

Appendix II List of Decisions Cited

	Sec. No.		Sec. No.
Abbot v. Coe, 1940 C.D. 13; 512 O.G. 3	716	Burke, Ex parte, 1934 C.D. 5; 441 O.G. 509	706.03(y)
Adams, Ex parte, Pat. No. 1,786,921	608.04(b)	Burrowes, Ex parte, 1904 C.D. 155; 110 O.G.	
Andrews v. Wickenden, 1952 C.D. 176; 659 O.G.		599	1214.01
305	1101.02(f)	Campbell, In re, 1954 C.D. 191; 101 USPQ	
Appeal No. 194-38, 1966 C.D. 31; 152 USPQ		406	201.06, 1503.01
70	901.05(b)	Card and Card, Ex parte, 1904 C.D. 383; 112	
Application Filed Nov. 16, 1945, In re, 1951 C.D. 1;		O.G. 499	1101.02
646 O.G. 5	904.01(a)	Carey v. The New Home Sewing Machine Co.,	
Application Papers Filed July 13, 1950, 693 O.G.		1901 C.D. 165; 97 O.G. 1171	1309.02
136; 1955 C.D. 3	1214.01	Carlson et al., In re, 1936 C.D. 95; 462 O.G.	
Application Papers Filed Jan. 20, 1956, In re,		479	715.04
706 O.G. 4	714.07	Chevenard, In re, 1944 C.D. 141; 560 O.G.	
Application Papers Filed Sept. 10, 1954, In re,		196	706.02(a)
703 O.G. 434	409.03	Chilowsky, In re, 1956 C.D. 155; 704 O.G. 213	716
Arbeit et al., In re, 1953 C.D. 409; 677 O.G.		Christie v. Seybold, 1893 C.D. 515; 64 O.G.	
843	706.03(c)	1650	715.07(a)
Armstrong, In re, 1960 C.D. 422; 759 O.G. 4	716	Clifford, Ex parte, 49 U.S.P.Q. 152	901.02
Arzberger, In re, 1940 C.D. 653; 521 O.G. 272	1601	Comstock, Ex parte, 1923 C.D. 82; 317 O.G. 4	1214.01
Attwood, In re, 1958 C.D. 204; 730 O.G. 790	716	Creelius, In re, 1937 C.D. 112; 474 O.G. 465	716
Automatic Weighing Mach. Co. v. Pneumatic		Crosby, In re, 1947 C.D. 35; 595 O.G. 5	716
Scale Corp., Limited, 1909 C.D. 498; 139 O.G.		Crowell, In re, 1930 C.D. 360; 397 O.G. 3	1214.01
991	715.07	Cutter Co. v. Metropolitan Electric Mfg. Co.,	
Ayers et al., Ex parte, 108 U.S.P.Q. 444	608.04(a)	275 Fed. 158	603.01
Badger, Ex parte, 1901 C.D. 195; 97 O.G.		Delavoye, Ex parte, 1906 C.D. 320; 124 O.G.	
1596	608.02(f)	626	604.02
Ball et al., Ex parte, 1953 C.D. 4; 675 O.G. 5	706.03(c)	Den Beste v. Martin, 1958 C.D. 178, 729 O.G.	
Barber, In re, 1936 C.D. 184; 465 O.G. 724	1504	724	1105.04
Beck et al., In re, 1946 C.D. 398; 590 O.G. 357	715.01(b)	Des Granges, Ex parte, 864 O.G. 712	707.07(d)
Benke, Ex parte, 1904 C.D. 63; 108 O.G. 1588	811.02	Donnell, Ex parte, 1923 C.D. 54; 315 O.G.	
Benson, In re, 1959 C.D. 5; 744 O.G. 353	608.01, 714.07	398	806.05(b)
Bernard, In re, 748 O.G. 282; 123 USPQ 387	409.03	Donovan, Ex parte, 1890 C.D. 109; 52 O.G. 309	715.07
Berry, In re, 137 U.S.P.Q. 353	716	Dotter, Ex parte, 12 U.S.P.Q. 382	706.03(y)
Blanchard v. Ooms, 1946 C.D. 22; 585 O.G. 175	716	Dreshfield, In re, 1940 C.D. 351, 518 O.G. 255	706.03(z)
Blum, In re, 852 O.G. 1045; 153 USPQ 177	1503.02	Dreyfus and Whitehead, In re, 1935 C.D. 386;	
Board of Appeals decision in Plant Patent File		457 O.G. 479	706.03(e)
No. 412	1610	Earll v. Love, 1909 C.D. 56; 140 O.G. 1209	1102.01(a)
Bonine, v. Bliss, 1919 C.D. 75; 265 O.G. 306	1101.02	Eckey v. Watson, 122 USPQ 5; 1959 C.D. 119	1214.03
Bonnie-B Co. Inc., Ex parte, 1923 C.D. 42; 313		Eggan, Ex parte, 1911 C.D. 213; 172 O.G.	
