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August 15, 2008

78060-00030

Mail Stop Comments - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: **Office of Patent Legal Administration**

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SEP 05 2008
OFFICE OF PETITIONS

Dear Sir:

The following comments relate to the "Changes to Practice for Documents Submitted to the United States Patent and Trademark Office" published in the Federal Register, Vol. 73, No. 152, pages 45662-45673, of Wednesday, August 6, 2008. The comments expressed herein are only those of the undersigned and do not necessarily reflect the opinion of the law firm where the undersigned is employed.

First Comment

At section IV, Font Size, pages 45666, it is proposed that "the font must have capital letters no smaller than 0.28 cm (0.11 inch) high (e.g. a font size of 12 points in Times New Roman)." It is respectfully submitted a 0.28 cm letter size corresponds to 11 points.

The basis for such statement is as follows. A "point" is the distance between the two closest interlineations of text, and the size of a letter is typically 72% of the point size (see, for example, DIN 16507-2).

There are 72 points in one inch, therefore one point equals:

$$1 \text{ point} = 1 / 72 \text{ in} = 0.03527778 \text{ cm.}$$

Accordingly, a letter size of 0.28 cm corresponds to:

$$(0.28 \text{ cm} / 0.03527778 \text{ cm}) * (1 / 0.72) = 11 \text{ points.}$$

Second Comment

At section IV, Font Size, pages 45666, it is further proposed that "papers submitted electronically that are to become part of the patent application or reexamination file must be

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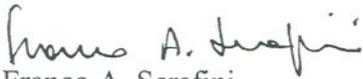
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readily legible.” the meaning of “readily legible” is not apparent. In particular, it is not apparent whether electronic submissions would be exempt from the minimum font requirement as long as such submissions are “readily legible.”

Respectfully Submitted,



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FAS/mep