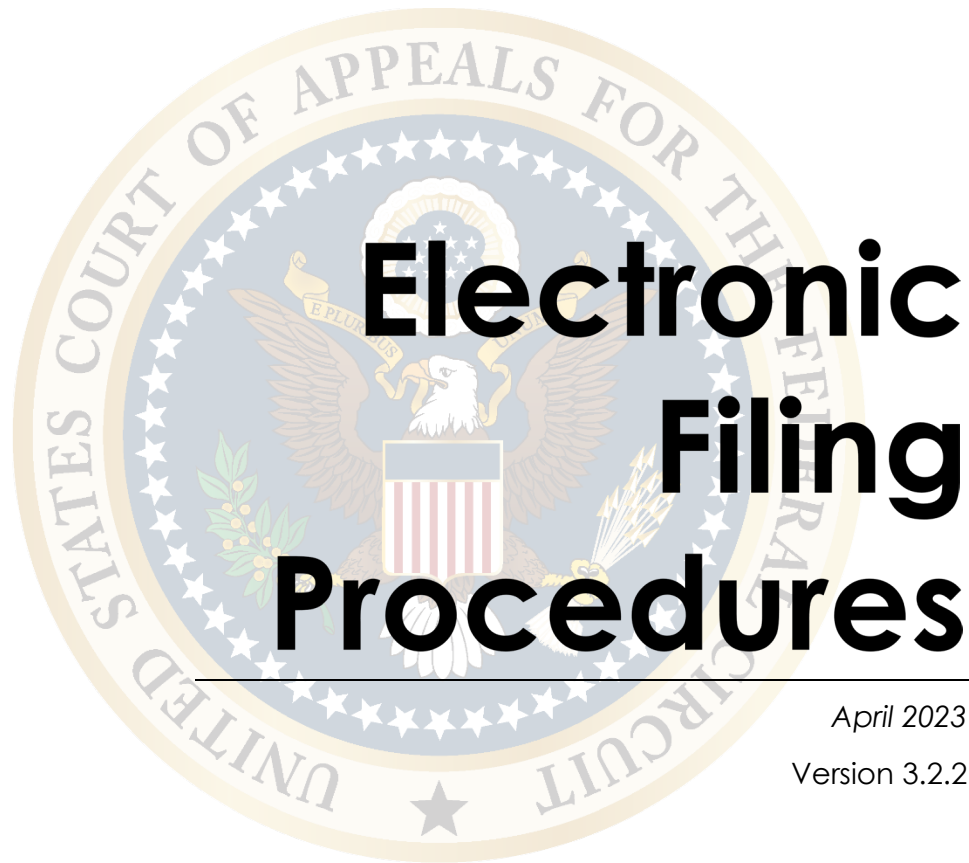


U.S. Court of Appeals for the Federal Circuit  
Clerk's Office



# Electronic Filing Procedures

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*April 2023*  
Version 3.2.2

CM/ECF User's Guide  
For Use with NextGen CM/ECF 1.7.2

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## I. Introduction

The Electronic Filing Procedures are issued by the clerk of court pursuant to Fed. Cir. R. 25(a)(4), and they apply to all electronic filings in the U.S. Court of Appeals for the Federal Circuit. Nothing in these procedures modifies any requirements under the Federal Rules of Appellate Procedure or the Federal Circuit Rules; when these procedures conflict with a rule of this court, the rule governs.

For questions about these procedures, please contact the Clerk's Office at 202-275-8000 from 8:30 a.m. to 4:30 p.m. (Eastern), Monday through Friday.

Additional resources are available on our website at

<http://www.cafc.uscourts.gov/>.

## II. Use of the Electronic Filing System

### A. Authority

Electronic filing is authorized in the U.S. Court of Appeals for the Federal Circuit by Fed. R. App. P. 25(a)(2)(D) and governed locally by the requirements of Fed. Cir. R. 25. Effective May 17, 2012, electronic filing is mandatory for attorneys filing in the Federal Circuit, unless they are granted a specific exemption or are unrepresented (pro se) parties. Effective October 1, 2020, unrepresented parties will be permitted to register for electronic filing in the Federal Circuit on filing a completed [Notice of Unrepresented Person Appearance](#). See Fed. Cir. R. 25(a)(1)(B). Once registered, unrepresented parties will be able to file documents in their cases, but new notices of appeal or petitions for review must be filed in paper or by email. Electronic filing is permitted through the Case Management/Electronic Case Filing (CM/ECF) system operated by the federal judiciary at <http://ecf.cafc.uscourts.gov>. Public access to electronic court documents is available through the Public Access to Court Electronic Records (PACER) service at <http://www.pacer.gov>.

### B. General Requirements

There is no charge for registering to use the electronic filing system, and all attorneys who appear before this court must register for electronic filing. Fed. Cir. R. 25(a)(2). Additionally, all fees paid by counsel must be made through the electronic filing system. See Fed. Cir. R. 52(e). Electronic filing is limited to members in good standing with the court's bar, government counsel appearing in an official capacity, and unrepresented parties who have elected to file electronically in their active cases.

1. Special Procedures for Unrepresented Parties

Regardless of electronic filer status, unrepresented parties must continue to file notices of appeal or petitions for review in paper, though the court will also accept such filings transmitted via email.

**Note:** Unrepresented parties may file a notice of appeal, petition for review, or other case-initiating filing to the Clerk's Office at [intake@cafc.uscourts.gov](mailto:intake@cafc.uscourts.gov). The filing must be in the form of a PDF attached to the email. Only case-initiating documents will be accepted at this address; all other documents or messages will not be accepted or processed. See Fed. R. Cir. 25(a)(1).

Unrepresented parties registered for electronic filing may pay miscellaneous fees through the court's electronic filing system while they have an active case in the court. All other unrepresented parties must continue to pay miscellaneous fees outside of the court's electronic filing system.

Unrepresented parties registered for electronic filing will be required to pay outstanding docketing fees electronically if they did not pay their filing fee at the time of submitting their new case.

2. Viewing of Case Filings in PACER

All electronic filers receive one free copy of documents that are electronically filed in their cases, which they can save or print. Additional copies are available through PACER, which charges a fee per page for accessing any documents.

Waiting over 15 days after generation of the Notice of Docket Activity to access a document for the first time or repeated attempts to access the same document will also subject a filer to PACER fees.

Please refer to the [Electronic Public Access Fee Schedule](#) for electronic access fee rates. Copies of court opinions are available at no charge via PACER or the court's website at <http://www.cafc.uscourts.gov>. Billing issues related to access to electronic records must be directed to the PACER Service Center.

### C. Account Security

In registering for electronic filing, users agree (1) to protect the security of their account information (including account password) and (2) to notify the PACER Service Center (800-676-6856) and the Clerk's Office ([accountservices@cafc.uscourts.gov](mailto:accountservices@cafc.uscourts.gov)) if account information has been compromised.

Accordingly, no electronic filer may knowingly permit or cause to permit a filer's log-in and password to be used by anyone other than an authorized agent of the electronic filer.

### D. Suspension of Privileges

Pursuant to Fed. Cir. R. 25(a)(3), following notice and an opportunity to respond, the clerk of court may restrict or revoke electronic filing privileges for users who have either (A) repeatedly failed to comply with these procedures and requirements, or (B) failed to maintain appropriate security of account credentials. Suspension of electronic filing privileges may result in mandatory paper filing.

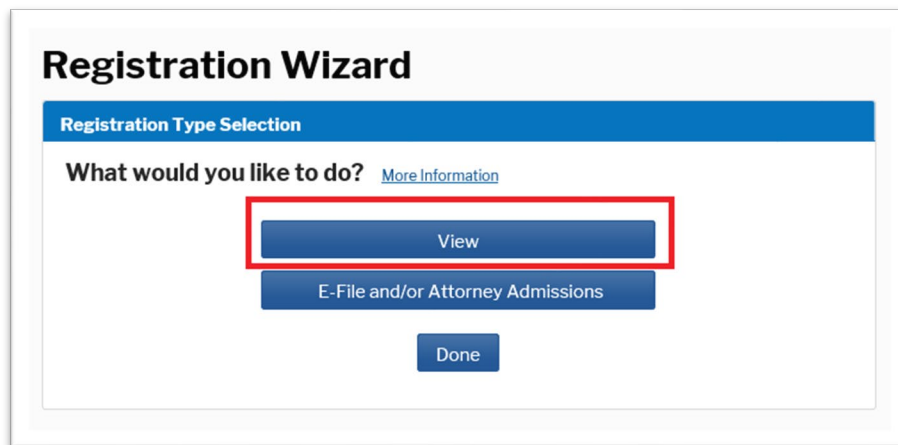
## E. Create a PACER Account

This procedure is for members of the public who do not already have a PACER account and are interested in viewing Federal Circuit court records.

Attorneys interested in electronic filing or admission to the bar should refer to [Attorney Electronic Filing Registration](#). Unrepresented parties interested in electronic filing should refer to [Non-Attorney Electronic Filing Registration](#).

Members of the public, including unrepresented parties not wishing to register to file electronically and members of the media, interested in receiving case-specific notices should refer to [Public Interested Person Registration](#).

1. Go to <http://www.pacer.gov>
2. Select **Register for an Account** from the main screen.
3. Select **Registration Wizard**.
4. Click **View** as the registration type.



5. Complete the personal information and account information pages.

For account creation assistance please contact the PACER Service Center at 800-676-6856.



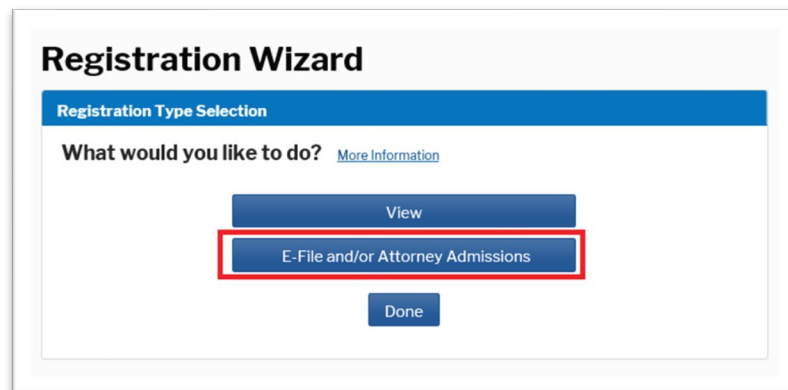
## F. Attorney Electronic Filing Registration

Attorneys seeking to file electronically must (1) register for electronic filing and (2) be admitted to the bar (except for government counsel appearing in an official capacity). Both requirements can be completed through PACER.

### 1. E-File Registration Only

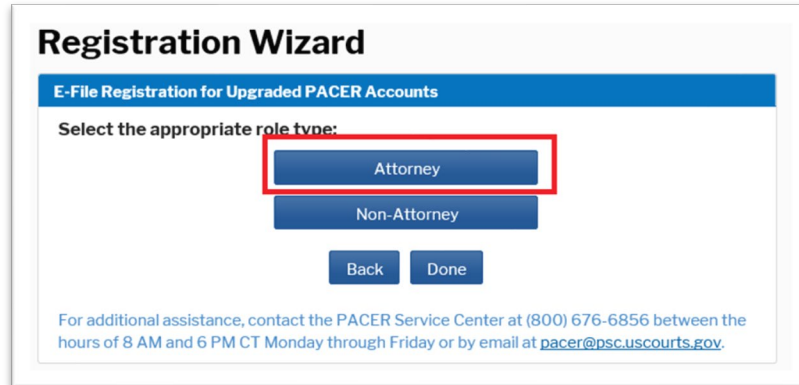
This procedure is for members of the Federal Circuit bar who have never registered for electronic filing at the Federal Circuit and for government counsel.

- a. Go to <http://www.pacer.gov>.
- b. Select **Register for an Account** from the main screen.
- c. Select **Registration Wizard**.
- d. Select **E-File and/or Attorney Admissions**.



- e. Select **U.S. Appellate Courts** as the Court Type and **U.S. Court of Appeals, Federal Circuit** as the Court, then **Next**.

- f. Select one of the options based on your type of PACER account, including creating a PACER account if you do not already have one. Select one of the options based on your electronic filing history in the Federal Circuit. If you have never filed electronically with the Federal Circuit, you will eventually reach the following screen:



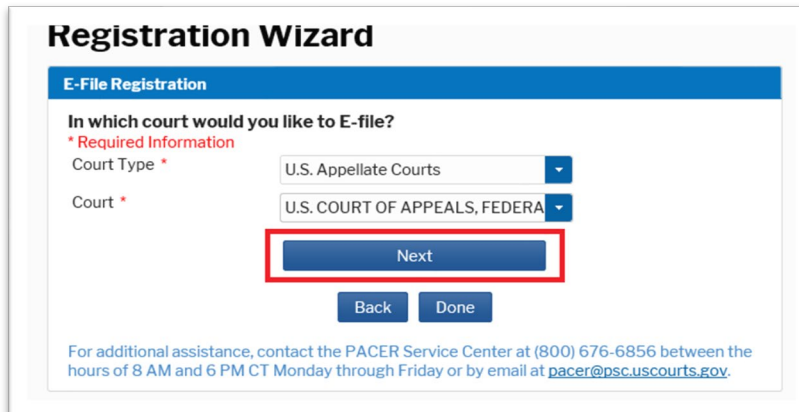
**Registration Wizard**

**E-File Registration for Upgraded PACER Accounts**

Select the appropriate role type:

For additional assistance, contact the PACER Service Center at (800) 676-6856 between the hours of 8 AM and 6 PM CT Monday through Friday or by email at [pacer@psc.uscourts.gov](mailto:pacer@psc.uscourts.gov).

- g. Select **Attorney**. (Users may have an additional screen to click through to continue.)
- h. On the **In Which Court Do You Want to Practice** screen, select **U.S. Appellate Courts** as the Court Type and **U.S. Court of Appeals, Federal Circuit** as the Court, then **Next**.



**Registration Wizard**

**E-File Registration**

In which court would you like to E-file?

\* Required Information

Court Type \*

Court \*

For additional assistance, contact the PACER Service Center at (800) 676-6856 between the hours of 8 AM and 6 PM CT Monday through Friday or by email at [pacer@psc.uscourts.gov](mailto:pacer@psc.uscourts.gov).

i. Select **E-File Registration Only**.

**What would you like to apply/register for?**

Attorney Admissions and E-File

**E-File Registration Only**

Federal Attorney

[Before continuing, view the local Policies and Procedures on Electronic Filing for the selected court](#)

Effective May 17, 2012, electronic filing is mandatory for attorneys filing in the Federal Circuit, unless they are granted a specific exemption or are self-represented litigants. Fed. Cir. R. 25. Attorneys must register with the PACER Service Center as Attorney Filing users. Please allow two to three business days for processing of your electronic filing registration. By registering for electronic filing, users consent to accepting electronic notification concerning system-related maintenance and outages, as well as updates to our electronic filing procedures. Additional information is available at <http://www.cafc.uscourts.gov/email-subscriptions>.

[Before continuing, view the local Policies and Procedures for Attorney Admission for the selected court](#)

Attorneys who are not admitted to the Federal Circuit bar may apply for admission electronically. Instructions are available at <http://www.cafc.uscourts.gov/contact/attorney-admission-information>. If necessary, upload your Certificate of Good Standing with payment when requested after the initial submission of your Application for Admission.

Back Cancel

**Note:** Federal, state, and local government counsel appearing on behalf of a government party should select **Federal Attorney**. See Fed. Cir. R. 46(d).

**What would you like to apply/register for?**

Attorney Admissions and E-File

E-File Registration Only

**Federal Attorney**

[Before continuing, view the local Policies and Procedures on Electronic Filing for the selected court](#)

Effective May 17, 2012, electronic filing is mandatory for attorneys filing in the Federal Circuit, unless they are granted a specific exemption or are self-represented litigants. Fed. Cir. R. 25. Attorneys must register with the PACER Service Center as Attorney Filing users. Please allow two to three business days for processing of your electronic filing registration. By registering for electronic filing, users consent to accepting electronic notification concerning system-related maintenance and outages, as well as updates to our electronic filing procedures. Additional information is available at <http://www.cafc.uscourts.gov/email-subscriptions>.

[Before continuing, view the local Policies and Procedures for Attorney Admission for the selected court](#)

Attorneys who are not admitted to the Federal Circuit bar may apply for admission electronically. Instructions are available at <http://www.cafc.uscourts.gov/contact/attorney-admission-information>. If necessary, upload your Certificate of Good Standing with payment when requested after the initial submission of your Application for Admission.

Back Cancel

j. Complete the fields on the E-File Registration Page.

#### **Additional Information**

- Add information about your admission at other courts. (While optional, this information helps with matching your existing bar record.)

#### **Delivery Method and Formatting**

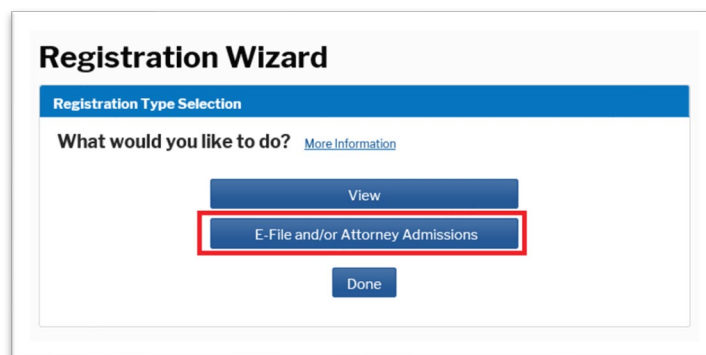
- Select how frequently and in what format you wish to receive email notifications. You can also add additional emails to receive notice in **Additional Email Addresses**.
- k. On the next screen, select your payment options for PACER and other fees, then click **Next**.
- l. Review the E-Filing Terms of Use and click the two acknowledgements.
- m. Click **Submit**. You will receive electronic notification once your request has been processed.

