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UNITED STATES  
PATENT AND TRADEMARK OFFICE



# Ex Parte PTAB Appeals

Judge Romulo H. Delmendo,  
United States Patent and Trademark Office, Patent Trial and Appeal Board  
Judge Bruce Wieder,  
United States Patent and Trademark Office, Patent Trial and Appeal Board



## When is a Case Ready for Appeal?

When you have presented everything you want to present to the examiner:

- You have presented your best arguments;
- You have all the evidence you want/need of record; AND
- You meet the requirements of 35 U.S.C. §134(a) (claim has been twice rejected).



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## When is a Case Ready for Appeal?

Remember what we do:

*"review adverse decisions of examiners"*

35 U.S.C. § 6(b)(1)



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"Ex Parte Appeals Practice"