O.G. 453	104	1091	403.01, 403.02
Bowditch v. Todd, 1902 C.D. 27; 98 O.G. 792	1105.02	Ekenstam, In re, 1958 C.D. 402; 118 USPQ	
Bowyer, Ex parte, 1939 C.D. 5; 505 O.G. 759	715.07(b),	349	901.05(b)
715.09, 1212		Elliott, Ex parte, 1904 C.D. 103; 109 O.G.	
Brenner v. Ebbert et al., 157 USPQ 600, 398 F.		1337	608.02(g)
2d 762	712	Emerson v. Beach, 103 U.S.P.Q. 45; 691 O.G.	
Brenner v. State of Israel, 862 O.G. 661; 158		170; 1955 C.D. 34	1101.02(f)
USPQ 584	201.14, 1401	Ferris v. Tuttle, 1940 C.D. 5; 521 O.G. 523	715.06,
Buchenberg, Ex parte, 1924 C.D. 55; 327 O.G.		1101.03	1101.03
216	1214.06	Finley, In re, 1949 C.D. 284; 624 O.G. 262	716
Buchli v. Rasmussen, 1925 C.D. 75; 339 O.G.		Fischer, In re, 1942 C.D. 295; 538 O.G. 503	706.02(a)
223	1105.02	Forsyth v. Richards, 1905 C.D. 115; 115 O.G.	
Buck v. Ooms, 1947 C.D. 33; 602 O.G. 177	716	1327	1105.02
Budde, Ex parte, 150 U.S.P.Q. 469; 828 O.G.		Foster, Ex parte, 1903 C.D. 213; 105 O.G. 261	715.04
409	706.03(w)	Fox, Ex parte, 1969 C.D. 28; 761 O.G. 906	608.04(a)
Bullard & Co. v. Coe, 1945 C.D. 13; 573 O.G. 547	716	Frey, In re, 1950 C.D. 362; 639 O.G. 5	1101.02(f)
Bullock, Ex parte, 1907 C.D. 93; 127 O.G.		Fried et al., In re, 141 USPQ 27; 51 CCPA	
1580	706.03(c)	1118	608.01(p)

MANUAL OF PATENT EXAMINING PROCEDURE

	Sec. No.		Sec. No.
Fried et al. v. Murray et al., 1939 C.D. 311; 746 O.G. 563	1105.04	Jones, Ex parte, 1924 C.D. 59; 327 O.G. 681	709.01
Fuller, In re, 1929 C.D. 172; 388 O.G. 279	706.03(c)	Joyce, In re, 1938 C.D. 2; 727 O.G. 4	706.03(x)
Gelder v. Henry, 77 U.S.P.Q. 223	1105.02	Kellogg Switchboard & Supply Co., The, In re, 1906 C.D. 274	106
General Electric Company v. Brenner, 150 USPQ 335; 407 F. 2d 1258	608.01(p)	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)	Kluks et al., Ex parte, Board of Appeals decision in Plant Patent File 707	1604
Gourtoff, Ex parte, 1924 C.D. 153; 329 O.G. 536	707.13, 710.06	Knohl, In re, 155 USPQ 586	804.02
Grayson, Ex parte, 51 U.S.P.Q. 413	706.03(a)	Komenak, Ex parte, 1940 C.D. 1; 512 O.G. 739	201.00
Greenawalt v. Mark, 1904 C.D. 352; 111 O.G. 2224	1105.04	Kopf et al., In re Application Papers of, 779 O.G. 290	201.06
Greenfield, In re, 1930 C.D. 531; 400 O.G. 226	1214.01	Kotler, Ex parte, 1901 C.D. 62; 95 O.G. 2684	608.01(o)
Gresselin, Ex parte, 1896 C.D. 39, 76 O.G. 1573	716	Kulieke, In re, 1960 C.D. 281; 756 O.G. 288	716
Grier, Ex parte, 1923 C.D. 27; 309 O.G. 223	706.04, 820	Lantzke, Ex parte, 1910 C.D. 100; 156 O.G. 257	810.01
Griswold, In re, 150 USPQ 804	804.02	Larsen, In re, 49 CCPA 711; 130 USPQ 209	706.03(q)
Gruschwitz et al., Ex parte, 1963 C.D. 859; 138 U.S.P.Q. 505	706.03(s), 901.05(b)	Lasseil, 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)	Lawrence, Ex parte, 1946 C.D. 1; 70 USPQ 326	1505
Hall, In re, 41 CCPA 759; 100 USPQ 46	706.03(j)	Leishman, Ex parte, 137 Ms 336, Pat. No. 1,581,937	608.04(b)