**Note:** Please allow one to two business days for processing by the Clerk's Office.

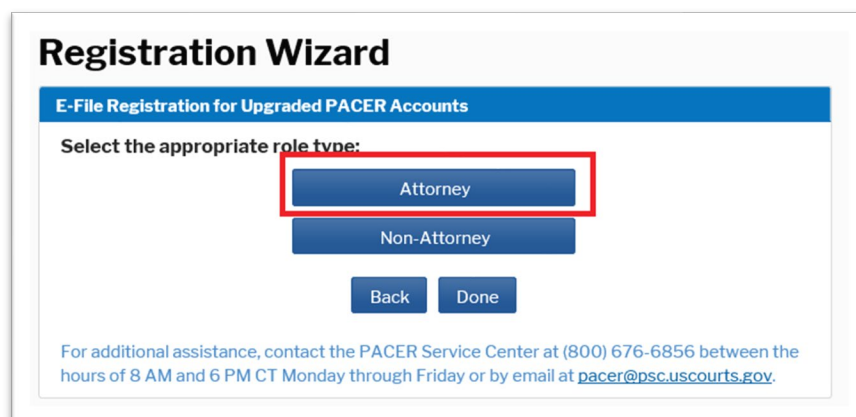
2. Attorney Admissions and E-File

This procedure is for registering for electronic filing and for applying to the bar at the same time. Please review Fed. Cir. R. 46.

- a. Go to <http://www.pacer.gov>.
- b. Select **Register for an Account** from the main screen.
- c. Select **Registration Wizard**.
- d. Select **E-File and/or Attorney Admissions**.



- e. Select **U.S. Appellate Courts** as the Court Type and **U.S. Court of Appeals, Federal Circuit** as the Court, then **Next**.
- f. Select one of the options based on your type of PACER account, including creating a PACER account if you do not already have one. Select one of the options based on your electronic filing history in the Federal Circuit. If you have never filed electronically with the Federal Circuit, you will eventually reach the following screen:



- g. Select **Attorney**. (You may have an additional screen to click through to continue.)
- h. On the **In Which Court Do You Want to Practice** screen, select **U.S. Appellate Courts** as the Court Type and **U.S. Court of Appeals, Federal Circuit** as the Court, then **Next**.

**Registration Wizard**

**E-File Registration**

In which court would you like to E-file?  
*\* Required Information*

Court Type \* U.S. Appellate Courts

Court \* U.S. COURT OF APPEALS, FEDERAL

Next

Back Done

For additional assistance, contact the PACER Service Center at (800) 676-6856 between the hours of 8 AM and 6 PM CT Monday through Friday or by email at [pacer@psc.uscourts.gov](mailto:pacer@psc.uscourts.gov).

- i. Click **Before continuing, view the local Policies and Procedures for Attorney Admission for the selected court** and complete the Federal Circuit's [Application for Admission to the Bar \(Form 21\)](#).

Select **Attorney Admissions and E-File**.

**What would you like to apply/register for?**

Attorney Admissions and E-File

E-File Registration Only

Federal Attorney

[Before continuing, view the local Policies and Procedures on Electronic Filing for the selected court](#)

Effective May 17, 2012, electronic filing is mandatory for attorneys filing in the Federal Circuit, unless they are granted a specific exemption or are self-represented litigants. Fed. Cir. R. 25. Attorneys must register with the PACER Service Center as Attorney Filing users. Please allow two to three business days for processing of your electronic filing registration. By registering for electronic filing, users consent to accepting electronic notification concerning system-related maintenance and outages, as well as updates to our electronic filing procedures. Additional information is available at <http://www.cafc.uscourts.gov/email-subscriptions>.

[Before continuing, view the local Policies and Procedures for Attorney Admission for the selected court](#)

Attorneys who are not admitted to the Federal Circuit bar may apply for admission electronically. Instructions are available at <http://www.cafc.uscourts.gov/contact/attorney-admission-information>. If necessary, upload your Certificate of Good Standing with payment when requested after the initial submission of your Application for Admission.

Back Cancel

**Note:** Federal, state, and local government attorneys appearing on behalf of a government party should select **Federal Attorney** to be admitted for the limited purposes of representing the United States or another government entity. This status does not confer admission to the Federal Circuit bar. See Fed. Cir. R. 46(d).

**What would you like to apply/register for?**

Attorney Admissions and E-File

E-File Registration Only

**Federal Attorney**

[Before continuing, view the local Policies and Procedures on Electronic Filing for the selected court](#)

Effective May 17, 2012, electronic filing is mandatory for attorneys filing in the Federal Circuit, unless they are granted a specific exemption or are self-represented litigants. Fed. Cir. R. 25. Attorneys must register with the PACER Service Center as Attorney Filing users. Please allow two to three business days for processing of your electronic filing registration. By registering for electronic filing, users consent to accepting electronic notification concerning system-related maintenance and outages, as well as updates to our electronic filing procedures. Additional information is available at <http://www.ca9c.uscourts.gov/email-subscriptions>.

[Before continuing, view the local Policies and Procedures for Attorney Admission for the selected court](#)

Attorneys who are not admitted to the Federal Circuit bar may apply for admission electronically. Instructions are available at <http://www.ca9c.uscourts.gov/contact/attorney-admission-information>. If necessary, upload your Certificate of Good Standing with payment when requested after the initial submission of your Application for Admission.

Back Cancel

- j. Complete the following Attorney Admissions page, including providing information about your bar sponsor, if applicable, and click **Next**.

**Note:** Upload the completed Federal Circuit's [Application for Admission to the Bar \(Form 21\)](#) under **Document Upload**. You must first flatten the form before uploading it. See [Portable Document Format – Flattening a PDF](#).

If you are seeking **admission without a sponsor**, you will also need to submit a certificate of good standing. You can either (1) attach this certificate to the single PDF document including your application or (2) upload the certificate at the time of paying the admission fee. The second option may delay the processing of your admission application.

- k. Complete the fields on the E-File Registration Page and click **Next**.

**Additional Information**

- Skip this section.

**Delivery Method and Formatting**

- Select how frequently and in what format you wish to receive email notifications. You can also add additional emails to receive notice in **Additional Email Addresses**.
- l. On the next screen, select your payment options for PACER and other fees, then click **Next**.
- m. Review the Policies and Procedures for Attorney Admission, E-Filing Terms of Use, and Policies and Procedures for Electronic Filing. Click the acknowledgements.
- n. Click **Submit**.

You will receive electronic notification to submit payment of the admission fee to allow for the completion of the admission process. **Note:** Please allow one to two business days for processing by the Clerk's Office.

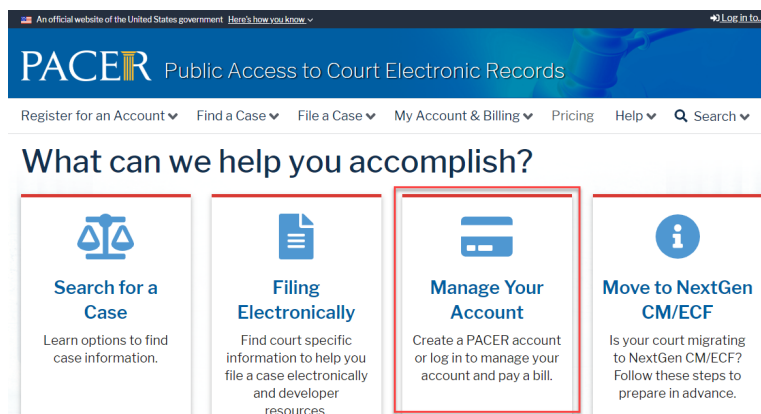


## G. Non-Attorney Electronic Filing Registration

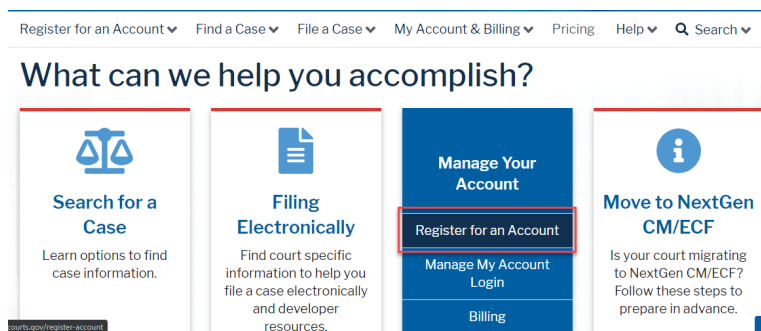
Unrepresented parties seeking to file electronically must (1) register for a PACER account, (2) register for a Non-Attorney Filer account with the Federal Circuit and (3) file a completed and compliant [Notice of Unrepresented Person Appearance \(Form 8B\)](#) in each case in which they intend to file electronically.

**Note:** The below instructions are for an individual who has not yet registered for a PACER account. If you already have a PACER account or a filer account with another court, proceed to the **Manage My Account** section, click on the **Maintenance** tab, select **Non-Attorney E-File Registration**, and continue these instructions from step 11.

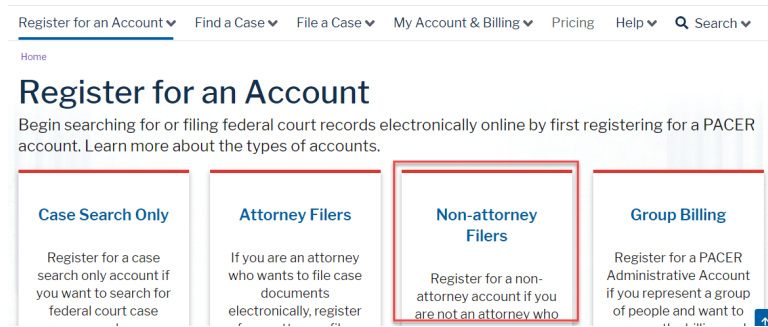
1. Go to <http://www.pacer.gov>.
2. Hover your cursor over **Manage Your Account**.



3. Select **Register for an Account**.



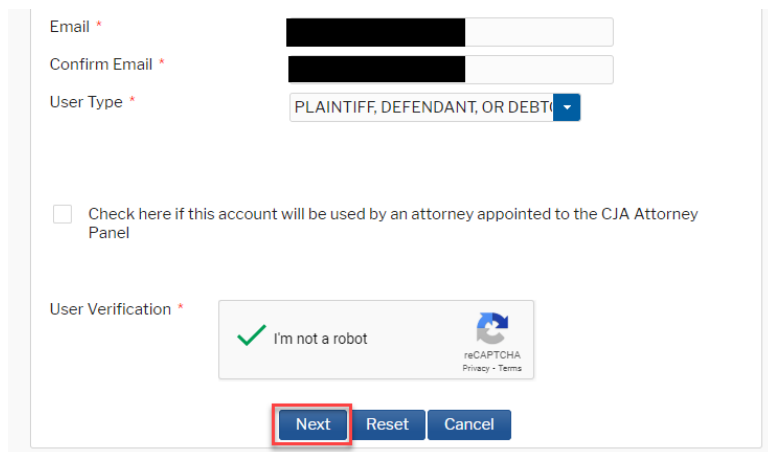
4. Select **Non-attorney Filers**.



5. Select **Register for a PACER account**



6. Enter the required contact information and select **Next**.



7. Enter the required user account information and select **Next**.

The screenshot shows the 'Non-Attorney E-File Registration' form, specifically the 'User Information' section. It includes fields for Username, Password, Confirm Password, Security Question 1, Security Answer 1, Security Question 2, and Security Answer 2. There are buttons for 'Generate Username', 'Check Username Available', 'Next', 'Back', 'Reset', and 'Cancel'. The 'Next' button is highlighted with a red box.

8. Enter credit card information and select **Next**.

The screenshot shows the credit card information form. It includes fields for Account Holder Name, Card Type, Account Number, Card Expiration Date, Address, City, State, Zip/Postal Code, and Country. There are checkboxes for 'Use billing address' and 'I authorize the PACER Service Center to charge the above credit card once a quarter for any PACER fees due.'. There is a note about SSL security. The 'Next' button is highlighted with a red box.

**Note:** Entering a credit card is optional, but not doing so may delay the activation of your account.

9. Complete the Acknowledgement of Policies and Procedures and select **Submit**.

**Acknowledgment of Policies and Procedures**

There is no registration fee. However, the Judicial Conference of the United States has established a fee for access to information in PACER. All registered users will be charged as follows:

- Use of the PACER system will generate a \$.10 per-page charge.
- Audio files of court hearings retrieved via PACER will generate a \$2.40 per-file charge.

**Acknowledgment of Policies and Procedures**  
**I understand that:**

- There is a charge for accessing information in PACER. See the Fee Information section above. PACER provides electronic access to case information in U.S. federal courts. By registering for a PACER account, I assume responsibility for all fees incurred through the usage of this account.
- Certain accounts may be designated, under Judicial Conference policy, as exempt

[Click here to download a printable version of the Policies and Procedures](#)

\* Required Information  
 Click here to acknowledge you have read and understand the policies and procedures listed above. \*

If you did not complete the CREDIT CARD INFORMATION, you will receive instructions at the address entered on the personal information page with your activation code by US Mail in 7-10 business days. If you have any questions, call the PACER Service Center at (800) 676-6856.

**Submit** **Back** **Reset** **Cancel**

10. To register to e-file, select **Continue**.

**Non-Attorney E-File Registration**

**Click Continue to complete the non-attorney e-file registration.**

Your PACER account has been created. Now you may register to e-file by clicking the **Continue** button below. You may also register to e-file at any time through the **Manage My Account** link located in the upper right corner of the PACER Service Center website.

**Continue**

11. In the dropdown menu next to "Court Type," select **U.S. Appellate Courts**.

12. In the dropdown menu next to "Court," select **U.S. Court of Appeals, Federal Circuit**.

13. In the dropdown menu next to "Role in Court," select **Party**.

### Complete all sections of E-File Registration

**Filer Information**

Please note that not all courts accept non-attorney filers and some accept only specific types of non-attorney filers. If the selected court does not allow a specific type of non-attorney filer, you will not be able to register for filing privileges at that court.

\* Required Information

Court Type \* U.S. Appellate Courts

Court \* U.S. Court Of Appeals, Federal Circu

[Before continuing, view the local Policies and Procedures on Electronic Filing for the selected court](#)

Role in Court \* Party

Name John Doe

I acknowledge that I am submitting the e-file registration for the individual listed above. **Note: If more than one individual uses this account, you must create a new PACER account for the individual who needs e-filing privileges, if she or he does not already have one.**

**Please verify your address. You may also enter a different address from the one provided for your CSO account.**

Use a different address. Checking this will clear the address fields below.

Firm/Office

14. Verify your address and email preferences, then select **Next**.

**Delivery Method and Formatting**

Use a different email. Checking this will clear the primary email fields below.

Primary Email \*

Confirm Email \*

Email Frequency \* At The Time of Filing (One)

Email Format \* HTML

Additional Email Addresses


Confirm Additional Email Addresses

**Next** Reset Cancel

15. Verify your payment method, then select **Next**.

Select your method of payment from the **Add Credit Card** and **Add ACH Payment** options below. You may store up to three payment methods.

To designate a card as the default for e-filing or admissions fees, click the **Set default** link in the box(es) below. To remove the card as a default, click the **Turn off** link.

  
 Autobill PACER fees  
 E-filing fees default  
 Admissions fees default

██████████

John Doe  
717 Madison Place NW  
Washington, DC  
20634

[Update](#)

[Add Credit Card](#)  
[Add ACH Payment](#)

[Next](#) [Back](#) [Cancel](#)

**Note:** This section is optional and dependent on whether you entered payment information above.

16. Read and verify agreement with the terms and conditions, then select **Submit**.

- I agree that a filing or submission made with my judiciary e-filing login and password constitutes my signature for all purposes, including the Federal Rules of Procedure and the local rules of the court(s) where I am filing, and shall have the same force and effect as if I had affixed my signature on a paper document being filed or submitted.
- I agree to adhere to the local rules, orders, policies, and procedures governing electronic filing for the court(s) where I have filing privileges. I understand that a non-attorney's filing privileges may be limited to specified transactions, depending on the court.
- I must pay any fees incurred for transactions made in CM/ECF in accordance with applicable statutes and fee schedules.
- I agree to protect the security of my password.
- I will change my password through my judiciary e-filing account if I suspect it has been compromised and immediately notify the affected court(s). I am aware that I may be sanctioned for failure to comply with this provision.

[Click here to download a printable version of the Non-Attorney E-filing Terms and Conditions](#)

Click here to acknowledge that you have read and agree to the terms and conditions above, and this constitutes your signature for registration. \*

Click here to acknowledge that you have read and agree to the local requirements for the court in which you are registering. [Click here to view local Court Policies and Procedures.](#) \*

Your e-file registration will be processed by the selected court. You will receive an email notification from the selected court regarding the status of your admissions and registration as well as any additional information or instructions at the email address provided.

