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PATENT DIVISION INSTRUCTIONS

F O R W A R D

The Patent Division Instructions (P.I.s) are intended to be a reference for Bell Laboratories attorneys to certain basic practices in connection with our work. These Instructions are meant to be general guidelines to our work and thus deal only with procedures involving long range consequences. Certain of the P.I.s refer to other company documents such as the General Executive Instructions (G.E.I.) and the Engineering Methods Bulletins (E.M.B.). Selected ones of these documents are included herein. Others are available either in the Patent Library or from the Patent Attorney-Directors or Assistant Directors. Throughout these instructions the term "Patent Attorney-Director" is used to designate both Directors and Assistant Directors.

Forms referred to in the P.I.s will be found in the back of the manual for your convenience and information.

W. L. Keefauver

Bell Laboratories

subject: New Patent Instructions

date: December 23, 1974

from: R. E. Smith

To Holders of P.I.'s (except attorneys) and All Secretaries:

Attached is a new set of Patent Instructions. Retain only the first sheet in the current manual (contains the "Patent Instruction" Copy No.-) and those personal items which your attorney or other holders of the P.I. wish to retain.

Replace all of the superseded Patent Instructions, mark the name of the attorney or other P.I. holder and the Copy No. on the first of the superseded sheets, and forward them to Mrs. Lucille O'Brien, MH 3B-416.

In addition, please remove the following material from the Attorney Orientation Manual and insert it into the new P.I. binder after typing the P.I. number in the upper right hand corner.

Attorney Orientation Manual	New P.I. Number
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It is recognized that the contents of some of the P.I.'s may be of assistance to the secretary in understanding a particular job. If so, a secretary may borrow either the Supervisor's copy of the P.I. or the attorney's copy if it is available.

R. E. Smith

P.S. Please check the new set of Patent Instructions against the attached listing. Should any P.I.'s be missing, contact Mrs. O'Brien on ext. 2310.

Checked - capp 12-30-74

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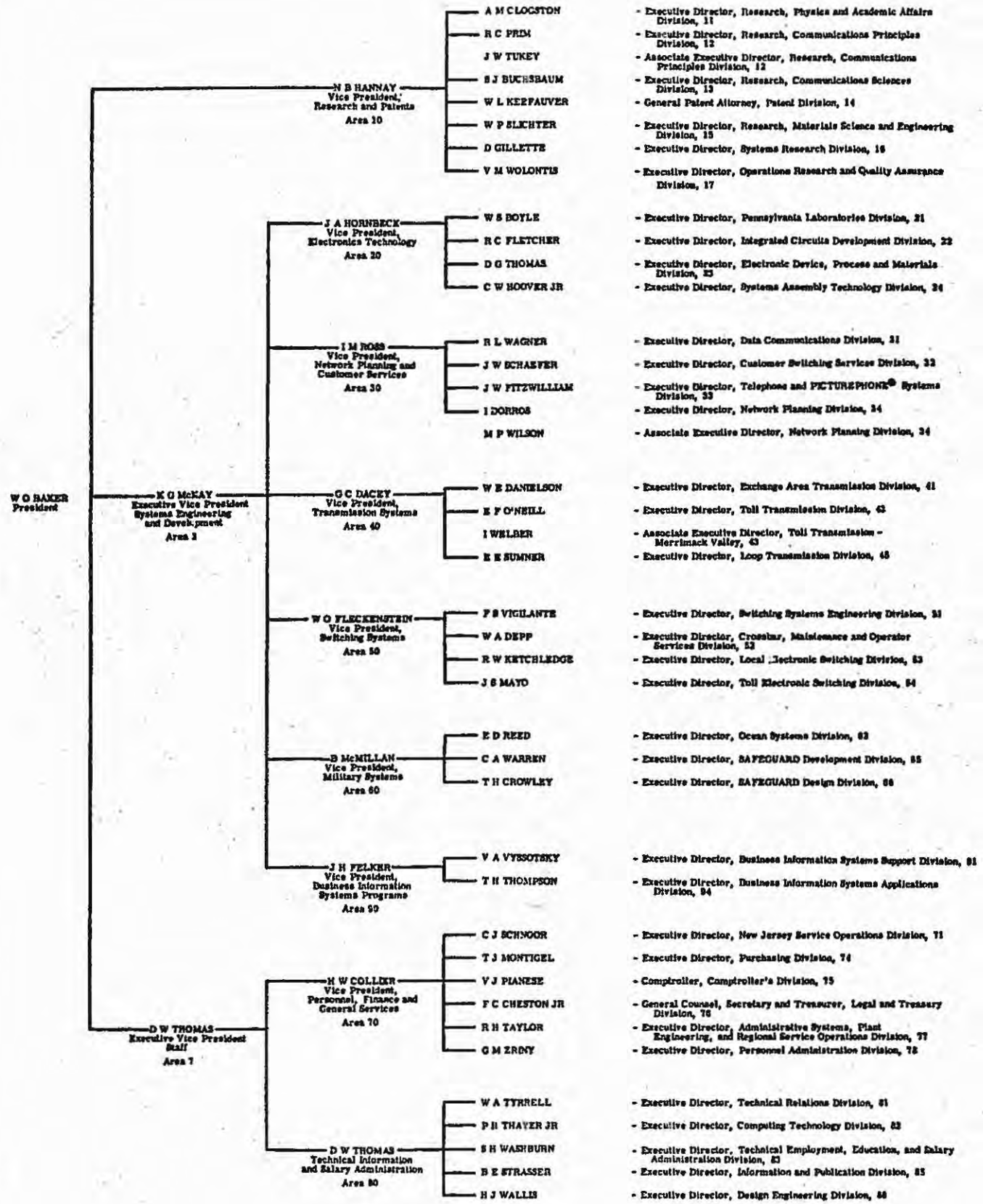
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Numerals appearing above groups represent department numbers for purposes of general reference and accounting.

Numerals appearing in parentheses indicate the number of persons assigned to work under the supervision of the individual noted above.

ORGANIZATION OF
BELL TELEPHONE LABORATORIES
Incorporated

OCTOBER 1, 1974
Replacing chart previous issued under same date.



1.1-3 Patent Attorney Consultants

Patent attorney consultants are assigned in order to establish an attorney-client relationship between technical organizations and designated patent attorneys. It is the responsibility of the consultant, therefore, to know what the assigned organization is doing, and to advise members of the organization on all patent-related matters. The consultant is urged to be available for personal discussions and generally to act as patent counsel to the organization.

An endeavor should be made to have the consultant's name listed on Laboratory and Center telephone lists that are generated within the technical organization. If the assigned organization is at a distant location, it is desirable for the consultant to meet personally at regular intervals with the clients. The consultant may wish to attend certain review meetings scheduled by the technical organization, at their convenience, and with their approval.

When an attorney, other than the consulting attorney, gives advice to or disposes of a work item for the consulting attorney's technical organization, the consulting attorney should be advised, for example, by a copy of any correspondence.

For a general discussion of the attorney-client relationship, see BTL Attorney Orientation Manual, Section 3.

The current list of consultants for each technical organization is attached.

Attached
Consultant Assignments

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135 - C C Cutler	
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Changes per memo fm Mrs. E. S. DeLucas - May 13, 1975

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34 - I Dorros/M P Wilson	C S Phelan
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152	Materials Research	G S Indig (142)
153	Physical Chemistry Research	G S Indig (142)
233	Electronic Process Development	E M Fink & P V D Wilde (142)
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31	Data Communications	K B Hamlin, J P Kearns (141) R C Lipton & R A Ryan (141)
32	Customer Switching	D M Duft & D H Tannenbaum (141)
34	Network Planning	C S Phelan (141)
43	Toll Transmission	J A Cameron, D D Dubosky, D L Hurewitz, J K Mullarney, W L Wisner & J J Torrente (145)
52	Crossbar, Maintenance & Operator Services	D E Nester & D A Marshall (143)

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214	Electron Device	H W Lockhart (144)
215	MOS Technology & Memory	I Ostroff & R B Anderson (144)
231	Electronic Materials & Device	E M Fink (142)
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24	Systems Assembly Technology (except 242)	D A Marshall (143) J S Cubert, W Ryan & A G Steinmetz (146)
33	Telephone & Picturephone Systems	C E Graves, A D Hooper & H L Newman (142)
454	Transmission Media	C E Graves (142)
455	Loop Installation	A D Hooper (142)
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115	Solid State Electronics Research	D I Caplan & M J Urbano (144)
213	Semiconductor Device	H W Lockhart (144)
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226	Bipolar Integrated Circuit	L C Canepa (144)

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228	Computer Aided Design & Test	L C Canepa (144)

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12	Research, Communications & Principles	G E Murphy & W Ryan (146)
216	Film & Hybrid Technology	L H Birnbaum (144)
227	Pattern Generation Technology	R B Anderson & L C Canepa (144)
ERC 022	Physical Processes	WE

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234	Solid State Device	H M Shapiro, S Sherman & M J Urbano (144)
45	Loop Transmission (except 454, 455)	C E Graves, A D Hooper (142) J S Cubert, H L Logan & R O Nimtz (146)
136	Guided Wave Research	T C O'Konski (145)
242	Electronic Power Systems	A G Steinmetz (146)

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17	Operating Research	D E Snedeker (147)
50	Switching Systems (except 52)	J C Albrecht, J W Falk, D E Nester & F W Padden (143)
60	Military Systems	H L Logan & R O Nimtz (146)
90	Business Information Systems Programs	D E Snedeker (147)
135	Electronic & Computer Systems	C S Phelan (141), W Ryan (146) B H Freedman (147)
826	Computer Technology & Engineering (Columbus & Indian Hill)	J C Albrecht (143)

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JANUARY 1, 1974
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January 1, 1973

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Application Division M N Weltman rm4C20 CP2 3257
Assistant R I Bryant Jr rm4C20 CP2 3256

OFFICE OF PATENT AND TRADEMARK SERVICES (CONT'D)

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Data Input Quality and Assembly Alice B Aderholt rm4C31 CP2	3716
Records Maintenance and Information J A Taylor rm4C12 CP2	3262
Assignment Division Sallye M Hayden rm4C11 CP2	3266
Assistant (Vacant) rm4C11 CP2	3266
Digest and Recording Branch Louise Tillery rm4C11 CP2	3259
Examination Branch Alice Coverdale rm4C14 CP2	3239
Title Branch E J DeMesme rm4C19 CP2	3826
Records Information rm4C19 CP2	3509
Microphotographer Willie M Rockamore rm4C14 CP2	3249
Customer Services Division L Wheeler rm1627	* 4937
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Productivity and Management (Vacant) rm1627	* 2922
Quality Control Section Mary Smith rm1627	* 3394
Supply and Equipment Section P Norris rm1627	* 2298
Customer Relations Section W Estep rm1A03 CP4	2003
Production Manager Gladys Scales rm1627	* 5634
Document Control Branch C Blake rm1627	* 2481
Input and Records Control Section W Bowman rm1617	* 2818
EAM Section W Wooten rm1627	* 5410
Dispatch Unit O Corbett rm1627	* 3130
Patent Processing Branch J Moore rm1627	* 4401
Patent Paper File Section T Johnson rmSB618	* 5750
Film File Section Rosalind Jones rm1627	* 3402
Copyflo and Cutting Section L Stevenson rm1627	* 2581
Copy and Search Section G Ellard Mezzanine	2540
Order Output Branch R O Smith rm1627	* 2481
Collating Section Zadie Ridley rm1627	* 2417
Mail Section Belen Sanchez rm1627	* 5501
Reference Processing Section Shirley McCall rm1627	* 3307
Window Section Dorothy Ezell rm1A03 CP2	3480
Micrographic Branch Leon Jackson rm6C22 CP2	3079
Assistant John Hasieber rm1627	* 4968
Microfilming Section A Mundy rm6C22 CP2	3079
Microfilming Section Commerce Marion Bell rm1627	* 4968
Processing Section Calvin Pullen rm1627	* 5675
Application Processing Branch Aberdeen Cutler rm1617	* 4494
Microfiche and Printing Section (Vacant) rm1627	* 2582
Certification Section Ida Merritt rm1627	* 2656
Assistant Letha Rigney rm1627	* 2656
Foreign Patent Section Annie Haygood rm1617	* 5673
Court and Foreign Exchange Juanita Smith rm4C08 CP2	1560
Foreign Exchange Dorothy Northcutt rm4C08 CP2	1194
Deputy Production Manager Night Operations R Leeper rm1627	* 2922
Reference Processing Night Operations J Lyles rm1627	* 2072
Collating and Assembly Night Operation Florence Darby rm1627	* 2481
Film File Section Night Operation Clara Harmon rm1627	* 3402
Copy Flo and Cutting Night Operation (Vacant) rm1627	* 2581
Drafting Division D M Mills rm9C12 CP2	3641
Assistant B P Shields rm9C12 CP2	3641
Patent Search Division C E McMullan rm1A03 CP3	2219
Assistant R Ernest Harris rm1A01 CP3	2277
Records Branch Louis Jackson rm1D01 CP4	2977
Assistant Hallett Saunders rm1D01 CP4	2977
Search Advisors rm1A01 CP3	2276
Stack Unit L M Wiggins rm1A04 CP4	2967
Scientific Library Chief Librarian Donald W Gooch rm2C14 CP3	2955
Secretary Meredith A Morris rm2C14 CP3	2955
Staff Assistant Peter Solchak rm2C14 CP3	2281
General Reference Branch Patricia W Berger rm2C18 CP3	2970
Bindery Unit Carl Skorseth rm2C33 CP3	3081

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OFFICE OF PATENT AND TRADEMARK SERVICES (CONT'D)

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Interlibrary Loans Patricia Miller 2nd Fl CP34 2957
Reference Service Patricia Miller 2nd Fl CP34 2957
Translators rm2C18 CP3 3193
Foreign Patent Services and Records Section Barrington Balthrop rm2C33 CP4 2970
Circulation Gloria McMickens 2nd Fl CP34 2957
Foreign Patent Records William Port rm2C33 CP4 3092
File Maintenance Rufus Ingram rm2C33 CP4 3545
Technical Processes Branch Joan Mavity rm2C06 CP3 2961
Acquisition and Binding Section Marguerite Terbush rm2C02 CP3 2951
Catalog Section Jesse Gibson rm2C06 CP3 2961

Office of Personnel

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Assistant to the Personnel Officer H N Major rm9C06 CP2 3631
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General Reception and Inquiry rm9C05 CP2 7624
Classification and Employment Division B R Huther rm9C05 CP2 7624
Employee Relations Division J C Jones rm9C13 CP2 3643
Incentive Awards C M Jennings rm9C13 CP2 3643
Employee Development Division W H Hokans rm9C27 CP2 3431
Career Development J Robert Ernst rm9C27 CP2 3431
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Instructor Helen P Miller rm9C29 CP2 3440

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Florence Hoffman rm11C34 CP3 3557
Walter Parker rm11C34 CP3 3557
Management Data Staff:
Don W LeCrone rm5C20 CP2 3656
William Maykrantz rm6D15 CP2 3776

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Secretary Shirley Hammel rm5C26 CP2 3794
Production Control Center Jack E Graham rm3C26 CP2 3520
Patent Issue Division (Vacant) rm3C24 CP2 3283
Deputy McCoy M Gibson Jr rm3C24 CP2 3283
Revision for Issue Branch Charles Garrison rm3C27 CP2 3285
Patent Preparation Branch Raymond Murphy rm3C27 CP2 3285
Allowed Files Section Frances R Lane rm3C13 CP2 3286
Review and Assembly Section Donald I Butler rm3C28 CP2 3289
Multigraph and Stamping Operations Section William Talley rm3C05 CP2 3295
Decisions and Certificates of Correction Branch Bernice Shelton rm3C26 CP2 0708
Automated Notification Division Priscilla Fuller rm3C19 CP2 3293
Quality Assurance Division Richard Bawcombe rm5C26 CP2 1992
Patent Copy Inspection Branch Ann E Connell rm8B21 CP2 3917

Office of Technology Assessment and Forecast

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Secretary Cathy Chamberlain rm2C32A CP3 3051
Staff:
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Janice E Hall rm2C32A CP3 3051
Carl S Koenig rm2C32A CP3 3051
William S Lawson rm2C32A CP3 3051
Philip K Olson rm2C32A CP3 3051

1.2 DELEGATION OF AUTHORITY

In general, each member of the Patent staff having general signatory authority may act in all attorney assignments without additional approval. Those actions that require specific approval are set forth in this P.I. Actions not specifically enumerated, but which appear to involve basic matters of policy, should, of course, be reviewed in advance at an appropriate level.

1.2-2 Actions that Require Approval of a Patent Attorney-Director

The following actions and items should be referred to the appropriate Patent Attorney-Director for approval.

1. Appeals to the Board of Appeals.
2. Abandoning or dropping an application; if an AT&T application, see P.I. 1.2-1.
3. Reissue of a U.S. patent (except for purposes of provoking an interference - See P.I. 1.2-1).
4. Foreign Filing Recommendations.
5. Foreign Maintenance Recommendations.
6. Pt. 522 - Allowed Application for Patent form.
7. Transmittal of any Patent Division Files to a BTL Location outside the Patent Division.
8. Other matters as prescribed by the Patent Attorney-Director

Each Patent Attorney-Director is authorized to sign, on behalf of Bell Laboratories, applications for registration of copyrights. This authorization may, in turn, be given to attorneys designated by the Director.

1.2-1 Actions that Require Approval of the General Patent Attorney

The following actions and items should be referred to the General Patent Attorney for approval:

1. Copying a claim to provoke an interference.
2. Decision not to copy a claim for interference when a question of policy is involved.
3. Proposal in interference for informal exchange of proofs, abandonment of contest, or concession of priority.
4. Appeal to the CCPA or District Court.
5. Decision to disregard a claim on the ground that it is invalid, debatably inapplicable, or a new or unusual contract interpretation is involved.
6. Recommendation to seek a license under a patent or application.
7. Decision that a new development involves a major patent question. (Reference G.E.I. 3.1, paragraph 3.6)
8. Suggestions from outside the Bell System. (See P.I. 1.3)
9. Requests by employees for release from, or interpretation of, invention assignment agreement.
10. Transmittal of any Patent Division files outside of Bell Laboratories.
11. Actions involving non-routine interpretation of policy.
12. Proposal to abandon an AT&T application requires approval of the AT&T GPA.

1.2-3 Signatures on Memoranda and Letters

Each Patent Attorney-Director has authority to sign memoranda to BTL Technical Directors or Managers and letters to Western or AT&T General or Assistant General Patent Attorneys on items such as patentability, right to use, publications, infringement studies of equipment of others and evaluations of patents unless singular factors, such as a question of infringement or other liability of the Bell System, or of the liability of others to the Bell System, or of possible loss or impairment of Bell System patent, proprietary or other Bell System property rights, or of basic policy, are involved. Items involving such factors are signed by the General Patent Attorney.

Replies to inquiries from the Western Electric Patent Contract Group (S. I. Rosen) may be addressed to the individual making the inquiry provided a copy of the reply is sent to Mr. Rosen. These replies, particularly when patent evaluations are involved, should generally be over the signature of a Patent Attorney-Director. The Director, however, can delegate the signatory authority by appropriate notation on the request in situations deemed appropriate. When such a delegation is made, a copy of the reply should also be marked and sent to the Director.

Each Member of Patent Staff having general signatory authority is authorized to sign, in his or her own name, letters concerning foreign prosecution to:

The International Patent Counsel of Westen Electric.

Foreign Agents (including the London office of Western Electric) in those instances in which the letter being answered is addressed to Bell Telephone Laboratories.

1.2-4 Use of Letterheads

The letterhead bearing the name of the General Patent Attorney or a Patent Attorney-Director shall be used only for correspondence to be signed personally by them or in their names.

The general letterhead of Bell Laboratories shall be used for all other company business letters.

Bell Laboratories Memoranda Letterhead should be used as the original for all internal addressed correspondence.

1.2-5 Powers of Attorney

While it is not necessary for a registered patent attorney to have a power of attorney in order to sign papers in a patent application, a power should normally be given to the attorney who is expected to prosecute an application.

In unusual circumstances, the Director may permit an attorney or Western's Washington representative to sign papers without benefit of a power of attorney.

1.3 Suggestions Received from Outside Bell System

All suggestions or submissions of ideas or inventions from outside the Bell System for our consideration shall be referred directly to the General Patent Attorney. Attorneys should not attempt to "review" any submission received initially by them but shall forward the material directly to the General Patent Attorney. Attorneys should advise their clients that items received by them should be forwarded to the General Patent Attorney without any review or consideration by supervision. Similarly, if an oral or written request is received preliminary to the making of such a submission, the matter is to be referred to the General Patent Attorney.

Unless the submission involves a patent, it will not be considered in any way until the submitter signs or otherwise agrees to our statement of conditions. This statement, a copy of which is attached, is forwarded to the submitter by the General Patent Attorney before any review takes place. See also G.E.I. 3.1 Sec. 8.1.

Attached
Statement of Conditions

BELL TELEPHONE LABORATORIES
INCORPORATED
MURRAY HILL, NEW JERSEY

Attachment
P.I. 1.3

Submission of Inventions or Suggestions

We are always glad to receive ideas and suggestions that promise to improve the facilities and practices that are used in rendering communication services to the public.

This printed statement is intended to serve as an answer to the frequent inquiries which are made concerning the conditions under which we are willing to receive and consider ideas and suggestions from persons outside our own organization.

If the suggestion has already been patented and if we are informed of the number of the patent, we shall be glad to consider it and inform the person submitting it whether or not we are interested in acquiring rights under it.

If the suggestion has not been patented, we are, nevertheless, willing to have it submitted to us with the understanding, however, that we cannot receive it in confidence or assume any other obligation, except that we shall undertake to give it our careful consideration and to inform the person making the inquiry of our conclusions. We believe it will be readily appreciated that our reason for making these reservations is to avoid misunderstandings that are likely to arise if unpatented ideas are submitted to us without condition. With our large force of people constantly at work on ways and means of improving communication services, and with many ideas being disclosed to us by others, it frequently happens that a suggestion that seems new to a person outside our organization may already be well known to us either as the result of our own efforts, or because it has been called to our attention by others. The fact that we may not be using a particular idea at the present time is not to be taken to mean that we are not familiar with it or that we may not decide to put it into use at some future time.

Should we want to make use of the suggestion, and if it is not already known to us and is not in the possession of the public and is original with the party submitting the suggestion or with a person whom he represents, we would expect to discuss the matter with such party in an effort to arrive at an agreement that is mutually satisfactory.

If the suggestion is unpatented and the originator of the suggestion or his representative wishes to submit it to us under the foregoing conditions, we shall be glad to receive a complete written description of it, together with any drawings that may be appropriate to illustrate it.

BELL TELEPHONE LABORATORIES
INCORPORATED

1.4 Requests for Release from Invention Assignment Agreement

All employees of Bell Laboratories assigned to work which is likely to result in inventions relating to the business of Bell Laboratories are required to execute an Agreement to assign any such invention to Bell Laboratories. Copy attached. See also G.E.I. 3.1-1.

Occasionally, an employee seeks to be released from the Agreement in order to exploit an invention privately. Requests for release from the Agreement should be forwarded to the General Patent Attorney with a brief note indicating the conditions attending the making of the invention, the nature of the employee's work assignment, whether or not the invention was made entirely on the employee's own time, and whether or not use was made of Bell System facilities and materials.

If it is concluded that the invention was not made within the terms of the employee's Agreement for Assignment of Inventions, the General Patent Attorney will so inform the employee. If the invention was made within the scope of the Agreement and if it is determined that Bell Laboratories is willing to release the employee from the obligations of the Agreement, the General Patent Attorney will inform the employee of the conditions, including the reservation of a Bell System license and Final Judgment (Consent Decree) obligations, by which the employee is released from the Agreement.

Attached
Agreement

P.I. 1.4
Attachment

AGREEMENT FOR ASSIGNMENT OF INVENTIONS

Code Number

IN CONSIDERATION of my employment by Bell Telephone Laboratories, Incorporated, during such time as may be mutually agreeable to that Corporation and myself, I hereby assign and agree to assign to said Corporation, its successors and ssigns, all my rights to inventions which, during the period of my employment by said Corporation or by its successors in business, I have made or conceived or may hereafter make or conceive, either solely or jointly with others, in the course of such employment or with the use of said Corporation's time, material or facilities, or relating to any subject matter with which said Corporation is or may be concerned; and I further agree, without charge to said Corporation, but at its expense, to execute, acknowledge and deliver all such further papers, including applications for patents, as may be necessary to obtain patents for said inventions in any and all countries and to vest title thereto in said Bell Telephone Laboratories, Incorporated, its successors or assigns.

WITNESS my hand and seal this_____day of_____19___

_____(Seal)

WITNESS

_____

E-1367 (1-62)

1.5 General Executive Instructions

The General Executive Instructions are intended "...to state clearly and concisely the policies under which Bell Laboratories conducts its business, to provide information which is pertinent to Bell Laboratories business or employee interest, and to prescribe procedures to be followed by departments in meeting normal situations."

Selected G.E.I.'s are included herein because of their particular interest to the Patent Division. A complete set of G.E.I.'s, available for general use, is maintained by each Patent Attorney-Director. In addition, a complete set is available in each Patent Division Library.

Attached
Selected G.E.I.s

1.5 - Selected G.E.I.s

Copies of General Executive Instructions 2.1, 2.2, 3.1, 3.1-1, 13.9-3 and 13.9-7, presently at Tab 10 of the Attorney Orientation Manual should be filed here.

Computer programs

E-1019-1 11-61

BELL TELEPHONE LABORATORIES
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NOTE:—THIS INSTRUCTION IS ISSUED FOR USE OF EMPLOYEES OF BELL TELEPHONE LABORATORIES, INCORPORATED, AND IS NOT FOR PUBLICATION.

General Executive Instruction 2.1,
October 30, 1972,
Replacing Issue of March 31, 1965.

PUBLIC RELEASE OF BELL LABORATORIES INFORMATION

1. SCOPE

This instruction defines public release of information concerning activities and interests of Bell Laboratories, prescribes the approvals required for public release of information, and indicates the procedure for obtaining such approvals. Detailed coverage of particular aspects of this subject will be found in the following subordinate instructions:

G.E.I. 2.1-1	Publication of Books, Articles, and Other Works
G.E.I. 2.1-2	Teaching
G.E.I. 2.1-3	Talks by Employees

2. GENERAL

It is the policy of Bell Laboratories to release information regarding its activities and interests to the scientific and technical community and to the general public when such release serves the best interests of the Bell System. Bell Laboratories is thus able to contribute to the spread of knowledge and to obtain due recognition both for its employees and for Bell Laboratories itself. Release of information, however, is contingent upon the form and content of the information and on the timing of the release in order to preclude any consequences which might prove detrimental to the interests of the Bell System.

3. PUBLIC RELEASE DEFINED

Public release, for the purpose of this instruction, is defined as unrestricted disclosure of Bell Laboratories information to persons outside the Bell System. Public release of information includes publication in books, periodicals, pamphlets, or circulars, and oral presentation in teaching or talks. It also includes use in scientific diagrams or models, computer programs, motion pictures, photographs, recordings, advertising exclusive of employment advertising, and release in any other form on an unrestricted basis.

4. APPROVAL REQUIREMENTS

Public release of information in any form requires approval of the Executive Director, Information and Publication Division. Such approval, when granted, indicates that approvals as to substance and policy, as defined below, have been obtained:

Approval as to Substance - Agreement as to the suitability, arrangement, and presentation of the material under consideration and verification of the accuracy of the facts stated.

Approval as to Policy - Agreement that the material under consideration conforms to Bell System policies and that it is desirable and proper to make it public at the time the release is contemplated.

Approvals as to substance and policy shall be obtained from the Executive Directors concerned, and if required, from other interested members of management, the Patent Division, and the American Telephone and Telegraph Company and the Western Electric Company, Incorporated.

5. PROCEDURE FOR OBTAINING APPROVAL

All material intended for public release shall be submitted to the Executive Director, Information and Publication Division, accompanied by a Request for Release of Talk or Paper (Form E-7227) signed by the originator's Executive Director. The number of copies or amount of explanatory information required can be ascertained by a telephone inquiry if the matter is not covered in the detailed instructions in this series.

6. RESPONSIBILITY OF THE INFORMATION AND PUBLICATION DIVISION

It shall be the responsibility of the Information and Publication Division to:

(a) Issue to employees through the appropriate Executive Directors formal release for material submitted for clearance after having secured required approvals as prescribed in this instruction;

(b) Control the public release of Bell Laboratories motion pictures, photographs, recordings, and advertising exclusive of employment advertising; and

(c) Maintain a record of all material approved for public release in any form.

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General Executive Instruction 2.2,
May 12, 1969,
Replacing Issue of March 31, 1965.