Harris et al., Ex parte, 79 U.S.P.Q. 439	707.05(f)	Lemieux, Ex parte, 1957 C.D. 47; 725 O.G. 4	715.01(c)
Hay, Ex parte, 1909 C.D. 18; 139 O.G. 197	706.04	Lily et al. v. Brenner, 153 USPQ 95; 375 F. 2d 599	715.01
Hazeltine Research, Inc., et al. v. Brenner, 147 U.S.P.Q. 429 (1965)	706.02, 715.01	Ljungstrom, Ex parte, 1905 C.D. 541; 119 O.G. 2335	814
Healy, Ex parte, 1898 C.D. 157; 84 O.G. 1281	806.04(b)	Loewenbach, Ex parte, 1904 C.D. 170; 110 O.G. 857	819
Heinz, In re, 1910 C.D. 292; 151 O.G. 1014	1214.01	Lohman, Ex parte, 1912 C.D. 336; 184 O.G. 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	Lund et al., In re, 153 USPQ 625; 54 CCPA 1361	901.02
Henriksen, In re, 1958 USPQ 224; 853 O.G. 17	201.11	Lurette Guild, In re, 1953 C.D. 310; 677 O.G. 5	716
Heritage, In re, 1950 C.D. 419; 639 O.G. 638	901.02	Malcolm, In re, 1942 C.D. 589; 543 O.G. 440	706.02(a)
Heritage Pat. No. 2,375,414; Ex parte, decided Jan. 26, 1944	819.01	Markush, Ex parte, 1925 C.D. 126; 340 O.G. 839	706.03(y)
Herrick et al., In re, 1958 C.D. 1; 727 O.G. 4	706.03(k)	Martin, In re, 1946 C.D. 180; 586 O.G. 347	1212
Herrmann et al., In re, 1959 C.D. 159; 739 O.G. 549	707.07(f)	Mattallath, In re, 1912 C.D. 490; 179 O.G. 853	409.01
Hilmer, In re, 833 O.G. 13; 149 USPQ 480	715.01	McCormick, Ex parte, 1904 C.D. 575; 113 O.G. 2508	709.01
Hirschler, Ex parte, 110 U.S.P.Q. 394	715.01(c)	McBurney v. Jones, 104 U.S.P.Q. 115	1105.04
Hollingsworth, In re, 1958 C.D. 210; 730 O.G. 282	716	McKenna et al., In re, 1953 C.D. 251; 674 O.G. 9	716
Hoogendam, Ex parte, 1939 C.D. 3; 499 O.G. 3	706.07	Meden v. Curtis, 1905 C.D. 272; 117 O.G. 1795	819.01
Hoover Co., etc., In re, 1943 C.D. 338; 553 O.G. 365	1109.01	Mergenthaler v. Scudder, 1897 C.D. 724; 81 O.G. 1417	715.07
Hotel Security Checking Co. v. Lorraine Co., 160 Fed. 467	706.03(a)	Merz, Ex parte, 75 U.S.P.Q. 296	715.07(a)
Hough et al., In re, 703 O.G. 200	409.03	Messick, Ex parte, 1930 C.D. 6; 400 O.G. 3	710.01(a)
Hovlid v. Asari et al., 134 USPQ 162; 305 F.2d 747	201.11	Metcalf and Lowe, In re, 161 USPQ 789; 869 O.G. 691	608.01(v)
Hunt Co. v. Mallinckrodt, 83 U.S.P.Q. 277	201.11	Metropolitan Eng. Co. v. Coe, 1935 C.D. 54; 455 O.G. 3	716
Hunter, Ex parte, 1889 C.D. 218; 49 O.G. 733	715.07(a)	Michalek, In re, 1947 C.D. 458; 604 O.G. 223	716
Iagan, Ex parte, 1911 C.D. 10; 162 O.G. 538	706.03(g)	Milburn Co. v. Davis-Bournonville Co., 1926 C.D. 303; 344 O.G. 817	706.02
Incomplete Application, In re, 659 O.G. 917	608.01	Miller, Ex parte, 1922 C.D. 36; 305 O.G. 419	714.15
Irwin, Ex parte, 1928 C.D. 13; 367 O.G. 701	604.02	Milton, Ex parte, 164 Ms D. 1; 63 U.S.P.Q. 132	710.04(a)
Jewett et al., In re, 1957 C.D. 429; 724 O.G. 225	716		
Johnson, Ex parte, 1958 C.D. 22; 731 O.G. 6	1401		

LIST OF DECISIONS CITED

	Sec. No.		Sec. No.
