

PTO/AIA/14: Instructions for Application Data Sheet (ADS) 37 CFR 1.76

FOR NATIONAL STAGE APPLICATIONS FILED UNDER 35 U.S.C. 371

(International Filing Date of the International Application is on or after September 16, 2012)

This booklet contains instructions for and examples of indicating

Application Information,

Domestic Benefit/National Stage Information, and

Foreign Priority Information

on an Application Data Sheet (ADS) (e.g., PTO/AIA/14) for a national stage application filed with the USPTO under 35 U.S.C. 371, **where the international filing date of the international application is on or after September 16, 2012.**

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1) Application Information

Title of the Invention			
Attorney Docket Number		Small Entity Status Claimed	☐
Application Type			
Subject Matter			
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	
Filing By Reference :			
Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").			
For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).			
Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country	

i) *Application Type:*

Select "Nonprovisional" from the drop-down list.

Application Type	
	Nonprovisional Provisional

ii) *Subject Matter:*

Select "Utility" from the drop-down list.

Subject Matter	
	Utility Plant Design

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2) Domestic Benefit/National Stage Information

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)

a) National Stage Information

i) *Prior Application Status:*

Leave this field blank because a PCT national stage application is the same application as the PCT international application. Thus, the PCT international application is not a prior application.

Prior Application Status	Patented Pending Abandoned Expired
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ii) *Application Number:*

This field is left blank which will signify "This Application is a" to refer to the application being submitted with the ADS.

Application Number

iii) *Continuity Type:*

Select "a 371 of international" from the drop-down list.

Continuity Type
Continuation of Division of Continuation in part of a 371 of international substitution of reissue of Claims benefit of provisional

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iv) Prior Application Number:

Enter the PCT international application number.

Note that, although the international application is not considered to be a prior application, the international application number is a prior application number applying to the international application which must be entered here.

Prior Application Number

v) Filing or 371(c) Date (YYYY-MM-DD):

Enter the international filing date of the PCT international application.

Filing or 371(c) Date (YYYY-MM-DD)

vi) For additional domestic benefit information click the "Add" button.

b) Domestic Benefit Information

See Section 4 below for examples of how to indicate domestic benefit claims in U.S. national stage applications.

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3) Foreign Priority Information

Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ^j (if applicable)

i) *Application Number:*

Enter the complete foreign priority application number.

(a) Note: for foreign priority applications filed in the Korea Intellectual Property Office (KIPO), the foreign priority application number must include the two-letter application type (e.g., 10-2009-134782).

(b) Note: a foreign priority application may include an international application filed under the PCT, if the international application designated at least one PCT Contracting State other than the United States and the subsequent application is filed within one year of the international filing date.

ii) *Country:*

Enter the two letter country code of the Office in which the foreign priority application was filed.

NOTE: if foreign priority is claimed to an international application filed earlier than the international application that is entering the national stage, the country code is the two letter code of the Receiving Office.

iii) *Filing Date (YYYY-MM-DD):*

Enter the foreign priority application filing date.

iv) *Access Code (if applicable):*

(a) Leave this field blank when: 1) the certified copy is furnished during the international phase in accordance with PCT Rule 17.1; and, 2) the International Bureau has acknowledged receipt of the priority application (Form PCT/IB/304 is used for this purpose). After the international application has published, the International Bureau will furnish a copy of the priority document to the USPTO pursuant to PCT Rule 17.2(a).

(b) When the certified copy is not furnished during the international phase, the applicant must furnish the certified copy. The applicant may

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choose to satisfy the certified copy requirement by taking advantage of the priority document exchange program. The WIPO DAS access code is required for a foreign application to which priority is claimed in a national stage application when 1) the certified copy of the foreign application was not furnished during the international phase in accordance with PCT Rule 17.1; 2) the foreign application is registered in the WIPO DAS; and, 3) the applicant wishes the USPTO to electronically retrieve a copy via the WIPO DAS under the priority document exchange program.

v) *For additional foreign priority information click the "Add" button.*

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4) Examples

a) **AIA EXAMPLE 1** (domestic application > international application (IFD on/after Sept. 16, 2012) > national stage application)

U.S. provisional application 61/997,050 is filed on November 23, 2011.

International application PCT/IB2012/049050 is filed with the RO/IB on October 15, 2012* and claims the benefit of US 61/997,050 filed on November 23, 2011.