LIMITED RELEASE OF BELL LABORATORIES INFORMATION

1. SCOPE

This instruction defines limited release of information concerning activities and interests of Bell Laboratories, indicates the considerations governing limited release of information in discussion and in correspondence, and states approval requirements. Specific regulations regarding release of Laboratory Reports and Analytical Laboratory Reports and of Technical Memoranda are contained in G.E.I.'s 13.9-2 and 13.9-3, respectively.

2. LIMITED RELEASE DEFINED

Limited release, for the purpose of this instruction, is defined as disclosure of Bell Laboratories information with restrictions as to use either orally, in correspondence, by means of Bell Laboratories internal documents, or by display of Bell Laboratories models. Oral disclosure, as used in this instruction, applies only to person-to-person informal discussion and does not apply to formal talks before groups such as technical society meetings. Such presentations fall within the coverage of G.E.I. 2.1-3 and must be treated accordingly.

3. CONSIDERATIONS GOVERNING LIMITED RELEASE

Judgments with respect to limited release of Bell Laboratories information, particularly information of a technical nature, must generally be made by individual employees except where formal approval requirements have been established. The considerations below should serve as a guide to employees. In the event of doubt as to the propriety of release, the matter should be referred to supervision for decision.

3.1 General Considerations

Limited release of information is permissible if there is an adequate direct or indirect return to the Bell System and if there are no open patent questions. This means that there should be no discussion of patentable information on which applications for patent have not been filed and also that there should be no discussion of new areas in which there is a possibility of future invention. Reference to filed but not issued patent applications should be avoided. In general, technical and scientific knowledge may be discussed with reasonable freedom but considerable care should be exercised in the release of information more closely related to application. There should be no release of information on specific design, technical know-how, and development plans, except where special considerations apply (paragraphs 3.2 and 3.3 below). Normally, discussion of Bell Laboratories technical advances in areas beyond those of intimate first-hand knowledge should be avoided.

3.2 Special Considerations - Release to Licensees

The Western Electric Company, Incorporated, and the American Telephone and Telegraph Company are required to furnish to some licensees, upon written application by the licensee, certain technical information relating to equipment manufactured by the Western Company for sale or lease to Bell System Operating Companies or the American Company. When the required information is unavailable at the Western Company, the Western Company will place a specific order for services on Bell Laboratories, requesting that the necessary information be gathered and transmitted to the Western Company. However, there is no obligation upon Bell Laboratories to release any technical information directly to licensees.

It is not unusual to arrange for competent licensees to visit Bell Laboratories and vice versa, for the purpose of exchanging technical information where this is of mutual advantage. It should be borne in mind that each license contract covers only patents in particular areas. Discussion of areas lying outside the license agreement should be avoided. The fact that a licensee is willing to give Bell Laboratories a fairly complete disclosure of his own information does not in itself justify a correspondingly complete disclosure from Bell Laboratories. It is usually desirable, in advance of a licensee visit, to review with supervision and other interested parties the nature and extent of the proposed discussion.

3.3 Special Considerations - Release to Bell System Employees

Discussions with employees of the Bell System may take place with considerable freedom where the information is likely to be of real use to the recipient. Purposeless disclosure should, however, be avoided. Where proprietary information is discussed with Bell System employees, appropriate restrictions should be clearly stated at the time the information is disclosed.

If a document containing proprietary information is to be provided to an employee of another Bell System company, a notice should be entered in a conspicuous location on both the first and last pages of each copy transmitted; the notice stating:

> "THIS DOCUMENT CONTAINS PROPRIETARY INFORMATION OF BELL TELEPHONE LABORATORIES AND IS NOT TO BE DISCLOSED, REPRODUCED, OR PUBLISHED WITHOUT BELL LABORATORIES APPROVAL."

Further, a letter of transmittal is to be provided, which letter should list the transmitted documents and include a precautionary statement about the proprietary nature of the transmitted information.

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General Executive Instruction 2.2,
July 27, 1970,
Replacing Page 3, Issue of June 22, 1970.

4. APPROVAL FOR LIMITED RELEASE

4.1 Oral Release and Correspondence

There are no formal requirements governing release of information to nonemployees orally or in correspondence except as provided in G.E.I. 2.8 with respect to release to foreign recipients. Accordingly, employees should be particularly alert to the significance of the information they contemplate discussing or including in correspondence.

4.2 Bell Laboratories Documents

Bell Laboratories documents shall be released to persons not in the employ of the Bell Laboratories only as provided below:

(1) Technical Memoranda in accordance with G.E.I. 13.9-3.

(2) Laboratory Reports and Analytical Laboratory Reports in accordance with G.E.I. 13.9-2.

(3) Educational Material prepared for and/or used in courses sponsored by Bell Laboratories on the same basis as Technical Memoranda (G.E.I. 13.9-3) and, in addition, approval by the Director of Education.

(4) Other internal documents such as drawings, specifications, and memoranda for record or file shall be released to other than a Bell System employee only with the consent of the Director or Manager of the organization in which the information originated.

A nonemployee shall be permitted to have access to an entire case correspondence file only with the consent of the Director or Manager responsible for the case.

4.3 Other Bell System Documents

Information originating from the Western Company or the American Company is the property of these companies. Such information as is made available to Bell Laboratories employees for reference purposes (G.E.I. 13.9-6) shall not be given to other than a Bell System employee without American Company or Western Company approval. No approval is required for release to a Bell System employee. Typical of this kind of information are Bell System Practices which are the copyrighted property of the American Company and should be released only with its permission. Preferably, Bell System Practices should be released through the American Company.

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General Executive Instruction 3.1,
November 6, 1973,
Replacing Issue of July 8, 1968.

GENERAL PATENT RELATIONS

1. SCOPE

This instruction establishes the relationship between the Patent Division and other organizations of Bell Laboratories and defines the responsibilities involved in matters relating to patents and proprietary material.

2. GENERAL

In order that the interests of the Bell System may be fully conserved and protected in matters relating to inventions, patents, technical information, trademarks, and copyrights, it is necessary, as prescribed herein, that certain relations be established and maintained between the Patent Division and other organizations of Bell Laboratories and that certain procedures be observed.

3. APPROVALS FOR NEW DEVELOPMENTS

3.1 "New developments" are new or revised apparatus, systems, machines, tools, materials, processes, designs, and computer programs developed either by or under control of Bell Laboratories. "Computer programs" is defined in G.E.I. 13.9-7.

3.2 It is the responsibility of the Patent Division to determine that new developments are adequately protected from patent or other standpoints and are free of liability under the patents or other rights of others.

3.3 It is the responsibility of the technical organizations to keep the Patent Division informed with regard to new developments. When it becomes known that any new development differing materially from previously approved developments is going to be manufactured or used, the Director concerned shall promptly notify the Patent Division by memorandum.

3.4 Manufacturing information may be transmitted to the manufacturing organization without Patent Division approval. However, when or before technical information on materially different new developments is forwarded to the manufacturing organization, the Patent Division shall be formally advised and furnished with technical information adequate for purposes of legal protection. Such information shall include manufacturing schedules and the estimated demand.

3.5 Materially different new developments shall not be sold, leased, or used until approval has been given by the Patent Division.

3.6 If a new development involves a major patent or other legal question, the General Patent Attorney shall so advise the responsible Executive Director in order that the President may be informed of the situation for the purpose of bringing it to the attention of the Patent Advisory Committee.

3.7 New developments obtained under a standard guarantee from an outside supplier need not be called to the attention of the Patent Division unless Bell Laboratories has instructed such outside supplier as to the design or manner of manufacture, in which case paragraphs 3.4 and 3.6 apply.

3.8 The procedures set forth herein shall be followed in the case of new developments for the Bell System, for the Government, and for field or market trials.

4. INVENTIONS OF EMPLOYEES

4.1 All inventions or supposed inventions originated by employees of Bell Laboratories shall be submitted promptly to the Patent Division through the proper organization channels. Inventions made jointly by employees of Bell Laboratories and outside parties shall be submitted in like manner, irrespective of the action taken by such outside parties. Informal submission shall be avoided, except where the time element renders such action expedient.

4.2 In submitting inventions or supposed inventions to the Patent Division, it shall be the responsibility of employees and their supervisors to point out the features which are believed to be new, to explain their advantages and importance, to identify the engineering case under which the work was done, and to furnish full technical details and any other pertinent information, such as circumstances of inventorship, in order that novelty and patentability studies may be made and adequate patent protection procured.

4.3 It is important that records be made and preserved with respect to all work that is likely to involve inventions. To this end, drawings and written descriptions, whether on separate sheets or in laboratory notebooks, should be dated and signed by the inventor. Since corroboration is also an essential of legal proof, all such drawings and descriptions should be signed and dated by witnesses who understand the subject matter. Moreover, reductions to practice, such as experiments, tests, trials, and models, are often essential in establishing claims to inventions. Accordingly, records of such reductions to practice should be made, signed, and dated by those who took part in them or witnessed them.

5. INVENTION ASSIGNMENT AND OTHER AGREEMENTS

5.1 All employees of Bell Laboratories assigned to work which, in the judgment of the General Patent Attorney, is likely to result in inventions relating to the business of Bell Laboratories shall, upon assignment to such work, execute, in a form acceptable to the General Patent Attorney, an agreement to assign any such inventions to Bell Laboratories. In addition, contractors, employees of other Bell System companies, and persons not under contract to Bell Laboratories who perform similar work on behalf of Bell Laboratories or on its premises may be required to execute appropriate agreements to assign invention rights to Bell Laboratories. The conditions under which invention assignment agreements are required and related practices and responsibilities are covered in G.E.I. 3.1-1.

5.2 Employees shall sign no agreements purporting to assign their inventions or copyrights to any other company, university, or other entity. In addition, employees shall sign no agreements to accept any information from others under any restrictions without approval of the Patent Division.

6. DISCLOSURE OF INFORMATION OUTSIDE THE BELL SYSTEM

Except as provided in paragraph 6.1, below, disclosures of new apparatus, systems, machines, tools, materials, processes, computer programs, and designs differing materially from previous standards or approved types shall not be made outside the Bell System without approval by the Patent Division.

6.1 Performance Under Government Contracts

Information specifically required to be delivered to the Government by the terms of a contract may be furnished to the interested Government agency, or its designees, without Patent Division approval, provided that all inventions disclosed therein were made under a Government contract and have been submitted to the Patent Division as prescribed in paragraph 4. Information such as instructions, bulletins, and specifications relating to manufacture, sale, or use shall be furnished only after compliance with the provisions of paragraph 3.

6.2 Publicity and Publication

It shall be the responsibility of the Executive Director, Information and Publication Division, upon receipt of material sent in accordance with G.E.I. 2.1 and which contains information of a technical or engineering nature concerning the Bell System, to refer the material to the Patent Division for approval prior to release.

7. TRADEMARKS AND COPYRIGHTS

All matters concerning trademarks and copyrights shall be referred to the Patent Division for consideration.

8. RELATIONS WITH OTHERS

8.1 Offers and Inquiries

All communications offering to Bell Laboratories suggestions, ideas, technical information, inventions, copyrights, or patent rights, shall, without delay, be referred directly to the General Patent Attorney. To the extent reasonably possible, all such communications should be avoided by making the referral indicated as soon as it is apparent that an offer of the type described is being made. Inquiries about licenses or other rights in inventions, patents, copyrights, or technical information of the Bell System shall also be referred promptly to the General Patent Attorney.

8.2 Matters of Infringement and Litigation

(a) All communications suggesting that the Bell System is infringing or is about to infringe any patent, trademark, or copyright, and all facts, statements, or other information coming to the knowledge of any employee concerning alleged infringements by the Bell System or concerning patent suits which may affect the Bell System shall be referred promptly to the General Patent Attorney.

(b) Likewise, the General Patent Attorney shall be informed of any facts or information within the knowledge of any employee concerning the infringement of Bell System patents, trademarks, or copyrights by others.

8.3 Relations with Contractors

All contracts between Bell Laboratories and others for research, development, or design services, including drafting and technical writing services, shall include a provision with respect to ownership of and rights in inventions and discoveries made and copyrightable material produced thereunder. Such provisions shall be in accordance with the basic principles for relations with contractors established by the General Patent Attorney.

8.4 Technical Information Matters

Any proprietary technical information, other than the information covered by paragraph 6, shall be released to persons outside of Bell Laboratories only as prescribed by G.E.I. 2.2. All matters concerning the negotiating or contracting for, or the purchase of, technical information shall be referred promptly to the General Patent Attorney.

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General Executive Instruction 3.1-1,
November 6, 1973,
Replacing Issue of July 23, 1968.

ASSIGNMENT OF INVENTIONS TO BELL LABORATORIES

1. SCOPE

This instruction states Bell Laboratories policy with respect to the assignment of inventions to Bell Laboratories, indicates the conditions under which agreements assigning inventions are entered into, and prescribes related practices and responsibilities.

2. GENERAL

All employees of Bell Laboratories assigned to work which, in the judgment of the General Patent Attorney, is likely to result in inventions relating to the business of Bell Laboratories are required to execute an agreement to assign any such inventions to Bell Laboratories. Contractors (including individuals working under personal services agreements), employees of other Bell System companies, and persons not under contract to Bell Laboratories who perform similar work on behalf of Bell Laboratories or on its premises may also be required to execute appropriate agreements to assign invention rights to Bell Laboratories. The nature and extent of such rights is determined by the General Patent Attorney.

Inventors who are under an agreement to assign inventions are required to execute an assignment to Bell Laboratories of all their right, title, and interest in any invention made in connection with Bell Laboratories work at the time an application for patent is processed by the Patent Division.

Responsibility for custody of executed agreements for assignment of inventions and assignments of inventions has been delegated by the Secretary to the General Patent Attorney, who has designated the Patent Division's Holmdel Operations Supervisor as custodian of the records.

3. AGREEMENTS WITH EMPLOYEES FOR ASSIGNMENT OF INVENTIONS

Each employee of Bell Laboratories assigned an occupational classification designated as requiring an agreement for assignment of inventions (see paragraph 7) shall be required to execute such an agreement immediately upon employment or re-employment or when first assigned such a classification after employment. In addition, if the agreement is executed by an employee while still a minor, the employee shall be required to ratify the agreement upon attaining legal age if then an employee of Bell Laboratories. The Personnel Divisions are responsible for obtaining execution and ratification of agreements by employees, in the manner prescribed in paragraphs (a) and (b) below.

(a) Agreements for assignment of inventions shall be executed on an Agreement for Assignment of Inventions (Form E-1367). The agreement shall be signed by the employee, who shall also be required to complete accompanying Form E-1367-B relative to inventions made before execution of the agreement. When the agreement is executed, it shall also be signed by a witness to the employee's signature. The witness shall be of legal age and an employee of Bell Laboratories. The executed agreement shall be forwarded to the Patent Division's Holmdel Operations Supervisor, and a copy shall be given to the employee.

(b) If an agreement for assignment of inventions has been executed by an employee while still a minor, the agreement shall be ratified when the employee attains legal age. Such ratification shall be on the Form E-1367 originally executed. For this purpose the original agreement shall be amended to include a ratification statement, in the form prescribed by the Legal organization, which shall be signed by the employee. The ratified agreement shall also be signed by a witness to the employee's signature. The witness shall be of legal age and an employee of Bell Laboratories. The ratified agreement shall be returned to the Patent Division's Holmdel Operations Supervisor.

4. AGREEMENTS WITH OTHERS FOR ASSIGNMENT OF INVENTIONS

4.1 Contractors

Contractors performing work for Bell Laboratories under contracts for research, development, and design services, including drafting and technical writing services, may be required by the terms of such contracts to grant to Bell Laboratories certain rights with respect to inventions arising out of performance of work under the contract. The Purchasing Division is responsible for ascertaining that the contractor is in a position to fulfill contractual obligations.

4.2 Employees of Other Bell System Companies

If employees of other Bell System companies perform work for Bell Laboratories or use Bell Laboratories facilities to perform work similar to that performed by Bell Laboratories employees required to execute agreements for assignment of inventions, they shall be required to execute an agreement with Bell Laboratories if they do not have such an agreement with the employing company. The Personnel Divisions are responsible for obtaining execution of the agreements if they are required. To enable the Personnel Divisions to fulfill this responsibility with respect to individuals working on other than Bell Laboratories premises, the Director concerned is responsible for requesting the appropriate Personnel Division to take the necessary action.

If no agreement with the employing company exists, an agreement with the employee of another Bell System company shall be executed on a Resident Visitor Inventor's Contract for Employee of Associated Bell System Company (Form E-1367-C). When the agreement is executed, the Bell System company employee shall be paid a consideration of one dollar. The agreement shall be signed by a witness to the signature of the Bell System company employee and to the employee's receipt of the payment. The witness shall be a Bell Laboratories employee other than the individual making the payment and shall be of legal age. The executed agreement shall be forwarded to the Patent Division's Holmdel Operations Supervisor, and a copy shall be given to the Bell System company employee.

NOTE: Sandia Corporation is not regarded as a Bell System company insofar as agreements for assignment of inventions are concerned.

4.3 Persons Not Under Contract

Individuals not under contract to Bell Laboratories who perform work for Bell Laboratories or use the facilities of Bell Laboratories to perform work similar to that performed by Bell Laboratories employees may be required to execute agreements for assignment of inventions. Executive Directors are responsible for notifying the General Patent Attorney of any contemplated arrangements for performance of work or access to Bell Laboratories facilities by such individuals. The General Patent Attorney is responsible for determining appropriate agreement arrangements.

5. ASSIGNMENT OF INVENTIONS

Each inventor who is under an agreement to assign inventions shall be required to execute an assignment to Bell Laboratories of all the inventor's right, title, and interest in any invention made in connection with Bell Laboratories work at the time an application for patent is processed. The Patent Division is responsible for obtaining such assignments. Assignment shall be accomplished through the execution of an Assignment and Agreement (Patent Form 1).

6. RESPONSIBILITY OF THE PERSONNEL DIVISIONS

The Personnel Divisions, through employment representatives, shall:

(a) Arrange for the execution of agreements for assignment of inventions by all employees required to sign such agreements (paragraph 3).

(b) Arrange for the ratification of agreements when employees who have executed such agreements while still minors attain their majority (paragraph 3(b)).

(c) Notify the Patent Division's Holmdel Operations Supervisor when there are changes in the names of employees who have executed agreements.

(d) Ascertain whether the employees of other Bell System companies have executed agreements for assignment of inventions with the employing company and, if no such agreement exists, obtain the execution of a Resident Visitor Inventor's Contract for Employee of Associated Bell System Company (Form E-1367-C) (paragraph 4.2).

(e) Arrange for the execution of agreements for assignment of inventions by persons not under contract to Bell Laboratories when requested to do so by the General Patent Attorney or a delegate (paragraph 4.3).

(f) Forward executed agreements for assignment of inventions to the Patent Division's Holmdel Operations Supervisor.

7. RESPONSIBILITY OF THE PATENT DIVISION

The Patent Division shall:

(a) Examine the description of duties involved under each occupational classification of employee (G.E.I. 5.2-1, Supplement A) and designate those occupational classifications which require agreements for assignment of inventions.

(b) Review the designation of occupational classifications at least once a year and at such other times as may be required by changes in the description of duties involved.

(c) Notify the appropriate Personnel Division of the designation of occupational classifications and of the results of annual and special reviews.

(d) Determine appropriate contract provisions for assignment of inventions of contractors or employees of contractors (paragraph 4.1) and instruct the Purchasing Division accordingly.

(e) Determine appropriate agreements for assignment of inventions of employees of other Bell System companies (paragraph 4.2) and persons not under contract to Bell Laboratories (paragraph 4.3) and instruct the appropriate Personnel Division accordingly.

(f) Arrange for the assignment to Bell Laboratories of inventions made in connection with Bell Laboratories work at the time applications for patents are processed (paragraph 5).

(g) Retain and properly safeguard, as delegated custodian for the Secretary (paragraph 2), all agreements for assignment of inventions and assignments of inventions or microfilmed copies made in accordance with Federal Communications Commission standards.

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General Executive Instruction 3.1-1,
Reissue of November 6, 1973.

8. RESPONSIBILITY OF THE PURCHASING DIVISION

The Purchasing Division shall assure that provisions with respect to inventions are incorporated in Bell Laboratories contracts as prescribed by the Patent Division, and that such provisions are observed by suppliers.

9. RESPONSIBILITY OF PLANT OPERATIONS DEPARTMENTS

Plant Operations Departments shall notify the Patent Division (Supervisor, Operations-Holmdel) of the names and affiliations of all persons from whom Regular Visitor's and Resident Visitor's identification media are reclaimed.

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General Executive Instruction 13.9-3,
April 17, 1973,
Replacing All Pages of Previous Issue.

TECHNICAL MEMORANDA

1. SCOPE

This instruction states Bell Laboratories policy with respect to the purpose, content, and use of Technical Memoranda, prescribes general procedures for their preparation and distribution, and prescribes restrictions and approvals governing their release to nonemployees.

Technical Memoranda based on information furnished by other than Bell Laboratories employees shall be subject to the special requirements of the Supplement to this instruction.

Classified Technical Memoranda shall be handled in accordance with the provisions of the Bell Laboratories Security Handbook.

The subject matter of this instruction is presented in the following order:

Paragraph	Subject
2	General
3	Content of Technical Memoranda
4	Indexes of Technical Memoranda
5	Numbering System
6	Preparation
7	Format of Technical Papers issued as Technical Memoranda
8	Revisions to Technical Memoranda
9	Author's Distribution
10	Requests by Employees
11	Surrender of Technical Memoranda Upon Termination of Employment
12	Release to Resident Visitors
13	Release to Other Nonemployees
14	Transmittal Procedures
15	Routing Nonemployee Requests Not Addressed to an Individual
16	Responsibility of Correspondence Files

2. GENERAL

It is Bell Laboratories policy to encourage widespread exchange of technical ideas and information within the company. Technical Memoranda (TM's) are the principal means of implementing this policy. They are intended primarily for use by employees. Premature or unauthorized disclosure of their content to persons not in the employ of Bell Laboratories may seriously jeopardize company interests. Technical Memoranda shall not, therefore, be shown or given to such persons except as provided in paragraphs 12 and 13.

3. CONTENT OF TECHNICAL MEMORANDA

Any member of a technical organization may prepare a Technical Memorandum if he believes that the material he has prepared is of interest outside the group with which he is associated, or that it should be indexed and made readily available for reference. Whenever possible, technical papers released and accepted for publication, which contain information not previously circulated within Bell Laboratories, shall be issued as Technical Memoranda prior to publication.

No general restrictions are imposed on the technical material which may be included in a Technical Memorandum. Technical organizations may at their discretion, however, require review and approval of Technical Memoranda prior to issuance. In the case of memoranda dealing with classified material, supervision must approve the level of classification.

In general, a Technical Memorandum is the appropriate medium for recording the following:

(a) Results of laboratory experiments or tests, field measurements, mathematical studies, or other scientific investigations.

(b) Systems studies and evaluations.

(c) Surveys of a specific subject or problem.

(d) Descriptions of design methods, inventions, specific apparatus or circuit designs and software such as computer programs and related items.

Permission to include works, or portions of works, of others, which are protected by copyright, shall be obtained from the Patent Division prior to issuance (see G.E.I. 3.1).

Technical Memoranda should not be used to record nontechnical matters.

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General Executive Instruction 13.9-3,
Reissue of April 17, 1973.

4. INDEXES OF TECHNICAL MEMORANDA

4.1 Technical Memoranda Index (TM Index)

The Libraries and Information Systems Center prepares a monthly Index of unclassified Technical Memoranda. This index lists each Technical Memorandum by number, by author, by all significant words in the title, and by other keywords. An annual cumulation of the Index is also distributed. The annual cumulation includes a case number index which cites all filing case numbers for each Memorandum. The index is distributed only to Bell Laboratories employees and may be requested from the Head, Library Operations Department II (Holmdel).

The Cover Sheet Subject Index dating from approximately 1931 through 1965 is on microfilm and is available for reference in the Holmdel Correspondence Files.

4.2 Classified Technical Memoranda Index

Indexes of classified Technical Memoranda are prepared by the Holmdel Correspondence Files for restricted distribution to those who have been designated by an Executive Director in a memorandum to the Head, General Service Department (Holmdel).

5. NUMBERING SYSTEM

Technical Memorandum numbers are issued by the Holmdel Correspondence Files and consist of three parts as follows:

(a) The prefix "TM" followed by the last two digits of the year in which the Memorandum number was assigned.

(b) The number of the originating organization, using a two-, three-, or four-digit designation, as appropriate.

(c) The number of the particular Memorandum starting at "1" and continuing consecutively throughout the year for each successive Memorandum originated by the organization.

An example of a Technical Memorandum number is TM72-3213-1.

When an organization number is cancelled and reused within the same year, the serial number assigned to the first Memorandum written in the new organization shall be the number following the last one used by the former organization.

A number from the previous year cannot be assigned to a new Memorandum.

6. PREPARATION

A Technical Memorandum and its Cover Sheet shall be prepared in the form prescribed below.

6.1 Memorandum Form

A Technical Memorandum shall be prepared as a Memorandum for File (except as noted in paragraph 7). Accompanying tables, notes, photographs, and sketches must be of a quality suitable for duplicating and microfilming. The Memorandum shall be given a title which approximates a one-sentence abstract and shall be identified by a number obtained from the Holmdel Correspondence Files. Additional complete numbers shall be used for a Memorandum whose authors are in different organizations. If practicable, requests for numbers should not be made until the Memorandum is ready for duplicating. The case number to which the work was charged plus appropriate filing case numbers shall be indicated.

Any attachments to a Memorandum shall be listed on the last page together with the numbers assigned to them. All photographs shall bear a Technical Photograph number (see G.E.I. 13.9-5).

The author shall sign the Memorandum, including the Official (yellow) File Copy, on the last page of text. It shall be dated with the date stated at the time of number assignment.

6.2 Cover Sheet Form

A Cover Sheet shall be prepared for each Technical Memorandum as follows:

(a) The Cover Sheet (Form E-1932-C) shall contain:

(1) The title of the Memorandum.

(2) The Memorandum number or numbers.

(3) The date, which shall be the same as that on the Memorandum.

(4) The number of the case to which the work was charged followed by appropriate filing case numbers as listed on the Memorandum.

(5) The name, location and extension of the author(s).

(6) Indexing keywords, including any principal subjects covered by the Memorandum but not mentioned in the title.

(7) The number of pages, figures, tables and references.

The Cover Sheet shall also include an Abstract sufficiently informative to permit the reader to decide whether he needs to consult the complete Memorandum. Typically the Abstract should state:

(1) The problem, purposes and scope of the study.

(2) The assumption, methods, data sources, etc.

(3) A digest of the results.

(4) The author's conclusions, evaluations, or recommendations.

(b) The back of the Cover Sheet (Form E-1932-D) shall contain distribution lists for copies of the complete Memorandum and for copies of the Cover Sheet only.

7. FORMAT OF TECHNICAL PAPERS ISSUED AS TECHNICAL MEMORANDA

When a technical paper which has been prepared for publication is to be issued as a Technical Memorandum, the format prescribed by the prospective publisher may be used.

A Cover Sheet in normal format shall be attached. Both the Cover Sheet and title page should include a footnote indicating:

This paper has been submitted to . . .

This paper will appear in . . .

This paper has been published in . . .

8. REVISIONS TO TECHNICAL MEMORANDA

8.1 Revisions of Technical Content

When it is necessary to revise or supersede a memorandum, a new complete memorandum shall be prepared. Reference should be made on both the Cover Sheet and the Memorandum to the previously issued Memorandum. The Memorandum shall be assigned a new number and given a new date. Distribution should be made to all recipients of the original distribution.

In addition, a Cover Sheet shall be prepared using the old number, a new date and indicating the number of the superseding Memorandum. This provides information for record purposes. Distribution should be made to the Correspondence Files.

8.2 Memoranda Superseded by Published Papers

When a Memorandum is superseded by a published paper, a new Cover Sheet shall be prepared using the old number and a new date. It should indicate

that a paper has been published which contains later information than the Technical Memorandum. The title, author, and date of the paper should also be included. Distribution should be made to the Correspondence Files.

8.3 Correction of Errors or Omissions (except Memorandum Number)

To correct an error or an omission, a new Cover Sheet shall be prepared using the same number and a new date. Distribution should be made to all recipients of the original distribution.

8.4 Change in TM Number

If a TM number has to be changed, a Cover Sheet shall be prepared using the new number and a new date. Distribution should be made to the Correspondence Files.

8.5 Other Revisions

Should it become necessary to change or add Key Words or Case Numbers, revise an Abstract, or declare a Memorandum obsolete, a new Cover Sheet shall be prepared using the same number and a new date. Distribution should be made to the Correspondence Files.

9. AUTHOR'S DISTRIBUTION

9.1 Required Distribution

Copies of each Technical Memorandum shall be distributed by the author as follows:

(a) To the local Correspondence Files (Murray Hill authors send to Holmdel):

(1) Official (yellow) File Copy of the Cover Sheet and Memorandum.

(2) Date File Copy of the Cover Sheet and the Memorandum.