Moeller, In re, 1941 C.D. 316; 527 O.G. 559	706.03 (e)	Silverstein, Ex parte, 125 USPQ 238	706.03 (j)
Monaco v. Watson, 106 U.S. App. D.C. 142;		Simons v. Dunlop, 103 U.S.P.Q. 237	1105.02
270 F. 2d 835; 122 U.S.P.Q. 564	1109.01	Smith, Ex parte, 1888 C.D. 131; 44 O.G.	
Monsanto v. Kamp et al., 146 U.S.P.Q. 431	1109.01	1183	806.04 (c)
Mosher, In re, 45 CCPA 701; 115 USPQ 140	1216.01	Smyth, In re, 1951 C.D. 449; 651 O.G. 5	716
Myers, In re, 1959 C.D. 2; 738 O.G. 947	608.02	Snyder, Ex parte, 1904 C.D. 242; 110 O.G.	
Nelson, Ex parte, 164 Ms. D. 361; 26 J.P. O.S.		2636	810.02
564	710.04 (a)	Sol, In re, 1938 C.D. 723; 497 O.G. 546	706.03 (z)
Norlund, Ex parte, 1913 C.D. 161; 192 O.G.		Stalego, Ex parte, 154 USPQ 52	901.01
989	1213.01	Stalego et al. v. Haymes et al., 120 U.S.P.Q.	
Noxon v. Halpert, 128 U.S.P.Q. 481	1101.02 (f)	473	1101.02 (f)
Oppenauer, In re, 1944 C.D. 587; 568 O.G. 393	716	Stanley, Ex parte, 121 U.S.P.Q. 621	706.03 (c)
O'Reilly v. Morse, 15 Howard 62	706.03 (a)	Stanley et al., In re, 102 U.S.P.Q. 234	306
Osborne, Ex parte, 1900 C.D. 137; 92 O.G.		Steenbock, In re, 1936 C.D. 594; 473 O.G. 495	715.03
1797	706.03 (d)	Stempel, In re, 1957 C.D. 200; 717 O.G. 886	715.03
Payne, Ex parte, 1904 C.D. 42; 108 O.G. 1049	707.07 (g)	Sticker Industrial Supply Corp. v. Blaw-Knox	
Peck, Ex parte, 1901 C.D. 136; 96 O.G. 2409	608.02 (f)	Co. et al., 160 USPQ 177	201.11
Perrigo, In re, 1931 C.D. 512; 411 O.G. 544	716	Strain, In re, 1951 C.D. 252; 648 O.G. 5	715.01 (a)
Perrine, In re, 1940 C.D. 465; 519 O.G. 520	716	Swanberg, In re, 129 U.S.P.Q. 364	606.01
Peterson, Ex parte, 63 U.S.P.Q. 99	901.02	Sweet, In re, 1943 C.D. 535; 556 O.G. 726	1211
Peterson, Ex parte, 1941 C.D. 8; 525 O.G. 3	710.02 (b),	Switzer et al., In re, 612 O.G. 11; 77 USPQ 156	901.02
1109, 1109.01		Taggart et al., In re, 1957 C.D. 6; 725 O.G. 397	608.02
Pickles, Ex parte, 1904 C.D. 126; 109 O.G.		Tanke et al., In re, 102 U.S.P.Q. 83; 687 O.G.	
