

Rule 25. Filing and Service

(a) Electronic filing. As authorized by Fed. R. App. P. 25(a)(2)(D) and (c)(2), the court requires electronic filing of documents and authorizes electronic service of documents, with certain exceptions, as explained in the court's "Administrative Order Regarding Electronic Case Filing."

(b) Facsimile filing or e-mail filing.

(1) Parties who are otherwise required to use electronic filing. If a party would otherwise be required to file a document electronically, a motion may be filed by facsimile transmission or e-mail transmission only if the case has not yet been docketed by this court. The certificate of service must state that a copy has been served on all parties by facsimile transmission or by e-mail, as the case may be, and that the required number of paper copies of the motion has been mailed or shipped for delivery to the clerk and the parties on the next business day. See *also* Fed. Cir. R. 8. A party filing a document by facsimile or e-mail transmission under this provision must first call the clerk's office in advance to receive permission to do so. No other document may be filed by facsimile transmission or e-mail transmission.

(2) Parties who are not required to use electronic filing. If the filing party is not required to file documents electronically in a particular case pursuant to the court's "Administrative Order Regarding Electronic Case Filing," then the party may file a motion, response to a motion, reply to a response, or letter by submitting paper copies in accordance with Fed. Cir. R. 8 or by facsimile transmission. If the party elects to file such documents by facsimile transmission, the certificate of service must state that a copy has been served on all parties by facsimile transmission, that all parties have been notified of such facsimile transmission by telephone or e-mail, and that the required number of paper copies has been mailed or shipped for delivery to the clerk and the parties on the next business day. No other document may be filed by facsimile transmission.