# PTO Publishes Proposed Rules on Preissuance Submissions

January 6, 2012

On January 5, 2012, the USPTO published proposed regulations regarding preissuance submissions to implement part of the new America Invents Act. In contrast to existing practice, which allows very limited opportunities for third parties to submit prior art in a pending patent application, the new rules allow anyone to submit documents (which need not even constitute prior art) along with a concise explanation of their relevance – for example, a claim chart showing how each claim element can be found in one or more of the documents. The submissions can generally be made up to 6 months after publication of the application (but before a notice of allowance is mailed). The submissions can be made starting on September 16, 2012, even for patent applications that were filed long before then.
The PTO is accepting comments on the proposed regulations until March 5, 2012.
Please click here to view the proposed regulations.

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