**Note: We protect the security of your information during transmission using Secure Sockets Layer (SSL) software, which encrypts information you submit.**

[Submit](#) [Back](#) [Reset](#) [Cancel](#)

17. Wait for your registration to be processed. You will receive an email when this is complete.

**Note:** The court will process your registration once received. A compliant Notice of Unrepresented Person Appearance indicating an intent to file electronically must be received and processed in order for you to electronically file documents in your case.

## H. Public Interested Person Registration

Although electronic filing is available only to attorneys and unrepresented parties, other public users such as unrepresented parties opting not to file electronically and members of the media, can register for limited access to CM/ECF, which will allow for registering for electronic notification of docket activity in individual cases. See [Receiving Notifications for Cases of Interest](#).

1. Go to <http://www.pacer.gov>.
2. Select **Register for an Account** from the main screen.
3. Select **Registration Wizard**.
4. Select **E-File and/or Attorney Admissions**.
5. Select **U.S. Appellate Courts** as the Court Type and **U.S. Court of Appeals, Federal Circuit** as the Court, then **Next**.
6. Select one of the options based on the type of PACER account you have and your electronic filing history. If you have never filed electronically with the Federal Circuit, you will eventually reach the following screen:

**Registration Wizard**

**E-File Registration for Upgraded PACER Accounts**

Select the appropriate role type:

Attorney

**Non-Attorney**

Back Done

For additional assistance, contact the PACER Service Center at (800) 676-6856 between the hours of 8 AM and 6 PM CT Monday through Friday or by email at [pacer@psc.uscourts.gov](mailto:pacer@psc.uscourts.gov).

7. Select **Non-Attorney**.
8. Complete the fields on the E-File Registration Page and click **Next**.

### Additional Information

- This section can be skipped.

### Delivery Method and Formatting

- Select how frequently and in what format you wish to receive email notifications. You can also add additional emails to receive notice in **Additional Email Addresses**.

9. On the next screen, select your payment options for PACER and other fees, then click **Next**.
10. Review the E-Filing Terms of Use and click the acknowledgements.
11. Click **Submit**. You will receive electronic notification once your request has been processed.

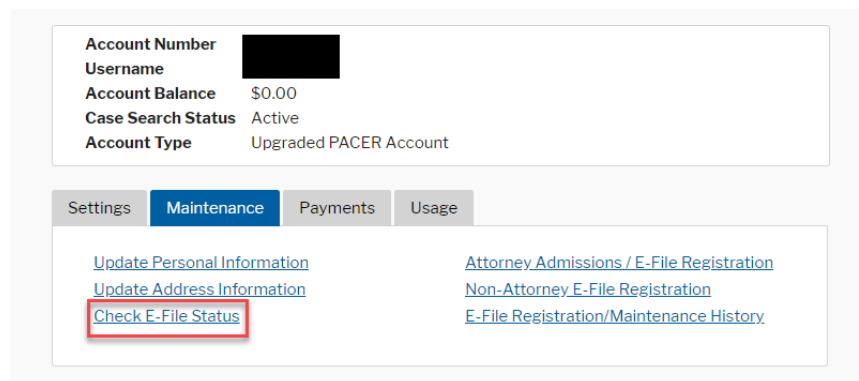
**Note:** Please allow one to two business days for processing by the Clerk's Office.



## I. Check the Status of Your Request/Application

After submitting your request for e-filing access or for admission to the bar, you can check online for the status of your request.

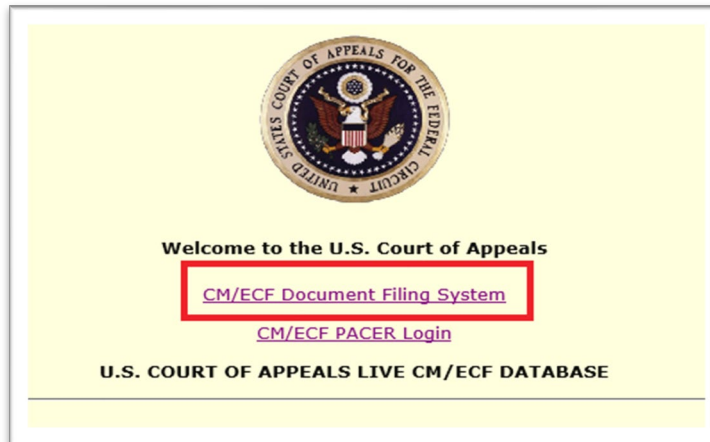
1. Go to <http://www.pacer.gov>.
2. Click **Manage My Account** at the top of the screen.
3. Log on using your PACER credentials.
4. Under the **Maintenance** tab, select **Check E-File Status** to review the status of your registration.



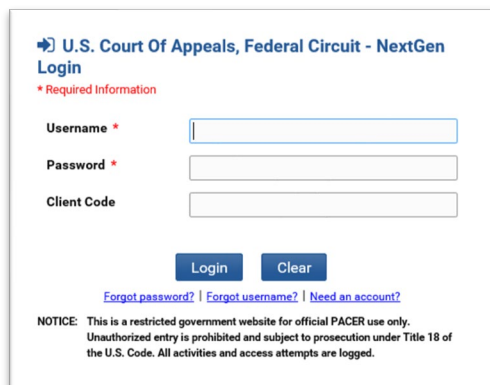
## J. Receiving Notifications for Cases of Interest

Once you have been approved for access, follow these steps to receive online notifications of docketing activity. While it is free to receive these email notifications, PACER will charge a fee per page for accessing any documents. Please refer to the [Electronic Public Access Fee Schedule](#) for electronic access fee rates.

1. Go to <http://ecf.cafc.uscourts.gov>, select **CM/ECF Document Filing System**.



2. Log on using your PACER credentials.



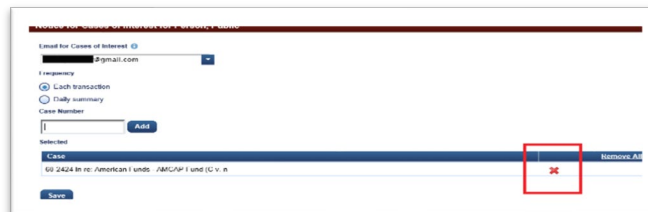
3. Under **Utilities**, select **Notice for Cases of Interest**.
4. Notifications for each case will go to your PACER email account, which is automatically filled in at the top of this page.
5. Select your desired frequency of notification. Then type in the desired case number and click **Add**. There is no limit to the number of cases you may add.
6. When you have finished adding cases click **Save** to finalize your choices.

**Note:** While there is no limit to the number of cases for which you may



receive notifications, accessing documents through PACER may accrue a fee. See [Electronic Public Access Fee Schedule](#).

7. To stop receiving notifications in a case, click the red "X" next to a case.



## K. Account Maintenance

### 1. Updating Contact Information

Electronic filers must maintain current name and contact information, which includes a mailing address, telephone number, and email address, with the Clerk's Office at all times by ensuring the information associated with their filing accounts is accurate. Filers must also amend their appearance forms in all pending cases where any name or contact information changes. See Fed. Cir. R. 25(a)(5). Note that "service of a filing to an invalid email address constitutes valid service if the individual has failed to timely provide a current email address." Fed. Cir. R. 25(e)(1).

**Note:** Government counsel moving to private practice must separately contact the Clerk's Office regarding formal bar admission to the court.

### 2. Manage My Account

The following options are available within PACER's account maintenance menu.

For assistance with PACER account maintenance, please contact the PACER Service Center at 800-676-6856. **The Clerk's Office does not have the ability to access or to update individual account information, including login credentials.**

#### a. Settings Tab

- *Change Username*
- *Change Password:* Passwords must be at least 8 characters, which can contain letters, numbers, and special characters such as underscores, periods, and exclamation points. Password changes are immediate.
- *Set Security Information:* Setting up security questions allows you to reset your forgotten password. You will be prompted to answer the questions on file to reset your password.
- *Update PACER Billing Email:* Enter the email address where you want to receive billing notices.
- *Set PACER Billing Preferences:* Set account preferences for use in CM/ECF. This allows you to turn off viewing of transaction receipts and require the use of a client code.

b. Maintenance Tab

- *Update Personal Information:* Name information.
- *Update Address Information:* Mailing address, phone numbers.
- *Update E-Filer Email Noticing and Frequency:* Update the email address, delivery method, and formatting options at participating courts for which you are an accepted e-filer.
- *Display Registered Courts:* See a list of courts in which you are an accepted e-filer. This option will only appear if you have submitted an e-file registration at a court.
- *Attorney Admissions/E-File Registration:* Apply to e-file at a participating court.
- *Non-Attorney E-File Registration:* Non-attorneys (i.e., pro se filers, interested parties, or filing agents) may register for e-file privileges at a participating court.
- *Check E-File Status:* Select a court and court type to check your e-file status in that court. This option will only appear if you have submitted an e-file registration at a court.
- *E-File Registration/Maintenance History:* View a list of all your admissions and e-file registration and maintenance requests. This option will only appear if you have submitted an e-file registration at a court.

c. Payments Tab

- *Make One-Time PACER Fee Payment:* Pay PACER account balance or another amount.
- *Manage My Stored Payment Information:* Store a credit card as a default payment method for filing and attorney admissions fees, or for automatic billing for PACER fees.

d. Usage Tab

- *View Quarterly Invoice/Statement of Account*
- *View Detailed Transactions:* View details about your searches and PACER fees.

## L. Legacy CM/ECF Accounts

Existing Federal Circuit CM/ECF users who did not link their existing CM/ECF account (legacy account) to their individual PACER accounts following the Federal Circuit's installation of NextGen CM/ECF on March 19, 2018, will now need to register for a new electronic filing account with PACER. See [Attorney Electronic Filer Registration](#).

### III. Navigating CM/ECF

#### A. Logging In

1. Go to <http://ecf.cafc.uscourts.gov> and select **CM/ECF Document Filing System**.
2. Enter your PACER Username and Password. Click **Login**.  
**Note:** An optional Client Code can be entered to assist with tracking case billing.
3. Review the Redaction Responsibility agreement. Click the “**I understand . . .**” box and then **Continue**. See also [Privacy Requirements](#).
4. From the landing page, you can select the appropriate menu for your task.



**Note:** The **Getting Started** menu provides a brief overview of how to navigate CM/ECF. An online electronic learning module—[Introduction to Appellate NextGen CM/ECF](#)—provides an interactive tutorial on navigating and using CM/ECF.

## B. Paying Fees

All fees in counseled cases, including admission-related fees, must be paid electronically through Pay.gov. See Fed. Cir. R. 46, 52. Checks received from counsel will not be processed and will be returned to the sender or lead attorney on the appeal.

Unrepresented parties registered for electronic filing may pay miscellaneous fees through the court's electronic filing system while they have an active case in the court. All other unrepresented parties must continue to pay miscellaneous fees outside of the court's electronic filing system by either mail or in person.

However, unrepresented parties registered to file electronically must submit outstanding docketing fees owed to this court through the court's electronic filing system (this can be accomplished using the event **Pay Docketing Fee** in the particular case with the outstanding fee). The court's current fee schedule is available online at <https://cafc.uscourts.gov/home/case-information/fee-schedules/>.

**Note:** Docketing fees for unrepresented parties owed to other courts, such as a U.S. District Court, the U.S. Court of Appeals for Veterans Claims, or the U.S. Court of Federal Claims, must be paid to those courts in accordance with the procedures of those courts.

### 1. General Procedure

- e. Go to <https://cafc.uscourts.gov/home/case-information/fee-schedules/> and select **CM/ECF Document Filing System**.
- b. **Note:** You must first register for electronic filing access (and bar admission if applicable) through [PACER](#) before you can access the payment menu.
- f. Click the **Utilities** menu and then select one of the following (select one of these options for more information):
  - [Submit New Case with Fee Payment](#)  
**Note:** This option is only available for registered attorneys.
  - [Pay Miscellaneous Fees](#)
- g. Upload the required document and type a brief description of the document. Upload any supporting documents by clicking **Add Another Document**.
- h. Click **Pay Now and Submit** to go to the pay.gov website.



2. Using Pay.gov

Whenever a fee is required, you will be prompted to enter your PACER account information and have the option of paying the fee with your PACER billing information already on file.

You may also select to submit payment with a different (1) credit or debit card or (2) bank account (ACH).

3. Payment Error and Refunds

The Clerk's Office does not refund fees absent an erroneous transaction (including duplicate payment) or technical malfunction.

If for any reason you are unable to complete filing the document once the Pay.gov transaction has been completed and must start the filing process over, you will be charged a second fee. To have the first fee removed from your credit card account or bank account, you must contact the Clerk's Office at 202-275-8000 or email [accountservices@cafc.uscourts.gov](mailto:accountservices@cafc.uscourts.gov). You will need the Agency Tracking ID and Pay.gov Tracking ID from the confirmation email you receive as well as the date of the transaction and the name of the filer whose PACER login and password were used.

## IV. Filing

### A. General Procedures

#### 1. Account Information

##### a) Account Maintenance

Electronic filers must maintain current name and contact information, which includes a mailing address, telephone number, and email address, with the Clerk's Office at all times by ensuring the information associated with their filing accounts is accurate. Filers must also amend their appearance forms in all pending cases when any name or contact information changes. Fed. Cir. R. 25(a)(5).

Electronic filers update their contact information and conduct all account maintenance, including updating billing, email notifications, and contact information, through the **Manage My Account** page at <http://www.pacer.gov/> or by calling the PACER Service Center at 800-676-6856.

##### b) Account Security

In registering as an electronic filer, you agree to protect the security of your password and to notify the PACER Service Center and the Clerk's Office immediately if you learn that your password has been compromised. Additionally, no electronic filer or other person may knowingly permit or cause to permit a filer's log-in and password to be used by anyone other than an authorized agent of the electronic filer. Electronic filers may be sanctioned for failure to comply with this provision. See Fed. Cir. R. 25(a)(3).

- Contact the PACER Service Center at 800-676-6856.
- Contact the Clerk's Office at [accountservices@cafc.uscourts.gov](mailto:accountservices@cafc.uscourts.gov) or call 202-275-8000.

##### c) Filing Authorization

Electronic filers may only file documents on behalf of themselves or the party or parties they represent in a case. Electronically filed documents that require the signature of other individuals must meet the requirements of Fed. Cir. R. 32(g)(3).

## 2. Appendix Formatting

### a) Appendix Page Numbers

All appendix page numbers must be preceded by "Appx" (or "SAppx" for a supplemental appendix) and then the number, without any intervening non-numerical characters or spaces. Sub-organizational indicators (such as .1 or a) are also not permitted. See Fed. Cir. R. 30(b)(2)(C). See also [Bates Numbering](#).

**Note:** Using leading zeroes or capitalizing "APPX" does not affect the court's citation link program, and pagination and references that use leading zeroes or capitalization are acceptable.

Examples of acceptable format include the following:

- Appx123 or SAppx123,
- Appx00123, and
- APPX123.

Examples of improper format include the following:

- Appx.123 or Appx 123 (no spaces or characters in between "Appx" and the number),
- Appx123.1 or Appx123a (no sub-organizational indicators), and
- JAppx123 (only "Appx" or "SAppx" permitted).

### b) Appendix Page References

References in briefs to the appendix must follow the same format as appendix pages. See Fed. Cir. R. 28(f). Page references should also omit individual section or line references; any additional identifiers must be separated from the appendix reference.

**Note:** Do not create hyperlinks from your brief citations to your appendices; the correct format for references from briefs to appendix pages (e.g., Appx) is all that is required.

Examples of acceptable reference format include the following:

- Appx123 or SAppx123,
- Appx00123,

- APPX123,
- Appx123-132 (consecutive pagination)
- Appx123, Appx135 (non-consecutive pagination), and
- Appx123-Appx125 or Appx123-25.

Examples of improper format include the following:

- Appx.123 or Appx 123 (no spaces or characters between "Appx" and the number),
- Appx123, 125 (improper non-consecutive pagination),
- Appx123.1 or Appx123a (no sub-organizational indicators),
- Appx123:45-125:67 (no individual line references), and
- JAppx123 (only "Appx" or "SAppx" permitted).

A document that is included in both the addendum to a brief and the appendix must have the same page number. For example, if in the appendix a judgment in question is numbered Appx7-10, it must also be numbered Appx7-10 in the addendum.

**Note:** Fillers are encouraged to use hyphens as opposed to en and em dashes in their citations.

**Note:** Parties authorized to file separate appendices pursuant to Fed. Cir. R. 30(e) must ensure those appendices do not overlap in pagination (except that the same document appearing in multiple appendices may be paginated the same).

c) Bates Numbering

The Federal Circuit Rules require the use of Bates numbering in appendices. See Fed. Cir. R. 30(b)(2)(C), 30(c)(2), and 30(e)(4). Bates numbering is a method of pagination that simplifies identification and retrieval of materials in appendices. Bates numbering must be visible, appropriately sized, and centered in the bottom margin of each appendix page with other surrounding text and numbering redacted to avoid illegibility or confusion. See Fed. Cir. R. 30(c)(2).

**Note:** When applying Bates numbering, please be cognizant of how the pagination will appear on the printed paper copies. While the court will accept electronic appendix pages oriented in landscape to promote readability, the paper copies of the appendix may be found non-compliant if appendix page numbers appear anywhere other than centered in the bottom margin of the bound volume. See Fed. Cir. R. 30(c)(2).