(3) Ten complete copies plus any additional number prescribed locally (seven copies if classified).

(4) Four Cover Sheets (one Cover Sheet if classified)

(5) Additional Cover Sheets for each filing case indicated.

(b) To the Patent Division if the Technical Memorandum contains new developments not previously referred to that Division (G.E.I. 3.1). Two copies of the Memorandum, accompanied by a transmittal memorandum in duplicate signed by the author's Director, shall be forwarded to the interested Director in the Patent Division.

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General Executive Instruction 13.9-3,
Reissue of April 17, 1973.

9.2 Optional Distribution

(a) To Employees

Authors should distribute a Technical Memorandum to management personnel responsible for work to which the Memorandum is relevant and to any other employees thought to be interested.

The Cover Sheet may well convey sufficient information for a recipient to determine whether or not he has an interest in the complete Technical Memorandum. The complete Technical Memorandum should be distributed only if there is strong positive evidence of interest.

The MERCURY distribution service, provided by the Libraries and Information Systems Center at Murray Hill, may be used to obtain address labels for mailing Cover Sheets and Memoranda to interested recipients.

In the case of classified Memoranda, particular consideration should be given to security clearance and need-to-know requirements.

(b) To Persons Other Than Employees

Persons other than employees shall not ordinarily be included on the initial distribution list of a Technical Memorandum but exceptions may be made. If nonemployees are included on the distribution list, release of such copies is subject to the provisions of paragraphs 13 and 14.

10. REQUESTS BY EMPLOYEES

Employees may obtain copies of Technical Memoranda from the local Correspondence Files (Murray Hill requests should be directed to the Holmdel Correspondence Files).

If the Memorandum has been marked Private, the Correspondence Files will release a copy only after securing the author's approval. If the author is not available, the Files will secure the approval of the Director concerned.

11. SURRENDER OF TECHNICAL MEMORANDA UPON TERMINATION OF EMPLOYMENT

Upon termination of employment, an employee shall surrender to his supervisor all Technical Memoranda in his possession. He may, however, retain such unclassified Memoranda as he may be authorized by his Director to retain.

12. RELEASE TO RESIDENT VISITORS

A Bell Laboratories supervisor may obtain Technical Memoranda for use by a Resident Visitor if such Memoranda are required for the performance of Bell Laboratories work under direct Bell Laboratories supervision. The Cover Sheet shall be removed and the supervisor shall instruct the Resident Visitor that the Memoranda are not to be copied and shall assure the return of the Memoranda upon completion of the Resident Visitor's assignment.

13. RELEASE TO OTHER NONEMPLOYEES

Although Technical Memoranda are intended primarily for use by employees, they may be released to persons who are not in the employ of Bell Laboratories if it is clearly in the company's interest to do so. This paragraph prescribes the conditions under which such release may take place.

13.1 Release Approval Considerations

The decision of the individual responsible for approving release of a Technical Memorandum shall be based on consideration of the following:

(a) The identity of the proposed recipient, his relationship to Bell Laboratories, and his probable use of information contained in the Memorandum. Actual or contemplated exchange of information may also warrant consideration.

(b) The significance of the Memorandum for patent purposes. If questions relating to the subject matter have not been resolved, the individual approving shall determine that the Patent Division has no objection to the release.

(c) The degree of sensitivity of the proprietary information contained in the Memorandum. If there is a question as to the degree of sensitivity, the Patent Division should be consulted.

(d) The question of whether the information is such that it may be provided to others by Western Electric under license agreement. If it is, it should generally not be released.

(e) If it is necessary to release licensable or sensitive proprietary information outside of the Bell System, it should be released only with an explicit agreement protecting the information. The necessary agreement will be prepared by the Patent Division.

(f) If sensitive proprietary information is requested by a Bell System employee, it should be released only if the recipient has a valid interest in the information for job performance purposes.

(g) The availability of the same information in the published literature to which the recipient may be referred.

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General Executive Instruction 13.9-3,
Reissue of April 17, 1973.

13.2 Approval Requirements

Release of Technical Memoranda to a nonemployee covered under paragraph 13 requires approval as follows:

Technical Memorandum Prepared Under	Recipient	Approval
Bell System Case	Sino-Soviet Bloc Countries and Southern Rhodesia (See G.E.I. 2.8, Supp. A)	Director (See Note 1) and Executive Director, Technical Relations Division
	All others	Director (See Note 2)
Government Contract Case	Contracting Agency or its designees	Director
Government Contract Case	Any recipient other than Contracting Agency or its designees	
SAFEGUARD and antecedent cases		Director, SAFEGUARD Management Support Center
Advanced Development ABM cases		Director
Other		Supervisor, Military Program Planning Group
Independent Military Applied Research and Development Cases	Any recipient	Supervisor, Military Program Planning Group

NOTE 1: "Director" means the Director of the organization in which the Technical Memorandum was issued. If multiple authorship involves more than one Director, each must approve the release. If, because of organization changes, the appropriate Director cannot be identified, approval of the Executive Director concerned shall be obtained.

NOTE 2: A copy of the transmittal letter for release of documents shall be forwarded to the Executive Director, Technical Relations Division.

14. TRANSMITTAL PROCEDURES

When a Technical Memorandum is to be released outside Bell Laboratories, except as provided in paragraph 12, the following procedure shall be observed:

(a) The Cover Sheet shall be removed. In addition any memorandum which has not been released for disclosure to outsiders shall be stamped on the first and last pages as follows:

"THIS DOCUMENT CONTAINS PROPRIETARY INFORMATION OF BELL TELEPHONE LABORATORIES AND IS NOT TO BE DISCLOSED, REPRODUCED, OR PUBLISHED WITHOUT BELL LABORATORIES APPROVAL."

(b) If the Memorandum is to be released outside of the Bell System, references to internal proprietary unpublished documents shall be removed from the text by the technical organization authorizing its release.

(c) A transmittal letter shall be attached listing the transmitted documents and including, where appropriate, a precautionary statement about the proprietary nature of the documents.

(1) If the letter is going to a Bell System employee it should state that the Memorandum is being released because it is understood that the recipient has a valid interest in the information for job performance purposes only.

(2) If the letter is going outside of the Bell System transmitting a Memorandum containing licensable or sensitive proprietary information it shall include an explicit agreement protecting that information. The necessary agreement will be prepared by the Patent Division.

(d) The required release approval ordinarily shall be obtained on the letter or on the Official File Copy of the letter. However, in the case of requests for Technical Memoranda processed by Holmdel Correspondence Files, the Files shall request approval for release, and reply to the request whether the release is approved or denied. The letter of reply shall bear the signature of the Head, General Service Department (Holmdel). Any other Correspondence Files that assumes the responsibility for releasing Technical Memoranda is required to follow this procedure. The transmittal letter shall bear the signature of the local Head, General Service.

If a Technical Memorandum which has been requested by a nonemployee is not to be released, the recipient of the request shall arrange for a suitable reply.

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15. ROUTING NONEMPLOYEE REQUESTS NOT ADDRESSED TO AN INDIVIDUAL

Requests for Technical Memoranda which are received from nonemployees and which are not addressed to an individual employee shall be forwarded by Mail Groups for disposition as provided in G.E.I. 10.3-2.

16. RESPONSIBILITY OF CORRESPONDENCE FILES

In addition to the responsibilities previously prescribed, it shall be the responsibility of the Correspondence Files at the location at which a Technical Memorandum is issued to take the following actions:

(a) File the correspondence case and date file copies in the appropriate folders and file additional cross reference copies as indicated.

(b) Maintain reference copies and copies for reproduction in accordance with local procedures.

(c) Forward copies of the complete Technical Memorandum and Cover Sheet to the Holmdel Correspondence Files as prescribed locally.

(d) Direct requests for Technical Memoranda prepared on Government Contract Cases to the Whippany Correspondence Files for processing.

(e) Review Cover Sheets that are issued independently of the memoranda and take any action that is required in order to maintain the integrity of the Technical Memoranda file.

(f) Forward both the initial version and the cover sheet containing the errata for any corrected Technical Memorandum that is requested.

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General Executive Instruction 13.9-3,
Supplement,
June 20, 1973,
Replacing Issue of August 2, 1963

TECHNICAL MEMORANDA BASED ON INFORMATION FURNISHED BY OTHER THAN BELL LABORATORIES EMPLOYEES

1. SCOPE

This Supplement prescribes special requirements governing the preparation and issuance of Technical Memoranda based on information furnished by other than Bell Laboratories employees.

2. GENERAL

Information furnished to Bell Laboratories by other than Bell Laboratories employees may, if of sufficient general interest, serve as the basis for a Technical Memorandum. Such a Memorandum shall be issued by a Bell Laboratories employee who is competent in the matters to be covered. The provisisons of G.E.I. 13.9-3 shall be observed in the preparation and issuance of such Technical Memoranda except where the special requirements of the Supplement apply.

Permission to include works, or portions of works, of others, which are protected by copyright, shall be obtained from the Patent Division prior to issuance (see G.E.I. 3.1).

3. PREPARATION

The text of a Technical Memorandum based on information furnished by other than Bell Laboratories employees may be written by a nonemployee, a Bell Laboratories employee, or jointly by a Bell Laboratories employee and a nonemployee. In all instances, however, the Cover Sheet shall be prepared by the responsible Bell Laboratories employee.

4. IDENTIFICATION

4.1 The Memorandum shall be signed by the author or authors, and their names shall be noted on the Cover Sheet in the designated space. In addition, the following requirements shall be observed:

(a) If a nonemployee is the sole or a joint author, his affiliation shall be noted after his name.

(b) If a nonemployee is the sole author, the name of the responsible Bell Laboratories employee shall also be shown on the Cover Sheet prefaced by the designation "Responsible Bell Laboratories Employee".

(c) If a Bell Laboratories employee is the sole author, reference shall be made in the Memorandum and in the Abstract on the Cover Sheet to the nonemployee who provided the information and to the source material on which the Memorandum is based.

4.2 In the case of a Technical Memorandum based on information furnished by a contractor, the following phrase shall be associated with the title of both the Memorandum and the Cover Sheet: "Report in connection with work done under contract with (Contractor's Name)".

5. APPROVAL

The approval of the interested Director shall in all instances be obtained on the Official File Copy prior to the issuing of a Technical Memorandum based on information furnished by other than Bell Laboratories employees.

6. INQUIRIES

Inquiries concerning the subject matter of Technical Memoranda based on information furnished by other than Bell Laboratories employees shall be directed to the responsible Bell Laboratories employee or to the Director concerned, not to the nonemployee or his employer.

ADMINISTRATIVE METHODS AND INSTRUCTIONS
DEPARTMENT

BELL TELEPHONE LABORATORIES
INCORPORATED

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General Executive Instruction 13.9-7,
March 13, 1967.

COMPUTER PROGRAMS

1. SCOPE

This instruction states Bell Laboratories policy with respect to distribution and disclosure of computer programs originated by its employees and prescribes procedures for implementing such policy.

Preparation, distribution, and disclosure of program material in the form of Technical Memoranda is subject to the requirements set forth in G.E.I. 13.9-3.

Classified program material shall be handled in accordance with the provisions of the Security Handbook.

2. GENERAL

The term "computer program" as used in this instruction means statements, instructions, or data in any form or language intended for machine processing, and includes source or object programs, compilers, assemblers, input/output instructions, subroutines, and macro definitions in any form such as handwritten, printed, punched cards, tapes, or machine printouts. It also includes documentation, user manuals, and other descriptive material relating to programming procedures, techniques, or principles for general or special purpose computers or other program controlled equipment.

Computer programs originated by Bell Laboratories may constitute valuable proprietary information subject to legal protection, including protection by patents or copyrights. Premature or unauthorized disclosure to persons not in the employ of Bell Laboratories may seriously jeopardize Bell System interests. Therefore, computer programs shall not be disclosed to nonemployees except as provided in paragraphs 6 through 8 of this instruction.

Upon termination of employment, an employee shall surrender to his supervisor all programs in his possession.

3. REQUIRED DISTRIBUTION OF PROGRAMS

Any new program or modification of an existing program which is unique, ingenious, significantly different from routine, or which may otherwise possess significant proprietary value shall be referred for consideration to the Patent Division. In discharging this responsibility, the author or his supervision is urged to consult with the responsible Patent Attorney-Consultant for his organization.

Formal submission of a program to the Patent Division shall be in the form of a descriptive memorandum transmitted by the Director of the author's organization.

4. OPTIONAL DISTRIBUTION OF PROGRAMS

Authors are urged to bring their programs to the attention of those Bell Laboratories employees engaged in or responsible for fields of work where the program is relevant. This may be done directly, through the medium of Technical Memoranda, or through listing of programs with the Computer Document Libraries at Murray Hill, Whippany, or Holmdel.

In distributing computer programs, authors shall determine that recipients are currently in the employ of Bell Laboratories. Any distribution to nonemployees shall be made only in accordance with the provisions of paragraphs 6 through 8 below.

5. INDEXES OF COMPUTER PROGRAMS

The Holmdel Technical Information Library prepares and distributes monthly a Computer Abstract Bulletin, which describes recent programs and modifications listed with the Computer Document Libraries. The Bulletin also describes programs originated by other companies and institutions which are available under sharing arrangements in which Bell Laboratories participates.

A cumulative Index to BTL Computer Programs contains a permuted index of program titles and acronyms, plus subject and author indexes, of Bell Laboratories programs previously listed in Computer Abstract Bulletins.

The Computer Abstract Bulletin is distributed within Bell Laboratories only on the basis of requests directed to the Supervisor, Holmdel Library. New issues of the Index to BTL Computer Programs will be distributed automatically to recipients of the Computer Abstract Bulletin.

6. PARTICIPATION IN PROGRAM SHARING ORGANIZATIONS

Bell Laboratories participates in a number of sharing arrangements under which programs having general applicability are shared among other companies and institutions using similar equipment. Once a program has been released to a sharing organization, its subsequent distribution is subject to the rules of that organization and is not ordinarily controlled by Bell Laboratories.

Prior to the release of any program to a sharing organization, the author or the interested Bell Laboratories organization shall secure a release for publication through the Public Relations and Publication Division in accordance with the provisions of G.E. I. 2.1-1 relating to the release of technical papers. The medium for requesting release shall be a written description of the program. A description in the format prescribed by the sharing organization ordinarily will be suitable for this purpose, but in some instances supplemental information may be requested by the Public Relations and Publication Division.

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General Executive Instruction 13.9-7,
October 12, 1971,
Replacing Pages 3 through 5 of
Previous Issue.

The request for release shall identify the sharing organization and indicate that the program material described in the paper is also to be released. Approval of the paper for release shall constitute approval for release of the related program material in tape or card form, as well as subsequent routine corrections or maintenance information which do not materially alter the program as described in the release paper.

7. ACCESS TO PROGRAMS BY RESIDENT VISITORS

The supervisor of a Resident Visitor may permit access by the Resident Visitor to programs required for his performance of Bell Laboratories work under direct Bell Laboratories supervision, provided that the Director responsible for the work has approved an access list or memorandum authorizing such access. The supervisor shall instruct the Resident Visitor that the programs are Bell Laboratories proprietary information and are not to be copied for other than Bell Laboratories purposes, and shall assure the return of the programs upon completion of the Resident Visitor's assignment.

In the absence of previously approved access lists or memoranda, access to programs by a Resident Visitor shall in each instance be approved by the Director concerned.

Release of programs to Resident Visitors under circumstances other than those described above is subject to the requirements of paragraph 8.

NOTE: These restrictions shall not apply to Western Electric Company employees engaged in joint Bell Laboratories - Western Company operation of a computation facility or other activity involving the generation or use of program material. Such Western Company employees shall have access to the program material on the same basis as the Bell Laboratories employees involved unless specific exceptions are established by the Director concerned.

8. RELEASE OF PROGRAMS TO NONEMPLOYEES

8.1 Restrictions on Release

No program which has been copyrighted or patented or for which a copyright or patent is being sought shall be released without the approval of the Patent Division. Other programs may be released to persons not in the employ of Bell Laboratories if the release is clearly in the interest of Bell Laboratories, subject to the approval requirements of paragraph 8.2 below.

The decision of the individual responsible for approving release for a program shall be based on consideration of the following:

(a) The identity of the proposed recipient, his relationship to Bell Laboratories, and his probable use of information contained in the program. Actual or contemplated exchange of information may also warrant consideration.

(b) The subject matter of the program and the advisability of releasing any proprietary information that it may contain.

(c) The significance of the program for patent and copyright purposes. If questions relating to the subject matter have not been resolved, the individual approving shall determine that the Patent Division has no objection to the release.

(d) Requirements imposed by governmental agencies, by customer companies, or by contracts or agreements to which Bell Laboratories is a party.

8.2 Approval for Release

Release of programs to any person not in the employ of Bell Laboratories requires approval as follows:

Programs Prepared Under	Recipient	Approval (See Note)
Bell System Case Internal Case, or Loading Case	Any recipient	Director and Executive Manager, Technical Relations
BISP Case	Any recipient other than a customer company	General Director, Area 91, and Executive Manager, Technical Relations
Government Contract Case	Contracting Agency or its designees	Director
Government Contract Case	Any recipient other than Contracting Agency or its designees	
SAFEGUARD and antecedent Cases		Director, SAFEGUARD Management Support Center
Advanced Development ABM Cases		Director
Other		Head, Military Program Planning

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General Executive Instruction 13.9-7,
Reissue of October 12, 1971.

Programs Prepared Under	Recipient	Approval (See Note)
Independent Military Applied Research and Development Cases	Any recipient	Head, Military Program Planning

NOTE: "Director" means the Director of the organization in which the program was prepared. If multiple authorship involves more than one Director, each must approve the release. If, because of organization changes, the appropriate Director cannot be identified, approval of the Executive Director concerned shall be obtained.

8.3 Releases to American Telephone and Telegraph Company and Western Electric Company

Programs prepared for Bell System application may be sent to the American Telephone and Telegraph Company and the Western Electric Company for the use of persons having a need to know and for Bell System purposes only. The Patent Division may notify organizations releasing such programs that a restrictive notice is to be included.

Programs prepared under a customer case may be delivered to the customer in the same manner and subject to the same approval requirements as other design and manufacturing information. Other releases of program material shall be approved in accordance with paragraph 8.2 above.

BELL TELEPHONE LABORATORIES,
INCORPORATED

1.6 Final Judgment (Consent Decree)

The Final Judgment of 1956 contains a number of provisions that affect the disposition of patent rights in the Bell System. Attorneys should therefore be generally familiar with its terms.

Attached
Final Judgment

1.6 - Final Judgment

Copy of the Final Judgment (Consent Decree) presently at Tab 14 of the Attorney Orientation Manual should be filed here.

2.1 Response to Technical Director

In the interest of good relations with the technical departments, it is advisable when opening any patentability study job to advise the relevant Technical Director by a brief memorandum that a patentability study has been initiated. This practice is particularly advisable when the study item has been received informally. The memorandum, with a copy to the submitter in the case of an informal disclosure, need merely identify the item and the originator. It may also identify the attorney who will conduct the study and include any relevant information concerning an expected date of completion if that appears important.

Occasionally in the period between submission of an item and completion of the study, the originator of the disclosure is transferred to another organization. In such cases the reply memorandum prepared at the time the job is closed should be addressed to the Director of the organization from which the submission originated with a copy to the Director of the originator's current organization.

In instances where the responsibility for the subject matter of the study has been transferred since submission, the reply memorandum should be addressed to the Director of the organization concerned with the subject matter at the time the study is completed. A copy of this memorandum should be sent to the Director of the organization which submitted the idea for Patent Division consideration.

When a Director moves to a different area of responsibility or is promoted, no copy need be sent.

When an application is authorized, a copy of the memorandum to the Director should also be forwarded to the inventor or inventors.

2.2 Record of Patentability Study

An attorney may use either a Memorandum for File, or a form (File Record of Patentability Study, Pt. 796, copy attached), as the record of considerations given any patentability item. Judgement should be used as to the content of either since we must assume that our files would be available for inspection by others in future litigation or other proceedings.

If an attorney elects to use the File Record of Patentability Study form, the following notes indicate the scope of those sections of the form which are not self-explanatory:

"Brief Description" (1) - should be similar to the description that would be prepared for Item 16 on "Patent Authorization Digest" form.

"Technical and Commercial Importance" (2) - should be explained, preferably in one sentence, e.g., "Going into use in TJ", "One of several alternatives", "No use foreseen", "In early development (or research) stage".

Some indication of claim importance should be given under 3b, e.g., "This is a new field of great potential in microwave transmission",

"Limited improvement in a crowded art",
"Appears only practical solution for
particular problem".

Attached
Pt. 796

P.I. 2.2
Attachment

FILE RECORD OF PATENTABILITY STUDY

JOB NO.	APPLICATION AUTHORIZED:

SUBJECT

—

1. BRIEF DESCRIPTION

2. TECHNICAL AND COMMERCIAL IMPORTANCE

☐ MAJOR ☐ MODERATE ☐ MINOR ☐ SPECULATIVE	EXPLANATION

3. PATENT IMPORTANCE

A. BEST ART, IF ANY, KNOWN	B. PROBABLE SCOPE OF CLAIMS ☐ BROAD ☐ NARROW ☐ MODERATE ☐ INSUFFICIENT	EXPLANATION

4. OTHER FACTORS, IF ANY, E.G., LICENSING POTENTIAL, ACTIVITY OF OTHERS

5. ATTORNEY'S DECISION

☐ FILE ☐ NOT FILE	BRIEF STATEMENT OF REASONS

6. INVENTOR(S)' COMMENTS ON DECISION

SIGNED	DATE

PT. 796 11-70

2.3 Patent Authorization Digest - Pt. 794

The Patent Authorization Digest (Pt. 794, copy attached), sometimes referred to as the "subject digest", is prepared when an attorney decides to file a U.S. application. The original is placed in the application folder and copies are used to advise others of the invention and the circumstances pertinent to filing. Because of its diverse functions, it is important that the digest be as complete and specific as possible. Some guidelines for its preparation are listed below:

Item 10

The statement for Item (10) should be specific and, in cases where it is known that the invention will be used, details should be given. Examples are:

1. To be used in 800 type PBXs (NTZ system repeaters, or R carrier terminals, or modified 500 type telephone sets for CAA installations, etc.).
2. Proposed for use in manufacture of 73 type diodes (or resistors, or crystals, etc.).
3. To be used in market trials of YXZ PBX system or apparatus; commercial embodiment probably will be considerably different.
4. Applique circuit for ZYX PBX to meet specific requirements of a few Pacific Tel customers - no further demand contemplated.

5. One of two (or several) alternatives being considered for use in proposed exchange area PCM system.
6. Research invention. Potential wide use in millimeter wave systems.
7. Potentially useful in high (or low) speed data handling systems.

Item 11

If only experimental use is involved, the statement "experimental use only" may be used.

Item 12

Item (12) should set forth specific facts regarding a publication or a potential publication, e.g., "To be published in the May 1975 issue of IEEE which will be available to the public on or about May 2, 1975."

Item 13

Item (13) should identify related applications, e.g., an application in which invention of the subject application is disclosed. An explanation of the relationship, e.g., "disclosed in", preceding the inventor and case number should be used.

Item 14

With regard to Item (14), the closest known prior art should be listed. This listing should, of course, be consistent with that set forth in the Citation of Art letter; see P.I. 5.4.

Whenever a Bell System patent is noted in Item (14), the inventor and case no. of the application for which the patent was granted should also be noted in parentheses following the patent number.

Item 15

A representative claim, preferably of the "characterizing" type should be included in Item (15). Insofar as possible, the claim should reflect in its preamble the single closest prior art reference known and in its characterizing portion define the inventive departure. In difficult cases, the partition between art and invention will have to be done on a "best efforts" basis. When doubtful where a claim element belongs, it should be placed in the characterizing portion. Preferably, the claim should indicate the probable middle scope of the protection to be afforded by the resulting patent. It should not be the broadest claim that will be presented nor the narrowest claim that the attorney is confident of obtaining.

Item 16

The invention should be briefly and concisely described in Item (16), preferably in the "problem-solution" format. Advantages of the solution should be stated if they go beyond merely naming the problem.

Job Folder

The job from which an application is authorized is normally filed in the resulting case folder. Accordingly, the

attorney should indicate on the face of the job, at the time of closing, the name of the application in which the job is to be filed. Where a plurality of applications result from a single job or where a right-to-use study, not limited to the subject matter of the application, is to be undertaken in that job, or where the job, at the time of closing, is already itself quite bulky, consideration should be given to having the job filed separately from the case folder.

Attached
Pt. 794

PATENT AUTHORIZATION DIGEST

P.I. 2.3 Attachment

Kind of Application	Date Authorized

1. Inventor (Give Full Name, Use No Initials)	2. Case No.

3. Title of Invention	4. Vocation

5. Date Filed in U.S.A.	6. Serial Number	7. Job No.	8. Assignee	9. Patent Office Class

10. Facilities, Systems, Apparatus or Fields to Which Invention Pertains	11. Facts Regarding Use

12. Facts Regarding Publication

13. Related Applications for Patent	14. Prior Art

15. Representative Claim

16. Concise Statement of Invention

Signed	Date	Signed	Date	Signed	Date

PT. 794 1-8 2-73

2.4 Job Subjects and Keyword Indexing

Job subject assignments (Pt. 360), yellow informal memoranda, are the media whereby a subject is assigned to a new job and the job is directed to the attorney who will handle it. The subject assigned is of prime importance. It is the responsibility of all attorneys concerned on any job that the subject be specific.

The assignment of general, rather than specific, subjects to jobs makes it difficult to locate particular jobs through the Keyword Index. In the Keyword Index, it is frequently necessary to identify a number of related subjects by the same keyword. When the subjects under a common keyword are particularly broad, a searcher may be required to study all of the jobs referred to in order to locate material pertinent to his search. Examples of very general subjects which have been used in the past include "code translator", "pulsing circuit", "audio amplifier", and "telephone switching system".

Keyword indexing is the medium whereby reference control is maintained on all study jobs. In order to maintain accurate and uniform keyword indexing, attorneys will receive a 3 x 5 white card, listing the assigned keywords, with the job folder attached, immediately after the job is closed. It is expected that the attorney will review the indexing for additions, deletions or corrections. In making changes, the attorney should be acquainted with the uniform keyword indexing now in effect, to

insure that changes are both necessary and orderly. After review of the indexing, the card should be initialed and returned with the folder to the index specialist.

New keyword cards are added as the need arises. The subject matter group generally recognizes this and consults with the attorney. However, when an addition is suggested by an attorney and it is not clear that a need is imminent, this suggestion is recorded and held by the subject matter group to determine the frequency of the request or if more material is received which could be indexed as suggested.

Job subject revisions or changes in keyword indexing are time consuming and costly operations. Therefore, it is expected that good judgment will be exercised in requesting such actions.

Jobs pertaining to publication releases, purchase (outside inventions), purchase orders and release of government contract reports will not be considered in the above manner.

In assigning job subjects, attorneys should avoid any subject that would, in itself, bear a government security classification.

2.5 Retention of Records

In an effort to conserve departmental filing space, attorneys will be asked from time to time to review case folders and other materials to determine if standard Bell System drawings and similar materials filed therein are still potentially valuable, e.g., as evidence, or whether they may be destroyed or reproduced in miniature form. It should be noted that for those drawings destroyed, only the latest issue will be available from the Engineering Records Group and difficulty may be encountered in determining the exact status of the earlier issues of the drawings from the case histories. In reviewing the case folders, the attorney may specify that

(a) drawings are to be destroyed after aperture card (miniature photocopy) is obtained,

(b) drawings are to be destroyed (no aperture card to be obtained),

(c) drawings are to be retained.

It is expected that aperture cards can be made for the majority of those drawings which should be retained in our records. These aperture cards will be made from the drawings in our files and the date received in the Patent Division, now indicated on the back of the drawing, will be shown on the face of the drawing before the aperture cards are prepared.

A form, Pt. 465 (copy attached), will accompany all requests for review and will be kept in the file folder to indicate the disposition of the drawings.

An aperture card reader will be available at each of the major locations and enlarged prints may be prepared as needed.

Index cards dated prior to 1947 have been microfilmed and the cards destroyed. These cards may be examined with the microfilm reader available at both Murray Hill and Holmdel.

Attached
Pt. 465

KEEP ON TOP

Review of Standard Bell System Drawings

TO:					FILE
JOB/INVENTOR-CASE NO.				DATE	

In accordance with P.I. 2.5, the attached drawings for the subject job/inventor-case no. are to be reviewed and determination made as to their disposition.

Please indicate the disposition to be made of each drawing, listing them numerically in the appropriate columns below.

Destroyed after aperture cards obtained	Destroyed (no aperture cards to be obtained)	Retained

Please return this memorandum with drawings and job or case folder to the undersigned on or before _____.

_____

3. Right-to-Use Jobs

For many years, it has been Bell System policy not knowlingly to infringe any valid patent of another. Accordingly, our right-to-use practices have been designed to minimize the risks of redesign and to permit the negotiations for needed rights while negotiations are still reasonably possible.

