756 O.G. 288	716
Grier, Ex parte, 1923 C.D. 27; 309 O.G.		Lantzke, Ex parte, 1910 C.D. 100; 156 O.G.	
223	706.04, 820	257	810.01
Gruschwitz et al., Ex parte, 1963 C.D. 859; 138		Larsen, In re, 49 CCPA 711; 130 USPQ 209	706.03(q)
U.S.P.Q. 505	706.03(s), 901.05(b)	Lasscell, Ex parte, 1884 C.D. 66; 29 O.G. 861	711.01
Gunther, In re, 1942 C.D. 332; 538 O.G. 744	706.02(a)	Leishman, Ex parte, 137 Ms 336, Pat. No.	
Hale, Ex parte, 49 U.S.P.Q. 209	715.09	1581,937	608.04(b)
Hall, In re, 41 CCPA 759; 100 USPQ 46	706.03(j)	Lemieux, Ex parte, 1957 C.D. 47; 725	
Harpignies, 167 Ms. D. 329, in Patent File of		O.G. 4	715.01(c)
Des. Pat. D. 136,559 Oct. 26, 1943	1504	Lily et al. v. Brenner, 153 USPQ 95; 375 F. 2d	
Harris et al., Ex parte, 79 U.S.P.Q. 439	707.05(f)	599	715.01
Hay, Ex parte, 1909 C.D. 18; 139 O.G. 197	706.04	Ljungstrom, Ex parte, 1905 C.D. 541; 119 O.G.	
Hazeltine Research, Inc., et al. v. Brenner, 147		2335	814
U.S.P.Q. 429 (1965)	706.02, 715.01	Loewenbach, Ex parte, 1904 C.D. 170; 110 O.G.	
Healy, Ex parte, 1898 C.D. 157; 84 O.G.		857	819
1281	806.04(b)	Lohman, Ex parte, 1912 C.D. 336; 184 O.G.	
Heinz, In re, 1910 C.D. 292; 151 O.G. 1014	1214.01	287	1503.02
Heinze, Ex parte, 1919 C.D. 67; 265 O.G. 145	602.05	Ludwick, In re, 1925 C.D. 306; 339 O.G. 393	706.03(g)
Henrich, In re, 1959 C.D. 353; 747 O.G. 793	716	Luelle Guild, In re, 1953 C.D. 310; 677 O.G. 5	716
Henriksen, In re, 1958 USPQ 224; 853 O.G. 17	201.11	Malcolm, In re, 1942 C.D. 589; 543 O.G.	
Heritage, In re, 1950 C.D. 419; 639 O.G. 638	901.02	449	706.02(a)
Heritage Pat. No. 2,375,414; Ex parte, decided		Markush, Ex parte, 1925 C.D. 126; 340 O.G.	
Jan. 26, 1944	819.01	839	706.03(y)
Herrick et al., In re, 1958 C.D. 1; 727		Martin, In re, 1946 C.D. 180; 586 O.G. 347	1212
O.G. 4	706.03(k)	Mattallath, In re, 1912 C.D. 490; 179 O.G. 853	409.01
Herrmann et al., In re, 1959 C.D. 159; 739		McCormick, Ex parte, 1904 C.D. 575; 113 O.G.	
O.G. 549	707.07(f)	2508	709.01
Hilmer, In re, 833 O.G. 13; 149 USPQ 490	715.01	McBurney v. Jones, 104 U.S.P.Q. 115	1105.04
Hirschler, Ex parte, 110 U.S.P.Q. 384	715.01(c)	McKenna et al., In re, 1953 C.D. 251; 674 O.G. 9	716
Hollingsworth, In re, 1958 C.D. 210; 730 O.G.		Meden v. Curtis, 1905 C.D. 272; 117 O.G. 1795	819.01
282	716	Mergenthaler v. Scudder, 1897 C.D. 724; 81 O.G.	