Bates numbering can be added to Portable Document Format (PDF) documents using an editor program. The following instructions are for adding Bates numbers in Adobe Acrobat. Users of other editor programs should consult their application user guide.

- i. Open Adobe Acrobat and then select the **Tools** pane. Select **Pages**.
- ii. Under Edit Page Design, select Bates Numbering. Select Add Bates Numbering.

**Note:** To add the Bates Numbering option to your Quick Tools Toolbar, right-click **Bates Number**, then select **Add to Quick Tools Toolbar**.

- iii. Select **Add Files**, then either **Add Files**, **Add Folders**, or **Add Open Files** (select based on how you have the documents saved to have Bates numbers inserted). Select the applicable joint or supplemental appendix file (or files if there are multiple volumes). Select **OK**.

**Note:** Be sure to arrange the appendix files in the order you want the Bates numbers to be assigned.

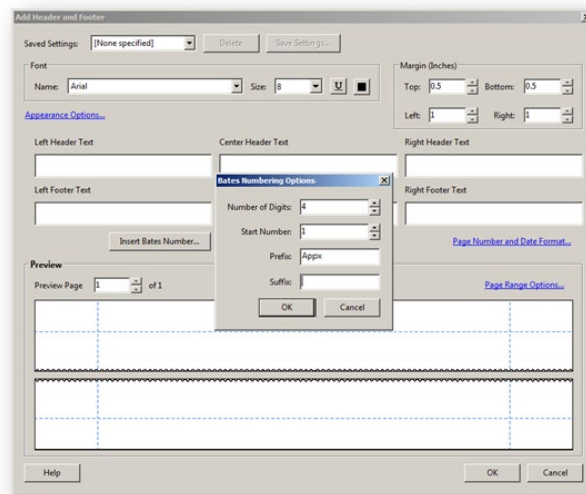
- iv. The **Add Header and Footer** box will not populate. Select a **Footer Text** box of where you want to insert the numbering style of your choice. Select **Insert Bates Number...**

**Note:** Filers determine what justification (e.g., left, center, right) to use for the footer numbering. Fed. Cir. R. 30(c)(2) requires centering.

- v. The **Bates Numbering Options** box will now populate. Select the **Number of Digits** for your document's Bates number. Select **Prefix** and insert the document's

Bates numbering prefix, being sure to adhere to the requirements under [Appendix Page References](#).

**Note:** The user can decide whether to include leading zeros. The **prefix** "Appx" is used for joint appendix documents. The prefix "SAppx" is used for supplemental appendix documents.



- vi. Within the **Bates Numbering Options** box, select **OK**. Then within the **Add Header and Footer** box, select **OK**.

**Note:** Page Orientation and Bates Numbering

Fed. Cir. R. 30(c)(2) requires that appendix page numbers be centered in the bottom margin of the page and that other marks be redacted to avoid confusion with the page numbers. The court applies these requirements to both appendices filed electronically and appendix paper copies. Filers preparing the electronic appendix should account for how appendix pages and their page numbers will appear in the paper copies.

The court is always accepting of electronic appendices with pages in portrait mode (i.e., 8½ x 11 inches). Performing text recognition on the appendix may rotate some pages to landscape (i.e., 11 x 8 ½ inches), and for general readability purposes, the court will likely accept such pages oriented in landscape in the electronic version. However, if the Bates number was applied to the bottom margin of the landscape

page, it may appear on the right margin of the bound printed copy. Paper copies with the Bates numbering on the right side as opposed to uniformly in the bottom margin may be found non-compliant.

d) Appendix Size

Pursuant to Fed. Cir. R. 30(a)(4), no individual volume may exceed 400 printed sheets of paper. If the appendix is printed double-sided, this authorizes an electronic appendix of up to 800 pages. Appendix paper copies received in a different number of bound volumes from the electronic version will be non-compliant. See also Practice Note to Rule 30 (Appendix Volumes).

3. Browser Compatibility

Electronic filing is compatible with most popular web browsers, such as Internet Explorer, Mozilla Firefox, Google Chrome, Safari, and Microsoft Edge; however, Internet Explorer and Mozilla Firefox are the only officially supported browsers at this time.

Users should disable pop-up blockers for the domain **uscourts.gov**. Leaving on pop-up blockers while filing electronically may limit some functionality.

4. Case Record

The electronic version of filed documents, whether filed electronically in the first instance or received by the Clerk's Office in paper format and subsequently scanned into electronic format, constitutes the official record in the case under Fed. R. App. P. 45.

Later modification of a filed document or docket entry by a party is not permitted except as authorized by Fed. Cir. R. 25(i).

5. Confidential or Sealed Documents

a) General

When filing confidential or sealed materials electronically, parties serve the materials by a method other than CM/ECF because only court users may access confidential or sealed materials through CM/ECF. See Fed. Cir. R. 25(e)(3).

Because service is performed outside of CM/ECF, a proof of service must be attached to the filing. See Fed. Cir. R. 25(e)(3)-(4).

b) Certificate of Confidential Material

When filing a confidential version of a motion, petition, response, reply, or brief that includes material marked confidential under Fed. Cir. 25.1(d)(1), counsel must also include a [Certificate of Confidential Material \(Form 31\)](#). See Fed. Cir. R. 25.1(e)(2). Documents filed under Fed. Cir. R. 25.1(d)(1) without an attached Certificate of Confidential Material may be found non-compliant and require refiling.

c) Confidential Filing in Error

If a filer erroneously includes confidential information in a public filing or misfiles a confidential or sealed document using a public event, the filer should promptly call the Clerk's Office at 202-275-8000 or 202-275-8055 during business hours. If the error is discovered after hours or on the weekend, please call the after-hours line at 202-275-8049 and/or email [emergencyfilings@cafc.uscourts.gov](mailto:emergencyfilings@cafc.uscourts.gov).

Additional information about after-hours emergency filing support is available on the court's website at <https://cafc.uscourts.gov/home/the-court/clerks-office/>.

6. Documents Exempt from Electronic Filing

a) Items That Cannot Be Filed Electronically

Exhibits, attachments, or appendices that are not in a format that readily permits electronic filing, such as materials that are illegible when scanned or are unable to be scanned because of their odd shape, may be filed in physical form without leave of court. See Fed. Cir. R. 25(c)(1)(B) for filing requirements. When filing under this exemption, counsel must also file a **Notice of Physical Filing** electronically.

Documents filed under this exemption must be served outside of CM/ECF in accordance with Fed. Cir. R. 25(e)(2).

b) Paper Filing by Leave of Court

Electronic filers may move for exemption from the court's CM/ECF requirements upon a showing of good cause. A motion for exemption may be filed in paper form. See Fed. Cir. R. 25(c)(1)(A).



c) Electronic Appendix Material

Electronic appendix material that cannot be produced in paper may be filed with the Clerk's Office consistent with the requirements of Fed. Cir. R. 30(i). The material must still receive proper appendix pagination, but the party should include a slip sheet in the appendix to note the physical filing of copies on CD-ROM or other medium, as well as the requisite statement concerning instructions and malware.

d) Highly Sensitive Material

Pursuant to Administrative Order 2021-04, issued on January 13, 2021, parties may file a Motion for Highly Sensitive Document Protection in order to grant documents a level of security greater than that provided through filing as confidential or under seal in CM/ECF. The confidential version of the motion must be filed in paper and must include the proposed highly sensitive document submitted in a separate, sealed envelope labeled "HIGHLY SENSITIVE DOCUMENT". Review the full text of Administrative Order 2021-04 [here](#).

7. File Size Limitation

Documents filed in CM/ECF are subject to file size limitations, with a file maximum of 60 megabytes (MB) per document. Files that exceed this limitation will be rejected by the system.

Documents exceeding the file size limitation should be divided into smaller documents.

**Note:** Documents exceeding the file size limits will not be exempted from electronic filing requirements without leave of court. The file size limit applies to individual PDFs, not the total size of all PDFs uploaded to a single event. Counsel should attempt to reduce total file size before resorting to splitting a document into multiple PDFs.

Use the following procedures to divide an oversized document in Adobe Acrobat. For other software packages, consult the software instructions.

1. Open the oversized PDF and click on **Tools**. Select **Pages** then **Split Document**.

2. In the dialog box that opens, select **Split document by File size** and enter **60** in the **Max MB** box. Then click either (1) **Output Options** to rename the separate files and save them in a different folder or (2) **OK** to use the automatic file-naming function.

**Note:** If **Output Options** are not used, the split parts of the document are automatically saved in the same folder as the original file and the label "Part#" is added at the end of the original file name.

#### 8. Filing on Non-Business Days

Unless otherwise ordered, when documents are filed and served electronically on non-business days as defined by Fed. R. App. P. 26 and Fed. Cir. R. 26, calculation of responsive deadlines, if any, will begin on the next business day. See Fed. Cir. R. 26(a)(2).

#### 9. Non-Compliant Filings

The Clerk's Office may require a corrected copy of any submission that fails to comply with either the Federal Rules of Appellate Procedure, the Federal Circuit Rules, or the Electronic Filing Procedures. See Fed. Cir. R. 25(c)(4). The Clerk's Office will provide notice and an opportunity to correct the document within a reasonable period. Failure to correct may result in the clerk of court striking the entry from the docket.

#### 10. Paper Copies

Paper copies of documents filed electronically must only be provided to the court in accordance with Fed. Cir. R. 25(c)(3). Unless ordered otherwise, the court must not receive paper copies of any document filed electronically that are not required under Fed. Cir. R. 25(c)(3) (including notices of appeal, entries of appearance, bills of costs, and motions).

#### 11. Portable Document Format (PDF)

Only documents in Portable Document Format (PDF) may be filed in CM/ECF.

The following outlines the technical requirements for electronically-filed documents

##### a) Converting to PDF

Before filing in CM/ECF, all documents must be converted to PDF. When possible, the document should be created as a

PDF file directly from the word processing program instead of from a scanned paper document. Instructions for converting documents to PDF are available on the PACER website at <https://www.pacer.gov/psc/efaq.html>.

b) Flattening a PDF

When uploading a document to CM/ECF, the PDF should not contain encryptions, embedded comments, scripts, links, form fields, or executables. Users must lock or "flatten" the PDF document before filing. To flatten a PDF document, print the document as a PDF and then save the document. Make the printed as PDF document [text-searchable](#) and then file the flattened document in CM/ECF.

For using court forms issued on or after July 2020, click the **Save for Filing** button to flatten the form before filing. This functionality will only work when using Adobe Acrobat to view the form.

Adobe Acrobat Users (versions 9 and above): To flatten documents within Adobe Acrobat, select Preflight from the Print Production Tool, then select Flatten annotations and form fields and click Analyze and fix.

c) Optimization

All PDF files should be optimized for viewing over the Internet by reducing the file size of the PDF whenever possible.

Within Adobe Acrobat Standard or Professional, the file can be optimized by saving it as an **Optimized PDF**.

d) Page Numbers

Page numbers may change or shift (called "flowing") when converting a document from the word processing program to PDF. The Clerk's Office recommends parties review all pages of a PDF document before filing to ensure the format is as originally intended.

Consult [www.adobe.com](http://www.adobe.com) or your PDF-converted software user guide for additional information about addressing flowing problems.

e) Text-Searchable

PDF documents must be text-searchable in their entirety. Typically, documents converted to PDF directly from a word processing program will be text-searchable. PDF documents can be made text-searchable using the OCR (optical character recognition) functionality in the PDF software.

**Note:** To verify whether a PDF document is text-searchable, use the text search box in the PDF viewing program to find a word known to be in the document. If no matches were found, the document is not text-searchable. Filers should still use the OCR functionality on pages containing handwritten material or images.

f) Document Splitting Not Permitted

There is no limitation on the number of documents attached to one docket entry, only limitations on the size of individual files attached to an entry. An electronic filer submitting a single filing must upload the entire submission in a single docket entry (by using the filing event once). A single filing spread across multiple docket entries may be found non-compliant. For example, if filing a four-volume appendix, all four volumes must be uploaded in the same docket entry, not individually filed under separate docket entries.

g) Supporting Attachments

Each PDF uploaded as an attachment is given a default name by the electronic filing system. A party uploading multiple attachments should change the default names to reflect the actual title of the attachments.

The court does not have a stated preference regarding attaching multiple PDFs in a single entry in lieu of attaching one longer document. A filer may choose to upload multiple attachments to an individual entry if the filer believes such subdivision will promote clarity, or to account for file size. The court does, however, discourage unnecessary subdivision of PDFs. Individual volumes must always be separate PDF attachments in the same entry.

## 12. Redaction

### a) General

The parties and counsel are responsible for redacting all sensitive or confidential material from documents filed with the court. See Fed. Cir. R. 25.1(a)(3). The Clerk's Office does not review documents for compliance with this rule. However, on its own initiative or at the request of a party, the court may strike the document, direct other corrective action, and/or impose sanctions on any party failing to redact such information.

To ensure redactions do not remain accessible in filed documents, counsel may consider completely deleting the information in the original word processing document and replacing it with innocuous filler characters such as "X," or a required general descriptor, if required pursuant to Fed. Cir. R. 25.1(e)(1)(B).

### b) Access to Confidential or Sealed Materials

Confidential documents filed under the correct events in CM/ECF are restricted to the court only. Confidential documents must be served on parties and counsel through alternative methods, and it is the filer's responsible to ensure that all appropriate parties are served with the confidential document. See Fed. Cir. R. 25(e)(3); Fed. Cir. R. 25.1(a)(2). Absent court order, the Clerk's Office may not provide access to confidential or sealed documents except to case participants served at the time of filing. See Fed. Cir. R. 45(b).

### c) Privacy Requirements

Pursuant to Fed. R. App. P 25(a)(5) and Fed. Cir. R. 25(f), the parties must refrain from including or must redact the following information from all documents not submitted as confidential or under seal:

- Full Social Security numbers. If an individual's Social Security number must be included in a document, only the last four digits of the number should be used.
- Taxpayer identification numbers. If an individual's taxpayer identification number must be included in a

document, only the last four digits of the number should be used.

- o Names of minor children. If a minor child must be mentioned, only the initials of the child should be used.
- o Full dates of birth unless essential to a claim or defense. It is acceptable to disclose an age or year of birth if relevant.
- o Full financial account numbers. If financial account numbers are relevant, only the last four digits of the number should be used.

Counsel and the parties are responsible for redacting these personal identifiers. See Fed. Cir. R. 25.1(a)(3).

d) Redaction Tool

Adobe Acrobat Standard and Professional versions have a built-in redaction tool that is effective at removing sensitive material directly from a PDF document. Please refer to your version of Acrobat's instructions on how to use this tool.

e) Removing Metadata

Counsel should review their word processing software documentation for methods of removing sensitive metadata. For example, the **Document Inspector** in Word will remove metadata before converting to PDF; in WordPerfect, there is an option to **Save Without Metadata**.

13. Retention of Original Documents

Documents that are electronically filed and require original signatures other than that of the CM/ECF filer (such as an affidavit signed by a person other than the filer) must be maintained in paper form until the case is terminated with finality and with no right of appeal or until such later date as the court prescribes. On request of the court, the filer must provide original documents for review. Fed. Cir. R. 25(g)(3).

14. Service of Documents

a) Certificate of Service

A certificate or proof of service is only required for documents not served on all parties through CM/ECF. Each

certificate of service must indicate how service was accomplished. Fed. R. App. P. 25(d); Fed. R. Cir. 25(e).

A certificate of service form is available on the court's website ([Form 30](#)).

b) Consent to Electronic Service

Registration as an electronic filer constitutes consent to electronic service of all documents. If a document is filed through CM/ECF, the Notice of Docketing Activity generated by that filing constitutes service on opposing counsel. Fed. Cir. R. 25(e)(1).

Electronic filers are responsible for both regularly checking the email address connected with the registered account and for keeping a working email address connected with the account. The Clerk's Office is not responsible for filings not received due to an incorrect or inoperative email account.

The size of your email account must be sufficient to receive Notices of Docketing Activity, which may exceed the size allocated for free email accounts. In general, an email account with storage space of at least 100 megabytes (MB) is sufficient. Ensure the spam filters on the email account and network are set to receive email from *filingnotice@cafc.uscourts.gov*.

c) Notice of Docket Activity

CM/ECF automatically generates a Notice of Docket Activity when a document is filed in a case. This email notice includes the time of filing, the name of the party filing the document, the text of the docket entry created by the filing, hyperlinks to any PDF document filed and to the docket report, and the name and contact information of the participants receiving notice. The Notice of Docketing Activity is emailed to the filer and to the other case participants who have registered for CM/ECF.

**Note:** Internal case management identification letters will appear immediately after the assigned case number in the subject line of the notice of docket activity served electronically. These letters are not part of the case number and are not to be included on any filings in this court.

**Note:** Confidential or sealed documents are not accessible through the hyperlink to the PDF document.

## 15. Signature Format

Every brief, motion, or other paper filed with the court must be signed by the party filing the paper, or if the party is represented, by one of the party's attorneys who has entered an appearance in the case. See Fed. R. App. P. 32(d); Fed. Cir. R. 32(g). An electronic signature is acceptable for all documents filed electronically. See Fed. Cir. R. 25(g)(2); see also Fed. Cir. R. 32(g) (explaining the use of multiple signatures).

The court accepts two forms of electronic signatures: (1) the printed name of the individual preceded by the mark "/s/" entered on the signature line or (2) an electronic signature from a commercial provider that complies with the E-SIGN Act (15 U.S.C. § 7001).