The U.S. national stage application of the international application is submitted on May 1, 2014, including an Application Data Sheet (ADS). The Application Information and Domestic Benefit/National Stage Information sections may be completed as follows:

Application Information:

Application Type	Nonprovisional
Subject Matter	Utility

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78. When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	a 371 of international	PCT/IB2012/049050	2012-10-15
Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
PCT/IB2012/049050	Claims benefit of provisional	61997050	2011-11-23

* PTO/AIA/14 is in effect because the international filing date is on or after September 16, 2012.

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b) AIA EXAMPLE 2 (foreign application > domestic application > international application (IFD on/after Sept. 16, 2012) > national stage application)

Australia application 2012-000451 is filed on May 10, 2012.

U.S. application 13/925,740 is filed on May 21, 2012.

International application PCT/US2013/014567 is filed on January 15, 2013* and claims priority to the two earlier applications. The supplemental box of the request indicates that the international application filed under the PCT is a continuation of US 13/925,740 filed on May 21, 2012.

The U.S. national stage application of the international application is submitted on May 1, 2014, including an Application Data Sheet (ADS). The Application Information, Domestic Benefit/National Stage Information[†], and Foreign Priority Information sections may be completed as follows:

Application Information:

Application Type	Nonprovisional
Subject Matter	Utility

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78. When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	a 371 of international	PCT/US13/14567	2013-01-15
Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
PCT/US13/14567	Continuation of	13925740	2012-05-21

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)[†] the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ^j (if applicable)
2012-000451	AU	2012-05-10	

* PTO/AIA/14 is in effect because the international filing date is on or after September 16, 2012.

[†] The 14-character format is preferred when making reference to an international application filed in the RO/US.

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- c) AIA EXAMPLE 3** (first domestic application > first international application > first national stage application > second domestic application > second international application (IFD on/after Sept. 16, 2012) > second national stage application)

First U.S. provisional application 62/799,002 is filed on October 10, 2011.

First international application PCT/US2012/015067 is filed on January 11, 2012 and claims priority to the earlier U.S. provisional application.

First U.S. national stage application 13/999,950 is filed on January 17, 2012.

Second U.S. provisional application 62/800,680 is filed on January 20, 2012.

Second international application PCT/US2012/075003 is filed on October 10, 2012* and claims priority to the first U.S. provisional application, the first international application, the first U.S. national stage, and the second U.S. provisional application. Further, the supplemental box of the request indicates that the second international application filed under the PCT is a continuation in part (CIP) of US 13/999,950 filed on January 17, 2012.

The U.S. national stage application of the second international application is submitted on May 14, 2014, including an Application Data Sheet (ADS). The Application Information, Domestic Benefit/National Stage Information[†], and Foreign Priority Information sections may be completed as follows:

Application Information:

Application Type	Nonprovisional
Subject Matter	Utility

* PCT/AIA/14 is in effect because the international filing date is on or after September 16, 2012.

[†] The 14-character format is preferred when making reference to an international application filed in the RO/US.

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Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	a 371 of international	PCT/US12/75033	2012-10-10
Prior Application Status	Expired		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	Claims benefit of provisional	62800680	2012-01-20
Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
PCT/US12/75033	Continuation in part of	13999950	2012-01-17
Prior Application Status	Abandoned		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
13999950	a 371 of international	PCT/US12/15067	2012-01-11
Prior Application Status	Expired		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
PCT/US12/15067	Claims benefit of provisional	62799022	2011-10-10

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d) AIA EXAMPLE 4 (foreign application > international application (IFD on/after Sept. 16, 2012) > national stage application)

Foreign application CN 201150384731.7 filed on November 28, 2011.

International application PCT/CN2012/099067 is filed on November 14, 2012* and claims priority to the earlier CN provisional application.

The U.S. national stage application of the international application is submitted on May 14, 2014, including an Application Data Sheet (ADS). The Application Information, National Stage Information, and Foreign Priority Information sections may be completed as follows:

Application Information:

Application Type	Nonprovisional
Subject Matter	Utility

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78. When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status		Remove	
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	a 371 of international	PCT/CN2012/099067	2012-11-14

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)ⁱ the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ⁱ (if applicable)
201150384731.7	CN	2011-11-18	

* PCT/AIA/14 is in effect because the international filing date is on or after September 16, 2012.