


Summary of Final Amendments to the Federal Circuit Rules of Practice

November 2024

The following summary was prepared by the Clerk's Office as a guide to the adopted amendments and should not substitute for reading the full text of the amendments, which are available on the court's website.

[Draft Proof Copy – Federal Circuit Rules of Practice \(December 1, 2024\)](#)

This summary is neither intended to serve as legal advice nor as commentary on the changes to the Federal Circuit Rules of Practice.

The court has adopted amendments to the following Federal Circuit Rules of Practice (FCR).

1. **Practice Notes to Fed. Cir. R. 15:** Updates language that corrects an error regarding Time to Appeal or Petition table to reflect the correct time of six years and updates the information regarding the filing of a notice of appeal with the Patent and Trademark Office to reflect recent updates in 37 CFR 90.2 and 2.145.
2. **Fed. Cir. R. 21(f):** Adjusting citation to FCR 40 to correspond with new rule subsection.
3. **Fed. Cir. R. 27(j):** Adjusting citation to FCR 40 to correspond with new rule subsection.
4. **Practice Notes to Fed. Cir. R. 28:** Provides guidance to attorneys regarding the use of reply briefs.
5. **Fed. Cir. R. 30:** Implements a new requirement regarding the appendix table of contents (TOC). The proposed addition as FCR 30(a)(6) would require that in addition to the page at which each entry begins, the TOC must include information identifying how the document was designated in the reviewed tribunal (such as the docket or other record number).
6. **Fed. Cir. R. 32(b):** Adjusting citation to FCR 40 to correspond with new rule subsection.
7. **Fed. Cir. R. 35 and 40:** Proposed updates to FCR 35 and 40 mirror the suggested updates to upcoming December 2024 Amendments to FRAP 35 and 40, which incorporate into a single rule all procedural requirements for petitions for panel rehearing, petitions for hearing or rehearing en banc, and combined petitions for panel rehearing and rehearing en banc. There are no substantive updates to the rule; the core of the change is to update the format and combine the requirements for each of these petitions into a single rule.
8. **Federal Circuit Attorney Discipline Rules Introduction and Rule 5:** Adjusting citation to FCR 40 to correspond with new rule subsection.