

DESIGN PATENT PRO
Course Timed Agenda
Design Patent Reissue Practice

Sponsor: Design Patent Pro, LLC
Presenter: Robert G. Oake, Jr.
Format: Recorded, on-demand online video presentation
Texas MCLE accreditation: 1.25 hours (0.00 ethics), Texas MCLE Course No. 174324708
Total program running time: 1:22:45 (approximately 1 hour 23 minutes)
Instructional time: 81.00 minutes (excludes opening/closing and administrative remarks)

Timed Schedule of Segments

Start	Segment and Subject Matter	Min.
0:00	<i>Opening remarks: welcome, presenter introduction, and disclaimer (not instructional)</i>	1.50
1:30	Introduction and roadmap: the four aspects of design patent reissue practice and three guiding principles (clearly identified error; corrections within the original disclosure with no new matter or recapture; enforcement consequences evaluated before filing).	2.00
3:30	Why reissue matters: rarity of design reissue; the broadening chair example (solid-to-broken line conversion enlarging scope); why precision is essential (no enforcement until issuance, no term extension, loss of expedited examination, early publication); prosecution rejection statistics.	4.25
7:45	Legal framework: reissue as a corrective proceeding under 35 U.S.C. 251; full reexamination of the single claim; design versus utility reissue; categories of qualifying error and the requirement that the error existed at issuance; certificate of correction versus reissue; correction of priority and inventorship; the new prosecution history reissue creates.	9.00
16:45	Mechanics of filing: required components of the reissue application package; cross-document consistency; drawing and replacement-sheet requirements; broken-line statements; specification marking rules; amendment relative to the issued patent; the new matter prohibition including boundary lines under In re Owens.	7.25
24:00	The reissue declaration: its role as the legal foundation of the application; the four required statements; the error-specificity requirement with supporting case law; drafting the declaration last; supplemental versus new declarations; consent and execution obligations including who must sign a broadening reissue.	9.75
33:45	Broadening reissues and recapture: scope enlargement through removal of visual limitations; the two-year statutory window from the U.S. grant date; continuation reissues and strategic timing; the three-step recapture framework under In re Youman applied through a design-patent coffee-mug illustration.	9.50
43:15	Multiple, divisional, and specialized reissues: segregable-design reissues and the Section 1.183 merging petition; fee considerations; divisional reissue requirements; GUI and animated design reissues; continuation versus continuation-in-part practice; consequences of abandoning a reissue application.	11.25
54:30	Enforcement and litigation consequences: absolute and equitable intervening rights under 35 U.S.C. 252; the substantially-identical-claims exception; effect of the reissue prosecution record; damages limitations for broadened scope.	5.00
59:30	Post-issuance obligations and patent term: patent marking during pendency and after issuance; IP management and contract updates; amendment of pending litigation pleadings; the unchanged patent term.	2.50
1:02:00	Practical considerations: elimination of expedited examination and remaining options for advancing examination; Patent Center electronic filing pitfalls; early publication of reissue applications; the continuing duty of disclosure.	6.00

Start	Segment and Subject Matter	Min.
1:08:00	Responding to rejections and related proceedings: curing formal defects; framing prior art arguments to avoid prosecution history disclaimer; new matter rejections; ex parte appeals; pre-AIA versus post-AIA declaration requirements; PTAB interaction; third-party protests; the pre-filing checklist; foreign considerations.	9.75
1:17:45	Conclusion: key practical takeaways and summation of design patent reissue practice.	4.75
1:22:30	<i>Closing remarks and sign-off (not instructional)</i>	0.25
	Total instructional time	81.00

Credit Statement

This program has been approved by the State Bar of Texas for 1.25 hours of MCLE credit (0.00 ethics), Texas MCLE Course No. 174324708, based on 81 minutes of instructional time on a 60-minute credit hour. Jurisdictions that use a 50-minute credit hour will compute credit from the instructional time shown above (81 minutes ÷ 50 = 1.6 hours before rounding under the rules of the crediting jurisdiction).

Opening and closing remarks are excluded from instructional time. Segment start times are taken from the final assembled on-demand master. Three verification codes are announced during the program as the record of verified viewing. Design Patent Pro, LLC • 1218 Philip Drive, Allen, Texas 75013 • cle@designpatentpro.com