The results of each right-to-use investigation should be recorded in a file memorandum which should specify with particularity the equipment and process studied, the scope of expected use (numbers of units or dollars of sales) and the scope of the investigation. Any special factors affecting the scope of the study should be noted.

Patents requiring more than a minimal study should be identified as such; statements as to readability (as distinguished from non-readability) or equivalent euphemisms ("of interest") should be avoided.

3.1 Right to Use - General

All new apparatus and systems designed by Bell Laboratories are considered from the standpoint of our freedom to manufacture, use and sell without infringing the valid patents of others. In most instances, this consideration is the responsibility of the Department Head of the respective technical organization, in accordance with G.E.I. 3.1, section 3 and EMB Nos. 31 and 33. A decision to release without a formal right-to-use investigation may be made upon an engineering determination that the new development does not materially differ from previously approved developments.

Attorneys who serve as consultants to a technical organization should maintain sufficiently close liaison with the technical organization so as to be in a position to:

a. give early warning of major patent problems, and

b. advise as to the need for formal notification.

The technical organization is responsible for notifying the Patent Division of materially new developments.

Information may thus be transmitted to Western Electric by the technical organization either upon its determination that no patent problem is involved or upon having brought the question formally to our attention. Where reasonable and practicable to do so, the right-to-use investigation should, nonetheless, be completed before:

a. commercial shipment of the subject product by Western commences, or

b. public use of the subject process or product begins,

whichever is earlier. Where special factors are known to pertain, such as a likelihood of patent problems, the right-to-use investigation should be completed before manufacturing information is released to Western Electric. Barring unusual circumstances, a right-to-use investigation should be completed within one year following the forwarding of manufacturing information to Western Electric. Where information is forwarded piecemeal, the one-year period should be taken to commence when sufficient information to conduct a complete study is available. By completion of the investigation is meant a completion of all searches, and an identification (as distinguished from a total resolution) of any possible patent problems.

Items designed by Bell Laboratories for non-Western manufacture (including suggested modifications to an outside supplier's design) should be treated the same as those designed for Western manufacture insofar as scope of investigation is concerned. However, such study should generally be completed before the associated KS or AT specification is released.

To avoid having to repeat searches, the right-to-use approval given should be in as broad terms as possible without any undue effort. Thus, unless singular factors are present, an unlimited right-to-make, use and sell in the U.S. should be given.

3.2 Extent of Right-to-Use Study

The nature and extent of any formal right-to-use investigation should be a function of:

a. the age of the technology,

b. the relation of the item to items previously released,

c. the nature and the extent of the exposure,

d. the likelihood of an injunction (which may be greater in peripheral equipment than in POTS or central office equipment), and

e. activity of others.

Attorneys are expected to keep themselves abreast of new developments in their areas of responsibility, as well as of the patent and technical activities of others, so that a long and exhaustive study of each and every new development generally will be unnecessary. Most significant patent problems can often be spotted by keeping new developments in mind when studying recently issued patents, when making novelty studies and when reading technical literature.

Reliance should be placed on prior studies of related equipments as much as possible in conducting right-to-use studies. Further, our patent files are divided into Bell System (Blue), broadly licensed royalty-free (Brown), and other licensed or unlicensed (Yellow) patents. In many situations, full right-to-use approval can be given without consideration of the patents in the Brown files. However, when the equipment being studied does not fall within the basic license grants

obtained by Western Electric or where special factors are involved, consideration should be given to including the Brown files in the right-to-use search. In some instances, approval for use of an item in specific Bell System equipment may be given without searching the Brown files but general approval for over-the-counter sale of that item may not be given without such search.

AT&T sometimes describes the introduction of aspects of stored program controlled systems by means of a document called the Feature Document (FD). See AT&T General Letter GL 73-11-040. Where appropriate, as when no hardware changes are involved, right-to-use approval may be based upon an FD only; alternatively, in some instances, right-to-use approvals may be for both SDs and FDs.

3.3 Apparatus Components and Component Circuits

In conducting right-to-use studies of systems and equipments, it is generally not necessary specifically to check the patent status of particular apparatus components or standard component circuits unless:

1. It is known that a potentially adverse patent situation obtains with respect to a component or circuit;

2. The technical organization specifically indicates that this is a new component or circuit having no counterpart in any approved system;

3. The component is a coded integrated circuit in which case the patent status from a circuit standpoint only need be considered.

"Apparatus Components" include KS and AT items. Each such item warranting patent approval is referred to the appropriate attorney for review when the specification for the item is issued. Other apparatus components or component circuits, therefore, are not reviewed unless identified by the technical organization as requiring study.

Whenever a right-to-use study establishes that, except for a specified apparatus component or a component circuit, patent approval may be given, the approval should be given but qualified as to that component, e.g., "Manufacture, use, and sale of the equipment, shown on SD-12345-01, Issue 2, is hereby approved, subject, however, to separate patent approval of the 420A varistor and CPS 63 of SD-12346-01, Issue 3."

3.4 Purchased Products

In general, patent approval need not be obtained for items purchased from an approved supplier with our usual patent guarantee.

However, this does not apply where we purchase apparatus or equipment of our own design or made to our own specifications.

Hence, in considering patent approval on any equipment, the attorney should ascertain whether components of the equipment are purchased from outside suppliers and whether any such purchased item is the standard product of the supplier. If it is not, such item must be considered from a right-to-use standpoint.

3.5 Action to be Taken When a Potentially Adverse Patent is Encountered

Should a preliminary study indicate that a patent has applicable claims, the attorney making the study should make only rough work notes if a temporary record is needed. Before a final memorandum is written acknowledging either readability or validity, the matter should first be discussed with the Western Electric Patent Organization.

Before undertaking a detailed study of any patent requiring consideration, the existence of negotiations for a cross-license with the assignee of the patent should first be determined. Where negotiations are either in existence or likely to begin, the scope and timing of any further study should be discussed informally with the Western Patent Organization. Also, in discussing the status of negotiations with representatives of Patent Licensing, it should be emphasized that no credits should be accorded the existence of a particular study until the matter has been appropriately reviewed.

If a full validity study is warranted and an initial study has been made of our own files, and if further searching is still believed advisable, consideration should be given to requesting an additional search from the IIB at The Hague, Holland. (See Job 891-S for example of procedure for requesting an IIB search.) Patents under study should be Shepardized and WECo (Wash.) should be asked to make an assignment search.

Upon completion of the study, if it is determined that the claims of potential interest do not apply to our equipment, an unrestricted release of the equipment may be made. If it

cannot be determined that the claims are not of interest, the matter should be brought to the attention of the GPA of Western Electric Co. by a letter from the GPA of Bell Laboratories, with a copy to the GPA of AT&T. As indicated above, the matter should be discussed informally with the Western Electric Patent Organization prior to the preparation of the letter to the GPA of Western.

In some cases, the right-to-use study may indicate that the only potential patent problem involves a patent situation already brought to Western Electric's attention. In such an instance, right-to-use approval may be given without reference to the patent. Since a copy of the approval letter will be sent to the GPA of Western as a matter of routine, a cover letter from the BTL Patent Attorney-Director should be used to forward the copy of the approval letter. The forwarding letter should specify the patent that may be of interest and the specific equipment involved. The forwarding letter should also refer to the prior correspondence which brought the patent to Western's attention. A copy of the forwarding letter is to be filed in the study job for that patent.

As soon as all work relevant to the specific equipment being studied has been completed, the right-to-use job may be closed. Further consideration of the identified patent will be undertaken in the job in which that patent was previously studied.

4.1 Publication Jobs - General

A manuscript which discloses patentable subject matter is not to be released for publication until the U.S. application is filed, except as provided in P.I. 4.1-1 (Foreign Filing Consideration).

Informal release is often requested by an author so that a manuscript can be forwarded to a journal prior to formal publication release. However, this procedure is a potential source of leaks because journals typically submit the manuscript to a referee or reviewer who is employed by a non-Bell System company. Informal releases should, therefore, be given only in exceptional circumstances.

Withholding of a release may also be warranted where the publication contains statements in derogation of applications about to be filed, already filed, or of issued patents. Of particular concern are statements which might reflect adversely on sensitive areas such as the operability of an invention, the sufficiency of the disclosure, or the scope of claims, e.g., statements that infer that a certain step in a method or that a particular component in an apparatus is "necessary", or that specific design or operating parameters are "critical". Release may follow amendment of the manuscript to temper these statements.

Withholding is also advisable where the likelihood of manufacture by Western is reasonably imminent, but additional lead time is required to develop the invention and, perhaps, improvement inventions based thereon.

Jobs 100,000 and 100,001 (Indian Hill) are available as master jobs for publication approvals. These jobs should be used for the release of material that does not warrant special treatment or prolonged retention. Usually it is not necessary to retain the manuscript since it is generally available to us from other sources should it be needed at a later date. In some instances, it may be desirable to retain the abstract. However, material filed in these jobs will be retained for 5 years only. It is suggested that a new job be opened only when the publication material appears to contain patentable subject matter.

Index cards are made for authors only. No other indexing is done.

4.1-1 Release of Publications - Foreign Filing Consideration

As stated in P.I. 4.1, a manuscript disclosing patentable subject matter shall not be released for publication until the U.S. patent application has been filed. Preferably, a manuscript that discloses patentable subject matter should not be released until it has been determined that filing of all patent applications necessary for protection in all countries of interest has occurred.

In special circumstances, publication may be approved before the filing of any U.S. application. In these instances the attorney should consult with the International Patent Attorney-Consultant responsible for the subject matter involved and obtain his concurrence in the release.

Note, however, that the filing of a patent application on the subject matter in the U.S. is not sufficient to prevent loss of rights in all countries as the publication may still be a bar to the filing of valid corresponding patent applications in non-Convention countries. Taiwan and Venezuela are examples of non-Convention countries.

In some countries, an application may be filed within a limited period of time after an inventor's own publication if the publication is of a certain type. Accordingly, when it is found that the subject matter of a filed or unfiled application has, in fact, been disclosed in a publication before or shortly after U. S. filing, this fact should be brought promptly to the attention of the Group Supervisor-Services.

A list of countries which recognize the U. S. filing date as the effective date in their own countries may be found at MPEP 201.13.

4.1-2 Review of Product Information Documents

Because of the potential impact of sales activities on our patent work, arrangements have been made for BTL patent review of all new or revised product information brochures and booklets prepared by the Western Electric Product Information Organization. Our major interest in reviewing these brochures, handbooks, slim jims, etc., is to be aware of commercial activity involving developments for which patent work is in progress, particularly ordering dates that may be indicated in these documents.

The documents are circulated for review within Western in a manner similar to our publication clearance procedure. They will be forwarded to BTL at the time that a draft is routed for internal Western approval. Our approval or comments can be indicated on the cover sheet which is to be returned to the Western Product Information Group. If our comments are not returned within the indicated approval interval, Western will assume that we have no comments and that we approve.

A copy of the completed cover sheet should be made and filed in Job 1461-S which has been opened expressly for this purpose. The documents reviewed need not be filed but can be kept for personal use or discarded as preferred. Time spent on conducting these reviews should be charged to Case 38030-7.

5.1 Guidelines for Drafting Applications

I. To comply with the requirements of the Patent Office Rules, and to facilitate the filing of foreign applications based on the U.S. application, the following application format shall be followed.

A. An initial page, identified by the letter - i - and preceding the portion of the specification beginning with page 1 should include:

1. The title of the invention.

2. The heading Abstract of the Disclosure followed by the abstract required by Rule 72. The abstract shall not be relied upon as support for the claimed subject matter.

3. The heading Government Contracts followed by the appropriate notice only where required by contract.

B. The heading Cross-References to Related Applications should appear at the top of page 1 of the specification and be followed by a paragraph identifying copending applications relied upon to establish an earlier effective filing date and/or, as applicable, those which are concurrently filed. Omit the heading if no such references are made.

C. The arrangement of the remainder of the specification should follow the Patent Office Guidelines (see MPEP 608.01(p)). The heading Description of the Preferred

Embodiment, included as item (g) of the Guidelines shall NOT be used; the heading Detailed Description is satisfactory.

D. Additional headings as required, or variations in the headings suggested in the Guidelines, may be used as the occasion warrants.

II. In addition to the above, all attorneys may, in appropriate cases, use:

A. Reference characters in the body of a claim.

B. "European" type combination claims including a phrase such as "characterized in that".

III. In order to be able to distinguish a reference to a copending application where the Serial No. and filing date are not in the papers as originally filed, it is suggested that:

A. The names of all inventors be set forth together with our case designation.

B. The title of the copending application be shown.

The case designation may be deleted when the Serial No. is subsequently inserted by amendment.

5.2 No Change in Application After Signature by Inventors

Occasionally, because of time pressures to file applications promptly, it becomes tempting to allow an inventor either to sign the Declaration or Oath before the application is fully typed in final form or to make changes in the application papers after it has been signed.

Under no circumstances is either of these procedures to be allowed. The completed application only is to be signed and no changes of any kind, even the most trivial, are to be made in the application after it has been signed.

In unusual circumstances an inventor may consider a change essential after the application has been placed in final form but before it has been signed. Any such change should be initialed and dated in the left-hand margin of the application adjacent the change. Obviously, if there are joint inventors, each must initial and date the change before signing. However, if at all possible, the particular page should be retyped before the inventor or inventors sign.

5.3 Application Under Rule 60

Whenever possible, when filing a divisional application under Rule 60, new bristol board drawings are to accompany the application when filed. This will avoid a comparison charge and will also expedite receiving a filing receipt.

In all instances, we will furnish the Office with a copy of the application as originally filed, together with the necessary declaration verifying it as a true copy. Again, this will assure a prompt filing receipt.

The request (transmittal letter, Pt. 17, copy in form section) for filing a divisional or continuation application instructs the Patent Office to cancel claims and amend the specification by including a statement "This is a continuation or division)....". The Office prefers, for purposes of clarity, that these instructions be repeated in the preliminary amendment.

A new set of claims (including at least one of the claims of the parent) is to accompany all preliminary amendments (divisions or continuations) filed under Rule 60.

In order to accomplish the above, it will be necessary that each attorney contact Drafting promptly for new bristol board drawings and request his or her secretary to order a copy of the application as originally filed for filing with the application.

5.3-1 Declarations in Continuation Applications

There are certain situations in which the foreign equivalent of the parent (or grandparent) of an application will have reached a stage making its status relevant in considering patentability of any new material added in a continuation application. Since the legal effect of many transactions in foreign patent offices is not always clear, the declaration in a continuation application should list not only the required filing information relating to foreign equivalents of parent applications but also any other information available at the time of filing, such as date published, date laid open for opposition or public inspection, patent number, etc. Consideration should be given to inclusion of such information in the Citation of Art Letter filed in support of the continuation application (See P.I. 5.4).

5.4 Citation of Prior Art

It is our practice to call to the attention of the Patent Office all known prior art pertinent to an application in accordance with the guidelines set forth at 707.05(b) MPEP. As in the past, liberal citation is encouraged, not only at the time of filing, but also throughout the prosecution of an application.

Briefly, the Patent Office suggests that citations be submitted to the Office within three months of the application filing date, that full text copies be supplied, with translation if necessary, and that each citation be accompanied by an indication of its pertinency to the claimed subject matter together with reasons why the claims are considered to be patentable over the cited material. Citations supplied after a first Office action must also be accompanied by an explanation of why the citation was not presented earlier.

Procedurally, citations known to the attorney at the time of filing an application should be listed on Citation of Art form Pt. 5 (copy attached). All pertinent art, including pending and abandoned applications, art cited in the text of an application, and art which can be overcome by an affidavit under Rule 131, should be listed. Only art new to a reissue, division, or continuation application need be listed. Where no art is to be cited, an appropriate notation should be made on Pt. 5 indicating that no Citation of Art Letter will be prepared or filed.

If all information is at hand at the time an application is put into final form, a Citation of Art Letter which discusses the pertinent art may then be prepared so that it and the accompanying copies of the cited art may be mailed with the application. The filing of an application should not be delayed, however, by even a day to accommodate the Citation of Art Letter.

If the Letter does not accompany the application when filed, the application will be docketed and the case folder returned to the attorney so that the Letter may be prepared and filed within three months of the filing date. Redocketing will be done only if it is known, at the time a case is put into final form, that art will be cited (in accordance with Pt. 5) and that the Citation of Art Letter did not accompany the filing of the application. For redocketed cases, the service organization will secure copies of the art cited on Pt. 5.

Absent extenuating circumstances, the Citation of Art Letter should not be mailed without text copies of pertinent art. The Citation Letter and copies should be mailed to the Office in the same envelope to reduce the likelihood of separation in the Patent Office. All copies provided to the Office will be marked by the Service Group to indicate the application to which they relate. Also, unless the attorney expressly directs otherwise, a duplicate set will be retained in the case folder for later identification and use.

So that retained copies can more readily be disposed of when the application issues, the Citation of Art or other forwarding Letter should clearly identify just what was provided, e.g., page numbers, publisher, copyright date, issue number, etc. A longer post-issue retention period should be considered for items difficult to obtain, even though fully identified.

Although no particular form is necessary for a Citation Letter, a suitable format and heading is set forth in the Secretarial Form Manual and may be used. Before releasing the Letter for mailing, the authorizing memorandum and any search notes collected in preparing the application should be reviewed to insure that all prior art considered, including nondocumentary art, has been appropriately mentioned. Facts relating to use or sale which, in the opinion of the attorney do not give rise to a bar, but which arguably may be so considered, should also be considered for possible citation. Factual evidence, such as test results, may also be discussed, for example, to justify the selection of test data set forth in the specification.

In the case of a reissue, division, or continuation application, the Citation Letter should contain a reference to Citation Letters that may have been filed in connection with the parent application, but copies of priorly cited references need not accompany the Letter. Similarly, art distinguished in the prosecution of a parent application need not be cited in the new Letter.

There is, of course, a continuing responsibility in all cases to cite art when it becomes known. Art cited after the initial three-month period should be forwarded with a Citation Letter even though it is discussed and distinguished in the remarks to an amendment. If such art is forwarded after a first Office Action, a suitable explanation of the reason for late citation should, of course, be included. Art cited against a companion foreign application that is pertinent to the U.S. case should also be cited, discussed and distinguished in a Citation Letter.

Attached
Pt. 5

Citation of Art

P.I. 5.4
Attachment

INVENTOR-CASE NO.

The following were considered in connection with the preparation of the above- identified application and may be similarly helpful to the Patent Office in its examination of the application (MPEP 707.05(b), first paragraph):

U. S. Patent No.	Inventor	Class	Date Issued

Foreign Patent No.	Country	Patentee

Publication	Issue Dated	Article and Page No.

SIGNED	DATE	SIGNED	DATE	SIGNED	DATE

5.5 Translations of Foreign References

An Examiner who cites a foreign language patent because of its early date frequently also indicates the corresponding U. S. or English patent. In some instances the Examiner may rely for a translation on the still pending U. S. application corresponding to the foreign patent and hence is not able to cite or make it available to us.

When a foreign patent alone is cited, inquiry may be made of the Examiner to determine if a translation is available. If it is, a copy should be ordered instead of obtaining our own translation.

If a translation is not available in the Patent Office, we should provide the Examiner informally either with a citation to a corresponding English language patent, if we know of one, or with a copy of the translation which we obtain.

Secretaries have complete instructions for obtaining translations. However, if a foreign patent is assigned to a corporation, it is frequently possible to obtain identification of a corresponding English language patent through contacts either with that corporation or another attorney. The Patent Attorney Director should be consulted if this appears a possibility.

5.6 Practice When Scope or Direction of Original U.S. Claims is Altered Substantially

On occasion, in the course of prosecution of a U.S. application, facts develop which necessitate very substantial revision in the scope or direction of the claims.

For example, newly discovered art may necessitate drastic limitation of the claims. As another example, one of several features may have become of substantially greater significance since the filing of the case and, as a result, new claims are presented or the tenor of the original claims is modified materially.

Situations such as this may be of considerable moment in connection with the prosecution of the corresponding foreign applications.

Therefore, in such situations and where corresponding foreign applications have been filed, or authorized, and the attorney handling the U.S. application considers it desirable or necessary, the facts and recommendation should be called to the attention of the International Patent Attorney-Consultant. A follow-up letter reporting the situation to the International Patent Attorney may be desirable in some cases.

Consideration should also be given to the filing of a Supplemental Oath in the U.S. in accordance with Rule 67.

5.7 Allowed Application for Patent - Pt. 522

A form Pt. 522 (copy attached) is to be filled out for each patent application upon notification from the Patent Office that the application is being passed to issue or is allowed. All attorneys are requested to complete the subject form within two weeks of its receipt.

The form is designed to provide information that will be of assistance to the Patent Licensing Division of Western in the preparation of the records which they maintain on Bell System patents, and also to afford the attorney an opportunity to review some of the actions that may have been taken with respect to foreign filing and prosecution of the application.

The attorney's review may indicate that, because of changes in the commercial significance of the invention, or in the importance or scope of the claims, additional foreign filing may be desirable. In such case, a brief memorandum to the General Patent Attorney should be prepared setting forth the recommended action and the reasons for such action.

On the other hand, if the attorney's review indicates that because of prior art applicable against already filed foreign application or for commercial reasons, and if no action had been taken previously in accordance with P.I. 5.6, a letter from the Patent Attorney-Director setting forth the facts briefly and a recommendation for discontinuing or limiting the foreign prosecution should be sent to the International Patent Counsel at Western.

Under the heading "Additional Foreign Filing Information", there will be indicated whether the corresponding application in Germany, Holland and/or Japan is under active prosecution or deferred prosecution. For cases which are under deferred prosecution and which the attorney decides prosecution should be initiated, the responsible attorney shall send a letter to Western's International Patent Counsel setting forth briefly the reasons for the change.

Item 2 of the form, the summary of the invention as covered by the allowed claims, is provided primarily to assist Patent Licensing in the preparation of what they term an "Essay". If the allowed claims are of substantially the same scope as the original claims, this summary may well follow closely the statement of invention prepared for the "Patent Authorization Digest" form. (See P.I. 2.3)

The identification of Bell System use, Item 4, should, if possible, precisely identify the equipment or apparatus, as by code number or SD-number. At the same time a patent usage form (see P.I. 8.1) should be prepared.

Determination of use by others, Item 7, should be on the basis of knowledge at hand. No search or extended inquiry is required or warranted. If use by others is likely, but not necessarily certain, this may be indicated, e.g., "Inventor believes invention may be in use by XYZ Co.".

The Patent Licensing Classification, Item 8, is of particular assistance to Patent Licensing. The numerical classifications may be defined as follows:

Rating	Key	Explanation
5	Dominant	A patent that precedes our negotiator to the licensee who knows of our work without any prior discussion. We need only meet and the licensee is ready to acquire a license.
4	Outstanding	A patent which the licensee may not have known about before or known that we were the owners. However, as soon as it is shown to the licensee, its value is readily apparent and the licensee is ready to acquire a license.
3	Preferable Alternative	A patent which the licensee probably did not know about and for which value may have to be proven, but one which will be acknowledged as the best of the alternatives. The licensee will probably want to use our patent in preference to any other alternative, so that we can strongly urge its value. A licensee will probably acquire a license.
2	An Alternative	A good invention which a licensee may want to use but for which other good alternatives are available. We could not, therefore, argue too strongly for a license based on this patent. In this catgory also are included inventions which we are using but which have little licensing strength because they are too close to our peculiar problems or equipments.
1	Nominal	Patents we would be unlikely to use and on which we would waste a licensee's time if we asked that they be examined.

Inasmuch as this classification will be based in part on a rather broad knowledge of not only the technological but also the commercial activities of the Bell System and others in both the domestic and foreign fields, the advice of technical personnel will usually be required. Item 9 is provided for recording the source of such advice.

If a low classification would be appropriate for the U. S. patent only because of art not available against the corresponding foreign applications and the attorney believes that the foreign patents deserve a higher classification, then separate ratings should be indicated. The initials "U.S." should be used to designate the U. S. patent classification and the abbreviation "For." to designate the foreign patent classification.

Some Rule 312 amendments are prepared when the POL-37 notice is received from the Patent Office indicating that an application is in condition for allowance. This practice may be continued; however, the amendment will not be mailed until the Notice of Allowance is received. See the underscored portion of POL-37.

The Docket Clerk will hold any 312 amendments prepared in advance and automatically mail them when the Notice of Allowance is received.

Attached
Pt. 522

BELL TELEPHONE LABORATORIES
INCORPORATED
PATENT DIVISION

P.I. 5.7
Attachment

ALLOWED APPLICATION FOR PATENT

INVENTOR	CASE NO.	DATE ALLOWED
TITLE	PATENT NO.	DATE ISSUED

FOREIGN FILING ☐ YES ☐ NO ☐ CANADA _____ OTHER COUNTRIES

ADDITIONAL FOREIGN FILING INFORMATION:

1. Any disclosures in this application relating to other applications subject to Secrecy Orders? Yes ☐ No ☐

2. Summarize invention as covered by allowed claims and indicate field of use:

3. Is this invention now in commercial use in Bell System? Yes ☐ No ☐

4. If yes, where? If code or drawings involved, identify.

5. If no, what is probability of Bell System use? Good ☐ Fair ☐ Uncertain ☐

6. If future use is uncertain, check applicable reasons:

_____ Superior alternative available. _____ Awaiting determination of commercial application.

_____ No public necessity indicated. _____ Practical application depends on other developments.

_____ Development incomplete. _____

7. In use by others? Yes ☐ No ☐ Don't know ☐

8. Patent licensing classification: 5_____ 4_____ 3_____ 2_____ 1_____

9. Technical personnel consulted on classification:

10. Payment of the issue fee is ☐ approved, ☐ approved, subject to the following:

_____ Filing of Rule 312 amendment

_____ Simultaneous issuance with _____ (Inventor-Case)

_____ Other:

11. Attorney names for printed patent:

For Director approval 1._____ 2._____ 3._____ or modification 1._____ 2._____ 3._____

ROUTING					
APPROVED					
SERVICE PROCESSING	DOCKET CLERK REVIEW	GEN FILES LEADER CONFORM SIGNATURES	FILE CLERK FILE ORIG.	MASTER INDEX CLERK (2 copies) ENTER PATENT NO. – DATE ISSUED SEND COPIES TO VL PL DIV	

5.8 AT&T Applications

The BTL Patent Division occasionally receives submissions of AT&T Long Lines or Operating Company suggestions for patentability consideration. Any resulting patent applications are authorized, prepared and prosecuted by the responsible attorney in the same manner as BTL applications. However, the General Patent Attorney of AT&T is to be advised in each instance of the disposition of such suggestions and should receive copies of all papers filed in the Patent Office.

In any case in which AT&T directly owns an interest, principal powers are to be given to the General Patent Attorneys of AT&T and BTL and to the appropriate BTL Patent Attorney-Director. The responsibility of preparing all papers necessary for filing a patent application is that of BTL.

Employees of Operating Companies and Long Lines, but not AT&T Engineering, are currently being paid an honorarium by AT&T at the time each inventor assigns his patent application to AT&T. This honorarium is normally presented to the inventor by the Chief Engineer or a designated official of the Operating Company or Long Lines, unless the Operating Company or Long Lines prefers otherwise.

The responsible BTL attorney will determine who the inventors are and that they are willing to assign their inventions to AT&T. Any questions which might arise concerning the assignment should be referred to the General Patent Attorney of AT&T for his disposition.

If the honorarium is to be formally presented to the inventor or inventors, a letter is to be prepared addressed to the Chief Engineer or other Operating Company or Long Lines official for the signature of the Patent Attorney-Director. This letter should identify the application, advise that we are simultaneously sending the application to the inventor for signature, enclose the check, which will have been obtained from AT&T by the Service Group, and request that the check be presented to the inventor on behalf of AT&T.

As usual, the Docket Clerk will prepare the letter to the inventor for signature on the necessary papers and advise that a check in the proper amount has been forwarded for presentation. If the Operating Company does not desire to make a presentation of the check to the inventor, it can be enclosed with this letter.

A copy of the application as filed, as well as prosecution papers, will be forwarded to AT&T by the Service Group.

The General Patent Attorney of AT&T will forward a copy of the patent when it issues to each inventor with an appropriate cover letter.

5.9 Abandoning or Dropping Applications

Except for AT&T applications, each Patent Attorney-Director has the authority to approve the dropping of unfiled applications or the abandoning of filed applications.

If a filed application is to be abandoned, consideration must also be given whether or not to continue prosecution and maintain foreign patents based on the application to be abandoned. A specific recommendation as to their disposal should be made at this time and recorded in the file. If it is determined that the foreign prosecution should be discontinued or foreign patents dropped, the Patent Attorney-Director should so advise the International Patent Counsel (cf. P.I. 5.6 and 6.3).

