TOP EIGHT REASONS APPEAL BRIEFS ARE NON-COMPLIANT

1. RELATED APPEALS AND INTERFERENCES -- Missing or Defective
   Appellant must provide “A statement identifying by application, appeal or
   interference number all other prior and pending appeals, interferences, or judicial
   proceedings known to appellant, the appellant’s legal representative, or assignee
   which may be related to, directly affect or be directly affected by or having a bearing
   on the Board’s decision in the pending appeal.” See 37 CFR 41.37(c)(1)(ii).

2. STATUS OF CLAIMS -- Missing or Defective
   Appellant must provide “A statement of the status of all claims in the proceeding
   (e.g., rejected, allowed or confirmed, withdrawn, objected, canceled) AND an
   identification of those claims that are being appealed.” (emphasis added).
   See 37 CFR 41.37(c)(1)(iii).

3. STATUS OF AMENDMENTS -- Missing or incomplete
   Appellant must provide “A statement of the status of any amendment filed subsequent
   to final rejection” in the brief. See 37 CFR 41.37(c)(1)(iv). NOTE: Any
   amendments that have NOT been entered by the examiner should not be presumed as
   entered at the time of filing of the brief.

4. SUMMARY OF CLAIMED SUBJECT MATTER -- Missing or incomplete
   Appellant must provide “A concise explanation of the subject matter defined in each
   of the independent claims involved in the appeal, which must refer to the
   specification by page and line number, and to the drawing, if any, by reference
   characters. For each independent claim involved in the appeal and for each
   dependent claim argued separately under the provisions (c)(1)(vii) of this section,
   every means plus function and step plus function as permitted by 35 USC 112, sixth
   paragraph, must be identified and the structure, material, or acts described in the
   specification as corresponding to each claimed function must be set forth with
   reference to the specification by page and line number, and to the drawing if any, by
   NOTE: Appellant’s reference to a corresponding PreGrant Publication is not proper.

5. CLAIMS APPENDIX – Missing or incomplete
   Appellant must provide “An appendix containing a copy of the claims involved in the
   appeal.” See 37 CFR 41.37(c)(1)(viii).
6. **EVIDENCE FILED UNDER 37 CFR 41.33(d)(1) and (d)(2) -- Untimely filed**
   An affidavit or other evidence filed after the date of filing an appeal pursuant to 41.31(a)(1) through (a)(3) and prior to the date of filing a brief pursuant to 41.37 may be admitted if the examiner determines that the affidavit or other evidence overcomes all rejections under appeal and that a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented has been made.” 37 CFR 41.33(d)(1). All other affidavits or other evidence filed after the date of filing an appeal pursuant to 41.31(a)(1) through (a)(3) will not be admitted except as permitted by 41.39(b)(1). 37 CFR 41.33(d)(2).

7. **EVIDENCE APPENDIX -- Missing**
   In the brief, appellant must provide “An appendix containing copies of any evidence submitted pursuant to 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied on by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered in the record by the examiner.” See 37 CFR 41.37(c)(1)(ix).

8. **RELATED PROCEEDINGS APPENDIX -- Missing**
   Appellant must provide “An appendix containing copies of decisions rendered by a court or the Board in any proceeding identified pursuant to 37 CFR 41.37(c)(1)(ii).”