When using an electronic signature in the signature block of a document, the name of the electronic signer must match the name on the account used to file the document in CM/ECF. See Fed. R. App. P. 25(a)(2)(B)(iii); Fed. Cir. R. 25(g)(1).

**Note:** The oath of admission to the bar requires an original handwritten signature. See Fed. Cir. R. 25(g)(2).

## 16. Timeliness and Deadlines

### a) Time Zone

The court operates in the Eastern time zone as applied in Washington, D.C., and deadlines are therefore calculated in Eastern time. Filers in other time zones must account for any time difference to ensure a filing is completed before midnight (Eastern) on the day the document is due. CM/ECF will only record filings as of the Eastern time they are completed.

**Note:** Like CM/ECF filings, case-initiating documents transmitted as PDF attachments via email to [intake@cafc.uscourts.gov](mailto:intake@cafc.uscourts.gov) must also be received on the court's email server before midnight (Eastern) on the day the document is due.

### b) Filed When Completed

A submission is not registered as filed with the court's electronic filing system until it is entered on the docket and



the notice of docket activity is generated. The docket and notice will identify the time of the filing. Merely beginning the process of filing through CM/ECF before the deadline expires does not confer timeliness.

c) **Electronic Filing Accessibility**

The court will provide notice when electronic filing is inaccessible and may extend deadlines accordingly. A court closure or inaccessibility of the Clerk's Office will not necessarily extend electronic filing deadlines unless the court issues a notice so indicating. See Fed. Cir. R. 26(a)(4).

d) **Technical or System Failures**

Per Fed. Cir. R. 25(c)(1)(C), "[a]n electronic filer whose filing is untimely as the result of a technical or system failure may file a motion for leave to file out of time that includes (1) a declaration or affidavit attesting to the failed attempts to file electronically and (2) the document that could not be filed due to the technical or system failure."

17. **"Leave to File" Document Requirements**

When submitting a document that requires leave of the court in order to be filed (i.e., a document that is not authorized by the rules or is untimely) and therefore would not be considered filed until the day the court grants the motion for leave, that document must be attached to the motion entry as a supporting document. The document must not be filed using a separate event. If the court grants leave, the court will enter the document on the docket with the appropriate filing date. Please note that "leave" in this context is not the same as waiver of a rule. If waiver of a rule is required for a document to be compliant (e.g., waiver of the confidential word limit), that document must still be filed using its appropriate event.

18. **Corrected Filings**

When filing a corrected version of a document, parties must state "Corrected" on the cover or front page and select "Corrected" when prompted to do so during electronic submission if the event requests such a selection.

If filing a notice of correction with the corrected document, the two documents must be uploaded using separate events. The corrected document must not be uploaded as an attachment to the notice. If filing a motion for leave to correct, the proposed corrected document must be uploaded as an attachment to the motion.

## B. Standard Filing Procedure

The following is the standard procedure for electronically filing all documents. Clicking the **Getting Started** menu will also walk through the process. Instructions for specific types of documents are provided after this section.

**Note:** These screen captures were produced for use by all federal courts and may vary slightly from the Federal Circuit's site.

1. In CM/ECF go to the **Filing** menu.



2. Enter the case number.

A screenshot of a web form titled 'Case Number'. Below the title is a text input field containing the placeholder text 'yy-nnnn'.

If the case number is valid, the case's title is shown and a list of parties and attorneys is displayed on the right. The filed date will populate with the day you are making the filing (even if on weekends or holidays).

A screenshot of the CM/ECF interface. The left pane is titled 'File a Document' and shows the 'Case Number' field with '11-1234' entered, the case title 'United States v. Alexander Klynsma', and the 'Filed' date '02/24/2014'. The right pane is titled 'Parties/Attorneys' and shows a list of parties and attorneys for case 11-1234: 'United States v. Alexander Klynsma', 'Klynsma, Alexander', 'Orange, Freddie', 'Tracy, Richard', and 'United States of America'.

3. Select the type of document to be filed. Scroll through the list of documents and click on a row in the table to select the appropriate document.

To narrow the list before selecting, type part of the name in the **Type of Document** box; another way is to select a **Category** from the dropdown list.

Type of Document	Category
Agreed Statement in Lieu of Certified List	Miscellaneous
Amended Notice of Appeal or Petition for Review	Miscellaneous
Bill of Costs	Costs/Fees, Forms and Certificates
Brief/Appendix or Joinder	Briefs
Certificate of Compliance - Confidentiality Requirements	Briefs, Confidential Document, Forms and Certificates
Certificate of Compliance - Protective Order	Forms and Certificates
Certificate of Compliance - Transcript	Forms and Certificates
Certificate of Interest	Forms and Certificates
Citation of Supplemental Authority FRAP 28(j)	Calendar, Letters and Notices, Miscellaneous
Confidential Brief/Appendix or Joinder	Briefs, Confidential Document

- Click on the document type to be filed.
- Click **Continue**. Click **OK** to acknowledge any pop-up message.
- Select the **Party Filer** (or complete the Non-Party Filer panel if not yet a party to the case).

Filer	Type	Case
Johnson, Ada Fernandez	Appellant-Plaintiff	12-1711 Ada Johnson v. Benjamin Smith
Smith, Benjamin F.	Appellee-Defendant	12-1711 Ada Johnson v. Benjamin Smith
Johnson, Ada Fernandez	Appellant-Plaintiff	12-1712 Ada Johnson v. U.S.
Smith, Haley	Appellee-null	12-1713 n v. Haley Smith

Selected ( [Select Linked Cases](#) )

Filer	Type	Case	Remove All
Johnson, Ada Fernandez	Appellant-Plaintiff	12-1711 Ada Johnson v. Benjamin Smith	

- Complete any prompts.

- Enter the **Service Date**. The system will prepopulate the service default for each party based on their system settings.

The screenshot shows a 'Service' settings page with a date input field and a table of service defaults for various parties. The date field is currently empty and has a placeholder 'MM/DD/YYYY'. The table has columns for Name, Originating Party Type, Not Served, US mail, Fax, Hand, Email, Clerk, and Edits. Each row represents a party with their respective service preferences indicated by checked or unchecked checkboxes.

Name	Originating Party Type	Not Served	US mail	Fax	Hand	Email	Clerk	Edits
Batley, Richard H.	District Judge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>
Haas, Joseph A.	Originating Clerk/Ag	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>
Klynsma, Alexander	Appellant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>
Larson, Connie, aty	Appellee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>
Lord, Angela Eltsperger, aty	Respondent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>
No Clerk	Originating Clerk/Ag	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>
Peterman, Gregg, aty	Appellee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>
Roach, Anid E., aty	Appellant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>
Thompson, Judith Marie	Court Reporter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<a href="#">Undo</a>

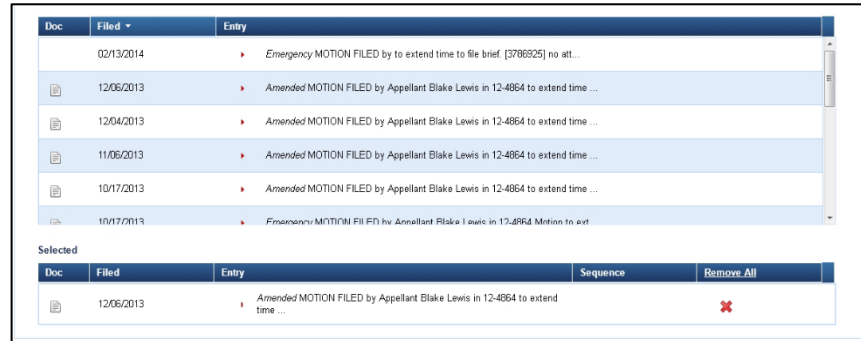
- Upload the document and any supporting documents. Add any additional documents by clicking **Browse** until all documents are uploaded. Update the description for each document as needed.

**Note:** Documents must be uploaded under one event. Multiple events must not be used to upload separate document parts or additional exhibits or attachments to a document. When uploading multiple attachments to one entry, please re-name the documents appropriately.

The screenshot shows the 'Upload Documents' section of the system interface. It features a blue header with a dropdown arrow and the text 'Upload Documents'. Below the header is a 'Description' label followed by a text input field containing the word 'Motion'. At the bottom of the form is a blue button labeled 'Browse...'.

10. Complete any prompts.

For example, if your event must relate to an existing event (e.g., when correcting a previously filed document), you will see the **Related Entries** panel.



11. Click **Continue** and complete additional prompts related to the docket text. Verify that the information in the docket text is correct. If not, click the arrow to open any other section to make changes. Once verified, click **Continue**.

12. The **Final Review** panel will appear.



- If the **File to Case** list or the **Type of Document** value is incorrect, click **Cancel** and start over.
- If any of the other information is incorrect, click the **Edit** link at the bottom; you can then open any previous section to make changes, depending on the changes you make, you may need to enter information in subsequent sections. The **Final Review** and **Docket Text** panels will be shown again.
- Make sure your documents have been redacted, if required. Click the name of the file in the **Upload Documents** section to review. If you need to replace a document, click the **Edit** link and open the **Upload Documents** section.

13. Click **Submit** to complete the filing.

## C. Filing a New Petition or Appeal

Appeals from a U.S. District Court, the U.S. Court of International Trade, U.S. Court of Federal Claims (excluding vaccine compensation cases), and the U.S. Court of Appeals for Veterans Claims are initiated by filing a notice of appeal and the paying the docketing and filing fee with these courts' respective clerk's offices. All other proceedings are filed directly with the Federal Circuit's Clerk's Office.

**Note:** When appealing U.S. Patent and Trademark Office decisions, the notice of appeal must be timely filed with the Patent and Trademark Office with simultaneously transmission to the Clerk's Office and payment of the filing fee. See Fed. Cir. R. 15(a)(1).

Counsel must first register for electronic filing with this court before being able to submit a new petition for review or notice of appeal to this court (or in appeals from the U.S. Patent and Trademark Office, a copy of the original notice of appeal filed there first). Counsel will be permitted to submit a new petition or appeal electronically with this court after registering even if the court has not yet processed an application for bar admission.

Unrepresented parties will not be able to file case-initiating documents with this court through the court's electronic filing system, even if they are registered filers. Instead, all case-initiating filings from unrepresented parties must be received in paper or transmitted to the court as a PDF attachment via email to [intake@cafc.uscourts.gov](mailto:intake@cafc.uscourts.gov).

**Note:** Only case-initiating documents will be accepted at this address; all other documents or messages will not be accepted or processed. See Fed. R. Cir. 25(a)(1).

### 1. Filing Fee

Counsel must pay all filing fees due to the Clerk of Court through CM/ECF and Pay.gov, and may pay the filing fee at the time of filing the new petition or appeal. Unrepresented parties must still submit docketing fee payments by mail or in person unless they are registered to file electronically and have filed a completed and compliant Notice of Unrepresented Person Appearance at the time the docketing fee is due. Unrepresented parties able to file electronically who have not yet paid the docketing fee must pay through CM/ECF and Pay.gov. The filing fee must be paid within 14 days after docketing or the case may be dismissed for failure to pay the filing fee. See Fed. Cir. R. 52(c)-(e).

**Note:** The event to pay the docketing fee in a case is **Pay Docketing Fee**.

2. Case Initiation

a. In CM/ECF, go to the **Utilities** menu.

b. Select **Submit New Case without Fee Payment** or **Submit New Case with Fee Payment**.

**Note:** All new petitions or appeals may be filed without prepayment of fees. However, any fee must be paid within 14 days of docketing or the case may be subject to dismissal for failure to pay the filing fee. See Fed. Cir. R. 52(d).

c. Select the type of appeal or petition:

- **1292(b) Petition**  
**(only under Submit New Case without Fee Payment)**
- **Agency Petition/NOA**
- **Petition for Writ of Mandamus**
- **Petition for Other Miscellaneous Writ**
- **Court of Federal Claims Vaccine Case**

d. Upload the case initiating document, including, if applicable, proof of service to the opposing party.

**Note:** A petition for writ of mandamus or prohibition must also be accompanied by the entry of appearance for principal counsel. See Fed. Cir. R. 21(a).

e. Complete the filing transaction.

After the Clerk's Office receives your notice of appeal or petition for review, a case number and case manager will be assigned. A case manager will open and docket the case and then notify the parties the case has been docketed. See Fed. Cir. R. 12.



## D. Emergency Filings

Before filing an emergency motion for a stay or emergency motion for an injunction requesting immediate action, a party must first notify all parties that a motion will be filed. Fed. Cir. R. 8(b), 18(b).

**Notify the Clerk's Office:** The filing party should also advise the Clerk's Office as soon as possible when filing (or contemplating filing) an emergency matter (including an emergency petition for writ of mandamus or other writ). The Clerk's Office can be reached during business hours at 202-275-8000 and after-hours and on weekends at 202-275-8049 and [emergencyfilings@cafc.uscourts.gov](mailto:emergencyfilings@cafc.uscourts.gov). Failure to notify the Clerk's Office may result in processing delays. See the Practice Notes to Rule 8, 18.

1. Emergency Petition for Writ of Mandamus or Other Writ
  - a. In CM/ECF, go to the **Utilities** menu.
  - b. Select **Submit New Case with Fee Payment**.

**Note:** An emergency writ of mandamus may be filed without prepayment of fees using **Submit New Case without Fee Payment**. However, any fee must be paid within 14-days of docketing or the case is subject to dismissal for failure to pay the filing fee. See Fed. Cir. R. 52(d).
  - c. Select **Petition for Writ of Mandamus** or **Petition for Other Miscellaneous Writ**.
  - d. Upload the petition, including proof of service to the opposing party.
  - e. Complete the filing transaction.
2. Emergency Motion in Existing Case
  - a. In CM/ECF, go to the **Filing** menu.
  - b. Enter the case number.
  - c. Type of Document: **Motion**
  - d. Select the **Party Filer**.
  - e. Select the type of consent for the motion.
  - f. Enter the **Service Date**.
  - g. Upload the Motion and any supporting documents.
  - h. Select one of the following reliefs:

- **Stay Pending Appeal Under Rule 8/18**
  - **Temporary Injunction Pending Appeal**
- i. Select the relevant emergency rule number.
  - j. Complete the filing transaction.
3. Emergency Motion in New Cases
- a. In CM/ECF, go to the **Utilities** menu.
  - b. Select **Submit New Case without Fee Payment**

**Note:** If a Rule 18 emergency motion is filed at the same time as the petition for review or petition for writ of mandamus or other writ, select **Submit New Case with Fee Payment** and include the petition and emergency motion in the same entry. Any fee must be paid within 14-days of docketing or the case is subject to dismissal for failure to pay the filing fee. See Fed. Cir. R. 52(d).

- c. Select **Motion for Emergency Stay/Injunct.**
- d. Upload the motion, including proof of service to the opposing party.
- e. Complete the filing transaction.

## E. Briefs, Appendices, and Notices of Joinder

Use the following procedure for filing all merits briefs, appendices, or notices of joinder. The same event and procedure is used for all of these documents.

**Note:** The same filing event is used for all of the above documents.

**Note:** If a motion for leave to file the brief or appendix is required because the filing of the document is not authorized by the court's rules or because the document is untimely (e.g., amicus curiae brief), the proposed brief or appendix must instead be uploaded as a supporting attachment to the motion for leave. See ["Leave to File" Document Requirements](#).

1. In CM/ECF, go to the **Filing** menu.
2. Enter the case number.
3. Select the Type of Document based on the following:

Document Event	Explanation
<b>Brief/Appendix or Joinder</b>	Use this event for all non-confidential briefs, appendices, and notices of joinder.

Document Event	Explanation
<b>Confidential Brief /Appendix or Joinder</b>	Use this event for all <b>confidential</b> briefs, appendices, and notices of joinder. PDFs uploaded using this event will not be available for viewing; you must serve the parties by an alternative method. See Fed. Cir. R. 25(e)(3).

4. Click **Continue**. Click **OK** to acknowledge the confidential document warning.
5. Select the **Party Filer**. If a non-party is filing the brief, enter the party's name in the **Name of non-party filer:** box.
6. Select the type of brief being filed:
  - Opening Brief
  - Combined Opening Brief & Appx (FCR 30(d))
  - Response Brief (also used for a Cross-Appellant's Opening and Response Brief in a Cross-Appeal)
  - Combined Response Brief & Appx (FCR 30(e))
  - Combined Response Brief & Sup. Appx (FCR 30(e))
  - Reply Brief (also used for an Appellant's Response and Reply Brief in a Cross-Appeal )
  - Appendix
  - Supplemental Brief
  - Supplemental Appendix
  - Intervenor Brief
  - Amicus Curiae Brief
  - Letter Brief
  - Notice of Joinder
7. If applicable, select if the document is **Corrected**.
8. Enter the **Service Date** and adjust the method of service if any of the default service options for each party are incorrect.

**Note:** The method of service information must match the information on any proof of service attached to the filing.

**Note:** When filing a confidential brief/appendix or joinder, parties must be served by an alternative method. See Fed. Cir. R. 25(e)(3).

9. **Upload** the brief/appendix by clicking **Browse**.

**Note:** If the filed brief exceeds the page limitation under Fed. R. App. P. 32(a)(7)(A) or Fed. Cir. R. 28.1(a), a [Certificate of Compliance with Type-Volume Limitations \(Form 19\)](#) must be included with the event. Filings without the required certificate may be found non-compliant and require a corrected submission.