In a particular situation, consideration may be given to converting the application to be abandoned effectively to a defensive application (by filing a continuation application under Rule 139) to obtain the right to copy claims in the application for a period of five years from the filing date of the continuation application.

See P.I. 10.5 for abandoning applications which have been reported under Government Contracts.

Note that recommendations to the GPA of AT&T that an AT&T application be abandoned must be over the signature of the BTL GPA.

5.10 Assignment When Adding an Inventor

When an inventor is added after an application has been filed, it is only necessary that the new assignment be filed on behalf of the newly added inventor.

5.11 Attorney Names on Issued Patents

The Patent Office permits the names of a maximum of three registered patent practitioners to be printed on an issued patent. The following general principles shall govern the determination of the name or names of attorneys to appear on the patent:

1. Each person named on the patent shall be a registered patent attorney at the time the selection is made.

2. Where one attorney has both prepared and prosecuted the application, only the name of that attorney shall appear.

3. Where the person preparing and prosecuting the application is not yet a registered patent attorney, the name of the supervisor shall appear.

4. Where the application has been handled in various stages by different people, each of those who made a substantive contribution, up to the limit of three, shall be indicated.

5. Although Directors' names will not be shown routinely, they will be shown in those cases in which they participated to any material extent.

6. If an attorney makes a material contribution to the preparation and prosecution of the application, that attorney may be included, even though no Power of Attorney was given.

7. The name of the person making the greatest or greater contributions will normally be listed first.

The following procedures are employed to insure a proper determination:

1. Where the application has been prepared and prosecuted by one attorney, that attorney's name will be designated by the Service Organization on the Notice of Allowance Form (Pt. 522, see P.I. 5.7) without further review.

2. In all other cases, the appropriate Patent Attorney Director is consulted for a determination in accordance with the general principles outlined above.

5.12 Action Required on Issuance of Patents

After the issuance of a patent, the attorney responsible for its prosecution will receive a soft copy or copies of the patent to be forwarded to the inventor or inventors involved. An appropriate memorandum should accompany the patent. If applications based on this patent were foreign filed, it may be of interest to include this information in the memorandum.

Copies of patents should not be forwarded to inventors who are no longer in the employ of the Laboratories. An exception may be made in the case of retirees or in light of special circumstances. Form Pt. 682 (copy in Forms section), forwarded at the time of allowance, will indicate if the inventor has left the company.

5.13 Reissue of U.S. Patents

When a recommendation is made to the Patent Attorney-Director to seek reissue of a U.S. patent, a recommendation as to reissue of the corresponding Canadian patent, if any, also shall be made.

If a Canadian application has not yet issued at the time a recommendation to seek reissue of the correspondiing U.S. patent is approved, consideration is to be given for effecting necessary changes in Canada.

When a Canadian application issues while the corresponding U.S. application is under prosecution, a specific request for a recommendation on reissue of the Canadian patent (to incorporate changes effected by the further prosecution of the U.S. application) shall be forwarded to the attorney handling the U.S. application within the four-year period following the issue date of the Canadian patent.

6.1 Foreign Filing Recommendations

At the time a new or continuation-in-part application is approved for final form typing, the responsible attorney shall make specific and definite recommendations with respect to foreign filing of the application. These recommendations will form the basis for further review and consideration of the application with respect to foreign filing. It is not, of course, necessary to further consider continuation, divisional or reissue applications.

Form Pt. 655 (copy attached) is to be used. No particular format is suggested because of the wide variety and types of cases that we prosecute.

However, it is important that complete information pertinent to the recommendation be set forth as candidly as possible. Because this recommendation will be reviewed by a number of people who are not always conversant with the current technical slang, the information should be set forth in understandable terms without cryptic jargon or undefined acronyms. Further, facts and opinions should be obtained from individuals most familiar with the subject matter, usually at the Department Head level or higher, and should almost always include someone other than the inventor. The facts and opinions obtained should be concisely stated and the individuals consulted identified. Those reviewing the recommendation should be able to do so without having to call either the technical personnel

contacted by the attorney or others in order to obtain further factual background for consideration of the recommendation.

It is more important that the proper technical person be consulted than that a large number of people be consulted. The individuals consulted should have the proper breadth of experience to make an evaluation. Further, their views and comments should be indicated rather than merely a conclusion with a note that certain identified people were consulted. Others reviewing this recommendation would prefer to be able to draw their own conclusions from the opinions of the technical consultants and the conclusion of the BTL attorney.

If divergent opinions are obtained, they should be set forth. The recommendations set forth on Pt. 655 will be retained in the U.S. case folder, as well as in various files in the International and Licensing Groups, for some period of time which may extend throughout the life of the resultant patent. Although candid information should be included in Pt. 655, this retention should be borne in mind.

Attached
Pt. 655

P.I. 6.1
Attachment

FOREIGN FILING RECOMMENDATION

NOTE: PREPARE ORIGINAL AND THREE CARBON COPIES.

INVENTOR-CASE NO.	FILING DATE	ATTORNEY/LOCATION-EXT.

TITLE	CATEGORY

RECOMMENDATION

DISPOSITION

TO:

Mr. R. E. Smith

ATTORNEY	SUPERVISING ATTORNEY	DIRECTOR	GEN.SUPV.-SERVICES

DISTRIBUTION: WE FOREIGN PATENT ORGANIZATION (2)

PT. 655 6-73

6.1-1 General Foreign Filing

The recommendations concerning general foreign filing depend on licensing potential and should be based on knowledge and opinions with respect to use, licensing value, novelty and types of equipment used in specific countries, etc. Attached Appendix A sets forth some of the factors which may be of assistance in making the foreign filing decision.

In the preparation of a foreign filing recommendation (FFR, Pt. 655), the countries in which filing is recommended, if selected as a group, should be indicated as a group without the further recitation of the countries in that group. Appendix B to this P.I. indicates the grouping of countries by subject matter, e.g., Wire and Cable, Station Apparatus, etc., and by rank of importance to that technology within the group, e.g., I, II, etc. Further, the remarks should indicate the basis on which the country selected was made. For example, if Transmission I is selected because the invention is primarily useful in transmission systems, this should be so stated; the recommendation should merely be "Transmission I". Also, if the group selected is basically one of the groups from Appexdix B but with exception, it should be stated in this manner (e.g., Transmission I, except France and Belgium) rather than listing the remaining countries. Reasons for the exceptions should also be stated. Although it does not so appear on Appendix B, Canada should be considered a Group I country. Therefore, a selection

of any Group I set of countries will include Canada automatically. Canada should be treated as any other foreign country in making recommendations.

Attorneys are encouraged to make brief notations on the BTL file copy of the FFR regarding discussions with a foreign attorney or a patent licensing representative, particularly where a change in either the recommendation or proposed claim is agreed to. Legible handwritten notes, appropriately initialed and dated, are satisfactory. Additional information supplied to either of such persons can be similarly noted.

The final decision on foreign filing will be reported to the domestic attorney by way of Pt. 650 (copy attached).

Attached
Pt. 650
Appendix A
Appendix B

FOREIGN FILING DECISION

INVENTOR CASE NO.	DATE

TO:			
PATENT ATTORNEY-DIRECTOR	SUPERVISING ATTORNEY	ATTORNEY	FILE

Listed below, for your information, are the foreign filing recommendations made by you and the final decision on foreign filing. Attached is a copy of your original recommendation.

Domestic Attorney Recommendation	Final Decision

W. L. Keefauver

General guidance for selecting countries for filing can be found in Appendix B. Here are some factors which may be of assistance in making a foreign filing decision:

1) Would a resulting patent dominate its area?

2) Is there any knowledge of use or interest by outside companies?

3) How extensive is the contemplated Bell System use, if any?

4) Is the invention the solution to a (too) specific Bell System problem?

5) Does use of the invention offer significant savings?

6) Are there a number of alternatives to the invention so that the claims could easily be avoided?

7) Would use of the invention be easily detected?

8) Would the royalty base for the licensed claims be narrow or broad; this is particularly pertinent to method claims infringed on each operation as opposed to the machine claim which is only infringed once, or on-line testing as opposed to testing on a sampling basis.

9) What would be the cost of the infringing equipment against which the royalties would be charged?

10) Is the invention in an area widely copied by others?

11) If a research invention, does the commercial potential warrant a speculative filing?

12) If dominated by an earlier foreign filed case, would a foreign patent on the instant case substantially buttress our foreign licensing position?

13) Can the case be combined for foreign filing with another, related application?

In making a more refined selection than indicated on Appendix B, some of the factors to be considered as to any particular country follow:

1) Is an important licensee or potential licensee manufacturing there?

2) Is parallel research known or thought to be underway there?

3) Is the invention in question too refined for that country's state of economic and technological development?

4) Is the low cost of manual labor likely to obviate the need for the invention?

5) Are manufacturers known or thought to be attracted to a favorable labor and tax situation there?

6) Is the problem solved by the invention thought to exist or be likely to arise in that country?

RANK GROUPING OF COUNTRIES WITH RESPECT TO MANUFACTURING ACTIVITIES OF VARIOUS EQUIPMENT

Comm. Lines		Switching									
Wire & Cable	M.M.Wave-Guides	Sta. App.	Trans. (Gen'l)	Trans. (Opt.)	Electro Mec.	Elec-tronic	Data Proc.	T&M	Semics. (Diff.)	Semics. (Ass'y)	Other Comp.	Materials
I												
		Belgium	Atrl Belgium Brazil	Belgium	Atrl Belgium Brazil	Belgium	Atrl Belgium	Belgium	Belgium	Belgium Brazil	Belgium	
Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany	Britain Canada France W.Germany Hong Kong	Britain Canada France W.Germany	Britain Canada France W.Germany
		Israel	Israel									
Italy Japan Korea	Italy Japan	Italy Japan	Italy Japan Mexico Malaysia	Italy Japan	Italy Japan	Italy Japan	Italy Japan	Japan	Italy Japan	Italy Japan Korea Malaysia Mexico	Italy Japan	Italy Japan
			Neth.	Neth.	Neth.	Neth.	Neth.		Neth.	Neth. Portugal Singapore	Neth.	Neth.
Spain Sweden Taiwan		Spain Sweden	Spain Sweden		Spain Sweden	Spain Sweden Switz.	Spain Sweden		Spain Sweden	Spain Sweden Taiwan	Spain Sweden Switz.	
II												
Atrl Austria Argentina Belgium Brazil	Atrl Belgium	Atrl Austria Argentina Brazil	Austria	Atrl	Austria Argentina	Atrl Austria Brazil	Brazil	Atrl Brazil	Atrl Austria Brazil	Atrl Austria	Atrl Argentina Brazil	Atrl Brazil Denmark
Finland			Finland		Finland	Finland						
		Ireland	Ireland		Ireland Israel	Ireland Israel		Italy	E.Germany	E.Germany Ireland	E.Germany	
Mexico Neth.	Neth.	Mexico Neth. Norway	Norway		Mexico Norway	Norway	Mexico Norway	Neth.	Mexico		Mexico	
					Portugal				Poland Portugal	Poland Philip.	Portugal	
	Spain Sweden			Spain Sweden				Spain Sweden	So.Africa	So.Africa		Spain Sweden
Switz.		Switz.	Switz. Taiwan	Switz.	Switz.		Switz.	Switz.	Switz.	Switz.	Taiwan	Switz.
					U.S.S.R.	U.S.S.R.			U.S.S.R. Venez.	U.S.S.R. Venez.		
Yugo.						Yugo.			Yugo.	Yugo.		

P.M. 6.1-1 Appendix B

Comm. Lines					Switching							
Wire & Cable	M.M.Wave-Guides	Sta. App.	Trans. Gen'l	Trans. (Opt.)	Electro Mec.	Elec-tronic	Data Proc.	T&M	Semics. (Diff.)	Semics. (Ass'y)	Other Comp.	Materials
III												
	Austria			Austria			Austria	Austria			Austria	Austria
	Argentina		Argentina	Argentina		Argentina	Argentina	Argentina	Argentina			Argentina
	Brazil			Brazil								
Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria	Bulgaria
Chile	Chile	Chile	Chile	Chile	Chile	Chile	Chile	Chile	Chile	Chile	Chile	Chile
Czech.	Czech.	Czech.	Czech.	Czech.	Czech.	Czech.	Czech.	Czech.	Czech.	Czech.	Czech.	Czech.
Denmark	Denmark	Denmark	Denmark	Denmark	Denmark	Denmark	Denmark	Denmark	Denmark	Denmark	Denmark	
	Finland	Finland		Finland			Finland	Finland	Finland	Finland	Finland	Finland
E.Germany	E.Germany	E.Germany	E.Germany	E.Germany	E.Germany	E.Germany	E.Germany	E.Germany				E.Germany
Greece	Greece	Greece	Greece	Greece	Greece	Greece	Greece	Greece	Greece	Greece	Greece	Greece
Hong Kong	Hong Kong	Hong Kong	Hong Kong	Hong Kong	Hong Kong	Hong Kong	Hong Kong	Hong Kong	Hong Kong		Hong Kong	Hong Kong
Hungary	Hungary	Hungary	Hungary	Hungary	Hungary	Hungary	Hungary	Hungary	Hungary	Hungary	Hungary	Hungary
India	India	India	India	India	India	India	India	India	India	India	India	India
Ireland	Ireland			Ireland			Ireland	Ireland	Ireland		Ireland	Ireland
Israel	Israel			Israel			Israel	Israel	Israel			Israel
	Korea	Korea	Korea	Korea	Korea	Korea	Korea	Korea	Korea		Korea	Korea
Malaysia	Malaysia	Malaysia		Malaysia	Malaysia	Malaysia	Malaysia	Malaysia	Malaysia		Malaysia	Malaysia
	Mexico			Mexico		Mexico		Mexico				Mexico
New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.	New Zeal.
Norway	Norway			Norway				Norway	Norway	Norway	Norway	Norway
Philip.	Philip.	Philip.	Philip.	Philip.	Philip.	Philip.	Philip.	Philip.	Philip.		Philip.	Philip.
Poland	Poland	Poland	Poland	Poland	Poland	Poland	Poland	Poland			Poland	Poland
Portugal	Portugal	Portugal	Portugal	Portugal		Portugal	Portugal	Portugal				Portugal
Romania	Romania	Romania	Romania	Romania	Romania	Romania	Romania	Romania	Romania	Romania	Romania	Romania
Singapore	Singapore	Singapore	Singapore	Singapore	Singapore	Singapore	Singapore	Singapore	Singapore		Singapore	Singapore
So. Africa	So. Africa	So. Africa	So. Africa	So. Africa	So. Africa	So. Africa	So. Africa	So. Africa			So. Africa	So. Africa
	Switz.											
	Taiwan	Taiwan		Taiwan	Taiwan	Taiwan	Taiwan	Taiwan	Taiwan			Taiwan
U.S.S.R.	U.S.S.R.	U.S.S.R.	U.S.S.R.	U.S.S.R.			U.S.S.R.	U.S.S.R.			U.S.S.R.	U.S.S.R.
Venez.	Venez.	Venez.	Venez.	Venez.	Venez.	Venez.	Venez.	Venez.			Venez.	Venez.
	Yugo.	Yugo.	Yugo.	Yugo.	Yugo.	Yugo.	Yugo.	Yugo.			Yugo.	Yugo.

CWB:4/1/75

I.T.C. Appendix B

6.1-2 FFR Format

Although no specific format is required for the FFR, the following information should be included for new filings:

1. A brief description of the invention in problem-solution terms whenever possible. Reference to the drawings should be made only if such reference is essential to an understanding of the invention.
2. A sample German-style head claim (i.e., of the "characterized" type) if foreign filing is recommended; such a claim may be advisable in other cases where there is doubt as to the recommendation. Reference numerals should be utilized to designate each positively recited element.
3. A statement as to the potential impact of claims on commercial use.
4. Information concerning the commercial importance or potential specifying the equipment or fields of use of the invention.
5. Relationship to other applications and their disposition with respect to foreign filing and particularly those which dominate or are dominated by the present invention.
6. A discussion of any particular situation which may have an adverse effect on foreign prosecution, such as a publication or use prior to U.S. filing.

7. Recommendation that filing be deferred pending further developments, e.g., making an IIB search, or for any other reason. It must be recognized that preparation for transmittal abroad should be completed no later than 10 months after U.S. filing to allow adequate time for translation, etc., prior to expiration of the Convention Year.
8. Recommendation to "Defer" or "Prosecute" in countries where it is possible to do so, together with reasons for selected action.
9. An indication of the broad category in which the subject matter belongs, namely:

   Category "A" - Switching Systems and Data Communications

   Category "B" - Transmission, Radio and Electronics Research

   Category "C" - Apparatus, Physical Research and Solid State Devices

10. For a CIP, a statement of the reasons for filing, i.e, how the CIP differs from the parent, will normally suffice in view of the FFR for the parent. Any or all of items 1 through 10 (above), may of course, be amended (or rewritten) as necessary.

Time spent in the preparation of the FFR (Pt. 655) is considered a part of the preparation of the U.S. application and should be charged accordingly and not to any other charging case for foreign filing.

6.2 Commissioner of Patents Licenses for Foreign Filing

35 U.S.C. 184 requires that a license be obtained from the Commissioner of Patents for filing an application abroad if the application is to be filed before a six-month period has elapsed from the date of the U.S. filing. In most instances this is taken care of by our present routines with respect to initial foreign filings.

However, Section 184 also states that "The term 'application' when used in this chapter includes applications and any modification, amendments, or supplements thereto, or divisions thereof." Accordingly, in order to comply fully with this section it is necessary to review all technical subject matter sent abroad which might be included in arguments filed in a foreign patent office. "Any paper filed abroad following the filing of a foreign application, which involves the disclosure of additional subject matter must be separately licensed in the same manner an an application." (37 CFR 5.15(a))

In order to assure that no material generated at BTL for filing in the U.S. is used as the basis for a subsequent filing abroad without compliance with these requirements, and similarly to insure that no material originated directly for foreign prosecution is thus filed abroad, the attorney of record shall review all technical material generated for purposes of domestic and foreign applications in all cases where there has been any

foreign filing, including Canada. This review is to determine whether or not subject matter being presented in the document is disclosed in the initial application.

An outline of the method for review follows.

1. Material submitted to the U.S. Patent Office on applications that were filed in a foreign country is automatically transmitted to the International Patent Attorney at Western who, when appropriate, sends the material to the Western Electric Company, Limited in London or to the Canadian Agent. These organizations may then use this material as the need arises, including the filing of papers in foreign patent offices incorporating some or all of this material. Therefore the attorney of record will complete and initial the following statement when it appears on the file carbon of the correspondence being sent to the U.S. Patent Office:

"Subject matter contained herein does/does not require an additional license under 35 U.S.C. 184."

Little, if any, of the material described above has to be filed in the patent office of a foreign country before six months have elasped. Therefore, the service group will automatically hold the material which requires an additional license for six months and one week from the mailing date before forwarding to Western. If, for any reason, it is desirable to send such subject matter abroad within this period, a license must be obtained.

2. When a letter is sent to a Foreign Agent during the Prosecution of a foreign application, the same statement as in (1) above is to appear on our file copy of the letter and is to be initialed by the attorney signing the letter. The service group will not mail out any material until a license, if required, is obtained.

3. When material is submitted to Western in connection with the prosecution of a foreign application, one of the following statements is to be included as part of the transmittal letter to the International Patent Attorney:

"We have reviewed the material contained herein and have determined that an additional license under 35 U.S.C. 184 is not required." OR

"We have reviewed the material contained herein and have determined that an additional license under 35 U.S.C. 184 is required. It is our understanding that such license will be obtained by your organization."

4. When preparing special specifications for filing in foreign countries, such as when combining applications for filing abroad, the same procedure as outlined in (3) above is to be followed.

5. If a license is to be obtained, inform the General Supervisor - Services, as early as possible, and action will be initiated to obtain it. Copies of all material to be filed abroad must accompany the request for a license. Ordinarily, from two to three weeks is required for receipt of a license.

6. The service group does not forward any applications to Western until a six-month period has elapsed from the U.S. filing date, except in those instances where foreign filing must be accomplished early and we cannot take advantage of the full Convention Year. In these instances, the service group automatically requests a Commissioner's license.

Should questions arise regarding the above, contact the General Supervisor - Services.

6.3 Consideration of Continuing Foreign Prosecution

When a request is received to assist the Western Patent Division in the foreign prosecution of an application or when a change in direction of prosecution in the U.S. has occurred, the advisability of continuing the prosecution in any country where applications are pending sould be considered.

It may properly be concluded that the scope of claims that might be obtained does not warrant further prosecution or that, because of changes in the technical importance of the invention in the intervening years since the case was originally filed, any resulting patent would not be of significant value.

In those instances where it is our recommendation that prosecution be discontinued, the recommendation should be set forth in a letter from the Patent Attorney-Director to the International Patent Counsel of Western.

In those instances in which a response is made directly to the London Office or to other Foreign Agents a copy of the response should be sent to the Western International Patent Counsel.

As in all our work, judgment should be exercised as to what is stated in the letter.

6.4 Foreign Maintenance Consideration

Foreign patents are periodically reviewed to determine if payment of maintenance fees is warranted. Foreign applications which have been long pending or are under deferred prosecution are similarly reviewed to determine if commencement or continuation of prosecution is warranted.

When a patent is due for review, Form L-569-PT (copy attached with appropriate explanations) is forwarded via a cover letter, Form Pt. 677A (copy attached), to the attorney responsible for the corresponding U.S. case. L-569-PT will set forth certain information relating to the foreign patent, e.g., countries, expiration date of the foreign patent, prosecution status, admitted or probable use, an indication of fees due, etc. A copy of all previously prepared maintenance consideration forms is filed in the back of the foreign section of the case folder.

The final determination regarding maintenance will depend on the respective opinions of 1) the U.S. attorney, 2) the foreign attorney, and 3) Patent Licensing.

Accordingly, the U.S. attorney should include in the first paragraph of his response his own opinion as to whether or not maintenance and, where applicable, continued prosecution or deferral are warranted.

For the first maintenance consideration, the second paragraph of the response should comprise a one or two sentence identification of the subject matter involved, i.e., a brief description of the invention. Each time maintenance is

considered, facts believed helpful in making a decision on maintenance, which have come to light since the previous review, should be set forth. Of particular value are facts or opinions indicating the use or likelihood of use of the invention by us or by others, especially in the foreign countries involved. Special factors concerning a particular country's technology as it relates to the invention, if known, should also be set forth. If it is not apparent, the importance of the invention, as well as the importance of the field of the invention should also be stated. The relationship of the invention to other inventions (naming dominated or dominating cases, if such exist) may also be discussed.

Facts and opinions should be obtained from individuals most familiar with the subject matter and the individuals consulted should be identified whether or not new information is obtained.

Although the scope of the coverage in the foreign country, as determined by allowed foreign claims and corresponding foreign law, will be evaluated by the foreign attorney it may be helpful to review the allowed foreign head claims. If copies are not filed in the case folder, they may be requested from the foreign attorney consultant or from your secretary who will obtain them for you.

Note, particularly, that it is unnecessary to repeat in a maintenance recommendation information already set forth in earlier recommendations. For example, it is not necessary to

repeat the statement describing the invention, relationships among several cases, or the field of the invention. In those instances in which these data are included in earlier reports, the response may consist only of facts and opinions obtained from technical consultants, together with the attorney's current evaluation of the foreign patents.

On an experimental basis, Western's International attorney will receive approximately half of the monthly maintenance to be considered before the U.S. attorney receives them. The International attorney will evaluate the claims and set forth any limitations, restrictions, appeals, oppositions, etc., that may exist.

Attached
L-569-PT with explanations
Pt. 677A

Foreign Maintenance*

Inventor-Case No.	US Pat Atty	Int Pat Atty
O. L. Anderson 3-15 (BTL)		

Cntry	Pat No	Expires	Use	**3-Yr Mnt Fee
AUST	201,117	'76	-	$538
BELG	559,732	'77	-	$169
FRAN	1,179,416	'77	-	$347
JAPN	318,134	'80	-	$206
NETH	113,327	'84	P	$884
TRIN	83/71	'85	-	None

**THIS REPRESENTS THE COST OF MAINTAINING A PATENT FOR A PERIOD OF 3 YEARS, OR TO THE END, IF THE EXPIRATION DATE IS LESS THAN 3 YEARS. KEEP IN MIND THAT WE ARE WORKING A YEAR IN ADVANCE SO THAT IF YOU RECEIVE A MAINTANANCE RECOMMENDATION FORM IN NOVEMBER 1974 IT IS FOR THE PAYMENTS DUE IN NOVEMBER 1975. IF YOU WANT TO RECOMMEND MAINTAINING FOR ONE YEAR ONLY AND WANT TO KNOW THE COST, SIMPLY DIVIDE BY THREE OR TWO (IF EXPIRATION DATE SO INDICATES) AND DEDUCT BETWEEN 10 AND 25% SINCE THE FEES BECOME INCREASINGLY HIGHER AS THE PATENT MATURES.

US Pat Atty's Recommendation
Return* By _____

Int Pat Atty's Recommendation
Return* By _____

Pat Licensing Recommendation
Return* By _____

#(P) Electronic Instrument Ltd.
%(A) Lucas Industries Ltd - Brit - Ex/73
(A) Micro Electronics Ltd - Brit - Ex/73

Final Recommendation	Approved-R.C. Winter	Approved-R. Spencer

L-569-PT(9-74)

*See Reverse Side

#(P) = PROBABLE USE
%(A) = ADMITTED USE

[X] Foreign Maintenance - Mo-Yr October 1975

[ ] 19__ End of ____ Quarter Six-Year Review

ORDER OF PRESENTATION

1. U. S. Patent Attorney

   B. On first maintenance consideration:

      1) One or two sentence description of invention.

      2) Facts and opinions pertinent to maintenance decision based on actual or likely scope of claims and discussion with identified technical expert(s).

         (e.g., use or likelihood of use here and especially in specific other countries; relevant facts on particular countries' technology; importance of invention and its field, if not apparent; relationship to other inventions).

   C. On subsequent maintenance considerations:

      Update and supplement, but do not repeat, the information earlier supplied.

   A. Recommendation

2. International Patent Attorney

   Recommendation based on review of foreign claims and prosecution.

3. Patent Licensing Representative

   Recommendation based on licensing experience and needs.

4. Final Recommendation

Attach additional sheet if necessary.

Return To: Miss L. F. Spacek
222 Broadway - Rm. 1732

Foreign Maintenance Consideration

_____
(date)

To:				

With regard to maintenance of issued patents and prosecution of foreign applications, where applicable, please have your recommendations typed, in accordance with P. I. 6.4, on the attached forms and return the signed original and two conformed copies.

All time spent in obtaining the requested information is to be charged to 34019-512.

A reply by_____is appreciated.

W. L. Keefauver

Attached
Foreign Maintenance Consideration Form ( )

7.1 Simplification of Interferences

It is usually desirable to attempt simplification of an interference which has proceeded beyond the motion stage on the basis of an informal exchange of proofs between the parties with the objective of facilitating resolution of the remaining issues. Ordinarily, an exchange of licenses under the applications, or application and patent, precedes such an informal exchange of proofs. A principal goal of the exchange of proofs is the cost saving, including attorney time. Accordingly, an estimate of our chance of prevailing in the interference usually is not the controlling factor, although in some instances it may be found that an exchange of licenses may be neither advisable nor required as a condition to exchange of proofs.

The following outlines the steps to be followed.

The question of informal exchange of proofs with or without an exchange of licenses should be considered immediately after declaration of the interference. The initial step is to obtain the approval of the cognizant Patent Attorney-Director. If it is proposed to exchange licenses, the Western Patent Division shall be consulted informally about the proposal. If only proofs are to be exchanged, Western concurrence is not required. If Western Patent concurs that an exchange of licenses is appropriate, a letter is prepared addressed to counsel for the opposing party and for signature by the GPA of BTL. This letter shall be of the form of the sample, Appendix 7.1.

In the absence of unusual factors, the license agreement to be sent with the letter to opposing counsel shall follow agreement form Pt. 740 (copy in "Forms" section) and be prepared in final form. Please note that paragraph 2 may be required to be completed with regard to extending the license to subsidiaries of the opposing company. If an agreement significantly different from Pt. 740 is required, a draft thereof shall be sent by the BTL GPA simultaneously to the GPAs of Western and AT&T for approval before the letter to opposing counsel is prepared.

When the agreement is returned executed by the opponent, it is sent to the Vice President - Research and Patents for execution, with a memorandum signed by the GPA, setting forth the essential facts. This is done after it is clear that the interference will proceed beyond the motion stage. An executed copy of the agreement is then returned to the opposing party by the Patent Attorney-Director.

In cases where the Government is a party, at their insistence the agreement is executed first by BTL and then submitted to the Government.

If a formal favorable reply to the proposal to opposing counsel is received, the attempt to effect an exchange of proofs should be initiated immediately.

Since the rights of third parties are being affected, the resolution of the priority issue should be based solely on the legal merits. In particular, neither the license relations of the parties nor their individual interest in obtaining a favorable award should enter into the resolution. Close cases

should be submitted informally to the GPA for review before final agreement with the other party is reached.