Hoogendam, Ex parte, 1939 C.D. 3; 499 O.G. 3	706.07	1417	715.07
Hoover Co., etc., In re, 1943 C.D. 338; 553 O.G.		Merz, Ex parte, 75 U.S.P.Q. 296	715.07(a)
365	1109.01	Messick, Ex parte, 1930 C.D. 6; 400 O.G. 3	710.01(a)
Hotel Security Checking Co. v. Lorraine Co.,		Metropolitan Eng. Co. v. Coe, 1935 C.D. 54;	
160 Fed. 467	706.03(a)	455 O.G. 3	716
Hough et al., In re, 703 O.G. 209	409.03	Mitchalek, In re, 1947 C.D. 458; 604 O.G. 223	716
Hovlid v. Asari et al., 134 USPQ 162; 305 F.2d		Milburn Co. v. Davis-Bournonville Co., 1926	
747	201.11	C.D. 393; 344 O.G. 817	706.02
Hunt Co. v. Mallinckrodt, 83 U.S.P.Q. 277	201.11	Miller, Ex parte, 1922 C.D. 36; 305 O.G. 419	714.15
Hunter, Ex parte, 1880 C.D. 218; 49 O.G.		Milton, Ex parte, 164 Ms D. 1; 63 U.S.P.Q.	
733	715.07(a)	132	710.04(a)
Iagan, Ex parte, 1911 C.D. 10; 162 O.G. 538	706.03(g)	Moeller, In re, 1941 C.D. 316; 527 O.G. 559	706.03(e)
Incomplete Application, In re, 659 O.G. 917	608.01	Monaco v. Watson, 106 U.S. App. D.C. 142;	
Irwin, Ex parte, 1928 C.D. 13; 367 O.G. 701	604.02	270 F. 2d 335; 122 U.S.P.Q. 564	1109.01
		Monsanto v. Kamp et al., 116 U.S.P.Q. 431	1109.01

LIST OF DECISIONS CITED

	Sec. No.		Sec. No.
Myers, In re, 1959 C.D. 2; 738 O.G. 947	608.02	Silverstein, Ex parte, 125 USPQ 238	706.03(j)
Nelson, Ex parte, 164 Ms. D. 361; 26 J.P. O.S. 564	710.04(a)	Simons v. Dunlop, 103 U.S.P.Q. 237	1105.02
Norlund, Ex parte, 1913 C.D. 161; 192 O.G. 989	1213.01	Smith, Ex parte, 1888 C.D. 181; 44 O.G. 1183	806.04(c)
Noxon v. Halpert, 128 U.S.P.Q. 481	1101.02(f)	Smyth, In re, 1951 C.D. 449; 651 O.G. 5	716
Oppenauer, In re, 1944 C.D. 587; 568 O.G. 393	716	Snyder, Ex parte, 1904 C.D. 242; 110 O.G. 2636	810.02
O'Reilly v. Morse, 15 Howard 62	706.03(a)	Sol, In re, 1938 C.D. 723; 497 O.G. 546	706.03(z)
Osborne, Ex parte, 1900 C.D. 137; 92 O.G. 1797	706.03(d)	Stalego, Ex parte, 154 USPQ 52	901.01
Payne, Ex parte, 1904 C.D. 42; 108 O.G. 1049	707.07(g)	Stalego et al. v. Haymes et al., 120 U.S.P.Q. 473	1101.02(f)
Peck, Ex parte, 1901 C.D. 136; 96 O.G. 2409	608.02(f)	Stanley, Ex parte, 121 U.S.P.Q. 621	706.03(c)
Perrigo, In re, 1931 C.D. 512; 411 O.G. 544	716	Stanley et al., In re, 102 U.S.P.Q. 234	305
Perrine, In re, 1940 C.D. 465; 519 O.G. 520	716	Steenbock, In re, 1936 C.D. 594; 473 O.G. 495	715.03
Peterson, Ex parte, 63 U.S.P.Q. 99	901.02	Stempel, In re, 1957 C.D. 200; 717 O.G. 886	715.03
Peterson, Ex parte, 1941 C.D. 8; 525 O.G. 3	710.02(b), 1109, 1109.01	Strain, In re, 1951 C.D. 252; 648 O.G. 5	715.01(a)
Pickles, Ex parte, 1904 C.D. 126; 109 O.G. 1888	810.02	Swanberg, In re, 129 U.S.P.Q. 364	608.01
Pierce, In re, 1930 C.D. 34; 390 O.G. 265	716	Sweet, In re, 1943 C.D. 535; 556 O.G. 726	1211
