

United States Court of Appeals for the Federal Circuit

# Adding Bates Numbering to Your Appendices



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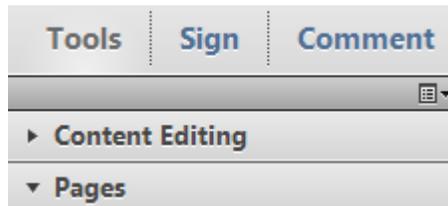
## Adding Bates Numbering to Your Appendices

Federal Circuit Rules require the use of Bates numbering in both joint and supplemental appendices, per changes to Federal Circuit Rules of Practice 28(a)(11) and 28(f) as well as the addition of a new subsection, Rule 30(b)(4)(E). Bates numbering is a method of pagination that simplifies identification and retrieval and will replace the previous numbering method used for appendices. Bates numbering can be added to Portable Document Format (PDF) documents using an editor program. Included in this guide are instructions for Adobe Acrobat users. For users of other editor programs, please consult your application’s user guide.

### Adobe Acrobat Instructions

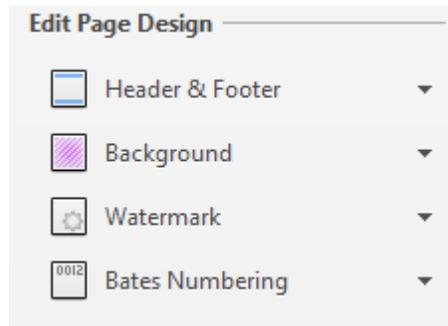
1. Open Adobe Acrobat, and then select the **Tools** pane. Select **Pages**:

Figure 1. Tools - Pages



2. Under *Edit Page Design*, select **Bates Numbering**. Select **Add Bates Numbering**:

Figure 2. Edit Page Design – Bates Numbering – Add Bates Numbering

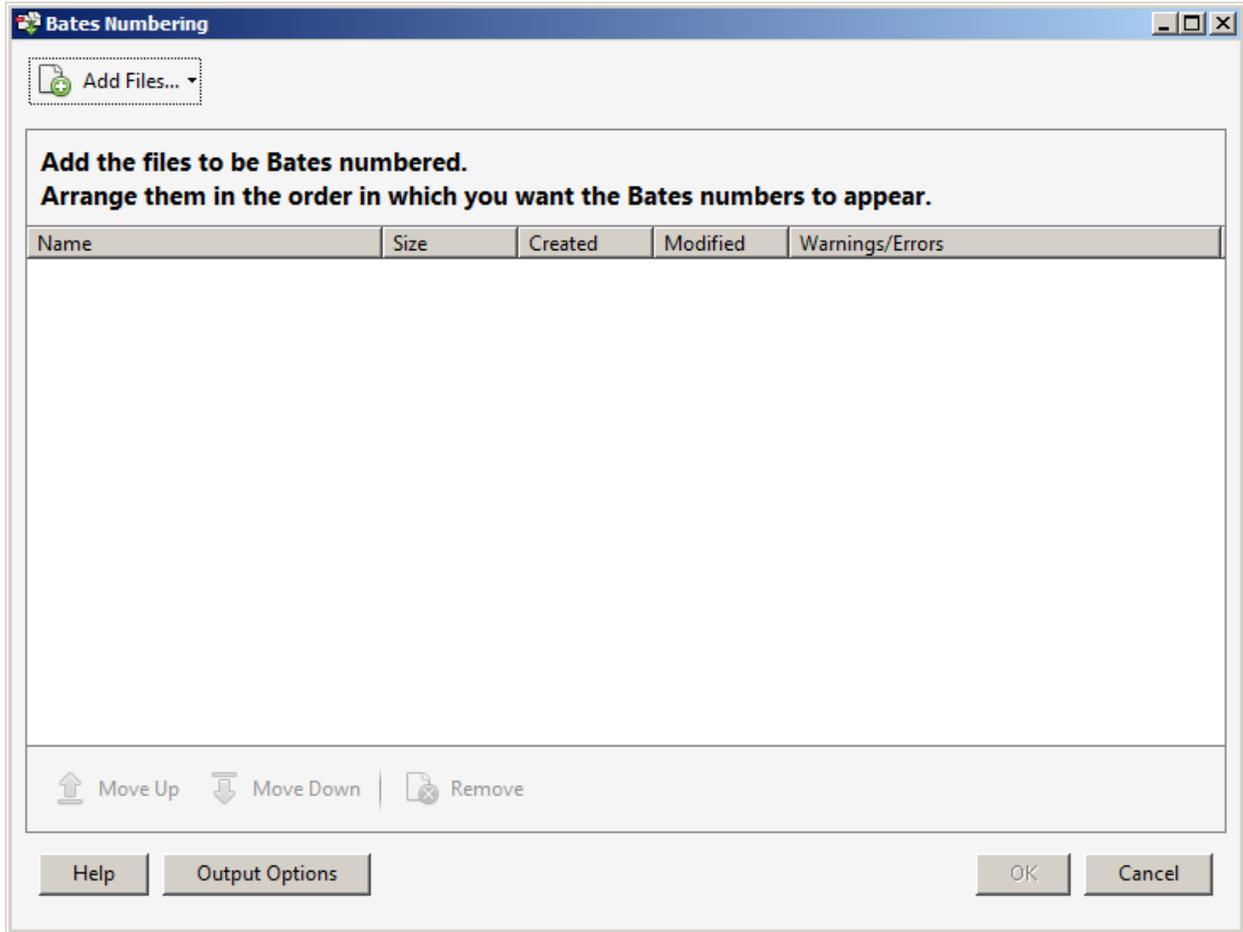


Note: To add *Bates Numbering* to your *Quick Tools Toolbar*, right click **Bates Numbering**, then select **Add to Quick Tools Toolbar**.

3. 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.*

Figure 3. Bates Numbering - Add Files



4. The *Add Header and Footer* box will now populate. Select a *Footer Text Box* of your choice. Select **Insert Bates Number...**
5. Note: It is up to the user to determine what justification (left, center, right) they would like to assign to the footer.
6. The *Bates Numbering Options* box will now populate. Select the **Number of Digits** for your document's Bates numbering. Select **Prefix** and insert the document's Bates numbering prefix, being sure to adhere to Federal Circuit Rule 30(b)(4)(E):