1888	810.02	677; 1954 C.D. 212	1101.02 (f)
Pierce, In re, 1930 C.D. 34; 390 O.G. 265	716	Tarczy-Hornoch, In re, 158 USPQ 141	706.03 (r)
Pierce V. Tripp v. Powers, 1923 C.D. 69; 316		Tatincloux, In re, 1956 C.D. 102; 702 O.G. 964	716
O.G. 3	1105.02	Tilden v. Snodgrass, 1923 C.D. 30; 309 O.G.	
Pierce v. Watson, 124 U.S.P.Q. 356	715.01 (b)	477	1105.02
Pike et al., In re, 1950 C.D. 105; 633 O.G. 680	716	Thompson v. Hamilton, 1946 C.D. 70; 585 O.G.	
Pio, In re, 1955 C.D. 59; 691 O.G. 454	716	177	1101.02 (f)
Powell et al., Ex parte, 1938 C.D. 15; 489		Trevette, Ex parte, 1901 C.D. 170; 97 O.G.	
O.G. 231	715.01 (c)	1173	820
Quattlebaum, In re, 84 U.S.P.Q. 383	716	Troutman, In re, 1960 C.D. 308; 757 O.G. 556	716
Quayle, Ex parte, 1935 C.D. 11; 453 O.G.		United States Industrial Chemicals Inc. v. Car-	
213	710.02 (b), 713.04, 714.14, 714.15, 1105	bide and Carbon Chemicals Corp., 1942 C.D.	
Redeclaration of Interferences, In re, Nos.		751; 538 O.G. 741	1401.07
49,635; 49,636; 49,866; 1926 C.D. 75; 350		Vander Wal et al., Ex parte, 1956 C.D. 11; 705	
O.G. 3	1102.01, 1105.04	O.G. 5	608.04 (a)
Reid, In re, 1950 C.D. 194; 635 O.G. 694	716	Van Otteren v. Hafner et al., 757 O.G. 1026;	
Renstrom, In re, 1949 C.D. 306; 624 O.G. 5	716	126 U.S.P.Q. 151	201.03
Reuge, Ex parte, 115 USPQ 51	901.05 (b)	Vickers et al., In re, 1944 C.D. 324; 564 O.G.	
Riegger v. Beierl, 1910 C.D. 12; 150 O.G. 826	604.06	174	706.03 (z)
Rieser v. Williams, 118 U.S.P.Q. 96	1101.02 (f)	Vossen, Ex parte, 1967 C.D. 29; 155 USPQ 109	1216.01
Risse et al., In re, 154 USPQ 1; 54 CCPA 1495	1109.02	Votey v. Wuest v. Doman, 1904 C.D. 323; 111	
Rosenberg, Ex parte, 46 U.S.P.Q. 393	1610	O.G. 1627	1102.01 (a)
Rossi, In re, 1957 C.D. 130; 717 O.G. 214	716	Wagner, In re, 1939 C.D. 581; 507 O.G. 1041	718
Rothermel et al., In re, 1960 C.D. 204; 755 O.G.		Waugh, In re, 1943 C.D. 411; 553 O.G. 3	
621	716	(CCPA)	819
Rubinfeld, In re, 1959 C.D. 412; 123 USPQ		Weiss, Ex parte, 852 O.G. 255; 159 USPQ 122	1506
210	1503.01, 1504	Weston, Ex parte, 1911 C.D. 218; 173 O.G.	
Saunders, Ex parte, 1883 C.D. 23; 23 O.G.		285	810.02
1224	715.07	Wheary, Ex parte, 1913 C.D. 253; 197 O.G.	
Schmidt, In re, 1961 C.D. 542; 772 O.G. 897;		534	714.08
48 C.C.P.A. 1140	201.11	Whitelaw, Ex parte, 1915 C.D. 18; 219 O.G.	
Schwarz and Paul, In re, 147 USPQ 394	409.03	1237	706.03 (k)
Searles, In re, 164 USPQ 623	602.03	Willien et al., In re, 1935 C.D. 229; 454 O.G.	
Seebach, In re, 1937 C.D. 495; 484 O.G. 503	709.01	535	715
Selmi, In re, 1946 C.D. 525; 591 O.G. 160	706.02 (a)	Wirt, Ex parte, 1905 C.D. 247; 117 O.G. 599	714.13
Sharp et al., Ex parte, Pat. No. 2,232,730	829	Young, Ex parte, 18 Gour. 24; 31	1213.01
Shohan, Ex parte, 1941 C.D. 1; 522 O.G.			
501	1101.02 (g)		