

Application (or Control) No: _____

REPLY BRIEF CHECK LIST FOR APPEAL CENTER

Reply Brief filed: _____ Timely: Yes No Signed (S-signature is acceptable)

This checklist is for reply briefs filed in cases that have an appeal brief filed on or after December 10, 2008. If any of the boxes (items 1-11) below is checked, please send appellant a notice of non-entry of reply brief.

1. **Second or subsequent reply brief** - Check the box if this reply brief is a second or subsequent reply brief. Appellant may only file a single reply brief. Do not count any previously filed non-compliant reply brief. For example, do not check the box if appellant filed a single reply brief and the Office determined that the reply brief was non-compliant, and then appellant timely filed this corrected reply brief in response to the notice of non-entry reply brief.
2. **The items are not in the order indicated** – Do not send appellant a notice of non-entry of reply brief if this is the only non-compliance. Check the box if there is at least one other defect in the reply brief and the required items (table of contents, table of authorities, statement of additional facts (if presented), and argument section) are not in the order indicated.
3. **Table of Contents** – Check the box if the heading or content is missing.
4. **Table of Authorities** – Check the box if the heading or content is missing.

Statement of Additional Facts – If the heading and/or content is missing, do not hold the reply brief defective. The Office will assume that there are no additional facts.
5. **Argument** – Check the box if the heading or content is missing.
6. **Amendment** – Check the box if there is any amendment filed with the reply brief.

Format requirements

7. **Page numbering** – Check the box if the pages of the reply brief are not numbered consecutively.

The pages of the reply brief, including all sections in the appendix, shall be consecutively numbered using Arabic numerals beginning with the first page of the reply brief, which shall be numbered page 1.
8. **Double spacing** – Check the box if the spacing is not correct.

Double spacing shall be used except in headings, tables of contents, tables of authorities, signature blocks, and certificates of service. Block quotations must be indented and can be one and one half or double spaced.
9. **Font** – Check the box if the font size is not (smaller than) **14 point**, including the font for block quotations and footnotes.
10. **Length of reply brief** – Check the box if the reply brief exceeds the page limit. Appeal Center must check the application file to determine whether any petition under § 41.3 requesting to exceed the 20-page limit has been granted. If such a petition has been granted, check whether the reply brief exceeds the new page limit.

A reply brief **may not exceed 20 pages (unless a petition under § 41.3 requesting to exceed the 20-page limit has been granted)**, counting only the following sections: statement of additional facts and argument (do not count the pages of the following sections: table of contents, table of authorities, and signature block). A reply brief may not incorporate another paper by reference. A request to exceed the page limit shall be made by petition under § 41.3 filed at least **ten** calendar days prior to the date the reply brief is due.

Appeal Center Review Check List for Reply Briefs ...continued

11. **Signature block** – Check the box if the signature block, the name of the appellant (or appellant’s representative), or correspondence address is missing.

<p style="text-align: center;">NOTICE OF NON-ENTRY OF REPLY BRIEF</p> <ul style="list-style-type: none">• <input type="checkbox"/> Notice of Non-Entry of Reply Brief Mailing Date: _____• <input type="checkbox"/> Reply Brief appears compliant with the requirements.
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Reviewer’s initials: _____

Date of the review: _____