10. **Click Continue**.

11. Review the **Docket Text**. Verify that the information in the docket text is correct. If not, click the arrow to open any other section to make changes. Once verified, click **Continue**.

12. Perform the **Final Review**. Select **Edit** to adjust any entries, select **Cancel** to cancel the filing, click the document link(s) under **Upload Documents** to review the document(s).

13. Click **Submit** to complete the filing. The Notice of Docketing Activity will pop-up if pop-ups are disabled in your browser.

## F. Motions

Use the following procedure for filing a motion or when filing a motion as part of a response/opposition (not a brief) or a status report.

1. In CM/ECF, go to the **Filing** menu.
2. Enter the case number.
3. Select the Type of Document based on the following:

Document Event	Explanation
<b>Motion</b>	More than one relief may need to be selected, depending on nature of motion.
<b>Motion for Leave to Proceed in Forma Pauperis</b>	Use to file a motion for leave to proceed in forma pauperis (see <a href="#">Form 6</a> ). The document filed with this event is restricted and is not available to the public.
<b>Response/Opposition with Incorporated Motion</b>	Use when filing a motion as part of a response/opposition. The title of the document must reflect the incorporation of the motion. This event will allow the user to select the requested relief(s).
<b>Status Report with Incorporated Motion</b>	Use when filing a motion as part of a status report. The title of the document must reflect the incorporation of a motion. This event will allow the user to select the requested relief(s).

4. Click **Continue**. Click **OK** to acknowledge the multiple reliefs notice.
5. Select the **Party Filer**. If a non-party is filing the motion, enter the party's name in the **Name of non-party filer** box.
6. Select the motion's consent type: **consented, opposed, partial consent, unknown, withheld, or other**.

**Note:** Consent information, including whether a response will be filed, must still be included in the body of the motion. See Fed. Cir. R. 27(a)(2). However, consent information will not appear in the docket text for the motion.

7. Enter the **Service Date** and adjust the method of service if any of the default service options for each party are incorrect.  
**Note:** The method of service information must match the information on any proof of service attached to the filing.
8. Upload the motion by clicking **Browse**. Add any additional documents by clicking **Browse** until all documents are uploaded. Update the description for each document as needed.  
**Note:** If filing a motion for leave to file a document that you do not otherwise have authority to file (e.g., an amicus brief, a sur-reply brief, or an out of time filing), the document must be attached in the motion entry. See ["Leave to File" Document Requirements](#).
9. Select the relief (or reliefs) for the motion by clicking on the relief. A list of all motion reliefs is available at [Motion Reliefs](#).
10. Click **Continue**.
11. **MAY NOT APPEAR BASED ON THE RELIEF SELECTED:** Complete any additional prompts, including selecting any related entries (such as with the **Correct/Supplement** or **Expedite Other** reliefs).

Doc	Filed	Entry
	02/13/2014	Emergency MOTION FILED by to extend time to file brief. (3786925) no att...
	12/06/2013	Amended MOTION FILED by Appellant Blake Lewis in 12-4864 to extend time ...
	12/04/2013	Amended MOTION FILED by Appellant Blake Lewis in 12-4864 to extend time ...
	11/06/2013	Amended MOTION FILED by Appellant Blake Lewis in 12-4864 to extend time ...
	10/17/2013	Amended MOTION FILED by Appellant Blake Lewis in 12-4864 to extend time ...
	10/17/2013	Emergency MOTION FILED by Appellant Blake Lewis in 12-4864 Motion to act

Selected				
Doc	Filed	Entry	Sequence	Remove All
	12/06/2013	Amended MOTION FILED by Appellant Blake Lewis in 12-4864 to extend time ...		

12. Click **Continue** to review the **Docket Text**. Verify that the information in the docket text is correct. If not, click the arrow to open any other section to make changes. Once verified, click **Continue**.
13. Perform the **Final Review**. Select **Edit** to adjust any entries, select **Cancel** to cancel the filing, click the document link(s) under **Upload Documents** to review the document(s).
14. Click **Submit** to complete the filing. The Notice of Docketing Activity will pop-up if pop-ups are disabled in your browser.

1. Motion for Highly Sensitive Document Protection

Use the following procedure for filing a motion requesting highly sensitive document protection pursuant to Administrative Order 2021-04, issued on January 13, 2021. These instructions should only be used for filing the non-confidential version of the motion. The confidential version must be filed in paper. Also, please include the non-confidential version of the Certificate for Highly Sensitive Document Protection in the electronically filed motion. Review the full Order [here](#) for further procedures regarding highly sensitive documents.

1. In CM/ECF, go to the **Filing** menu.
2. Enter the case number.
3. Click **Continue**. Click **OK** to acknowledge the multiple reliefs notice.
4. Select the **Party Filer**. If a non-party is filing the motion, enter the party's name in the **Name of non-party filer** box.
5. Select the motion's consent type: **consented, opposed, partial consent, unknown, withheld**, or **other**.
6. **Note:** Consent information, including whether a response will be filed, must still be included in the body of the motion. See Fed. Cir. R. 27(a)(2). However, consent information will not appear in the docket text for the motion.
7. Enter the **Service Date** and adjust the method of service if any of the default service options for each party are incorrect.
8. **Note:** The method of service information must match the information on any proof of service attached to the filing.
9. Upload the motion by clicking **Browse**. Add any additional documents by clicking **Browse** until all documents are uploaded. Update the description for each document as needed.
10. Select the **Highly Sensitive Document Protection** relief under the **Other** category by clicking on the relief. Other reliefs may also be added to this motion.
11. Click **Continue**.
12. Click **Continue** to review the **Docket Text**. Verify that the information in the docket text is correct. If not, click the arrow

to open any other section to make changes. Once verified, click **Continue**.

13. Perform the **Final Review**. Select **Edit** to adjust any entries, select **Cancel** to cancel the filing, or click the document link(s) under **Upload Documents** to review the document(s).
14. Click **Submit** to complete the filing. The Notice of Docketing Activity will pop-up if pop-ups are disabled in your browser.

2. Motion for Removing a Confidential Document from CM/ECF

Use the following procedure for filing a motion requesting that a highly sensitive document be removed from CM/ECF pursuant to Administrative Order 2021-04, issued on January 13, 2021. Review the full Order [here](#) for further procedures regarding highly sensitive documents and removing confidential documents from CM/ECF.

1. In CM/ECF, go to the **Filing** menu.
2. Enter the case number.
3. Click **Continue**. Click **OK** to acknowledge the multiple reliefs notice.
4. Select the **Party Filer**. If a non-party is filing the motion, enter the party's name in the **Name of non-party filer** box.
5. Select the motion's consent type: **consented, opposed, partial consent, unknown, withheld, or other**.

**Note:** Consent information, including whether a response will be filed, must still be included in the body of the motion. See Fed. Cir. R. 27(a)(2). However, consent information will not appear in the docket text for the motion.

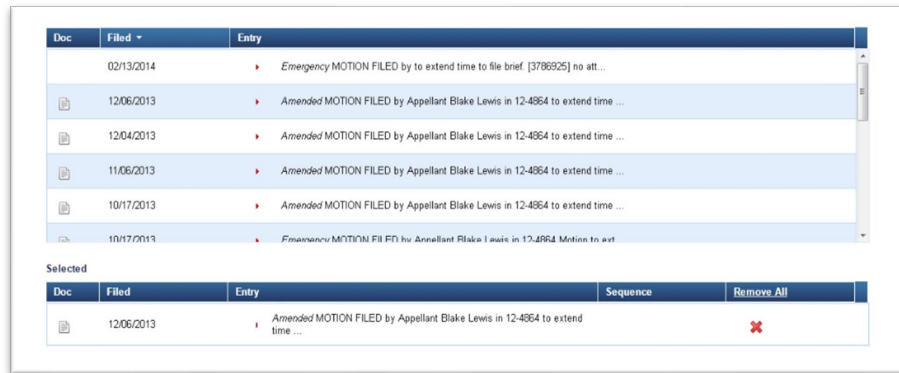
6. Enter the **Service Date** and adjust the method of service if any of the default service options for each party are incorrect.

**Note:** The method of service information must match the information on any proof of service attached to the filing.

7. Upload the motion by clicking **Browse**. Add any additional documents by clicking **Browse** until all documents are uploaded. Update the description for each document as needed.
8. Select the **Remove Confidential Document from CM/ECF** relief under the **Other** category by clicking on the relief. Other reliefs may also be added to this motion.
9. Click **Continue**.



10. Select all entries which would be removed from CM/ECF.



11. Click **Continue** to review the **Docket Text**. Verify that the information in the docket text is correct. If not, click the arrow to open any other section to make changes. Once verified, click **Continue**.
12. Perform the **Final Review**. Select **Edit** to adjust any entries, select **Cancel** to cancel the filing, click the document link(s) under **Upload Documents** to review the document(s).
13. Click **Submit** to complete the filing. The Notice of Docketing Activity will pop-up if pop-ups are disabled in your browser.

G. Response to Notice to Advise of Scheduling Conflicts

Use the following procedure to respond to a Notice to Advise of Scheduling Conflicts. See also Fed. Cir. R. 34.

1. In CM/ECF, go to the **Filing** menu.
2. Enter the case number.
3. Select the Type of Document: **Response to Notice to Advise of Scheduling Conflicts**.
4. Click **Continue**.
5. Select the **Party Filer**.
6. Use the court's [Response to Notice to Advise of Scheduling Conflicts \(Form 32\)](#).
7. Upload the completed form by clicking **Browse**.
8. Enter the **Service Date** and adjust the method of service if any of the default service options for each party are incorrect.

**Note:** The selected service information must match the information on any proof of service attached to the filing.

9. Click **Continue** to review the **Docket Text**. Verify that the information in the docket text is correct. If not, click the arrow to open any other section to make changes. Once verified, click **Continue**.
10. Perform the **Final Review**. Select **Edit** to adjust any entries, select **Cancel** to cancel the filing, click the document link(s) under **Upload Documents** to review the document(s).
11. Click **Submit** to complete the filing. The Notice of Docketing Activity will pop-up if pop-ups are disabled in your browser.

## H. Response to Notice of Oral Argument

Use the following procedure for responding to the Notice of Oral Argument. See *also* Fed. Cir. R. 34.

1. In CM/ECF, go to the **Filing** menu.
2. Enter the case number.
3. Select the Type of Document: **Response to Notice of Oral Argument**.
4. Click **Continue**.
5. If applicable, select if the response is **Corrected** or **Amended**.
6. Select the **Party Filer**.
7. Upload a completed [Response to Notice of Oral Argument \(Form 33\)](#).

**Note:** The total time entered may not exceed the time stated on the Notice of Oral Argument. Please review the Notice of Oral Argument for additional information and limitations on argument.

8. Enter the **Service Date** and adjust the method of service if any of the default service options for each party are incorrect.

**Note:** The selected service information must match the information on any proof of service attached to the filing.

9. Click **Continue** to review the **Docket Text**. Verify that the information in the docket text is correct. If not, click the arrow to open any other section to make changes. Once verified, click **Continue**.
10. Perform the **Final Review**. Select **Edit** to adjust any entries, select **Cancel** to cancel the filing, click the document link(s) under **Upload Documents** to review the document(s).
11. Click **Submit** to complete the filing. The Notice of Docketing Activity will pop-up if pop-ups are disabled in your browser.

## I. Petition for Rehearing or Hearing/Rehearing En Banc

Use the following procedure for filing a petition for panel rehearing, a petition for en banc hearing, or a petition for en banc rehearing. See Fed. Cir. R. 35; Fed. Cir. R. 40.

**Note:** Use the event **Response/Opposition** or **Reply** to respond or reply to a petition (responses and replies may only be filed at the direction of the court or with leave of court). An amicus brief on a petition should be attached to the motion for leave to file under the **Motion** event.

1. In CM/ECF, go to the **Filing** menu.
2. Enter the case number.
3. Select the Type of Document: **Petition**.
4. Click **Continue**. Click **OK** to acknowledge the extension of time notice.
5. Select the **Party Filer**.
6. Select the type of petition being filed: **En Banc Hearing**, **En Banc Rehearing**, or **Panel Rehearing**

**Note:** Select both **Panel Rehearing** and **En Banc Rehearing** when filing a combined petition.

7. Click **Continue**.
8. Enter the **Service Date** and adjust the method of service if any of the default service options for each party are incorrect.

**Note:** The selected service information must match the information on any proof of service attached to the filing.

9. Upload the petition by clicking **Browse**.
10. Click **Continue**.
11. Review the **Docket Text**. Verify that the information in the docket text is correct. If not, click the arrow to open any other section to make changes. Once verified, click **Continue**.
12. Perform the **Final Review**. Select **Edit** to adjust any entries, select **Cancel** to cancel the filing, click the document link(s) under **Upload Documents** to review the document(s).
13. Click **Submit** to complete the filing. The Notice of Docketing Activity will pop-up if pop-ups are disabled in your browser.

## J. Confidential and Sealed Documents

Use the following procedure for filing a confidential or sealed document. See [Briefs](#) for filing a confidential or sealed brief or appendix.

**When filing a confidential or sealed document, you must first separately file a non-confidential version of the document using the appropriate document event.**

1. In CM/ECF, go to the **Filing** menu.
2. Enter the case number.
3. Select the Type of Document: **Sealed/Confidential Document**
4. Click **Continue**. Check the box and click **OK** to acknowledge the confidentiality requirements.
5. Select the **Party Filer**. If a non-party is filing the document, enter the party's name in the **Name of non-party filer:** box.
6. Enter a description of the document being filed.
7. Select the related non-confidential version of the document already filed.
8. Click **Continue**.
9. Enter the **Service Date** and adjust the method of service if any of the default service options for each party are incorrect.

**Note:** The selected service information must match the information on the proof of service attached to the filing.

**Note:** Any PDFs uploaded using this event will not be available for viewing and must be served on parties using an alternative method. See Fed. Cir. R. 25(e)(3).

10. Upload the confidential/sealed document by clicking **Browse**.
11. Click **Continue**.
12. Review the **Docket Text**. Verify that the information in the docket text is correct. If not, click the arrow to open any other section to make changes. Once verified, click **Continue**.
13. Perform the **Final Review**. Select **Edit** to adjust any entries, select **Cancel** to cancel the filing, click the document link(s) under **Upload Documents** to review the document(s).
14. Click **Submit** to complete the filing. The Notice of Docketing Activity will pop-up if pop-ups are disabled in your browser.

## K. Other Document Types

An alphabetical listing of all available document type events, as well as an explanation of when to use that document event, is available at [Document Types](#).

## L. Non-Compliance Procedure

Pursuant to Fed. Cir. R. 25(c)(4), the Clerk's Office may issue notices of non-compliance to parties when filings do not comply with the Federal Rules of Appellate Procedure, Federal Circuit Rules, or Electronic Filing Procedures.

Electronic filers have five business days from the date of the non-compliance notice to file a corrected version of the document. Paper filers have fourteen days from the date of the non-compliance notice to file a corrected version of the document. If a party does not file a timely corrected document, the Clerk's Office may strike the document from the docket.

Non-compliance notices include the reason(s) why the document is not compliant, along with citations to the relevant rules or procedures.

In some instances, usually when a filing contains only minor practice note or electronic filing-related errors, the Clerk's Office may issue a quality control notice and not require corrective action.

## V. Reports

### A. Payment History Report

This report allows users to see payments made in this court, in order by date (starting with the most recent payment). Change the order by clicking the column header.

Payment History Report for [REDACTED]					
Case Number	Date Paid	Fee Description	Payment Method	Receipt Number	Amount
	02/25/2014 14:47:54	Duplicate Attorney Admission Certificate (Quantity Requested: 1)	credit card	A21-26397-840	\$18.00
	10/05/2014 14:45:34	Conv Fees (Quantity Requested: 10)			\$7.00

### B. PACER Report

This report allows users to search for cases, retrieve case docket sheets, access the court calendar, search for opinions, search for orders/judgments, and search for briefs.

#### 1. Case Search

From this option, users can find a case by its number and/or the name of an attorney or party.

ECF

[Case Search](#)
[Calendar](#)
[Opinions](#)
[Orders/Judgments](#)
[Briefs](#)
[Help](#)

### Case Search

Case Number / Range:   (yy-nnnn or yy-nnnnn)

Party / Attorney:  (Last, First)

Party
  Attorney
  Exact Matches Only

[Advanced Search](#)  
[Search cases filed before March 1 2012](#)

ECF

[Case Search](#)
[Calendar](#)
[Opinions](#)
[Orders/Judgments](#)
[Briefs](#)
[XML](#)
[TXT](#)
[Help](#)

### Case Selection Page

Case Number Title	Opening Date	Last Docket Entry	Originating Case Number Origin
<a href="#">19-1000</a> <a href="#">Customedia Technologies, LLC v. DISH Network Corporation</a>	10/01/2018	06/16/2020 08:48:05	PATO-1 : CBM2017-00032 United States Patent and Trademark Office

**Note:**

- \* Click on Case No. to get Case Summary
- \* Click on Short Title to get Case Query

[Court Information](#)
[Court Home](#)
[PACER Service Center](#)
[Change Client](#)
[Contact Us](#)

The results screen will provide general information about the case(s) retrieved.

Clicking the case number will open the General Docket (or Case Summary).