Further, prior to termination of an interference wherein this procedure is followed, true copies of the aforementioned letter, reply and license agreement shall be filed in accordance with 35 U.S.C. 135(c), with the request that they be kept separate from the file of the interference, and made available only to government agencies on written request, or to any person on a showing of good cause. A copy of our letter of transmittal to the Commissioner, without attachments, shall be sent to opposing counsel and this action shall be noted on the letter.

In any case where filing of copies of other material is considered in connection with 35 U.S.C. 135(c), the GPA shall be consulted.

If any basic issue is resolved on the basis of informally exchanged proofs, it is usually good practice to file such proofs in the Patent Office in order to establish that the determination was an arms length resolution. Such proofs should be filed prior to the filing of an Abandonment of Contest to insure compliance with 35 U.S.C. 135(c).

7.2 Service of Papers

To assure some record of service upon opposing counsel of motions, briefs, etc. in interferences, each such item shall be sent to opposing counsel with a covering letter signed by an attorney of record in the Bell Laboratories application involved.

8.1 Patent Usage

All information regarding usage or possible usage of our inventions is to be recorded in each of the related case folders. This information is obtained from several sources.

1. Western Patent Licensing Division will inform us when use of the invention has been acknowledged or royalty payments have been received based on the invention, either with respect to the U. S. patent or its foreign counterparts.

2. Same as the above, except information may be received from someone other than Western Licensing personnel.

3. In the course of a licensing or other study, it is often determined that one of our inventions may be used in current equipment manufactured by a specific company.

4. During the course of study of newly issued patents, or any specific study that may be undertaken at a later date, an attorney may determine that one of our patents appears to dominate another company's patent.

5. During a right-to-use study, or in the course of completing form Pt. 522, or an evaluation of a patent after it has issued, an attorney may note that a patent is applicable to Bell System equipment.

The information for the above is to be recorded on our Patent Usage form Pt. 318, copy attached. Since the information may come from a variety of sources, or be recorded elsewhere, it is important that the "Source" portion of the form be completed. A simple statement such as "See Job _____", or "See Pt. 522" or "See Interference _____", will suffice. However, a more detailed statement is to be included if no other recorded information exists.

In order to quickly determine if the case folder contains information regarding usage, the Service Group will stamp the case folder (upper left-hand corner) "See correspondence for Patent Usage" when the first Pt. 318 is filed therein.

Attached
Pt. 318

PATENT USAGE

P.I. 8.1
Attachment

DATE	INVENTOR - CASE NO.	U. S. PATENT NO.
TITLE:		

ROUTING:	Mr.	Mr.	Mr.	FILE

☐ Use of this invention has been acknowledged by

_____
(company)

☐ Royalty payments based on this invention have been received from _____
(company)

☐ This patent may read on the _____ equipment of _____
(company)

☐ This patent appears to dominate Patent No. _____ issued to _____
(company)

☐ This patent is used by the Bell System in the _____

_____

Source of Above Information:

_____

Copy to
Mr. W. A. Tyrrell
WECo Patent Licensing Division

8.2 Evaluations of Patents of Others

The following classifications are to be used where patent studies are made for the purpose of assisting the Western Patent Licensing Organization in arriving at a reasonable evaluation of the patents and patent potential of a licensee or prospective licensee. It is understood that these patent studies do not extend to the question of validity or the effect of the prior art on the scope of claims. In the event that validity and/or the effect of prior art have been studied, the results of such study should be reported.

A. Subject matter appears to be of interest to the Bell System. More critical study may be warranted.

B. Future interest appears to be at least a fair possibility. (Put in this classification any nuisance value patents.)

C. Appears to have no present or future Bell System interest, but subject matter lies in our field.

D. Subject matter appears to be outside Bell System fields of interest.

NUISANCE VALUE PATENTS

(1) Patents containing claims which read on a Western product, e.g., but also read clearly on prior art (the clearest case would be one in which the product in question has been in use long enough that it serves as a statutory bar).

(2) Patents which fail to read on a Western product, e.g., only because of unnecessary limitations which a court might disregard.

8.3 License Negotiation Patent File and Patent Comment Card File

Valuable information concerning non-Bell System patents should be preserved in two files established for that purpose. These are a License Negotiation Patent File to record for ready reference patents of licensee companies which appear of interest to the Bell System, and a Patent Comment Card File to record comments as to the scope or validity of licensed patents not otherwise considered in a job.

The patent position of other companies is of particular interest when license negotiations are being considered by Western. For entry into this file, attorneys should have Form Pt. 698 (copy attached) prepared for patents that appear to be of current or potential interest to the Bell System.

Specific comments with respect to the validity or scope of a patent may be of considerable value in connection with subsequent right-to-use validity studies or license negotiations. A Patent Comment Card, Pt. 317 (copy attached), should be prepared to record such comments. Patent Comment Cards are cross indexed by patent number in the Patents of Interest card file along with the references to jobs where the patent may have been cited or studied.

It is expected that patents for entry into both files will come to the attention of attorneys during the review of currently issued patents. Attorneys may be specifically asked by appropriate questions on the routing sheets of such patents whether any cards should be prepared for these files.

Patents for the License Negotiation Patent File may come to the attorney's attention during the course of patentability and right-to-use studies and a card for this file should be prepared even though the patent and the license situation is discussed in the job. Patent Comment Cards, however, need not be prepared when a patent is discussed in a job as the patent will be then indexed for that job.

Both files are kept by the Subject Matter Group in Room 3C-404, Murray Hill, at the end of the name index.

Attached
Pt. 698
Pt. 317

COMPANY	JOB
NAME - PATENT NO - ISSUE DATE	
EQUIPMENT INVOLVED	COMMENTS	INITIALLED / DATE

PT. 698 9-66 LICENSE NEGOTIATION - PATENT FILE

PATENT NO.	INVENTOR
DATE	ASSIGNEE
COMMENTS ON SCOPE OR VALIDITY: (OVER)	
DATE	ATTORNEY

PT. 317 5-69 PATENT COMMENT

COMMENTS ON SCOPE OR VALIDITY (CONT'D):

8.4 Patents Issuing Which Could be Used in Violation of Tariffs

In order to protect Bell System interests, we are to advise Department 3326 when non-Bell System patents come to our attention which contain disclosures of equipment that could be used in violation of tariffs.

Accordingly, when reviewing newly issued patents, please note any patents in the following categories:

1. directed to the placing of free calls, such as in information, intercept, or operator trunks;
2. the connecting together of two lines at a subscriber location, as in call diversion equipments;
3. the utilization of the silent interval during a ringing connection for talking or signaling, as in our Brooks et al patent 3,165,590;
4. equipment for inductively connecting to a subscriber line;
5. equipment for taking off data signals from a line before or in addition to the receiving terminal;
6. devices that trip ringing without establishing a charging condition;
7. apparatus for connecting tones or signals to a telephone line at a customer station and particularly those tones and signals that are normally applied by central office equipment; and
8. devices that return a busy signal even though charging the caller for a connection.

Questions with respect to the above should be directed to the Patent Attorney-Director, Center 143.

Filing only Job 93,110 is available to house information pertaining to this subject.

9.1 Policy on Private Information

Information owned by Bell Laboratories has a value that may be easily lost. Accordingly, policies regarding its use and disclosure have been set forth in a number of instructions and statements of policy.

All technical employees of Bell Laboratories have received a copy of a brochure on proprietary information (copy attached) indicating that "every employee is expected to help protect proprietary information and to meet this obligation both during and after his employment at Bell Laboratories". All supervisors have in their "Introduction to Technical Supervision" manual a more detailed discussion (see Appendix).

On the other hand, G.E.I. 2.1 (see P.I. 1.6) states that it "is the policy of Bell Laboratories to release information regarding its activities and interests to the scientific and technical community and to the general public when such release serves the best interest of the Bell System."

These statements of company policy urge technical personnel to consult the Patent Division with respect to the propriety of releasing information. Our attitude generally is that information disclosed to outsiders should be limited to that:

1. which has been published, or
2. which has no sensitivity from the engineering, legal, patent, patent licensing or public relations standpoints.

Outsiders may be taken to mean anyone who is not an employee of the Bell System. Resident visitors, retired employees, and employees of Sandia Corporation are considered "outsiders". Private information thus may only be disclosed to outsiders, provided certain established routines are followed, where there is promise of adequate return to the Bell System.

Patent Division concern is not limited merely to premature release insofar as it might stand as a bar to U.S. and foreign patents. Concern extends also to a consideration of the competitive advantage that the private information sought to be released affords the Bell System and whether it might be advantageous instead to license the information through WECo by way of a technical information agreement.

The Technical Relations Division often is also concerned with the release of sensitive technical information. Questions of business information generally do not require patent attorney approval.

Technical information may, of course, be conveyed to others orally as well as in writing. Oral disclosures often present a continuing and vexing problem. Oral release of private information to outsiders should be made only when there is an adequate return, direct or indirect, to the Bell System.

Public release of BTL information is covered in the G.E.I., especially 2.1 (General Release), 2.8 (Foreign Recipients), 3.1 (Patent Relations, and 13.9-3 (Technical Memoranda). See P.I. 1.6, and Appendix.

Limited Release of Information is treated in G.E.I. 2.2. Note, also, that a variety of restrictive notices are collected in Patent Job 92,718 (Release to Operating Companies).

Release of Computer Programs are specifically discussed in P.I. 9.5.

Attached
Brochure

PROPRIETARY INFORMATION AT BELL LABORATORIES

Bell Laboratories believes that broad dissemination of technical information is essential for the advancement of science and engineering and for its beneficial use by society. Therefore, Bell Labs encourages early publication of new scientific and engineering information. Such information is also made available to other organizations through liberal patent licensing agreements and information exchanges.

At the same time, certain kinds of proprietary information must sometimes be held within the company for a while, because its disclosure might give undue advantage to Bell System competitors in the communciations business.

Information is proprietary when it has been discovered or developed within Bell Labs and has not been put into the public domain by publication or other disclosure. It includes:

Scientific/Engineering Information, e.g., new research findings, materials, processes, designs of apparatus and equipment, and computer programs.

Technical Management Information, e.g., proposals and schedules for the development of new components or systems, performance objectives and criteria, and analyses of new areas for exploratory development.

Business Information, e.g., financial or personnel data, construction plans, and marketing strategies.

Much of the proprietary information of Bell Labs has been acquired at considerable effort and expense. Employees have easy access to much of it. They are expected to make prudent decisions about whether circumstances permit it to be disclosed.

How can employees recognize whether information is proprietary?

To begin with, new technical information generated on the job is proprietary and remains so until it has been formally released. Thus, much of what an employee sees and hears in the course of his work is probably proprietary.

Some proprietary information is in document form, e.g., technical memoranda, project reports, Bell System practices and drawings. All these documents should be considered proprietary whether or not they are labeled "proprietary," "restricted," or "not for publication," unless the user knows that the material has been released for disclosure to outsiders. Unmarked documents will usually have clues in their contents as to whether they should be treated as proprietary.

Computer programs and software information are valuable company property. Some are protected by patent or copyright. Even when released for use by associated Bell System companies, disclosure of such information to outsiders may be restricted.

The releasability of proprietary information is a common sense judgment. It involves considerations made by AT&T, Western Electric, and Bell Labs, and is based mainly on the Bell System's competitive position in a field.

(over)

Procedures for obtaining approval for release are described in General Executive Instructions. Obviously, once such approval has been obtained, and information is disclosed in a publication or talk, that specific body of information is no longer proprietary.

However, questions may arise about closely related information not part of the originally approved disclosure. Similarly, questions may arise about technical management and business information. For these situations employees are expected to use prudent judgment and to consult supervision. Additional guidance can be obtained from the Patent Division and Technical Relations Division.

In addition to guarding its own proprietary information, Bell Labs respects the property of other organizations. Information known to be the private property of another organization should not be incorporated in BTL work or divulged to associates without permission from the owner.

In summary – unrestricted dissemination of information to the scientific and technical communities must be balanced against premature disclosures of valuable proprietary information to competitors. Every employee is expected to help protect proprietary information and to meet this obligation both during and after his employment at Bell Labs.

Bell Laboratories

March, 1972

9.2 Release of Proprietary Information to Operating Companies

In those instances in which BTL assists or cooperates with operating telephone companies (OTCs) or Long Lines in development work partially or entirely funded by one or more OTCs, and in which BTL proprietary information, such as hardware or software designs or documentations is to be provided to an OTC, the OTC must be made aware of its obligations concerning the proprietary information received from BTL. This is particularly important since legal rights in inventions and designs, either hard- or software, which evolve from a development project funded by an OTC may differ from the legal rights which evolve from projects funded entirely by WECo or AT&T.

For guidance in handling problems which involve the release of proprietary information to operating companies in the course of a development project, see "Documentation Guidelines for Minicomputer Applications in Standard Systems", especially Section 4 (copy in Patent Library). These guidelines state, inter alia, that "Bell Laboratories technical people cannot participate in operating company projects involving outside suppliers unless acceptable written agreements exist between the supplier and the operating company...". Appropriate contract language was provided to all operating companies in the letter dated Februrary 26, 1973, from Mr. P. M. Enlow, addressed to all General Counsel of Bell System companies (copy attached).

Attached
Ltr dtd 2-26-73

February 26, 1973

TO ALL GENERAL COUNSEL:

The importance of protecting our proprietary information was reviewed at our last Bell System Legal Conference.

With the increased activity of the Operating Companies dealing with outside manufacturers, suppliers and consultants, it is essential that your operating people be aware of the need to protect our proprietary information and obtain the necessary rights for the Company and the System. This letter recommends contract provisions for use in such dealings.

In order that Company and System rights in inventions and proprietary information be preserved, it is essential that contemplated arrangements with outsiders involving development work to be performed or the disclosure of proprietary information be brought to your attention for inclusion of appropriate recommended clauses.

With respect to the general area of acquiring items of outside manufacture, you should review with your people the May 9, 1957 Mapes-Huntley letter to all Chief Engineers and the memorandum attached to it. Also, in cases where an invention of an employee of your Company may be involved, see Mr. H. B. Whitfield's April 23, 1957 letter to all General Counsel.

When dealing with others for hardware or software products or services, we want to be sure of three main items:

(1) that we have the full right to use what we pay for,

(2) that we do not lose rights in our proprietary information, and

(3) that we do not accept any unnecessary obligation with respect to proprietary information of others.

In the following clauses, the term "TELCO" is used to refer to the Operating Company and its representatives, including Bell Telephone Laboratories where Laboratories people are participating with your people, and the term "Contractor" is used to refer to the outside manufacturer, supplier, consultant, developer, vendor or other.

1. Infringement Indemnification

In all significant cases involving acquiring products or services from others, you should provide for infringement indemnification by including a clause as follows in the agreement, contract or order:

"Infringement of Patents, Trademarks or Copyrights

Contractor shall indemnify TELCO [American Telephone and Telegraph Company ("AT&T"), the Companies of the Bell System and their respective subsidiaries, severally,] for any loss, damage, expense or liability that may result by reason of any infringement, or claim of infringement, of any United States patent, trademark or copyright based on the normal use or installation of any materials, equipments, programs or services furnished to TELCO hereunder, except such infringement or claim arising solely from Contractor's adherence to TELCO's written instructions or directions which do not involve either Contractor's commercial merchandise or items of Contractor's origin, design or selection; TELCO shall indemnify Contractor in such excepted case. Each party shall defend or settle, at its own expense, any action for which it is responsible hereunder. Each party shall notify the other promptly of any claim of infringement for which the other is responsible and shall cooperate with the other in every reasonable way to facilitate the defense of any such claim."

(Note: If the Contractor is reluctant to extend the indemnification to others than TELCO, the words in brackets may be deleted.)

2. Non-Disclosure

If any proprietary information of a Bell System company or of a third party is to be provided to others for use either in contemplation of or in actual performance of work for you, a written agreement should be reached with the Contractor with respect to his use of such information.

A non-disclosure agreement should be executed by potential contractors prior to disclosure of proprietary information. Such agreement should identify the Bell System companies involved (i.e., TELCO and, where appropriate, Bell Labs, AT&T, etc.), a statement of the work contemplated and the purpose of the disclosure (i.e., "request for proposal", "feasibility study", "informal discussions", etc.).

The following clause is recommended for use in such non-disclosure agreements as well as in the agreement with the Contractor for performance of the work:

"Use of Information

Any specifications, drawings, sketches, models, samples, data, computer programs or documentation or other technical or business information ("information") furnished or disclosed to the Contractor hereunder shall be deemed the property of and, when in tangible form, shall be returned to TELCO upon request. Unless such information was previously known to the Contractor free of any obligation to keep it confidential, or has been or is subsequently made public by TELCO or a third party, it shall be held in confidence by the Contractor, shall be used only for the purposes hereunder, and may be used for other purposes only upon such terms and conditions as may be mutually agreed upon in writing."

3. Proprietary Information of Others

Disclosure of proprietary information of others to your people should be avoided.

In those exceptional cases where such disclosure is absolutely necessary, and the Contractor insists on an obligation on your part with respect to his information, such obligation should be limited to an undertaking by your identified employees to whom disclosure is to be made agreeing to treat such information as they treat TELCO's proprietary information. Further, the Contractor's information should be clearly indentified in writing, the obligation should be limited to a short period of time (preferably not to exceed one or two years) and the obligation should not apply to any such information which (i) is or becomes generally available, or (ii) is or becomes known to TELCO or another Bell System company without restrictions, or (iii) is independently developed by TELCO or another Bell System company, or (iv) is disclosed without restriction by the Contractor or a third party.

4. Rights in Contractor's Work

If the Contractor is going to do design or development work in connection with his performance under the agreement, you should have provisions in the agreement relating to rights in inventions and information developed in the course of the work, as follows:

"Rights in Inventions and Information

1. Patents and Inventions. Contractor grants and agrees to grant to TELCO and to American Telephone and Telegraph Company (AT&T), severally,

unrestricted, non-exclusive, royalty-free licenses for all purposes under all inventions, and all patents issued thereon, made, conceived or first reduced to practice by employees, agents or representatives of Contractor, in contemplation of, or in the course of, or as a result of, work done hereunder. The licenses so granted to TELCO and to AT&T shall continue for the lives of such patents and shall include the right within the scope thereof to grant sublicenses to their subsidiaries and, in the case of AT&T, to the companies of the Bell System and their respective subsidiaries.

A "subsidiary" is a company, the majority of whose stock entitled to vote for the election of directors is now or hereafter controlled by the parent company either directly or indirectly, but any such company shall be deemed to be a subsidiary only so long as such control exists.

2. Joint Inventions. Inventions made in contemplation of or in the course of work done hereunder jointly by TELCO and/or other Bell System company personnel and Contractor's personnel shall be owned jointly by TELCO and/or such other Bell System company, as its interest may appear, and Contractor in undivided equal shares. Each joint owner shall (i) have the right to use, license or dispose of its interest independently of, and without accounting to, the other, (ii) upon request, execute such documents to effectuate these rights in any jurisdiction in which such execution shall be required, and (iii) consult as to which shall file patent applications covering such jointly owned inventions, if the need arises.

3. Information. All information including, but not limited to, data, technical information, specifications, drawings, records, and computer programs and documentation, originated or prepared by or for the Contractor in contemplation of, or in the course of, or as a result of, work done hereunder, shall be promptly furnished to TELCO. All such information shall be the exclusive property of TELCO including title to copyright in all copyrightable material. If such information includes materials previously copyrighted by Contractor and not originally prepared hereunder,

Contractor grants and agrees to grant to TELCO and to AT&T, severally, an unrestricted, royalty-free license to copy such materials with the right to sublicense its subsidiaries and, in the case of AT&T, the companies of the Bell System and their respective subsidiaries.

(Note: If the Contractor is reluctant to convey title to the information, or if your Company's contribution to the development expense is less than the total, you may be willing to accept in place of the last two sentences which provide for exclusive title in TELCO, the following sentence which grants TELCO an unrestricted right with respect to the information:

"TELCO and AT&T, severally, shall have unrestricted, non-exclusive, royalty-free rights for all purposes to reproduce, use, have used, modify, license, sell and disclose, in whole or in part, such information, with the right to sublicense its subsidiaries and, in the case of AT&T, the companies of the Bell System and their respective subsidiaries.")

4. Acquisition. In its arrangements with its employees, agents and representatives, Contractor will insure that TELCO and AT&T shall receive the licenses and rights provided for under this agreement."

5. Publicity

To avoid undesirable apparent endorsements by Bell System companies of the results of the Contractor's performance, or of the Contractor itself, or any indication that such results constitute a Bell System standard, we further recommend that the following clause be included in the agreement:

"Publicity. The Contractor shall not advertise, market or otherwise make known to others any information relating to the work performed under this agreement, including mentioning or implying the name of TELCO, other companies of the Bell System or the Bell System, or any of their personnel, without prior written consent of TELCO."

We understand that it may not be feasible to include all of the above clauses in their recommended form in all of your contracts. Where this is so, we would like to have the opportunity of discussing alternative clauses with you before you enter into a different contract.

Paul M. Enlow
General Patent Attorney

9.3 Employee Agreements with Respect to Proprietary Information of Other Companies

BTL employees have frequent technical discussions with representatives of other companies. In some instances, the outside company may request a BTL employee to sign a confidential disclosure agreement before any discussion can take place. These agreements may take various forms but all are intended to bind the BTL employee, or BTL generally, to treat any information received as confidential and proprietary. BTL employees have accordingly been instructed not to sign any such agreement without prior consultation with the Patent Division and, in some instances, consultation with the Purchasing Division.

Even if a BTL employee is already at the office of another company when the question of such an agreement is first raised, the employee should not sign without discussing the matter with a BTL patent attorney. Often, it is possible to resolve such a problem by a series of telephone calls between the BTL attorney and a representative, often a patent attorney, of the other company.

If presented with a request by a BTL employee for guidance with regard to a confidential information agreement proposed by an outside company, every effort should be made to convince representatives of the other company that such an agreement is not necessary. Often, outside companies are willing to rely on our good faith to respect their disclosures to us.

If we have broad cross licenses with the company, no such agreement should be necessary. If they are insistent, however, it is often helpful to discuss the matter with a patent attorney or other representative of the outside company. If absolutely necessary a simple form of agreement may be approved, e.g., one that:

(1) binds only the employee and not BTL,

(2) is restricted to specifically identified subject matter disclosed in written (or other graphic) form,

(3) is strictly limited in duration, and

(4) preserves BTL's rights in independently developed and non-confidential subject matter.

Prior agreements and clauses may be found in Job 93,706. Any new agreements should also be filed in that job.

9.4 Other Employee Agreements

An attorney may be asked by an employee-client for advice with respect to various other agreements that he is asked to sign. In addition to the confidential disclosure agreements discussed in P.I. 9.1, such other agreements may include those

1) with a book publisher concerning a book written under the jurisdiction of the BTL Book Review Board,

2) granting release for use of the name, picture, voice or writings in media other than books, such as television tapes of lectures, brochures, recordings and the like,

3) covering professional society committee participation involving original work,

4) covering collaborative efforts with university or other non-Bell System researchers (contact with Purchasing Division advisable), or

5) waivers or assignments of patent and other rights for GSP or other university research/ study programs - see Job 85,808.

Book publishing matters are administered in accordance with G.E.I. 2.1-1 and 4.7. Records of publishing contracts are maintained in Jobs 93,801 and 92,190. The Secretary of the Book Review Board should be notified of any employee proposal for the publication of a book brought to the attorney's attention, e.g., directly or by way of a request for release of a publication.

Records of media releases are maintained in Job 96,365. Executed media releases are filed in the corporate files maintained by the Legal Division.

9.5 Release of Computer Programs

Under prepration. Will be supplied separately for insertion here.

G.E.I. 13.9-7 from Tab 10 of the Attorney Orientation Manual should be filed here.

Attached
Pt. 550

P.I. 9.5 Attachment

LIMITED PATENT RELEASE
UNPROTECTED COMPUTER PROGRAM MATERIALS
(FILE RECORD)

JOB NO. 91,301

PROGRAM CALL LETTERS	MM-
TITLE	DATE
AUTHOR(S)	
BRIEF DESCRIPTION	
DATE REQUEST RECEIVED	TO BE RELEASED TO:
TECHNICAL DIRECTOR	
RELEASE REQUESTED BY	

DECISION

☐ RELEASE APPROVED, SUBJECT TO THE USE OF THE FOLLOWING LEGEND:
"PROPERTY OF BELL TELEPHONE LABORATORIES. NOT TO BE PUBLISHED OR RELEASED WITHOUT WRITTEN PERMISSION OF BELL TELEPHONE LABORATORIES."

☐ RELEASE DENIED

☐ OTHER

COMMENTS

SIGNED DATE

PT. 550 5-69

9.5-1 Treatment of Proprietary Software of Others

Bell Laboratories is increasingly utilizing proprietary software (sometimes known as Program Products) from vendors and/or suppliers outside the Bell System. These materials are used both as component parts of systems developed for operating company use and for internal purposes.

While most non-BTL proprietary programs are Program Products in the usual sense of lease, rental or purchase, some are received by other than the usual purchase procedures.

Programs under evaluation, programs received in exchange for BTL generated software (or received as a part of a general information exchange), may be subject to the same or stricter limitations than those commercially obtained. Moreover, the license agreements customarily restrict the use of software and prohibit disclosure of proprietary information without the supplier's approval.

Obviously, when BTL is in possession of proprietary software belonging to a third party, it is incumbent upon us to exert appropriate care in handling it to avoid jeopardizing the proprietary rights of the third party owner. Just as careless handling or inadvertent disclosure of our own proprietary software may result in the loss of our own proprietary rights and competitive advantage, careless handling of third party software may have a similar effect on the rights of a software owner and, in addition, may place serious obligations on BTL.

Guidelines have been issued to technical departments likely to be the recipients of third party software and to the Purchasing Division to make them aware of the sensitivity of such material. See Job 99,242 for examples of such instructions.

The Patent Attorney Consultant, in advising clients regarding the appropriate handling of third party software, should attempt to have the technical organization establish a single point of responsibility within the technical organization to assure that the degree of care used in safeguarding third party information is in accordance with the degree of care required by the contract under which the information was received.

9.6 Use of Restrictive Notices on BTL Documents

Bell System documents may be released to outsiders other than by way of a publication. Such releases are governed by G.E.I. 2.2.

If a document containing proprietary information is to be provided to an outsider, it must be treated carefully. If the document is to be supplied to an employee of another Bell System company, notices should be used to assure that the documents will be made known only to those "having a need to know". An Engineering Standards Newsletter dated June 1972, (copy attached), discusses such releases and suggests a suitable restrictive notice.

Release to non-Bell System personnel, assuming appropriate approvals have been granted, should similarly bear a restrictive notice. Suitable notices for a variety of situations are filed in Job 92,718.

See also P.I. 9.5-1.

Attached
Engineering Standards Newsletter



ENGINEERING STANDARDS NEWSLETTER

June, 1972

TRANSMITTING PROPRIETARY INFORMATION TO OTHER BELL SYSTEM COMPANIES

Where proprietary information is of potential value to others outside the Bell System, it should be protected against indiscriminate disclosure, even when sent to other Bell System companies, including AT&T and Western, by assuring that documents containing such proprietary information be made available only to those having a "need to know" and, when transmitted to other Bell System companies, be marked with the notice set forth below.

DOCUMENTS INVOLVED

Proprietary information is any information in the possession of Bell Laboratories which is not public knowledge. If such information is of potential value to others outside the Bell System, care must be exercised in selecting those to whom such protected proprietary information is made available.

Information relating to programs for stored program control systems and information concerning current development efforts are examples of proprietary technical information which should be protected when transmitted to other Bell System companies.

Naturally, it is the content of the document and not its name or form that determines both the proprietary status of the document and whether it requires the procedures set forth herein in order to maintain our property rights in the information.

Technical Memoranda (MMs) should be handled in accordance with the explicit instructions prescribed in G.E.I. 13.9-3 and the requirements of 1, 2, and 3 specified below.

Where already established routines provide sufficient precautions, the routines specified below need not be applied. Examples of the foregoing are Program Documents (PRs, PKs, etc.) and information transmitted by Bell Laboratories Design Information (LDIs) or by Engineering Change Notices (ECNs), such as SDs and CDs.

RULES OF ACTION

(1) Establish the "need to know." The individual authorized to approve the transmittal of the document to another Bell System Company should ascertain that the proposed recipient has a valid interest in the information for job performance purposes. Do not distribute such information to persons not having a "need to know."

(2) If there is a "need to know," a notice indicating the proprietary nature of the information should be entered in a conspicuous location on both the first and last pages of each copy transmitted. This notice, which can be applied with a stamp, should be worded as follows:

> THIS DOCUMENT CONTAINS PROPRIETARY INFORMATION OF BELL TELEPHONE LABORATORIES AND IS NOT TO BE DISCLOSED, REPRODUCED OR PUBLISHED WITHOUT BELL LABORATORIES APPROVAL.

