



Greenblum & Bernstein, P.L.C.
CLIENT ADVISORY
Recent Changes in Rules and Procedures

August 31, 2012

AMERICA INVENTS ACT FINAL RULE

**Inventor's Declaration and Combined
Declaration/Assignment Forms**

Dear Clients:

Please find attached electronic copies of the new declarations and assignments that will need to be filed in the U.S. PTO for any application filed on or after September 16, 2012 (except for any application which is filed as a National Phase application of an International application that was filed prior to September 16, 2012). Please note that after consulting with the U.S. PTO, we have decided that in view of the PTO's increasingly strict interpretations of non-PTO forms that it is now preferable to use the forms prepared by the U.S. PTO whenever possible.

As you may know, under new U.S. law, Assignees, persons to whom the inventor has an obligation to assign, and persons showing sufficient proprietary interest in the matter can file the application as the "Applicant." Accordingly, we have provided copies of the new declaration form (PTO/AIA/08), for execution by the inventor(s), and a new general power of attorney form (PTO/AIA/80) and a new specific power of attorney form (PTO/AIA/82), for execution by the "Applicant," provided by the U.S. PTO, and one sample of a combined declaration and assignment form (as there are many different forms to cover different situations), which we have prepared ourselves since the U.S. PTO will not prepare this form. If you would like copies of these forms, please download them from the following link:

<http://www.gbpatent.com/forms>

Because of the new "Applicant" designation, the U.S. PTO now prefers that a power of attorney be signed by the Applicant. Accordingly, the attached forms do not permit the inventors to give a power of attorney. Moreover, unless instructed to the contrary, we will designate the assignee as the "Applicant" in applicable filings after September 16, 2012. Additionally, please note that the power of attorney can be given to us either by filing a specific power of attorney for each application, or (preferably, particularly for clients that file many applications) by providing us with an executed general power of attorney that we can file in each application for the same Applicant filed after September 16.

In this regard, if you prepare and forward a general power of attorney to us, you will only have to execute the general power one time, and then we can file a copy of that general power in all of your applications that we handle.

Furthermore, the U.S. PTO has not yet translated any of the forms they have prepared. Once they have prepared these forms with translations, we will forward the same to you.

We also note that whether you file a general power of attorney or a specific power of attorney in an application appointing Greenblum & Bernstein, P.L.C. (G&B), by signing the power of attorney we will assume that the Applicant is/are authorizing G&B as your agents to take any necessary action in the application, that you are the owner of the rights in the patent application and that you have undertaken all of the due diligence necessary for such determination.

We note that the electronic copies of the above forms are not yet fillable forms, and will likely not be made fillable by the U.S. PTO until after September 16, 2012. Please let us know as soon as possible if you want us to send you any forms filled manually with our information prior to September 16, 2012.

Should you have any questions regarding the forms themselves or regarding submission of the forms to the U.S. PTO, please do not hesitate to contact us.

Best regards,

GREENBLUM & BERNSTEIN, P.L.C.

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