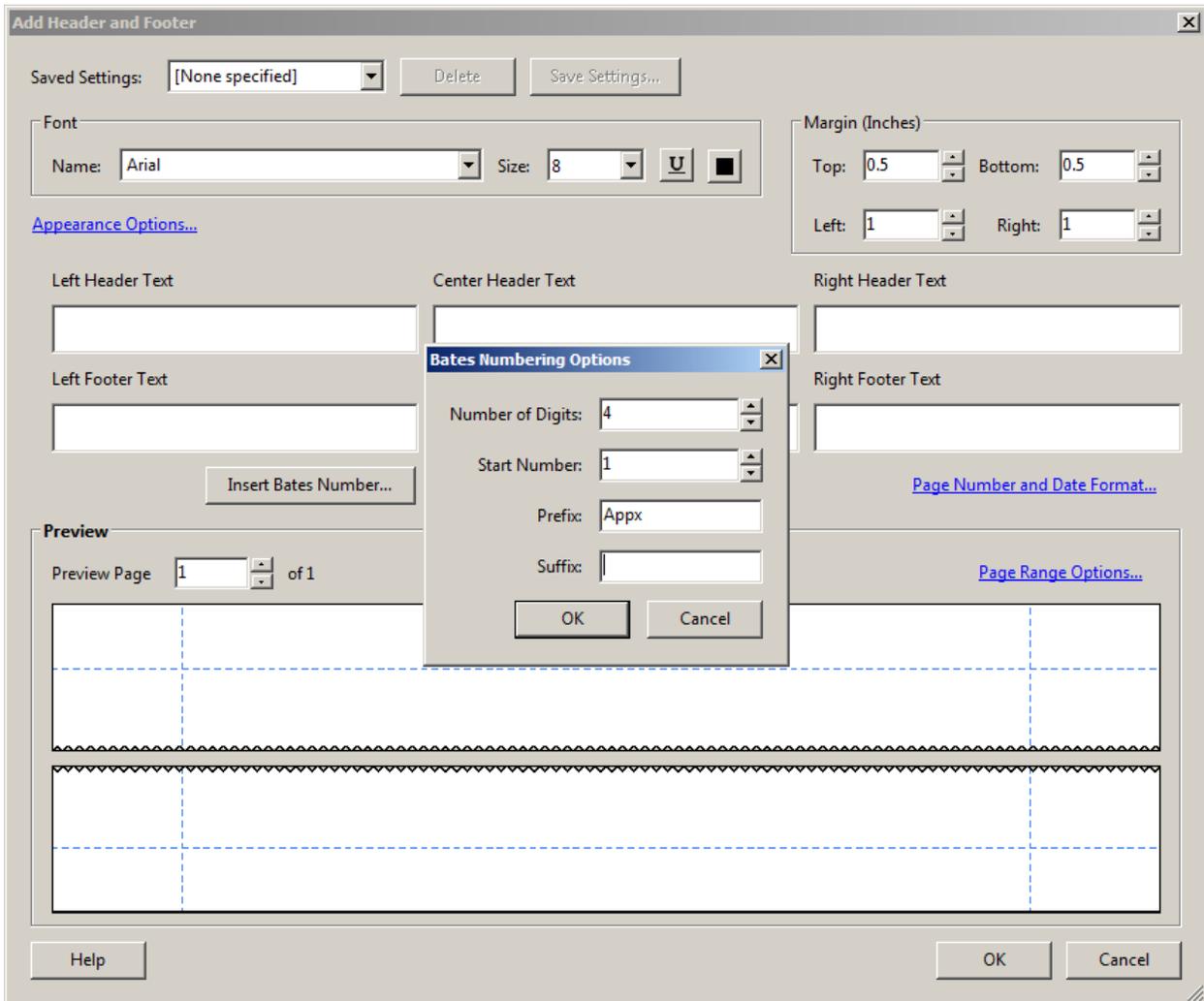
*The pages of the appendix or supplemental appendix shall be numbered by the automated Bates numbering feature of the software used to convert the appendix to a*

.pdf document and must be **in the format “Appx” or “SAppx” followed by the page number(s); e.g., “Appx134,” “Appx3-17,” or “SAppx1385”** [emphasis added].

Note: It is up to the user to determine whether to include leading zeroes or not. For example, both: “Appx0123” and “Appx123” are acceptable.

Note: The prefix “Appx” is to be used for joint appendix documents; “SAppx”, for supplemental appendix documents.

**Figure 4. Add Header and Footer - Bates Numbering Options**



7. Within the *Bates Numbering Options* box, select **OK**. Then, within the *Add Header and Footer* box, select **OK**.
8. All references in briefs to pages of the joint appendix should comply with Federal Circuit Rule 28(f):

***Reference to Appendix.*** Reference in the brief to pages of the joint appendix and, if permitted, of a supplemental appendix must be as short as possible consistent with clarity and must follow the numbering format specified in Fed. Cir. R. 30(b)(4)(E), e.g., “Appx134,” “Appx3-17” or “SAppx1185.”

Note: An example of correct ways to reference an appendix document from a brief is shown below:

“Pursuant to Dreamer’s contract with SouthEast, see Appx0989, Dreamer would not begin to deliver Nuevo mud to SouthEast until “May 15 of the year following the date that mud from the project is first available.” SAppx0268. Dreamer was to provide written notification to SouthEast when mud became available, Appx0016.”

Note: Do not create hyperlinks from your brief citations to your appendices – the correct format for references from briefs to appendix pages need only exist.