(3) Provide a letter of transmittal addressed to each non-BTL recipient. This letter should list the transmitted documents and include a precautionary statement about the proprietary nature of the transmitted information. See sample Attachment A.

(4) Documents written specifically for use by WE or AT&T (e.g. development letters and prospectuses) should also bear the notice given in (2) above or a similar statement. This fact should also be referred to in any covering letter which should include the substance of Attachment A.

ANY QUESTIONS

The appropriate patent attorney who is consultant for each technical area should be consulted where there may be doubt as to the need to protect any particular proprietary subject matter when transmitted to another Bell System Company.

DOCUMENTS RELEASED OUTSIDE OF BELL SYSTEM

It is to be emphasized that the above requirements apply only to the transmittal of information to other Bell System companies. Documents containing proprietary information are not released outside the Bell System without explicit agreements and compliance with the provisions of G.E.I. 2.2 and 13.9-3.

D. R. BURKE
Head
Standards and Materials
Engineering Department

HO-8251-WLD-cak

Att.
Attachment A

Distribution: Vice Presidents
Executive Directors
Directors
Department Heads
Supervisors

Subject:

Attachment A



Bell Laboratories

Holmdel, New Jersey 07733
Phone (201) 949-3000

Date:

Addressee Information

Enclosed herewith is technical material prepared primarily for use within Bell Telephone Laboratories, Incorporated. The content of this material is proprietary. It should not be disclosed or distributed by you to other employees of Bell System companies except to those having a "need to know." Its disclosure to other than employees of Bell System companies in any form, written or oral, without the written permission of Bell Telephone Laboratories, Incorporated, is prohibited.

(signature)
Title
Laboratory, Center,
Department, etc.

HO-1234-ABC-XYZ

Att.

9.6-1 Application of Copyright or Other Restrictive Notice on BSPs

Bell System Practices (BSPs) are documents describing the operation of Bell System equipment. Most BSPs are prepared by the Western Technical Publications Organization, based on materials received from BTL. Before a BSP is issued, it is reviewed by the responsible technical department.

A BSP, when issued, may

1) have a trade secret restrictive notice,
2) have a restricted use notice, or
3) bear a copyright notice.

This will be indicated by the technical department at the time of approval (see EMB 49, paragraph 5.02). The Patent Division is responsible for advising the technical staff concerning these notices.

The trade secret notice should be utilized whenever the BSP contains information corresponding to information contained in program documents (PDs, PFs, PRs, etc.) of a Western supplied Stored Program Control Specification (SPCS) classified system, such as the No. 1 ESS. A suitable trade secret notice is worded as follows:

> "The contents of this material is proprietary and constitutes a trade secret. It is furnished pursuant to a written agreement or instructions limiting the extent of the disclosure. Its further disclosure in any form without the written permission of its owner, Western Electric Company, Incorporated, is prohibited."

If a trade secret notice is used, a copyright notice should not be used.

The restricted use notice should be used on the BSP if

1) development activities are not complete,

2) right-to-use approval has been requested of the Patent Division but not obtained, or

3) patent applications directed to the material described in the BSP may still be filed.

A suitable restricted use notice is set forth in EMB 31, paragraph 3.05 as follows:

> "This material is prepared for Bell System purposes and is for the use of Bell System personnel only. Its distribution is in no sense a publication. Neither the material nor any portion thereof is to be reproduced in any form by others without the written permission of the owner, American Telephone & Telegraph Company."

If a restrictive use notice is used, a copyright notice should not be used.

A copyright notice may be applied in other situations. However, a copyright notice should not be applied to a BSP which was priorly issued with a restrictive use or trade secret notice until a decision has been made to reissue the BSP without a restrictive use notice or trade secret notice.

If a technical department questions the manner of use of these notices, BSP 000-010-021, entitled "SPCS Documents - Safeguarding Trade Secret and Other Proprietary Information" may be cited.

9.7 Trademarks

The Patent Division is responsible, in accordance with G.E.I. 3.1, Section 7, for all "matters" concerning trademarks. Such matters include Patent Division review of writings to assure proper trademark usage, and processing of new names proposed by BTL personnel for commercial apparatus, systems and services.

Distinctive terms used as Bell System trademarks and service marks are valuable property rights and must be supported and maintained by proper usage in all Bell System documents, including patents and publications, as well as in writings of others. Our technical staff is advised of the role of trademarks and service marks and in their proper use by way of Engineering Methods Bulletin (EMB) 43 (copy attached). The rules and commentary set forth in EMB 43 may be used as a guide for determining the correct use of trademarks and service marks.

Terms known to be marks of others should also be used correctly in all writings. Significant misuses of Bell System marks by others should be brought to the attention of AT&T or Western as the case may be.

The naming of customer service offerings, including services and physical components visible to and used by customers, is the responsibility of AT&T Names Committee, and the naming of products and systems not readily visible to the public, e.g., E-6 repeater, ESS, TSPS, PIC cable, etc., is the

responsibility of the WECo Names and Trademark Committee. Members of the patent staff shall assist and advise in the forwarding of suggested new names for such services and products to the appropriate Names Committee for approval.

Attached
EMB 43

Ann
Please update my
PI's

October 8, 1974

Trademark Bulletin 101
(Reference CI 79.220)

TO: ALL PATENT ATTORNEYS

ALL HOLDERS OF MANUAL

AT&T has obtained registration in the U. S. Patent Office for its trademark "Touch-a-matic" for repertory dialers.

This change should be recorded on page 10 of your copy of the Bell System Trademark & Service Mark Manual (Second Edition-August 1973 is the latest edition), see Appendix A of CI 79.220.

Effective immediately, use of this mark should be consistent with instructions for treatment of registered trademarks as described in the Manual.

Also, please alert your associates and others who ought to know of this change.

RMcB
ROE D. McBURNETT

Copy to:
P. M. Enlow - AT&T, 195 Bway.
S. E. Hollander
N. A. Horner - 195 Bway.
W. L. Keefauver - BTL, Murray Hill
H. J. Winegar

Called for new issue of E.M. Bulletin 43 - Copy should be released in a few weeks - 2-19-75

apl
attached - dtd Jan. - 1975

Trade Mark BULLETIN

(Reference CI 79.220)

TO: ALL PATENT ATTORNEYS

JAN 1 0 1975

ALL HOLDERS OF MANUAL

Paragraph 4.1, and pages 10 and 11 of Appendix A, of CI 79.220 refer to frequently used trademarks of the Bell System but do not provide a complete list of such marks.

A more complete list is shown on page 2 of this Bulletin. It should be noted that the following four marks have been added by AT&T to the list since it was compiled in 1972:

Com Key* telephone station instrument
Transaction* telephone
Design Line* telephone
Dimension* PBX

*Trademark of the American Telephone and Telegraph Company

Use of each of these marks should be consistent with instructions for treatment of unregistered trademarks as described in AT&T's "Bell System Trademark and Service Mark Manual". (see Appendix A of CI 79.220).

The Names Committee of AT&T and the Western Electric Names and Trademark Committee are considering additions to this list.

Future issues of the Trademark Bulletin will keep you advised of newly adopted marks and other trademark matters.

ROE D. McBURNETT

Copy to:
P. M. Enlow - AT&T, 195 Bway.
S. E. Hollander
N. A. Horner - 195 Bway.
W. L. Keefauver - BTL, Murray Hill
V. P. Triolo - AT&T, 195 Bway.
H. J. Winegar

(see attached distribution list)

BELL SYSTEM TRADEMARKS AND SERVICE MARKS

Bell System Symbol for communication services ®
Bell System Symbol for directories and booklets
BELLBOY® for radio paging sets
BELL CHIME for signaling devices
BELLFAST® for telecommunication services
*BLUE BELL® for batteries
CALL-A-MATIC® for telephones
THE CALL DIRECTOR® for telephones
CODE-COM for signaling devices
CONTROLMATIC for 35-type teleprinter (AT&T)
#Cursor symbol for record display and communication equipment
DATA-PHONE® for telecommunication services
DATASPEED® for teleprinters
#INKTRONIC® for ink jet printers
#MACHINES THAT MAKE DATA MOVE (slogan)
%NHE® for copper ingots and wire
PICTUREPHONE® for visual communication services
PRINCESS® for telephones
SPOKESMAN® for loudspeakers
#STUNTRONIC for teleprinter accessories
#T symbol for record communication equipment ®
#TELESPEED for data communications equipment
#TELETYPE® for record communications equipment; e.g., teleprinters
#TELETYPE NEWS® for a periodical
TOUCH-A-MATIC for pushbutton repertory dialers
TOUCH-TONE® for pushbutton signaling service
TRIMLINE® for telephones
*WE for small parts for communications equipment
*WE® for a periodical
*WECO for small parts for communications equipment
*WESTERN ELECTRIC® for communications equipment
*WESTERN ELECTRIC NEWS® for a periodical

Marks are owned by AT&T except as indicated.
* Mark owned by Western Electric
# Mark owned by Teletype
% Mark owned by Nassau Smelting and Refining

Trademark Bulletin

Memorandum to:

D. P. Bush
E. D. Dreyfus
H. J. Walsh
S. I. Rosen
B. Belkin
R. C. Camp
L. Eason
S. Gundersen
R. F. Kip, Jr.
J. P. McDonnell
D. L. Padilla
A. S. Rosen
R. Spencer
O. E. Alber
M. J. Cohen
E. C. Gutscher
S. Helfgott
J. Hirschel - AT&T
D. P. Kelley
L. T. Stark
E. Weiss
R. C. Winter
M. de Picciotto
S. J. Phillips
J. Cabarrocas - AT&T, 123 William St.
W. M. Kain
J. Schuman - E.R.C. (Princeton)
J. B. Hoofnagle, Jr. - Arlington
R. P. Miller - Hawthorne
A. C. Schwarz, Jr. - Atlanta
R. Y. Peters - Allentown
J. L. Stavert - E.R.C.(Princeton)
D. J. Kirk - Arlington
K. R. Bergum - Hawthorne
D. D. Bosben - "
R. A. Lloyd - "
E. W. Somers - Atlanta
G. W. Houseweart - Allentown
W. O. Schellin - Allentown
K. D. Baugh - Arlington
G. D. Green - E.R.C. (Princeton)
E. W. Pfeifle- " "
J. Rosenstock- " "
B. T. Sporn
J. J. Jordan
J. J. Kissane

BELL TELEPHONE LABORATORIES
INCORPORATED

Engineering Methods
Bulletin 43
January, 1975

NOTE:—THIS INFORMATION IS ISSUED FOR USE OF EMPLOYEES OF BELL TELEPHONE LABORATORIES, INCORPORATED AND IS NOT FOR PUBLICATION.

TRADEMARKS AND SERVICE MARKS AS USED BY THE BELL SYSTEM

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2. PURPOSE

2.01 This bulletin contains information concerning Bell System trademarks and service marks and describes the precise manner in which they should be used.

3. GENERAL

3.01 The Bell System is actively engaged in the adoption and promotion of distinctive terms as trademarks and service marks for its new products and services. These marks are valuable property rights and must be supported and maintained in all Bell System documents and publications.

3.02 A trademark, or simply a "mark," is a commercial signature that designates a product, a service, or a business. It is common practice to divide marks into trademarks, service marks, and trade names. In its narrower sense, a trademark is any name or mark used by an enterprise to identify its goods and distinguish them from the goods of others, eg, a PRINCESS® telephone. A service mark is, in essence, the same as a trademark except that it identifies a service, eg, TOUCH-TONE® calling. A tradename identifies a business, eg, Bell Laboratories. An established trademark is associated with the product it identifies, carries the reputation and good will associated with the product or producer, has the power to affect company decisions, and is accepted by the public. Because marks indicate the origin or source, they enable members of the

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public to select the particular product or service that experience has shown to be satisfactory.

Trademarks are acquired by adoption and exclusive use in commerce. Once established by use, they may be registered with either the State or Federal government, or both. Registration is not, however, essential to trademark protection, although it helps enforce the exclusiveness of a mark. Correct usage is more important than registration.

Adoption of a mark, either with or without registration, gives no perpetual right to the protection of that mark. The right will be lost if the use is discontinued or if the mark ceases to serve the function of distinguishing the owner's products, services, or business. Aspirin, for example, became a common name and lost its trademark status. Loss of distinctiveness will occur if the owner fails to use the mark properly or lets others misuse it. To be of value, therefore, the mark should be treated in such a way as to maintain its exclusive and distinctive nature by proper use in advertising and in trade, technical, and other journals.

3.03 Distinction is achieved by the adoption of a mark that is not merely descriptive of the goods or services. Because many factors are involved, a new mark is adopted only after tri-company consideration and approval by the Western Electric Company Names and Trademark Committee or the AT&T Names Committee.

3.04 To avoid confusion and possible weakening of our trademark position, new terms coined at BTL should be brought promptly to the attention of the Patent Division. New terms should be employed in a trademark sense only after official adoption. All questions regarding trade and service marks and their usage should be directed to the Patent Division.

3.05 Distinctiveness is established and maintained primarily by following three basic rules:

(1) Always use a mark as an adjective together with a common name.

A mark is a brand name and should precede a common name of the product or service. Its purpose is to modify the common name; that is, it tells the reader that the mark identifies a product or service of one particular origin. As a general rule, therefore, a mark should always be used as an adjective.

EXAMPLE

PRINCESS telephone

(mark) (common name)

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EXAMPLE

DATA-PHONE (mark) data communication service (common name)

A mark should never be used as a noun, a verb, a possessive, or in the plural.

Not as a Noun

Wrong: Put the PRINCESS beside the chair.
Right: Put the PRINCESS phone beside the chair.

Not as a Verb

Wrong: Try DATA-PHONING your statistical information.
Right: Try transmitting your statistical information by DATA-PHONE data communication service.

Not in the Possessive

Wrong: The BELLBOY'S compact design is attractive.
Right: The BELLBOY personal signaling set is attractively designed.

Not in the Plural

Wrong: The order was for three CALL DIRECTORS.
Right: The order was for three CALL DIRECTOR telephones.

As a rule, a mark should never stand by itself. However, it may be displayed by itself as a headline on a brochure, booklet, exhibit display, or in advertising, provided it appears in distinctive, stylized lettering and is staged correctly.

(2) Always make the mark typographically distinctive.

There are many ways to make the mark distinctive both in headlines and in text. In appropriate cases, an approved logotype may be used. Art forms are shown in the Bell System Trademark and Service Mark Manual. (Copies may be obtained from the Information and Publication Division and from the Patent Division.)

Alternatively, a mark may be shown in the same type as the rest of the copy, but made distinctive by showing it in a second color or in a lighter tone of gray. It may also be made distinctive by capitalizing or using initial caps, by setting it out in boldface, by enclosing it in quotation marks, or by italicizing. Because the basic rule is to make sure that the mark is treated differently from its

common name and adjoining text, any of the preceding methods may be used. However, for use in BTL documents, including typewritten material such as letters, articles, press releases, and management bulletins, the preferred method is to show the mark in full regular caps when it is used in running text and to enclose it in quotation marks when it is used in titles using full caps.

(3) Always show the reader if the mark is registered.

The simplest way to indicate that a trademark has been registered is by the use of the letter R in a circle placed on the shoulder or adjacent to the last letter of a registered mark:

PRINCESS® phone

Alternatively, the legend "Registered U. S. Patent Office" (or abbreviated as "Reg. U. S. Pat. Off.") may be shown as an asterisked footnote:

PRINCESS* telephone
*Registered U. S. Patent Office
(or *Reg. U.S. Pat. Off.)

As yet another alternative, the legend "registered trademark" or "service mark" may be used as an asterisked footnote in material that does not use the marks of other companies:

PRINCESS* telephone
*Registered trademark

DATA-PHONE* data service
*Registered service mark

When our marks are used in material that contains the marks of other companies as well, the legend to be used as an asterisked footnote should identify the corporate owner of the mark:

PRINCESS* telephone
*Registered trademark of AT&T Co.

Two marks should not be used adjacent to each other. However, "TOUCH-TONE® PRINCESS®" may be treated as an exception. In this case, it is important that a registration symbol appear with each mark. A preferred treatment would be

"PRINCESS® phone with TOUCH-TONE® calling."

One form of registration notice should be used at least once in every specification, memorandum, publication, etc.

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The notice need not be repeated for each occurrence of the mark. When a registered trademark or service mark appears in the title box of a drawing (such as an SD or L drawing) as part of the title, the rules covered in (1) and (2) should be followed, but the registration notice need not be shown.

Unregistered Marks

A registration notice should not be used for unregistered marks. Where possible, however, the legend "trademark" (or "service mark") should be used. This legend may appear as an asterisked footnote when used in material in which the marks of other companies do not appear:

BELL CHIME* ringer
*Trademark

When an unregistered mark is used in material that contains the trademarks of other companies as well, the legend to be used as an asterisked footnote should identify the corporate owner of the mark:

BELL CHIME* ringer
*Trademark of AT&T Co.

If an asterisked footnote is difficult to use, the letters TM may be placed on the shoulder or adjacent to the last letter of the mark.

Also, all marks may precede general names such as unit, device, machine, equipment, service, and set, when other names are unwieldy. These may even be used in a headline. But, always use the common name somewhere prominently in the text.

4. LIST OF ACTIVE TRADEMARKS AND SERVICE MARKS

4.01 Listed below are the most commonly encountered registered trademarks of the Bell System (AT&T unless otherwise noted), together with their common names:

Registered Trademarks of AT&T	Common Name
BELLBOY®	pocket signaling set ringer signal receiver
CALL-A-MATIC®	magnetic tape dialer telephone phone

THE CALL DIRECTOR®	telephone phone office phone
DATASPEED®	sender receiver transmitter tape punch cabinet
INKTRONIC® (Teletype Corp.)	teleprinter terminal
PRINCESS®	telephone phone extension phone bedroom phone compact phone
SPOKESMAN®	loudspeaker
TELETYPE® (Teletype Corp.)	teletypewriter
TOUCH-A-MATIC®	telephone phone
TRIMLINE®	telephone

4.02 Listed below are the most commonly encountered registered service marks of AT&T, together with their common names:

Registered Service Marks of AT&T	Common Name
BELLFAST®	telecommunication service
DATA-PHONE®	data service calls
PICTUREPHONE®	calling center service/set visual telephone
TOUCH-TONE®	calling dialing telephone service phone service

4.03 Listed below are the most frequently encountered unregistered trademarks (AT&T unless otherwise noted), together with their common names:

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Unregistered Marks	Common Name
BELL CHIME	ringer signaling device bell
CLOAX (WE)	cable corrugated, laminated, coaxial cable
COM KEY	telephone station instrument key telephone system
CONTROLMATIC	teletypewriter teleprinter
DESIGN LINE	telephone
DIMENSION	PBX PBX equipment
SENTRY	booth telephone mounting
SENSI-CALL	telephone
SIGNALMAN	control relay relay switch
SLC-40 (WE)	carrier system subscriber loop carrier system
SLM (WE)	multiplex system subscriber loop multiplexer
TRANSACTION	telephone computer input device

5. COMMON NAMES NOT TRADEMARKS

5.01 Many terms are encountered that must not be confused with marks. Such terms should not be used as if they were marks. For example:

Wrong: TELPAK and DATA-PHONE service
(The common name telpak is given the same distinctive type treatment as the service mark DATA-PHONE.)

Right: Telpak and DATA-PHONE service

Names that are not marks may be used as nouns or adjectives. The following names are not marks:

airlight
air-to-ground
automatic call distributor
BIS
business interphone
card dialer
centrex
channel interface
curved-door booth
DDD
dial pak
DID
drive-up
electronic artificial larynx
ESS
ETV
farm interphone
guest-dial PBX
guest-dial phone service
handset, impaired hearing
handset, noisy location
handset, weak speech
home interphone
panel phone
PBX
phone center
school-to-home service
seeing aid system
semibooth
speakerphone
telelecture
telpak
TWX
versatile booth
universal booth
WADS
walk-up
WATS

6. MARKS OF OTHER MANUFACTURERS

6.01 The Bell System sometimes advertises and promotes the equipment of other manufacturers. Care must be given to any use of their marks because we cannot expect others to protect our marks if we do not protect their marks. Where possible, use an asterisked footnote to indicate whose mark it is. For example:

Code-a-phone* telephone answering set
*Registered trademark of Ford Industries, Inc.

Contempraphone* dial-in-hand set
*Trademark of Northern Electric Company, Ltd.

Crossreed* electronic switching system
*Registered trademark of Stromberg-Carlson.

Electronic Secretary* automatic answering and recording set
*Registered trademark of Automatic Electric Co.

Magicall* repertory dialer
*Registered trademark of DASA Corporation

Memory Phone* automatic telephone answering and recording set
*Registered trademark of Ford Industries, Inc.

Rapidial* repertory dialer
*Registered trademark of McGraw-Edison Co.

NOTE:—THIS INFORMATION IS ISSUED FOR USE OF EMPLOYEES OF BELL TELEPHONE LABORATORIES, INCORPORATED AND IS NOT FOR PUBLICATION.

Star Set* headset
*Trademark of Pacific Plantronics, Inc.

Tel-touch* telephone dialing and calling equipment
*Registered trademark at the International Telephone and Telegraph Co.

Vistaphone* sight and sound stations
*Trademark of Stromberg Carlson.

HO-8621-WLD

10.1 Access to Classified Material

Occasionally, Government classified material relating to the national defense is received in the Patent Division. Only those who have an appropriate security clearance may have access to this material.

An attorney without clearance who finds it necessary to have information with respect to classified material should contact the attorney to whom the classified material is, or was, assigned. That attorney, in turn, will either (a) answer questions without disclosing classified information, or (b) reproduce unclassified portions of the classified material necessary to satisfy the individual's request.

The Executive Assistant is responsible for obtaining clearances for members of the Patent Division. A list of those currently holding secret security clearance is attached.

Attached
List

SECURITY CLEARANCE

Members of Patent Staff

Name	Clearance
Adams E W Jr	Secret
Brendzel H T	Secret
Hirsch A E Jr	Secret
Keefauver W L	Secret - AEC
Logan H L	Secret
Murphy G E	Secret
Nimtz R O	Secret
Ryan W	Secret
Steinmetz A G	Secret

Patent Service Staff

Adamson Mrs L S	Secret
Bardes Miss A L	Secret
Barney Mrs S E	Secret
Braithwaite Miss J R	Secret
Byrne Miss J A	Secret
Cuccaro Miss D U	Secret
Dunn Mrs M B	Secret
Schramm C R	Top Secret
Ther Mrs J H	Secret

10.2 Patentability Study Jobs Under Government Contracts

Patentability study jobs, based on Government contracts, are readily identifiable by the "Keep on Top" sheets (Form Pt. 304-A) (copy attached), filed in the jobs and the red completion dates typed on attorneys' panel cards.

In general, Government contracts under which we work have a patent rights clause which permits Bell Laboratories to file patent applications on inventions conceived or first actually reduced to practice under these contracts and to take title to any subsequently issued patents. We, however, are not obligated to file patent applications nor are we obligated to perform patentability studies on such inventions. When we elect not to file a patent application, the Government has the right to file an application.

When inventions are conceived or first reduced to practice under Government contracts, we are obligated to report the inventions to the Government. The attorney should keep this in mind when closing patentability study jobs based on Government contracts. In those instances where the conclusion is to file a patent application, an indication by the attorney of the existence of a reportable invention is not necessary as the intent to file is a sufficient indication and a report will be made in a routine manner. When, however, the conclusion is not to file a patent application on an invention which may be patentable, the attorney should indicate in his Memorandum for

File or File Record of Patentability (Form Pt. 796; see P.I. 2.2) that a report must be made to the Government. Although we are not obligated to perform a patentability study, a brief study may be necessary to arrive at the last-mentioned conclusion.

If the decision is that we should not file an application but that the item should be reported to the Government,

(1) the memorandum for file closing the job should identify that portion or those portions of the technical memorandum or disclosure and/or those drawings that may be used to complete the report to the Government. Alternatively, the memorandum for file may contain a complete technical description to be used in reporting the item.

(2) The memorandum to the Technical Center or Laboratory may include the following:

"Investigation of the system proposed by Mr. indicates that the possibly novel features relate primarily to systems of interest only to the Government. For this reason and so that the Government may consider this subject matter and possibly file a patent application at the earliest opportunity, Mr. suggestion is being reported to the Government as an invention made under Contract on which we do not plan to file a patent application."

If the decision is against reporting, there is no need to make reference to this decision in the final memorandum to the Technical Center or Laboratory.

Attached
Pt. 304-A

KEEP ON TOP

GOVT. CONTRACT REPORTING REQUIREMENTS

Study Job	Eng Case	Contract No.	Contract Job No.

PATENTABILITY STUDY OF THIS JOB TO BE COMPLETED BY _____.

Inventions - Patent Rights Clause

Under the terms of this contract we are required to report to the contracting officer all inventions within months from the date of conception or first actual reduction to practice. It is required that the report include not only a disclosure of each such invention, but also a statement making an election as to whether or not we plan to file a patent application. If it is determined that a patent application is to be filed, such application must be filed within six months thereafter.

If we elect to file a patent application on the subject matter of this job and later decide against such filing, we are obligated to notify the contracting officer of our later decision within the same six month period.

If we elect not to file an application, we must notify the contracting officer as soon as practicable of the date and identity of any known or contemplated public use, sale, or publication of such invention.

See P.I. 10.2.

Contractor Files Application - Prosecution Discontinued

If an application is filed and we elect not to continue prosecution, we must inform the contracting officer not less than 60 days before expiration of the response period.

See P.I. 10.5.

Observe Regulations Governing the Transmission of Classified Documents

Patent Division
Bell Telephone Laboratories

Pt. 304-A 9-74

10.3 Reporting Inventions Under Government Contracts When Patentability Study Jobs Are Not Completed

Government contracts that contain a patent rights clause have established dates by which inventions must be reported.

On occasion the time from the receipt of a disclosure in the Patent Division to the reporting date is not sufficient to allow the completion of a patentability study. In such instances, Bell System rights and interests can be preserved by briefly describing, but not fully disclosing, the invention within the required time. Attorneys are responsible for providing this information to the Government Contract Leader.

Subsequent reports will state the conclusion reached upon completion of the study.

10.4 Right-to-Use Approval Under Government Contracts

When a Government contract relates to work of such a nature that right-to-use approval is required, project engineers are directed by Military Engineering Methods Bulletin 8 (MEMB 8)* to request such approval when work is begun. If the contract contains an Authorization and Consent clause and no Patent Indemnity clause, blanket approval without a study may be given along the following lines:

> Patent approval is hereby given for the Western Electric Company, Incorporated to make, use and sell to the United States Government all systems and equipment developed by the Bell Telephone Laboratories, Incorporated under the above-mentioned contract.

If the request for approval mentions only specific equipment for use in a contract for which blanket approval has not yet been given, the request can be interpreted as a request in accordance with MEMB 8 and blanket approval given as suggested above, prefaced by language similar to the following:

> It is understood that this equipment is intended for use only in the performance of Contract_____. Therefore, your request for right-to-use approval is assumed to be a request in accordance with MEMB 8.

If right-to-use approval is requested for apparatus, components or devices which were either developed under an annual case wholly paid for by the Government, or, which are to be made

*Attached as Appendix 10.4

available for use in the performance of contracts not specifically identified, approval may be given as follows:

> This device may be used in the performance of any Government contract under which the Western Electric Company accepts no liability for patent infringement.

Copies of all right-to-use approval memoranda relating to Government contracts should be marked for the appropriate contract job.

If a contract contains a Patent Indemnity clause, the terms of the clause should be consulted to determine the scope of any study which may be necessary before approval is given.

10.5 Abandoning Applications on Inventions Which Have Been Reported Under Government Contracts

The Contracting Officer must be notified, not less than sixty days before the expiration of a response period, of our intention to abandon a U. S. patent application relating to an invention made under a Government contract.

If it is decided to abandon such an application, the memorandum to the Patent Attorney-Director recommending such action (P.I. 1.2-2) should include the following information:

a. The fact that we are obliged to notify the Government of our intention to abandon;

b. The related Government contract number;

c. The date a response is due in the Patent Office;

d. Brief discussion as to why we intend to abandon.

There should also be prepared a Power to Inspect for the Secretary of the cognizant agency or the Secretary's duly authorized agent.

The letter to the Contracting Officer will be prepared by the Government Contract Leader in the Service Group.

In order to aid attorneys in meeting this obligation, a notice will be attached to all applications under final rejection which have no claims allowed and that pertain to inventions reported under a Government contract. As a further aid, a copy of the above-mentioned Power to Inspect is included in the Secretarial form manual.

See P.I. 5.9 for abandoning all other U.S. applications.