The screenshot displays the ECF Case Search interface. At the top, there is a navigation bar with links for Case Search, Calendar, Opinions, Orders/Judgments, Briefs, XML, and TXT, along with a Help button. Below this, a 'View the' dropdown menu is set to 'Full Docket'. The main heading is 'General Docket United States Court of Appeals for the Federal Circuit'. The case details section includes: Court of Appeals Docket #: 19-1000; Customedia Technologies, LLC v. DISH Network Corporation; Appeal From: United States Patent and Trademark Office; Fee Status: fee paid; Docketed: 10/01/2018; and Termed: 03/06/2020. The Case Type Information section lists: 1) BCA or PTO, 2) Patent Trial and Appeal Board, and 3) -. The Originating Court Information section lists: District: PATO-1 : CBM2017-00032; Trial Judge: Kalyan K. Deshpande, Administrative Patent Judge; Trial Judge: Michael W. Kim, Administrative Patent Judge; Trial Judge: Meredith C. Petravick, Administrative Patent Judge; Date Filed: 01/13/2017; Date NOA Filed: 09/21/2018; and Date Rec'd COA: 09/21/2018. At the bottom, a docket entry for 03/17/2020 is shown, detailing an order filed granting motions to extend time to file petitions for rehearing/en banc.

Clicking the **Full Docket** button at the top of the General Docket page will produce the regular docket report with options for providing all or some information about the case.

**Note:** The PACER per-page charge applies.

2. Calendar

From this option, users are redirected to this court's webpage listing the schedule of upcoming arguments:

<https://cafc.uscourts.gov/home/oral-argument/scheduled-cases/>

3. Opinions

From this option, users are redirected to court's opinions and orders webpage listing issued opinions and orders:

<https://cafc.uscourts.gov/home/case-information/opinions-orders/>.



#### 4. Orders/Judgments

From this option, users can search in PACER for opinions, orders, and judgments of the court.

The screenshot shows the ECF web interface for searching Orders/Judgments and Opinions. The top navigation bar includes links for Case Search, Calendar, Opinions, Orders/Judgments, Briefs, Logout, and Help. The main heading is "Orders/Judgments and Opinions". A warning message states: "Warning: you will be billed for the total number of pages (this query is not subject to the 30 page limit on PACER charges)." The "Report Type" section has checkboxes for Order, Judgment, Opinion, Dispositive Order, Rehearing Order, and Per Curiam Entries Only. The "Case Number / Range" field is empty with a placeholder "(yy-nnnn or yy-nnnnn)". The "Search Since Last Report" field is set to "Search from February 19, 2018". The "Search by Day" section has dropdowns for "March", "21", and "2018", with a "Search Date" button. The "Search by Month" section has dropdowns for "March" and "2018", with a "Search Month" button. The "Date Type" section has radio buttons for "Filed Date" (selected) and "Entry Date". The bottom navigation bar includes links for Court Information, Court Home, PACER Service Center, Change Client, Billing History, and Contact Us.

#### 5. Briefs

From this option, users can search for briefs in cases.

The screenshot shows the ECF web interface for searching Briefs. The top navigation bar includes links for Case Search, Calendar, Opinions, Orders/Judgments, Briefs, Logout, and Help. The main heading is "Briefs". A warning message states: "Warning: you will be billed for the total number of pages (this query is not subject to the 30-page limit on PACER charges)." The "Case Number / Range" field is empty with a placeholder "(yy-nnnn or yy-nnnnn)". The "Briefs Between" section has date pickers for "02/21/2014" and "03/07/2014", with radio buttons for "Filed Date", "Entry/Alter Date", and "Both" (selected). There are "Search" and "Clear" buttons at the bottom.

### C. Service List

This report will provide the list of all parties and attorneys receiving service in the entered case. This report is useful in assisting filers in preparing certificates of service.

## VI. Utilities

### A. Bar History Report

This report provides information about an attorney's application and admission to this court's bar.

### B. Check PDF Document

This utility allows filers to check whether a document meets the CM/ECF technical filing requirements.

**Note:** This utility does not check for whether the document is text-searchable or otherwise compliant with the court's rules.

### C. Notice for Cases of Interest

This utility allows filers (and Public Interested Person accounts) to register for email notification whenever docket activity occurs in a case where the user is not involved. See [Receiving Notifications for Cases of Interest](#).

### D. Submit New Case with Fee Payment

See [Filing a New Petition or Appeal](#)

### E. Submit New Case without Fee Payment

See [Filing a New Petition or Appeal](#)

## F. Pay Miscellaneous Fees

All miscellaneous document or research requests that require fee payments are processed through Pay.gov. The Clerk's Office fee schedule is available on our website at

<https://cafc.uscourts.gov/home/case-information/fee-schedules/>.

In submitting a request, please include a document describing the nature of the request and current contact information.

For records requests, please submit the [Records Request Form](#) before attempting to pay a fee.

**Note:** Do not include any payment information on the uploaded document.

### 1. General

- a. In CM/ECF, go to the **Utilities** menu.
- b. Select **Pay Miscellaneous Fees**, then the type of request.
- c. Confirm the correct fee type and amount are displayed before selecting a quantity (if applicable) and uploading a document that explains the nature of the request with current contact information.
- d. Attach additional supporting documents as needed.

**Note:** Separate requests require separate transactions. Combining multiple requests into a single transaction will be rejected by the Clerk's Office.

- e. Click the **Pay Now and Submit** button to proceed to Pay.gov. Users have the option of using the PACER billing information already on file or inputting new payment information.
- f. The Clerk's Office will request additional information as needed.

### 2. Copy Fees

Although copy requests are also processed the same as other requests, please contact the Clerk's Office first to obtain the quantity of pages before submitting a fee for copy services.

- a. Email [records@cafc.uscourts.gov](mailto:records@cafc.uscourts.gov) with the following information
  - Case number
  - Identifying document information (docket number, party filer, date filed, document title)

- Contact information

- b. Once the user receives the payment information from the Clerk's Office, complete the [miscellaneous fee process](#).

## G. Update My Account

The only change users can make on this screen is to the **Show PDF Header** option at the bottom. This determines whether header information (such as case number, page count, etc.) is shown on the docket report and other PDF documents. If users change the **Show PDF Header** option, users must click the **Save** button.

If you need to change other account settings, click the **Edit My Information** button to open a new window at the PACER Service Center (PSC) site.

## VII. Additional Resources

### A. Online Resources

#### 1. Filing Resources

The Clerk's Office has created several resources to supplement these procedures and to assist counsel and parties with cases before this court.

These resources are available on our website at

<https://cafc.uscourts.gov/home/case-information/filing-resources/>.

#### 2. Tutorials

The PACER Service Center has created the following generic training modules to assist electronic filers with using NextGen CM/ECF.

##### a) Account Maintenance

- [Attorney Accounts](#)
- [Maintenance Tab](#)
- [PACER Administrative Account \(PAA\)](#)

##### b) Using NextGen CM/ECF

- [Introduction to Appellate NextGen CM/ECF](#)
- [File a Motion in Appellate NextGen CM/ECF](#)

#### 3. General Information

- [PACER User Manual](#)
- [NextGen CM/ECF](#)

## B. User Support

Topic	Contact Information
Account Maintenance	PACER Service Center 800-676-6856 <a href="http://www.pacer.gov/">http://www.pacer.gov/</a>
Account Registration (PACER or Electronic Filing)	PACER Service Center 800-676-6856 <a href="http://www.pacer.gov/">http://www.pacer.gov/</a>
Filer Access and Bar Admissions (after PACER account creation)	<a href="mailto:accountservices@cafc.uscourts.gov">accountservices@cafc.uscourts.gov</a> 202-275-8000
General Questions	202-275-8035
Case-Specific Questions (before the case is calendared)	202-275-8055
Case-Specific Questions (after the case is calendared)	202-275-8035
Technical Questions	<a href="mailto:ecfhelp@cafc.uscourts.gov">ecfhelp@cafc.uscourts.gov</a> 202-275-8000

Additional Clerk's Office contact information is available on our website at <https://cafc.uscourts.gov/home/the-court/clerks-office/>.

## VIII. Motion Reliefs

The following is an alphabetical listing of all reliefs available when filing a [motion](#), as well as an explanation of the relief.

Relief	Explanation
<b>additional time at oral argument</b>	Use to request additional argument time at oral argument.
<b>allow argument</b>	Use to request argument in a case.
<b>allow costs</b>	Use to request that costs be permitted under Fed. R. App. P. 39 and Fed. Cir. R. 39. This can be used if either the court did not authorize costs in the case or if certain requested costs would not ordinarily be taxable (e.g., shipping).
<b>attorney fees and expenses</b>	Use to request attorney fees under Fed. Cir. R. 47.7. <i>Note:</i> Equal Access to Justice Act fee requests must be submitted using the relief <b>EAJA attorney fees and expenses</b> .
<b>clarify</b>	Use to request clarification from the court.
<b>consolidate appeals</b>	Use to request consolidation of specified related cases. <i>Note:</i> The cases would be briefed and argued jointly. Such a motion should be filed in all cases that would be newly consolidated.
<b>continue stay</b>	Use to request that a case continue to be stayed.
<b>correct/supplement</b>	Use when seeking to correct or supplement a document that already appears on the Federal Circuit's docket report. Also use to request leave to supplement the record.
<b>deconsolidate appeals</b>	Use to request the deconsolidation of a currently consolidated set of cases. The motion must specify which cases are to be deconsolidated, and what the relationship between the deconsolidated cases should be (e.g., proceed as stand-alone cases, as companion cases, or consolidated into subsets). The motion must be submitted in the lead case only.
<b>dismiss appeal pursuant to FRAP 42(b)</b>	Use to request voluntary dismissal under Fed. R. App. P. 42(b).
<b>disqualify</b>	Use when moving to disqualify an attorney or law firm from a case.

Relief	Explanation
<b>EAJA attorney fees and expenses</b>	For filing an application for attorney fees and expenses under the Equal Access to Justice Act (see <a href="#">Form 20</a> ). Use to request attorney fees under the Equal Access to Justice Act. <i>Note:</i> Other attorney fee requests must be submitted using the relief <b>attorney fees and expenses</b> .
<b>exempt from electronic filing</b>	Use to request that a specific electronic filer, a given document, or the case in general be exempt from electronic filing under FCR 25.
<b>expedite briefing</b>	Use to request an expedited briefing schedule and include a proposed schedule. <i>Note:</i> Also select <b>expedite hearing</b> as a second relief if seeking an expedited hearing.
<b>expedite hearing</b>	Use to request an expedited hearing. <i>Note:</i> Also select expedite briefing as a second relief if seeking <b>expedited briefing</b> .
<b>expedite other</b>	Use for any other requests to expedite.
<b>extend time to file a response to en banc or rehearing petition</b>	Use to request an extension of time for a response to a petition for rehearing or en banc hearing, or to request leave to file a response out of time.
<b>extend time to file appendix</b>	Use to request an extension of time for an appendix or supplemental appendix, or to request leave to file an appendix out of time.
<b>extend time to file brief</b>	Use to request an extension of time to file any type of brief, or to request leave to file a brief out of time.
<b>extend time to file other</b>	Use to request an extension of time for all other documents not covered by the existing extension reliefs (including requests for leave to file a document out of time).
<b>extend time to file petition for rehearing/en banc</b>	Use to request an extension of time to file a petition for panel rehearing or rehearing en banc, or to request leave to file a petition out of time.
<b>hear case before the same merits panel</b>	Use to request that a case be heard by the same panel of judges as a prior related case.
<b>highly sensitive document protection</b>	Use to request that a document be classified as highly sensitive pursuant to Administrative Order 2021-04 issued on January 13, 2021. Review the Order <a href="#">here</a> .
<b>in camera proceedings</b>	Use to request that argument occur in a sealed courtroom to allow for inclusion of confidential material.



Relief	Explanation
<b>issue mandate</b>	Use to request that the court issue the mandate immediately.
<b>leave to appear as counsel</b>	Use to request leave to file an entry of appearance pursuant to Fed. Cir. R. 47.3(b)(4) after a case is assigned to a merits panel. Also used to request leave to appear as counsel without bar membership.
<b>leave to file a response/reply</b>	Use to request leave to respond or reply to a document that does not allow for a response/reply under the Rules. <i>Note:</i> The proposed response or reply must be uploaded as an attachment to the motion and must not be filed separately.
<b>leave to file amicus brief on en banc or rehearing petition</b>	Use to request leave to file a brief as an amicus curiae on a petition for hearing en banc or petition for rehearing under Fed. Cir. R. 35(g) or 40(f). <i>Note:</i> The proposed brief must be uploaded as an attachment to the motion and must not be filed separately.
<b>leave to file an amicus curiae brief</b>	Use to request leave to file a brief as an amicus curiae under Fed. Cir. R. 21(e) or Fed. R. App. P. 29(a)(3). <i>Note:</i> The proposed brief must be uploaded as an attachment to the motion and must not be filed separately.
<b>leave to file supplemental appendix</b>	Use to request leave to file a supplemental appendix. <i>Note:</i> The proposed appendix must be uploaded as an attachment to the motion and must not be filed separately. A motion is not required to file a supplemental appendix under Fed. Cir. R. 30(e).
<b>leave to file supplemental brief</b>	Use to request leave to file a supplemental brief or sur-reply brief, or to request a supplemental briefing schedule. <i>Note:</i> Any proposed brief must be uploaded as an attachment to the motion and must not be filed separately.
<b>leave to intervene</b>	Use to request leave to intervene. <i>Note:</i> If intervention is already authorized by statute, a motion is not required and the filer may use the event <b>notice of intervention</b> .
<b>leave to proceed in forma pauperis</b>	Access to the document is restricted and is only available to users associated with the case.

Relief	Explanation
<b>lift injunction</b>	Use to request that an underlying injunction be lifted pending appeal under Fed. R. App. P. 8 or 18. <i>Note:</i> If the Federal Circuit has not yet docketed the case, a motion under this rule must be filed under <b>Utilities</b> → <b>Submit New Case</b> .
<b>lift stay</b>	Use to request that a stay of a case be lifted. Also use to request that an underlying stay be lifted pending appeal under Fed. R. App. P. 8 or 18. <i>Note:</i> If the Federal Circuit has not yet docketed the case, a motion under this rule must be filed under <b>Utilities</b> → <b>Submit New Case</b> .
<b>limited remand</b>	Use to request a partial or limited remand of the case to the originating court/agency. <i>Note:</i> To request a remand of the entire case, use the relief <b>terminate appeal</b> .
<b>modify protective order</b>	Use to request modification of a protective order.
<b>modify the official caption</b>	Use to request non-typographical or otherwise substantive changes to the official caption, such as a missing party or party name change. <i>Note:</i> A request to substitute parties should use the relief <b>substitute party</b> . Typographical or other non-substantive changes may be identified to the court using the event <b>notice of objection to the caption</b> .
<b>other relief</b>	Use this relief only when no other relief applies. <i>Note:</i> If there is uncertainty as to whether a different relief should apply, please contact the Clerk's Office.
<b>reactivate appeal under FRAP 4(a)(4)</b>	Use to request that the court reactivate a case under Fed. R. App. P. 4(a)(4) following disposition of pending post-judgment motions.
<b>recall mandate</b>	Use to request that the court recall the mandate if it has already issued.
<b>reconsider order</b>	Use to request that the court reconsider an order. <i>Note:</i> if requesting reconsideration of an order terminating a case, also select the relief <b>reopen case</b> .
<b>reconsider order en banc</b>	Use to request that the court reconsider an order en banc. <i>Note:</i> If requesting reconsideration of an order terminating a case, also select the relief <b>reopen case</b> .
<b>recuse judge</b>	Use to request that a given judge not be assigned to a merits/motions panel.

Relief	Explanation
<b>reissue as precedential</b>	Use to request that the court reissue a decision or order as precedential under FCR 32.1(e).
<b>remove confidential document from CM/ECF</b>	Use to request that a document designated as highly sensitive be removed from CM/ECF pursuant to Administrative Order 2021-04 issued on January 13, 2021. Review the Order <a href="#">here</a> .
<b>reopen case</b>	Use to request that a case be reinstated.
<b>reschedule argument</b>	Use to request rescheduling of an already-scheduled oral argument.
<b>sanction</b>	Use to request that the court levy sanctions on an attorney or party.
<b>schedule oral argument</b>	Use to request a specific date/time for oral argument to be held.
<b>seal case</b>	Use to request that a case be sealed.
<b>seal document</b>	Use to request that the court restrict access to a document.
<b>set briefing schedule</b>	Use to request a briefing schedule that is different from the schedule required by the Rules or issued by the court. <i>Note:</i> If requesting an expedited briefing schedule, use the relief <b>expedite briefing</b> . Individual brief or appendix extension requests should be submitted using the reliefs <b>extend time to file brief</b> or <b>extend time to file appendix</b> .
<b>stay appeal</b>	Use to request that a case be stayed.
<b>stay mandate</b>	Use to request that the court stay issuance of the mandate.
<b>stay pending appeal – Rule 8/18</b>	Use to request stay of an underlying order/case pending appeal under Fed. R. App. P. 8 or 18. <i>Note:</i> If the Federal Circuit has not yet docketed the case, a motion under this rule must be filed under <b>Utilities → Submit New Case</b> .
<b>strike document</b>	Use to request that a document be stricken in-whole or in-part. <i>Note:</i> A motion to strike must be included in a responsive brief if one is authorized or if leave is obtained under Fed. Cir. R. 27(e) and may not take the form of a separately filed motion.
<b>substitute party</b>	Use to request substitution of one or more parties in a case. <i>Note:</i> To reflect a party name change in the official caption, use the relief <b>modify the official caption</b> .
<b>summary affirmance</b>	Use to request that a case be summarily affirmed.