Pierce V. Tripp v. Powers, 1923 C.D. 69; 316 O.G. 3	1105.02	Switzer et al., In re, 612 O.G. 11; 77 USPQ 156	901.02
Pierce v. Watson, 124 U.S.P.Q. 356	715.01(b)	Taggart et al., In re, 1957 C.D. 6; 725 O.G. 397	608.02
Pike et al., In re, 1950 C.D. 105; 633 O.G. 680	716	Tanke et al., In re, 102 U.S.P.Q. 83; 687 O.G. 677; 1954 C.D. 212	1101.02(f)
Pio, In re, 1955 C.D. 59; 691 O.G. 454	716	Tatincloux, In re, 1956 C.D. 102; 702 O.G. 964	716
Powell et al., Ex parte, 1938 C.D. 15; 489 O.G. 231	715.01(c)	Tilden v. Snodgrass, 1923 C.D. 30; 309 O.G. 477	1105.02
Quattlebaum, In re, 84 U.S.P.Q. 383	716	Thompson v. Hamilton, 1946 C.D. 70; 585 O.G. 177	1101.02(f)
Quayle, Ex parte, 1935 C.D. 11; 453 O.G. 213	710.02(b), 713.04, 714.14, 714.15, 1108	Trevette, Ex parte, 1901 C.D. 170; 97 O.G. 1173	820
Redeclaration of Interferences, In re, Nos. 49,635; 49,636; 49,896; 1926 C.D. 75; 359 O.G. 3	1102.01, 1105.04	Troutman, In re, 1960 C.D. 308; 757 O.G. 556	716
Reid, In re, 1950 C.D. 194; 635 O.G. 694	716	United States Industrial Chemicals Inc. v. Car- bide and Carbon Chemicals Corp., 1942 C.D. 751; 538 O.G. 741	1401.07
Renstrom, In re, 1949 C.D. 306; 624 O.G. 5	716	Vander Wal et al., Ex parte, 1956 C.D. 11; 705 O.G. 5	608.04(a)
Reuge, Ex parte, 115 USPQ 51	901.03(b)	Van Otteren v. Hafner et al., 757 O.G. 1626; 126 U.S.P.Q. 151	201.03
Riegger v. Beierl, 1910 C.D. 12; 150 O.G. 826	904.06	Vickers et al., In re, 1944 C.D. 324; 564 O.G. 174	706.03(z)
Rieser v. Williams, 118 U.S.P.Q. 96	1101.02(f)	Votey v. Wuest v. Doman, 1904 C.D. 323; 111 O.G. 1627	1102.01(a)
Robeson, In re, 1964 C.D. 561; 141 USPQ 485	84.02	Wagner, In re, 1939 C.D. 581; 507 O.G. 1041	716
Romunder, Ex parte, 1919 C.D. 121; 157 O.G. 209	715.09	Waugh, In re, 1943 C.D. 411; 553 O.G. 3 (CCPA)	819
Rosenberg, Ex parte, 46 U.S.P.Q. 393	1619	Weston, Ex parte, 1911 C.D. 218; 173 O.G. 285	810.02
Rossi, In re, 1957 C.D. 136; 717 O.G. 214	716	Wheary, Ex parte, 1913 C.D. 253; 197 O.G. 534	714.08
Rothermel et al., In re, 1960 C.D. 204; 755 O.G. 621	716	Whitelaw, Ex parte, 1915 C.D. 18; 219 O.G. 1237	706.03(k)
Rubinfeld, In re, 1959 C.D. 412; 749 O.G. 274	1503.01, 1504	Willien et al., In re, 1935 C.D. 229; 454 O.G. 535	715
Sanford, Ex parte, 1914 C.D. 69; 204 O.G. 1346	1504.01	Winder, In re, 44 CCPA 795; 113 USPQ 53	706.03(r)
Saunders, Ex parte, 1883 C.D. 23; 23 O.G. 1224	715.07	Wirt, Ex parte, 1905 C.D. 247; 417 O.G. 589	714.13
Schmidt, In re, 1961 C.D. 542; 772 O.G. 897; 48 C.C.P.A. 1140	201.11	Young, Ex parte, 18 Gour. 2431	1213.01
Seebach, In re, 1937 C.D. 495; 484 O.G. 503	706.01		
Seimi, In re, 1946 C.D. 525; 591 O.G. 160	706.02(a)		
Sharp et al., Ex parte, Pat. No. 2,232,739	820		
Shohan, Ex parte, 1941 C.D. 1; 522 O.G. 501	1101.02(z)		