IN THE
UNITED STATES PATENT OFFICE

Parent Application:
Serial No.:
Filing Date:
Group Art Unit:
Examiner:
Status:

Case

THE COMMISSIONER OF PATENTS
Washington, D. C. 20231

APPLICATION UNDER RULE 60

Sir:

This is a request for filing a ☐ Continuation ☐ Divisional application under Rule 60 of the Rules of Practice of pending prior application Serial No. _____ filed on _____

of _____

_____

for _____

_____

1. ☐ Enclosed is a copy of the prior application as originally filed and a declaration verifying it as a true copy.
2. ☐ Cancel claims _____
3. ☐ The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT					
	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) BASIC FEE $65.00
	TOTAL CLAIMS	— 10 =		x $ 2.00	
	INDEPENDENT CLAIMS	— 1 =		x $10.00	
			TOTAL FILING FEE		

4. ☐ Amend the specification by inserting before the first line the sentence:-

This is a ☐ continuation, ☐ division, of application Serial No. _____, filed _____.

5. Drawings:

☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this letter is enclosed for filing in the prior application file.

☐ _____ sheets of drawing are enclosed for filing in this application.

6. ☐ The prior application is assigned to _____

_____

7. Powers of Attorney:

☐ The following powers which appear in the original papers of the prior application are still in effect:

_____

_____

_____

☐ In addition to the above, power in the prior application was subsequently granted to

_____

A copy of this power is enclosed.

☐

8. ☐ A preliminary amendment with a new set of claims is included for entry in this ☐ continuation,

☐ divisional, application under Rule 60 after the filing date has been granted.

9. Amendment Fee:

☐ No additional amendment fee is required as indicated below.

☐ An additional amendment fee is calculated as follows:

CLAIMS AS AMENDED							
	(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
	TOTAL CLAIMS	*	MINUS	**		x $2	
	INDEP. CLAIMS	*	MINUS			x $10	
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT→			

*If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.
**If the "Highest Number Previously Paid For" IN THIS SPACE is less than 10, write "10" in this space.

10. ☐ A check in the total amount of $ _____ is enclosed to cover:

_____ filing fee

_____ amendment fee

It is respectfully requested that all written communications from the Patent Office in connection with this application be addressed to R.J. Guenther, Bell Laboratories, 600 Mountain Avenue, Murray Hill, New Jersey 07974. However, telephone calls should be made to _____

_____

Respectfully,

By: _____
Attorney

Bell Telephone Laboratories, Incorporated

Date: _____

Inventor-Client Patent Issuance

DATE

The following information is forwarded to you in accordance with P. I. 5.12.

See reverse side for Foreign Filing Recommendations.

INVENTOR-CASE NO.								
PATENT NO.	ISSUE DATE	P. O. CLASS						
		APPLICATION	PATENT					
TITLE								
INVENTOR	BTL				AT&T	IH INV. BINDER	FIRST PATENT	
	EXT.	LOCATION	RETIRED *	LEFT CO. *				
ADDRESS (BTL RETIRED INVENTOR)								

*ATTORNEY TO REQUEST PATENT COPY FROM PATENT FILES IF PATENT COPY TO BE SENT TO INVENTOR. SEE P. I. 5.12.

DOCKET CLERK

FOREIGN FILING RECOMMENDATIONS	☐ YES	☐ NO
	COUNTRIES	

CROSS LICENSING AGREEMENT FORM

DRAFT FOR USE ONLY WITHIN BELL SYSTEM
EXECUTION COPIES TO BE RETYPED IN USUAL FORMAT

AGREEMENT

THIS AGREEMENT, made and entered into this_____ day of_____, 19__, by and between_____ _____, hereinafter designated "_____", and BELL TELEPHONE LABORATORIES, INCORPORATED, a corporation of the State of New York, hereinafter designated "Bell Laboratories",

WITNESSETH:

WHEREAS_____is the owner of United States

(a) patent_____ granted_____19__, to_____ for "_____";

(b) patent application of_____ _____ Serial No._____, filed_____19__, for "_____";

WHEREAS Bell Laboratories is the owner of United States

(a) patent _____ granted_____19__, to_____ for "_____";

(b) patent application of_____ _____ Serial No._____, filed_____19__, for "_____";

Cross Licensing Agreement Form, for use only within Bell System. Execution copies to be retyped in usual format.

WHEREAS said _____ patent / patent application and said _____ patent / patent application are involved in Interference No. _____ in the United States Patent Office; and

WHEREAS the parties hereto are desirous of exchanging licenses as hereinafter provided;

NOW, THEREFORE, in consideration of the agreements hereinafter contained, the parties hereto have agreed and do hereby agree as follows:

1. _____ hereby grants and agrees to grant to Bell Laboratories and to AMERICAN TELEPHONE AND TELEGRAPH COMPANY, a New York corporation hereinafter designated "AT&T", and to WESTERN ELECTRIC COMPANY, INCORPORATED, a New York corporation hereinafter designated "Western", severally, a non-exclusive, royalty-free license to make, to have made, to use, to lease, and to sell any and all inventions claimed in and by

(a) {said _____ patent or in and by any reissues or extensions of said patent,

(b) {any and all Letters Patent that may be granted upon said _____ application or upon any division, renewal or continuation of said application, or upon any application or applications that may be substituted therefor, and any and all inventions claimed in and by any reissues or extensions of said Letters Patent,

Cross Licensing Agreement Form, for use only within Bell System. Execution copies to be retyped in usual format.

said license being for the entire term or terms of the Letters Patent under which said license is herein granted by _____, and _____ also hereby grants to AT&T the right to grant to its associated companies for so long as such companies remain its associated companies sublicenses within the scope of the license herein granted to AT&T, and also hereby grants to Western the right to grant to its subsidiaries for so long as they remain subsidiaries sublicenses within the scope of the license herein granted to Western.

2. Bell Laboratories hereby grants and agrees to grant to _____ a non-exclusive, royalty-free license to make, to have made, to use, to lease, and to sell any and all inventions claimed in and by

(a) {said _____ patent or in and by any reissues or extensions of said patent,

(b) {any and all Letters Patent that may be granted upon said _____ application or upon any division, renewal or continuation of said application, or upon any application or applications that may be substituted therefor, and any and all inventions claimed in and by any reissues or extensions of said Letters Patent,

Cross Licensing Agreement Form, for use only within Bell System. Execution copies to be retyped in usual format.

said license being for the entire term or terms of the Letters Patent under which said license is herein granted by Bell Laboratories, and Bell Laboratories also hereby grants to _____ the right to grant to its subsidiaries for so long as they remain its subsidiaries sublicenses within the scope of the license herein granted to _____.

3. _____ and Bell Laboratories each for itself warrants that it has the full right and power to grant the aforesaid licenses and rights in the manner and form as herein expressed, free and clear of any adverse assignment, grant, and every other encumbrance inconsistent therewith.

4. Associated companies of AT&T are the Southern New England Telephone Company, a Connecticut corporation, and its subsidiaries, Cincinnati Bell, Inc., an Ohio corporation, and its subsidiaries, and subsidiaries of AT&T other than Western and its subsidiaries.

Cross Licensing Agreement Form, for use only within Bell System. Execution copies to be retyped in usual format.

5. A "Subsidiary" is a company the majority of whose stock, entitled to vote for the election of directors, is now or hereafter controlled by the parent company either directly or indirectly, but any such company shall be deemed to be a subsidiary only so long as such control is in effect.

6. Nothing contained herein shall be construed as conferring by implication, estoppel or otherwise upon any grantee hereunder any license or right under any patent other than the United States Letters Patent specifically identified herein, whether or not the exercise by such grantee of any license or right herein granted under such specified Letters Patent necessarily employs an invention of any other existing or later issued patent now or hereafter owned or controlled by the grantor of such license or right or by any other grantee hereunder.

7. Neither this agreement nor any licenses or rights hereunder, in whole or in part, shall be assignable or otherwise transferable.

Cross Licensing Agreement Form, for use only within Bell System. Execution copies to be retyped in usual format.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their duly authorized representatives as of the day and year first above written.

Type Name of Other Company

By_____

_____

BELL TELEPHONE LABORATORIES, INCORPORATED

By_____
Vice President

_____
Assistant Secretary

Dear Mr. Doe:

Interference No.
Smith v. Jones

I should like to suggest that if the above-identified interference continues into the testimony period, the parties undertake to resolve the question of priority informally, thus realizing a substantial saving in time and avoidance of much of the expense of taking formal testimony.

Incident to such procedure, we usually arrange with our interference opponent for an exchange of appropriate non-exclusive, royalty-free licenses after it has been determined (following decision on motions, if any be filed) what applications and patents will finally be involved.

Accordingly, I suggest specifically for your consideration that:

(1) we endeavor to agree on an appropriate license exchange after decision on the motions (if any), such licenses to take effect regardless of whether or not we subsequently reach an agreement on the question of priority;

(2) we submit proofs informally to each other and undertake to reach an agreement on the question of priority; and

(3) if we are successful in reaching such an agreement, the party agreed to be prior shall be permitted to obtain judgment, but that, if we are unable

to agree, both parties shall be free to proceed with the taking of testimony and otherwise to prosecute the interference in accordance with the rules applicable thereto.

With a view to avoiding unnecessary delay during the testimony period, I am transmitting herewith for your prior consideration the original and one copy of a license agreement that we would regard as appropriate if the interference continues to involve the present application(s) (and patent) and no additional applications of yours or ours. If this latter condition is eventually satisfied and you find my proposal otherwise satisfactory, please have both the original and copy executed and returned to me for execution on behalf of Bell Telephone Laboratories, Incorporated when the time for taking testimony begins.

It is further to be understood that if this proposal is satisfactory to you, I shall have filed a true copy of this letter, of your reply thereto, of any license agreement we may execute, and of such other papers, if any, as may be mutually agreed upon between the parties, with the Commissioner of Patents in compliance with Paragraph (c) of 35 U.S.C. 135. Further, these copies will be filed with a request that they be kept separate from the file of the interference.

Very truly yours,

General Patent Attorney

HANDLING PROPRIETARY INFORMATION

G.E.I. Reference

INTRODUCTION

The main product of technical employees at Bell Laboratories is technical information. Except for work performed under government contract, all technical information discovered or developed at Bell Labs is, in a legal sense, the property of Bell Laboratories. Every employee should, therefore, be aware of the practices governing the disclosure of this proprietary information to people outside Bell Laboratories, and the underlying reasons for these practices.

The purpose of this statement is to give the broad considerations which underlie present practices and to alert employees to the need for special care in handling certain kinds of information.

Bell Laboratories wants, on the one hand, to protect technical information generated as a result of work by its employees so that the Bell System has time to utilize it fully. On the other hand, it wants to disclose all such information as promptly as possible so that employees and the company may obtain due recognition and to permit general use by others, provided the Bell System has reasonable time to exploit the new information in its communications business.

Because of the growing number of competitors selling communications equipment or services, the Bell System obviously has the responsibility for taking full advantage of its R&D investment and the patents which it owns.

G.E.I. Reference

A sound policy involves finding the proper path between an overconcern with jeopardizing Bell System interests by premature disclosure and unconcern with those interests by rushing disclosure or by making unnecessarily detailed disclosures.

WHAT IS PROPRIETARY INFORMATION?

Nearly all the information that arises from the normal work of technical employees should be considered proprietary. It falls into three general classes:

Scientific or Engineering Information: for example, a research finding; the description of a new material; the design of a component, circuit, or system; computer programs or software generally used with digital processors; or details of processes (often chemical) for making certain materials or devices.

Technical Management Information: for example, development plans for new apparatus or systems; performance requirements for such apparatus or systems; or broad plans for research and development programs in specific fields.

Business Information: for example, financial and personnel data, market studies, marketing strategies, and construction plans.

WHAT IS RELEASED INFORMATION?

Released information is information which has been approved pursuant to the applicable G.E.I. for transmittal to one or more persons or organizations outside BTL. It may be released for general distribution (i.e., publication in a journal) or limited distribution (i.e., to a specific company).

Sometimes technical information is released only for limited distribution; in that case it is still proprietary. For example, information might be given release to a particular supplier, or to one organization under technical information agreement. However, it is still the property of Bell Labs and should be treated as proprietary when dealing with others.

Technical information that may be patentable is rarely released or published before a patent has been applied for, and then only with the specific approval of the appropriate Executive Director and the Patent Division.

WRITTEN DISCLOSURES

In disclosures to outsiders, especially written disclosures, care should be exercised to insure the accuracy of the information. Also, full credit for its origins should be properly cited when persons outside of Bell Laboratories have contributed to it.

Information and regulations regarding disclosure of scientific or engineering information are given by several different sources, as follows:

General Executive Instructions (G.E.I.)

2.1	Public Release of Bell Laboratories Information
2.2	Limited Release of Bell Laboratories Information
2.8	Disclosure of Technical Information to Foreign Receipients, plus Supplements A and B
3.1	General Patent Relations
12.1	Security of Classified Government Work
13.9-3	Technical Memoranda
13.9-7	Computer Programs

BSP 000-010-021, March 1969, SPCS Document, Safeguarding Trade Secret and Other Proprietary Information

PROPRIETARY INFORMATION

G.E.I.
Reference

Security Handbook

An Introduction to Patents, Chapter 3

Engineering Letter 300 "Safeguarding Proprietary Information"

Manual for Supervision

Introduction to Technical Supervision.

The practices are designed to permit prompt release of scientific papers. If a paper contains patentable material, then approval for publication is usually granted as soon as the patent applications are filed. However, disclosure of written descriptions of devices, apparatus circuits, or systems scheduled for manufacture, even if covered by patent applications, may be delayed to insure priority for Western Electric in reaching the market with the item. Such situations seldom arise, but when they do, a satisfactory compromise can often be reached by omitting some specific details from the paper so that its release will not be detrimental to the Bell System.

In certain instances patent coverage may not be adequate or may not be possible for various reasons. In particular, details of special processes for fabricating new materials or devices frequently can be protected only by holding them as proprietary.

At present, patent law with respect to computer programs and software for digital processors is not clearly established, so special arrangements are necessary to handle this kind of information.

There is no way to protect technical management information and business information except by holding it as company private. While most of the broad plans for research and development programs eventually become public knowledge, good reasons may exist for limiting early dissemination of such

G.E.I.
Reference

future plans. An employee should always be alert to the need for protecting all information gained in the course of his association with Bell Laboratories. He can learn from experience and by asking his supervision which information has been released, which should not be divulged, and our reasons for safeguarding it.

SPOKEN DISCLOSURES

Practices for oral presentation of papers are described in detail in the G.E.I. and follow closely those given for written disclosures. Spoken disclosure of technical information to outsiders in informal conversation, on the other hand, requires an extra element of judgment. If the information has been released for general publication, an employee may discuss it freely; if not, an employee should be certain that no new patentable ideas are discussed. Even if a patent application has been made, first public disclosure of a new idea should, of course, be the privilege and the pleasure of the originator. 2.1-3

Spoken exchange of information is often carried out in visits to outside companies, or in visits to BTL by members of such companies. It is well to think out in advance the fields that may be discussed freely and those with limitations. Limitations will often depend upon whether the outside organization is a licensee of the Bell System and upon other factors including the history of technical exchanges with that particular laboratory. Also, special rules prevail for citizens of Soviet bloc countries. On all these matters the Technical Relations Division can give help and guidance.

In general, an atmosphere of free discussion between Bell Laboratories and the rest of the Bell System is encouraged. However, when technical information not yet cleared for general

G.E.I. Reference

release is disclosed by one employee to another in the Bell System family, the employee transmitting such information should alert the other to its proprietary nature. It is desirable to consider first whether the other employee has any "need to know" for certain kinds of sensitive information. (This type of consideration, of course, must always prevail in the handling of classified information.)

PATENT LICENSE CONTRACTS

In accordance with long established practice, Western Electric, as the Bell System agent, has negotiated patent license contracts with a number of companies, both domestic and foreign. In general, these provide a nonexclusive license to another company under all patents pertaining to specified classes of equipment, and frequently provide also for nonexclusive licenses to the Bell System under the licensee's patents in areas of interest to us. The license contract may or may not require royalty payments by the licensee, depending on the estimated value of the "grant-back" received.

No provision in any patent license contract requires Bell Laboratories to provide proprietary technical information to the licensee. However, in the contract negotiations the licensee usually is informed that it is the policy to arrange for competent personnel of licensees to visit Bell Laboratories, and vice versa, for the purpose of exchanging technical information where this is of mutual advantage. In discussions with patent licensees, it should be borne in mind that each license contract covers only Bell System patents pertaining to specified equipments. Discussion of subject matter lying outside the patent agreement should, for the most part, be avoided. It should also be noted that the mere fact that the licensee is willing to give

Bell Laboratories a fairly complete story covering his own technical information does not in itself justify a correspondingly complete story from Bell Laboratories. The factors to be weighed are importance to Bell Laboratories on the one hand and importance to the licensee on the other. It is usually advantageous, in advance of a licensee visit, to review with supervision and other appropriate parties the nature and extent of the proposed discussion. While Bell Labs is not obliged to release any of its information to licensees, Western Electric is generally required to provide to a licensee for a reasonable charge technical information (drawings and specifications) on any equipment in manufacture. All such requests should be referred to the Technical Relations Division, which serves as a principal channel of liaison between Bell Labs and the Patent Licensing group in Western Electric.

SANDIA CORPORATION

The work of Sandia Laboratories differs from the normal telecommunications work of the Bell System. Therefore, disclosure of information to employees of that company requires special approval. All requests by Sandia for written information must be made by an individual at or above their Director level to the appropriate Director in Bell Labs, who in turn must approve the disclosure. While Bell Laboratories wants to make available to Sandia employees technical information that may be useful to the work of Sandia Corporation, care must be taken to prevent disclosure of proprietary information to outsiders through this channel.

PRIVATE INFORMATION

It is noted above that technical management information and business information can be effectively protected only by

PROPRIETARY INFORMATION

G.E.I.
Reference

handling as "company private." There are also occasionally situations where scientific or engineering information should be temporarily treated in the same way.

When a company document is stamped "private" or "company private," the author considers that it contains information which should not be freely disclosed by the reader even within BTL. Use of this severe category should naturally be limited to cases where it is really needed.

The recipient of a private document should reveal part or all of the contents to other persons only if he is completely familiar with the material in question and knows that the person to whom he divulges the information is also familiar with the general subject area, has a "need to know," and is qualified to receive it. Otherwise, the author of the document should be consulted before there is any disclosure beyond the designated recipient.

GOVERNMENT CONTRACT AND CLASSIFIED INFORMATION

The dissemination of information generated as a result of work done on government contracts, both classified and unclassified, requires special consideration. The Department of Defense is charged with the ultimate clearance of all material to be released. However, Bell Labs' responsibility to Western Electric, the prime contractor, is to obtain the necessary technical, contractual and public relations clearances, including those of the cognizant military service and the Department of Defense.

Dissemination of classified information, in addition, must conform to regulations stated in the Bell Labs Security Handbook. Specific restrictions as noted in the DD Form 254, Contract Security Classification Specification, associated with each contract

12.1

must also be implemented (see Exhibit 6.5 in the Security Handbook). Further information can be found in the G.E.I. Revelation of classified information within and outside of Bell Labs is, of course, on a "need-to-know" basis.

SUMMARY

Freedom of speech in the United States is a cherished constitutional right. Yet it is a right that carries with it responsibilities. Until a specific item of information is officially released without restriction, it is proprietary information and should be held private.

Bell Labs' objective is to give employees as much freedom as possible to express their ideas without dissipating the assets of BTL as represented by these ideas. Every employee has the obligation to protect proprietary information; and it is expected that he will meet this obligation both during and after his employment at Bell Labs.

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P.I. 10.4
APPENDIX
Military Engineering
Methods Bulletin 8

December 1963

RIGHT-TO-USE PATENT APPROVAL UNDER GOVERNMENT CONTRACTS

1. PURPOSE

1.01 This bulletin outlines the policy and procedures to be followed in requesting right-to-use patent approval in connection with Government contracts. It does not limit or modify the relationships and responsibilities in patent matters set forth in G.E.I. 3.1. Relations with subcontractors of BTL are given in paragraph 4.

2. POLICY

2.01 G.E.I. 3.1 requires that when or before technical information on materially different new developments, as defined in paragraph 2.011, is sent to the Western Electric Company or other manufacturing organizations, the BTL Patent Division shall be formally notified by the Project Engineer and furnished with technical information adequate for patent purposes. This will enable the Patent Division to determine at any early date any possible patent infringement liability. Since the terms of many Government contracts relieve WECo of patent infringement liability, the BTL Patent Division practices provide for giving a broad right-to-use patent approval on all such new developments. This approval then applies to all equipment and systems under the particular contract and no further patent approval will be required. If WECo is required to assume patent infringement liability under the terms of a particular contract, the BTL Patent Division will notify the responsible Engineering Department Director to proceed in accordance with G.E.I. 3.1.

2.011 "New developments" are new or revised apparatus, systems, machines, tools, materials, processes, and designs developed either by or under control of BTL.

2.02 Manufacturing information for new developments may be sent to the manufacturing organization prior to receipt of the right-to-use patent approval. WECo procedures prevent the sale, lease, or use of new developments until the BTL Patent Division notifies WECo of right-to-use approval.

2.03 Right-to-use patent approval is not required on engineering assistance, feasibility and other study contracts, and strictly research and development contracts where only laboratory models will be involved. However, when in the Project Engineer's judgment extensive model work will be performed or when models will be turned over to the Government, right-to-use patent approval is required.

2.04 As covered in MEMB 2, products designed for Government use must not be used in non-Government applications unless they are covered by separate specifications in the appropriate Bell

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E-74923 (7-58)

System series of specifications. The BTL Patent Division should be consulted before non-Government use of these products is made.

3. PROCEDURES

3.01 The Project Engineer shall request right-to-use patent approval from the BTL Patent Division when development work is begun on a new contract, including an extension contract on an existing project, when the work is expected to result in the manufacture of apparatus or equipment by WECo. Manufacture by WECo also includes items to be manufactured under its direction or through a purchase order. The Project Engineer shall also request right-to-use patent approval from the BTL Patent Division when the conditions mentioned in paragraph 2.03 exist.

3.011 The typical memorandum, Figure 1, shows the essential information which must be supplied by the Project Engineer when requesting right-to-use patent approval from the appropriate BTL Patent Attorney Director. When a project is not involved, the request shall be signed by the Development Engineering Director.

3.02 The BTL Patent Division will inform the Project Engineer or the Development Engineering Director, as appropriate, and the WECo Patent Division of the right-to-use approval. The BTL Patent Division will also send a copy of the memorandum to the Head, Specifications and Standards Department - Whippany, who in turn shall notify the other BTL departments concerned with the issuance of specifications for use in Government projects.

4. RELATIONS WITH SUBCONTRACTORS

4.01 Right-to-use patent approval for subcontractors of BTL will be handled by the BTL Purchasing Organization in collaboration with the BTL Patent Division. In general, the same patent provisions specified in prime contracts between WECo and the Government are specified in purchase orders (subcontracts) on subcontractors.

4.02 While the broad right-to-use patent approval referred to in paragraph 2.01 extends only to WECo, the Government's authorization and consent to the use of any patented invention extends to all subcontractors under the same terms set forth in the prime contract. Subcontractors' questions concerning these provisions shall be referred to the BTL Purchasing Organization for resolution.

4.03 If WECo assumes patent infringement liability, either as a prime contractor or as a subcontractor, the BTL Purchasing Organization shall negotiate a similar assumption of liability from lower-tier subcontractors.

K. O. Thorp

WH-6213-GWK-JET K. O. THORP

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INCORPORATED

SUBJECT: Right-to-Use Patent Approval for Contract (Contract Number) - Cases (Case Numbers) (1)

DATE: December 7, 196X

FROM: (Project Engineer or Development Engineering Director, as appropriate)

MR. (PATENT ATTORNEY DIRECTOR) (2):

Work toward the development of an XYZ Automatic Navigator System is being started under the subject contract between Western Electric Company and the Naval Ordnance Laboratory, BTL will develop and construct one complete system and Western will construct two more systems from BTL manufacturing information. The three systems are to be delivered to the Naval Ordnance Laboratory. (2)

Right-to-use patent approval in accordance with MEMB 8 is requested.

(PROJECT ENGINEER or DEVELOPMENT ENGINEERING DIRECTOR, as appropriate)

WH-64X3-ABC-JET

Copy to (3)
Messrs. (Head, Specifications and Standards Dept. - WH)
(Head, Materials Specifications Dept. - HO)
(Head, Repair Studies and Engineering Dept. - HO)
(Head, Engineering and Records Dept. - BU)
(Head, Engineering and Records Dept. - WL)

INSTRUCTIONS:

(1) The contract number and all currently related engineering case numbers shall be included in the "SUBJECT."

(2) Supply only general information relating to the new development and avoid the inclusion of security information.

(3) One copy of the memorandum shall be sent to each Head of the departments listed.

Figure 1. Typical Right-to-Use Patent Approval Request

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C-7498 (7-55)

DRAFT

1. Inventor (Give Full Name, Use No Initials)	2. Case No.

3. Title of Invention	4. Vocation

5. Date Filed in U.S.A.	6. Serial Number	7. Job No.	8. Assignee	9. Patent Office Class

10. Facilities, Systems, Apparatus or Fields to Which Invention Pertains	11. Facts Regarding Use

12. Facts Regarding Publication

13. Related Applications for Patent	14. Prior Art

15. Representative Claim

16. Concise Statement of Invention

Signed	Date	Signed	Date	Signed	Date

DRAFT

1. Inventor (Give Full Name, Use No Initials)				2. Case No.
3. Title of Invention			4. Vocation	
5. Date Filed in U.S.A.	6. Serial Number	7. Job No.	8. Assignee	9. Patent Office Class
10. Facilities, Systems, Apparatus or Fields to Which Invention Pertains			11. Facts Regarding Use	
12. Facts Regarding Publication				
13. Related Applications for Patent			14. Prior Art	
15. Representative Claim				
16. Concise Statement of Invention				

Signed	Date	Signed	Date	Signed	Date

PT 734 2-72

DRAFT

Kind of Application	

1. Inventor (Give Full Name, Use No Initials)

2. Case No.

3. Title of Invention

4. Vocation

5. Date Filed in U.S.A.	6. Serial Number	7. Job No.	8. Assignee	9. Patent Office Class

10. Facilities, Systems, Apparatus or Fields to Which Invention Pertains

11. Facts Regarding Use

12. Facts Regarding Publication

13. Related Applications for Patent

14. Prior Art

15. Representative Claim

16. Concise Statement of Invention

Signed	Date	Signed	Date	Signed	Date

Bell Laboratories

subject:

date: June 7, 1972

from: E. J. Olinder-SC

Messrs. R. A. Clapp
B. H. Freedman
A. D. Hooper
H. L. Newman
T. Stafford
D. H. Tannenbaum

In the preparation of each memorandum to a Technical Director reporting the authorization of a patent application, a sentence indicating the name of the attorney who will prepare the case is to be included.

E. J. Olinder

Bell Laboratories

subject: Newly Opened Patentability Jobs

date: July 11, 1972

from: E. J. Olinder-SC

Messrs. R. A. Clapp
B. H. Freedman
A. D. Hooper
H. L. Newman
T. Stafford
D. H. Tannenbaum

Supplementing my memorandum of June 21, 1972, please use the following format when submitting descriptions of newly opened patentability jobs:

Example

Job 99,999 - A. D. Hooper Opened June 1, 1972

A mounting for providing solderless connections to light emitting diodes (LEDs) includes a plastic holder for orientating and rigidizing the LED leads and a receptacle base having spring contact strips therein which grip the leads to make contact therewith when the holder is plugged into the base.
Patentability and right to use - J. Doe, J. Smith
From A. E. Spencer, Dept. 2222

These descriptions should be prepared immediately upon receipt of the newly opened jobs.

Descriptions for several patentability jobs opened in June have not as yet been received.

E. J. Olinder

Copy to
Mrs. L. Crochetiere
Mrs. B. F. Decker
Mrs. D. J. Deitz
Miss K. Farber
Mrs. R. M. Ketchow
Miss M. Michel

June 8, 1972

To Patent Division Secretaries:

Effective immediately, an Associate Power should be prepared for Mr. E. J. Olinder in all pending applications (Pt. 9) and interferences (Form Manual - page 7.29) prosecuted by the following attorneys in Center 145:

R. A. Clapp	H. L. Newman
B. H. Freedman	T. Stafford
A. D. Hooper	D. H. Tannenbaum

This should be done at the time a response to an Office action is prepared. If a Notice of Allowance has been received, an Associate Power is not required.

In all new applications written by these attorneys a Principal Power should be given to Mr. R. J. Guenther and Mr. E. J. Olinder.

An Associate Power should be prepared for Mr. A.E.Hirsch, Jr. for all pending applications and interferences in Center 146. This should be prepared, as above, when a response is made to an Office action.

In all new applications for Center 146 Principal Power should be given to ~~Messrs. R. J. Guenther~~, W. L. Keefauver and A. E. Hirsch, Jr.

Marion G. Aaron/1954.