Relief	Explanation
<b>take judicial notice</b>	Use to request that the court take judicial notice.
<b>temporary injunction pending appeal</b>	Use to request a temporary injunction pending appeal under Fed. R. App. P. 8 or 18. <i>Note:</i> If the Federal Circuit has not yet docketed the case, a motion under this rule must be filed under <b>Utilities → Submit New Case</b> .
<b>terminate appeal</b>	Use to request termination of a case or set of consolidated cases. The motion must specify all case number(s) to be terminated. <i>Note:</i> Use the relief <b>summary affirmance</b> for summary affirmance of a case, and <b>dismiss appeal pursuant to FRAP 42(b)</b> for voluntary dismissal requests.
<b>transmit physical exhibits</b>	Use to request transmission of physical exhibits from the underlying court/agency to the Federal Circuit.
<b>treat as companion case</b>	Use to request that specified related cases be scheduled for oral argument on the same day before the same merits panel. <i>Note:</i> The cases would not be consolidated and would still be briefed and argued separately. Such a motion should be filed in all cases that would be made companions.
<b>unseal</b>	Use to request the unsealing of either a case or a document.
<b>vacate</b>	Use to request that the court vacate an order or decision.
<b>waive confidentiality requirements</b>	Use to request waiver of the confidentiality requirements for any motion, petition, response, reply, or brief under Fed. Cir. R. 25.1(d)(1).
<b>waive fees</b>	Use to request waiver of a required fee under Fed. Cir. R. 52. <i>Note:</i> motions for leave to proceed in forma pauperis must be filed under the event <b>Motion for Leave to Proceed in Forma Pauperis</b> , which is a restricted-view event.
<b>waive oral argument</b>	Use to request that a case be submitted on the briefs instead of argued orally.
<b>waive other requirement</b>	Use to request waiver of a requirement only if no other waive requirement relief applies.
<b>waive requirements of brief or appendix</b>	Use to request waiver of a requirement of a brief or appendix. <i>Note:</i> If requesting waiver of a confidentiality requirement under Fed. Cir. R. 25.1(d), select the relief <b>waive confidentiality requirements</b> .

Relief	Explanation
<b>waive requirements of Rule 27(f)</b>	Use to request waiver of Fed. Cir. R. 27(f), which prohibits the filing of a motion to dismiss or remand an appeal if the appellant/petitioner has already filed its brief. <i>Note:</i> The relief <b>terminate appeal</b> or <b>summary affirmance</b> must also be selected if the motion simultaneously requests case termination.
<b>withdraw attorney</b>	Use to request that principal counsel be withdrawn under Fed. Cir. R. 47.3(c). <i>Note:</i> An entry of appearance for replacement principal counsel should be submitted concurrently using its own event.
<b>withdraw document</b>	A party that filed a document may use this relief to request that the document be withdrawn.
<b>withdraw party</b>	Use to withdraw a party from the case. This relief should not be used instead of <b>dismiss appeal pursuant to FRAP 42(b)</b> .

## IX. Document Types

The following is an alphabetical listing of all available document types ("document events"), as well as an explanation of when to use each document type.

Document Types	Explanation
<b>Agreed Statement in Lieu of Certified List</b>	Use only if the court has authorized the parties to file an agreed statement in lieu of the certified list.
<b>Amended Notice of Appeal or Petition for Review</b>	Use to file an amended notice of appeal or petition for review. In appeals from district court proceedings, an amended notice of appeal must be filed with the district court. Do not file a courtesy copy with this court.
<b>Bill of Costs</b>	Use to file a bill of costs (see <a href="#">Form 24</a> ).
<b>Brief/Appendix or Joinder</b>	Use this event for all non-confidential briefs, appendices, and notices of joinder.
<b>Certificate of Compliance – Protective Order</b>	Use to certify compliance with Fed. Cir. R. 25.1(c) regarding modification of protective orders. The court does not have a separate form for this certificate.
<b>Certificate of Compliance – Transcript</b>	Use to file a certificate indicating no transcript will be ordered in compliance with Fed. R. App. P. 10(b)(1). See the Practice Notes to Rule 10 for more information.
<b>Certificate of Interest</b>	Use to file a certificate of interest (see <a href="#">Form 9</a> ). Refer to Fed. Cir. R. 47.4. If representing multiple parties, one combined certificate of interest should be filed for all parties. If a certificate of interest is included in a filing's required contents, the certificate of interest must be attached to that document and may not be filed separately using this event. The notice of related case information must be uploaded under its own event and may not be included as an attachment in the <b>Certificate of Interest</b> event.
<b>Citation of Supplemental Authority – FRAP 28(j)</b>	Refer to Fed. R. App. P. 28(j).

Document Types	Explanation
<b>Confidential Brief/Appendix or Joinder</b>	Use this event for all <b>confidential</b> briefs, appendices, and notices of joinder. PDFs uploaded using this event will not be available for viewing; you must serve the parties by an alternative method. See Fed. Cir. R. 25(e)(3).
<b>Corrected Certificate of Service</b>	Use to correct an incorrect proof of service attached to a filing or to identify service for a filing that failed to include proof of service. This event should not be used for an original proof of service; an original proof of service must be attached to the applicable document.
<b>Docketing Statement</b>	Use to file a docketing statement (see <a href="#">Form 26</a> ). Refer to the court's <a href="#">Mediation Guidelines</a> and Fed. Cir. R. 47.6.
<b>Entry of Appearance</b>	Use to file an entry of appearance for counsel pursuant to Fed. Cir. R. 47.3 (see <a href="#">Form 8A</a> ). If representing multiple parties, file one combined entry of appearance for all parties (unless an attorney is principal counsel for only some portion of the represented parties, in which case separate entries of appearance must be filed). Multiple counsel representing the same party can submit a single entry of appearance form. This event should not be used if an unrepresented party is also a member of the court's bar; use the event <b>Notice of Unrepresented Person Appearance</b> .
<b>Joint Stipulation of Voluntary Dismissal</b>	Use to file a signed dismissal agreement by all parties under Fed. R. App. P. 42(b)(1) (see <a href="#">Form 18</a> ). Motions to voluntary dismissal under Fed. R. App. P. 42(b) must be filed using the event <b>Motion</b> and selecting the relief <b>Dismiss Appeal Pursuant to FRAP 42(b)</b> .
<b>Letter or Notice</b>	Use to file a letter or notice that does not have a more specific event. If requesting relief, the document must take the form of a motion under Fed. R. App. P. 27 and be filed using the <b>Motion</b> event; if it does not take the form of a motion, the court may not act on or respond to the request.

Document Types	Explanation
<b>Memorandum in Lieu of Oral Argument</b>	Should the case be submitted on the briefs, use this event to submit a memorandum in accordance with the court's notice of submission without oral argument.
<b>Motion</b>	More than one relief may need to be selected, depending on nature of motion.
<b>Motion for Leave to Proceed in Forma Pauperis</b>	Use to file a motion for leave to proceed in forma pauperis (see <a href="#">Form 6</a> ). The document filed with this event is restricted and is not available to the public.
<b>Notice of Correction</b>	Use to file a Notice of Correction to a document that appears on the Federal Circuit's docket report. The corresponding corrected version of the document must be uploaded under its own event and may not be included as an attachment in the Notice of Correction event.
<b>Notice of Election to Participate Pursuant to 37 CFR 1.983</b>	Use to file a Notice of Election to Participate in a pending appeal from the U.S. Patent and Trademark Office.
<b>Notice of Intent to Use Visual Aids</b>	Refer to Fed. Cir. R. 34(c) and the <a href="#">Guide for Oral Argument</a> .
<b>Notice of Intervention</b>	Use only to file a notice of intervention authorized by statute (see Fed. R. App. P. 15(d)). A motion for leave to intervene must be filed using the event <b>Motion</b> instead if intervention is not authorized by statute.
<b>Notice of Joinder to Document</b>	Use when joining in another party's document. Do not use for joinders to briefs (use <b>Brief/Appendix or Joinder</b> instead).
<b>Notice of Objection to the Caption</b>	Use to request modification of the official caption only if there are clear errors in the caption (e.g., misspelling, incorrect designation). Any non-typographical or otherwise substantive changes (e.g., missing party, party name change, or party substitution) must be requested through a motion.
<b>Notice of Physical Filing – FCR 25(c)(1)(B)</b>	Refer to Fed. Cir. R. 25(c)(1)(B). This event may only be used for filings permitted by this rule.



Document Types	Explanation
<b>Notice of Related Case Information</b>	Use to file a notice of related case information (see <a href="#">Form 9A</a> ) only if required by Fed. Cir. R. 47.5(b).
<b>Notice of Unrepresented Person Appearance</b>	Use to file a notice of unrepresented person appearance pursuant to Fed. Cir. R. 47.3 (see <a href="#">Form 8B</a> ).
<b>Notice Regarding Bankruptcy</b>	Use only to notify the court of bankruptcy proceedings.
<b>Notice Regarding Pending FRAP 4(a)(4)(A) Motions</b>	Refer to Fed. R. App. P. 4(a)(4)(A) and the Practice Notes to Rule 4.
<b>Other Document</b>	Use only when no other event applies. If there is uncertainty as to whether a different event should apply, please contact the Clerk's Office.
<b>Pay Docketing Fee</b>	If the fee was not paid when the case was submitted, use this event to pay the docketing fee after the case is opened.
<b>Petition</b>	Refer to Fed. Cir. R. 35, 40. Use this event only for filing petitions for panel or en banc rehearing or petitions for en banc hearing.
<b>Reply</b>	Use to reply to a Response/Opposition, or to reply to another reply if granted leave. If filing a reply brief, use the event <b>Brief/Appendix or Joinder</b> .
<b>Response to Court</b>	Use when responding to the court (e.g., show cause order).
<b>Response to Notice of Oral Argument</b>	Use to upload a completed Response to Notice of Oral Argument ( <a href="#">Form 33</a> ). See Fed. Cir. R. 34(e)(1).
<b>Response to Notice to Advise of Scheduling Conflicts</b>	Use to notify the court of conflicts with potential argument dates. See Fed. Cir. R. 34(d)(2) and Response to Notice to Advise of Scheduling Conflicts ( <a href="#">Form 32</a> ).
<b>Response/Opposition</b>	Use to respond to a document not covered by another response/opposition event, or to file an objection to a bill of costs. If filing a response brief, use the event <b>Brief/Appendix or Joinder</b> .

Document Types	Explanation
<b>Response/Opposition with Incorporated Motion</b>	Use when filing a motion as part of a response/opposition. The title of the document must reflect the incorporation of the motion. This event will allow the user to select the requested relief(s).
<b>Sealed/Confidential Document</b>	Use for any confidential document other than a brief or appendix. PDFs uploaded using this event will not be available for viewing; you must serve the parties by an alternative method. See Fed. Cir. R. 25(e)(3).
<b>Statement Concerning Discrimination – FCR 15(c)</b>	Use to file a statement concerning discrimination (see <a href="#">Form 10</a> ). For Merit System Protection Board and arbitrator cases only.. See Fed. Cir. R. 15(c).
<b>Status Report</b>	Use to file a status report that does not include an incorporated motion.
<b>Status Report with Incorporated Motion</b>	Use when filing a motion as part of a status report. The title of the document must reflect the incorporation of a motion. This event will allow the user to select the requested relief(s).
<b>Transcript Purchase Order Form</b>	Use to file a transcript purchase order form (see <a href="#">Form 22</a> ). <i>Note:</i> The transcript purchase order form is not required to be filed with this court. Refer to Fed. R. App. P. 10(b) for certifying compliance with transcript requirements. See also the Practice Notes to Rule 10.
<b>USERRA Notification Form</b>	Use this event to file a USERRA notification form (see <a href="#">Form 6B</a> ). For Merit System Protection Board cases only (if applicable).

## X. Revision Control

<b>Version</b>	<b>Summary of Changes</b>	<b>Date</b>
<b>2.0</b>	Superseding all prior versions following the implementation of NextGen CM/ECF 1.2	03/23/2018
<b>2.1</b>	Clarified the limits on accessing confidential or sealed documents through the Notice of Docket Activity (§ IV.A.17); added new sections on word/line certificate of compliance, corrected briefs, and combined briefs, (§ IV.E); added new section explaining the Clerk's Office non-compliance procedure (§ IV.K); updated technical question support options (§ VII.B); removed "pro hac vice" as an available relief, clarified the use of the correct/supplement and extend time to file reliefs, corrected the withdraw party relief (§ VIII); changed "pro se" to "unrepresented" (throughout).	08/10/2018
<b>2.2</b>	Inserted Response to Notice to Advise of Scheduling Conflicts (§ IV.G); revised Response to Notice of Oral Argument procedure following revision of argument notices (§ IV.H); renumbered remaining sections.	10/22/2018
<b>2.3</b>	Revised briefs filing procedure (§ IV.E) following the discontinuation of the brief "tendering" practice (§ IV.E); revised instructions for the Response to Notice of Oral Argument (§ IV.H).	12/01/2018
<b>2.4</b>	Added instructions for Receiving Notifications for Cases of Interest (§ II.H); added language regarding weekend/holiday filing (§ IV.B), brief filing (§ IV.E), sealed documents (§ IV.J), document attachment handling (new § IV.A.13.f-g), and Document Types list (new § IX); added and clarified document attachment requirements for motions for leave to file (new § IV.A.20, § IV.E.1, § IV.I Events List); clarified appendix citation formatting requirements (§ IV.A.2), media files in appendices (§ IV.A.8.c), Notice of Docket Activity contents (§ IV.A.17.c); electronic filing while bar admission is pending (§ IV.C), motion consent type requirements (§§ IV.E, F, G, I, J); removed Legacy CM/ECF Account requirements (§ II.J); moved and expanded Corrected Briefs (§ IV.E.3) to a new Corrected Filings section (§ IV.A.21); updated documents, events, and definitions (§ IV.L, § VIII); and incorporated minor wording, various citations and cross-references, section renumbered Revision Control and Index, and typographical corrections.	10/01/2019

<b>Version</b>	<b>Summary of Changes</b>	<b>Date</b>
<b>2.5</b>	Updated language, cross-references, and form links, and inserted new provisions to conform to the July 2020 amendments to the Federal Circuit Rules of Practice; deleted non-electronic filing information in these procedures now codified in the Rules; added information about future authorization for unrepresented litigants to file electronically (§ II.A); added information about suspension of e-filing privileges (§ II.D); clarified language regarding updating contact information (§§ II.J; IV.A.1.a); expanded section on appendix page numbers, references, and Bates numbering (§ IV.A.2); updated descriptions for paper copies and documents that can and cannot be filed electronically (§ IV.A.6, 7); elaborated on redaction expectations (§ IV.A.12); updated information regarding filing and access to confidential materials (§ IV.A.5.a-b; IV.A.12.b); aligned proof of service requirements with amended rules (§IV.A.5.a;§ IV.A.14); updated signature format information (§ IV.A.15); added information about timeliness and deadlines (§ IV.A.16); updated and consolidated list of events and reliefs and their descriptions, including eliminating duplicative listing of available document events (§§ IV.E, F, K; VIII); updated Clerk's Office contact information (§ VII.B); updated section headers and ordering; reframed some language as being applicable to "electronic filers" rather than "counsel."	07/01/2020
<b>3.0</b>	Added requirements regarding unrepresented party electronic filing and fee payment (§§ II.A, B, E, G, H; III.B; IV.A.5; IV.C; IV.C.1); clarified PACER access fees (§ II.B); provided additional clarification in light of July 1, 2020 Federal Circuit Rule changes (§§ IV.A.1, 2, 4, 8, 12; VIII); clarified what information appears on the court's notices of docket activity (§ IV.A.14); clarified that consent information will no longer appear in the docket text for motions (§ IV.F); updated event and relief titles (§§ VIII; IX); clarified court's expectations for filings under FRAP 42(b) (§ IX)	10/01/2020
<b>3.1</b>	Added requirements regarding highly sensitive material (§§ IV.A.6; IV.F; VIII); Corrected email address for unrepresented party filing of new appeals or petitions; other non-substantive stylistic changes.	01/03/2022
<b>3.2</b>	Updated language, cross-references, and form links to align with March 2023 rules amendments; revised processing time note for Attorney Admissions, E-File Registration, and Public Interested Person Registration	03/01/2023

<b>Version</b>	<b>Summary of Changes</b>	<b>Date</b>
	submissions (§ II.F.1, II.F.2, II.H); clarified language regarding location of Bates numbering in paper copies (§§ IV.A.2.c.vi); clarified Flattening a PDF (§ IV.A.11.b); clarified Document Type Explanations for a Certificate of Interest, Other Document, and Statement Concerning Discrimination – FCR 15(c) (§ IX); added Document Types Joint Stipulation of Voluntary Dismissal and Notice of Related Case Information (§ IX); removed Document Type Joint Stipulation of Compliance – FCR 33 (§ IV).	
<b>3.2.1</b>	Updated filing procedures for Response to Notice to Advise of Scheduling Conflicts to account for March 2023 rules amendments (§ IV.H).	03/10/2023
<b>3.2.2</b>	Updated requirements for appendix page references (§ IV.A.2.b).	04/18/2023

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