Applicant's Supplement to the Examiner-Initiated Interview Summary:

1. Summary of Discussions

Examiner Michael Sherry contacted Applicant's representatives on December 14, 2006, via telephone, to discuss the above-captioned patent application. Examiner Sherry alleged that Figures 1-5 and Figure 6 are drawn to patentably distinct species of the invention, and requested that Applicant identify those claims which read on Species I (Figures 1-5) and those claims that read on Species II (Figure 6). Applicant's representatives indicated that claims 1-8 read on Species I (Figures 1-5), and claims 9 and 10 read on Species II (Figure 6). Examiner Sherry required Applicant to elect Species I or Species II for prosecution in the above-captioned patent application. Examiner Sherry also indicated that independent claim 8, as filed, is in condition for allowance, and alleged that independent claim 1, as filed, is indefinite under 35 U.S.C. § 112, ¶2. Specifically, Examiner Sherry alleged that the phrase: "wherein the float portion is disposed within the ink chamber and is configured to move independent of the sliding member" is indefinite because the float portion and the sliding member may sometimes move in conjunction with each other. Moreover, Examiner Sherry indicated that he is aware of Applicant's twenty co-pending applications which were filed on September 29, 2006, and that he would be reviewing those twenty applications to confirm that there are no double patenting issues in the above-captioned patent application.

On December 15, 2006, Applicant's representatives contacted Examiner Sherry, via telephone, to discuss the above-captioned patent application. Applicant's representatives informed Examiner Sherry that Applicant elected Species I (claims 1-8), without traverse, for prosecution in the above-captioned patent application in accordance with the requirements of 71 F.R. 36323, 36324 (June 26, 2006). Applicant also proposed amending independent claim 1 to

clarify that the direction of movement of the float portion is slanted with respect to the direction of movement of the sliding member. Examiner Sherry alleged that in view of Applicant's proposed amendment to independent claim 1, independent claim 1 would be anticipated by Patent Application Publication No. US 2005/0068389 A1 to Katayama et al. ("Katayama"). Specifically, Examiner Sherry argued that in Katayama, the float portion and the signal blocking portion each move in an arc, such that the direction of movement of the float portion is slanted with respect to the direction of the movement of the signal blocking portion.

On December 18, 2006, Applicant's representatives again contacted Examiner Sherry, via telephone, to discuss the above-captioned patent application. Applicant's representatives informed Examiner Sherry that, solely to expedite the prosecution of the above-captioned patent application, Applicant proposed amending independent claim 1 to recite, in part:

> "a float portion operationally coupled to the sliding member, wherein the float portion is disposed within the ink chamber and is configured to move in a second direction from a third position to a fourth position based on the amount of ink within the ink chamber, wherein when the float portion moves from the third position to an intermediate position between the third position and the fourth position, the sliding member is substantially stationary."

See, Claim 1 (as amended). Examiner Sherry indicated that Applicant's proposed amendment to independent claim 1 would place independent claim 1 in condition for allowance.

2. Brief Description of any Exhibit Shown or Demonstrated Constructed

The interviews between Applicant's representatives and Examiner Sherry in the above-captioned patent application were conducted over the telephone, and Applicant's

representatives did not show any exhibits or conduct any demonstrations during the interviews in the above-captioned patent application.

3. Identification of the Claims Discussed

Applicant's representatives and Examiner Sherry discussed claims 1, 8, 9, and 10 during the interviews in the above-captioned patent application. Because Examiner Sherry stated that there would be no rejoinder of claims 9 and 10 in the above-captioned patent application, Applicant agreed to cancel withdrawn claims 9 and 10. Examiner Sherry indicated that independent claim 8, as filed, is in condition for allowance. Applicant agreed to amend independent claim 1, as set forth above, and Examiner Sherry indicated that independent claim 1, as amended, is in condition for allowance.

4. Identification of Prior Art Discussed

Applicant's representatives and Examiner Sherry discussed Katayama during the interviews in the above-captioned patent application.

5. Identification of the Principle Proposed Amendments

The principle proposed amendments are discussed in the Summary of Discussions section of this submission.

6. The Principle Thrust of the Arguments of the Applicant and the Examiner

The principle thrust of the arguments and of Applicant and the Examiner are discussed in the Summary of Discussions section of this submission.

