

## **Instructions for AIA/82**

### **Transmittal for Power of Attorney to Prosecute Applications Before the USPTO**

This transmittal form is to be used by the applicant for patent to appoint one or more registered practitioners as having power of attorney in the application file. The form has two parts: A and B.

Part A of this form is used to identify the application to which the power of attorney is directed and must be signed in accordance with 37 CFR 1.33(b) (*e.g.*, a patent practitioner). Part B of this form is the power of attorney. The correspondence address may also be specified on Part B of this form. For example, an inventor who is named as the applicant could sign Parts A and B of the form, or the inventor could sign only Part B of the form, and the patent practitioner could complete and sign Part A of the form.

Where there are multiple applicant parties (*e.g.*, multiple assignees), a power of attorney signed by each party must be submitted. A power of attorney may be given only by the applicant for patent (*e.g.*, if the applicant for patent is the assignee, the inventors may not give a power of attorney).

If desired, Part B may be executed once by the applicant, and copies could be used for submission to the Office. Then, Part A of the form could be completed and signed by a patent practitioner and submitted with a copy of Part B into each respective application for which power is being given.

Part B of this form must be submitted together with Part A or an equivalent (*e.g.*, signed transmittal letter) to identify the application to which the power is directed. See 37 CFR 1.5.

Where an assignee-applicant is providing a power of attorney, compliance with 37 CFR 3.71 and 3.73 is not required. An assignee who is not the applicant must become the applicant to give a power of attorney and comply with 37 CFR 3.71 and 3.73. See Forms AIA/80 and AIA/96.

These instructions track the various boxes and information items that must be supplied to complete the form.

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### **AIA/82A**

**Application Number:** Print or type the application number of the patent application. Leave this field blank if the power of attorney is being submitted with the application papers, or the application number is not yet known.

**Filing Date:** Print or type the date the patent application was filed. Leave this field blank if the declaration is being submitted with application papers.

**First Named Inventor:** Print or type the last name of the first-listed inventor.

**Title:** Print or type the title of the invention as identified on the first page of your patent application specification.

**Art Unit:** Print or type the patent examination unit to which the patent application has been assigned, if known.

**Examiner Name:** Print or type the name of the patent examiner to which the patent application has been assigned for examination, if known.

**Attorney Docket Number:** Print or type the number used by the patent attorney/agent to identify the patent application in question. This number should also appear on the first page of the specification.

**SIGNATURE of Applicant or Patent Practitioner:**

- **Signature:** The person identified on the Name line should sign the transmittal form. The transmittal may be signed with a handwritten signature in dark ink (37 CFR 1.4(d)(1)) or with an “S-signature” (a typed signature between forward slashes, 37 CFR 1.4(d)(2)).
- **Date:** Print or type the date the transmittal is being signed. The person identified on the Name line is not required to date the transmittal. However, the Office recommends providing a date.
- **Name:** Print or type the legal name (*e.g.*, Given Name (first and middle (if any)) and Family Name or Surname) of the person who is signing the transmittal letter. The transmittal may be signed by applicant, a patent practitioner appointed in the accompanying power of attorney, or a patent practitioner not appointed who is acting in a representative capacity.
- **Telephone:** Print or type the telephone number of the person identified on the Name line. The person identified on the Name line is not required to provide a telephone number. However, the Office recommends doing so.
- **Registration Number:** For patent practitioners only, print or type the registration number accorded by the Office of Enrollment and Discipline. Note: Any document signed by a patent practitioner with an S-signature (37 CFR 1.4(d)(2)) must set forth the practitioner’s registration number as part of the S-signature or adjacent to it.

**Number of forms submitted:** Check the box if more than one AIA/82A form is being submitted for the patent application and indicate the total number of forms being submitted. For example, where there are three inventors who are applicants, and each inventor signs both pages of Form 82, a total of three forms would be submitted. If there are multiple applicant parties, but the Form AIA/82A is being signed by a patent practitioner, one Form AIA/82A could be submitted with multiple AIA/82B forms.

### **PTO/AIA/82B**

**Power of attorney appointment:** For the two check boxes, check only one box. Check the first box if the practitioners associated with a specific Customer Number are being appointed as having power of attorney, and print or type the Customer Number in the box. Check the second box if specific patent practitioners by registration number (up to 10) are being appointed as having power of attorney, and print or type the name and registration number of each appointed practitioner.

**Please recognize or change the correspondence address for the application identified in the attached transmittal letter to:** For the three check boxes, check only one box. Check the first box if the same Customer Number used to appoint power of attorney is used to designate the correspondence address. Generally, Customer Numbers are used by patent practitioners and law firms and are optional. Check the second box to specify an address associated with a Customer Number for the correspondence address. Check the third box if a correspondence address is being printed or typed into the fields. Only a single correspondence address may be designated for the patent application.

**I am the Applicant:** For the four check boxes, check only one box to identify the applicant party who is giving power of attorney. If there are multiple applicant parties, submit one form signed by each party.

### **SIGNATURE of Applicant for Patent:**

- **Signature:** The person identified on the Name line should sign the power of attorney form. The power of attorney may be signed with a handwritten signature in dark ink (37 CFR 1.4(d)(1)) or with an “S-signature” (a typed signature between forward slashes, 37 CFR 1.4(d)(2)).
- **Date:** Print or type the date the power of attorney form is being signed. The person identified on the Name line is not required to date the power of attorney form. However, the Office recommends providing a date.

- **Name:** Print or type the legal name (*e.g.*, Given Name (first and middle (if any)) and Family Name or Surname) of the person who is signing the power of attorney. The power of attorney must be signed by applicant. For applicants who are assignees, obligated assignees, or parties who otherwise show a sufficient proprietary interest, the power of attorney must be signed by someone who is authorized to act on behalf of the applicant (*i.e.*, a person with a title that carries apparent authority, or a person who includes a statement of authorization to act.). A patent practitioner is not authorized to act on behalf of an applicant simply by existence of authority to prosecute an application. However, where an applicant gives the practitioner specific authority to act (authority given by organizational resolution), a practitioner may sign the Form AIA/82B on behalf of the applicant.
- **Telephone:** Print or type the telephone number of the person identified on the Name line. The person identified on the Name line is not required to provide a telephone number. However, the Office recommends doing so.
- **Title and Company:** If the person signing the power of attorney is doing so on behalf of a juristic entity that was named as the applicant, print or type the person's Title and the Company (applicant) name in the box.

**Number of forms submitted:** Check the box if more than one AIA/82B form is being submitted for the patent application and indicate the total number of forms being submitted. If there are multiple applicant parties, submit one form signed by each party.