7. The General Results of the Interviews

The results of the interview between Applicant's representatives and Examiner Sherry are, as follows:

(a) Species I (claims 1-8) is elected, without traverse, for prosecution in the above-captioned patent application;

(b) Independent claim 9 and dependent claim 10 (Species II) are withdrawn and canceled, without prejudice to the subject matter claimed thereby.

(c) Independent claim 8, as filed, is in condition for allowance; and

(d) Independent claim 1, as amended, is in condition for allowance.

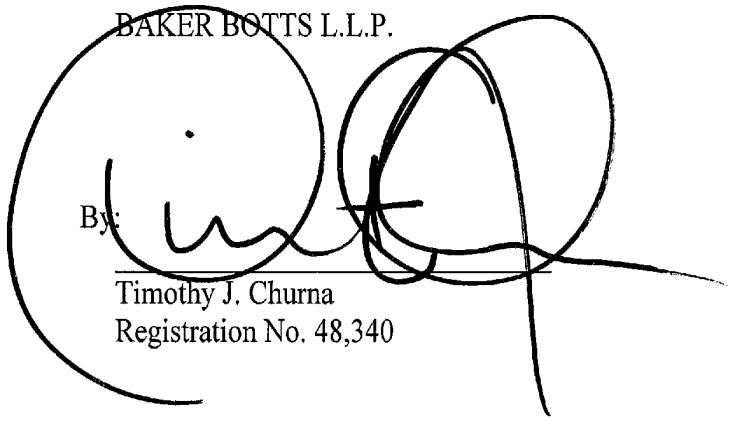
8. Interview via Electronic Mail

On December 18, 2006, Applicant's representatives forwarded proposed amendments to independent claim 1 to Examiner Sherry via electronic mail. The proposed amendments to independent claim 1 correspond to the amendments to independent claim 1, set forth in the Amendments to the Claims section of this submission. Applicant's are enclosing a copy of the electronic mail correspondence between Applicant's representatives and Examiner Sherry, with this submission.

Conclusion:

Applicant respectfully submits that this application, as amended, is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that a further interview with Applicant's representatives, either in person or by telephone, would expedite prosecution of this application, we would welcome such an opportunity. Applicant believes that no fees are due as a result of this submission. Nevertheless, in the event of any variance between the fees determined by Applicant and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's Deposit Account No. 02-0375.

Respectfully submitted,
BAKER BOTTS L.L.P.



By: _____
Timothy J. Churna
Registration No. 48,340

Dated: January 9, 2007

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JBA/TJC/tt

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/536,665	09/29/2006	Toyonori Sasaki	076376.0411	9344

24735 7590 12/22/2006

BAKER BOTTS LLP
C/O INTELLECTUAL PROPERTY DEPARTMENT
THE WARNER, SUITE 1300
1299 PENNSYLVANIA AVE, NW
WASHINGTON, DC 20004-2400

EXAMINER	
MEIER, STEPHEN D	

ART UNIT	PAPER NUMBER
2853	

NOTIFICATION DATE	DELIVERY MODE
12/22/2006	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptocorrespondence@bakerbotts.com
oneka.davis@bakerbotts.com
darlene.hoskins@bakerbotts.com

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	11/536,665	SASAKI, TOYONORI	
	Examiner	Art Unit	
	Michael J. Sherry	2853	

All Participants:

(1) *Michael J. Sherry*.

(2) *Timothy Churna*.

Status of Application: _____

(3) *Stephen Meier*.

(4) _____.

Date of Interview: *12/14-15,18/2006*

Time: *1:00*

Type of Interview:

☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No
If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:
All

Prior art documents discussed:
art of record, Katayama et al. (US2005/0068389)

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

STEPHEN MEIER
SUPERVISORY PATENT EXAMINER
(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Agreed that claims 1-8 (Group I) and claims 9-10 (Group II) are directed to patentably distinct species. Mr. Churna elected (December 14, 2006) claims 1-8 (Group I) without traverse. The details of the restriction requirement will be recorded in the first action on the merits. As a result of the restriction requirement, applicant will also cancel claims 9-10 or authorize cancellation in an amendment. Agreed to amend claim 1 to make it clear that the sliding member is "substantially stationary when the float portion moves from the third position to an intermediate position between the 3rd and 4th positions"; and delete the phrase "independent of the sliding member." Mr. Churna will submit an amendment which includes these changes.

Doc Code: PET.SPRE.ACX

PTO/SB/28 (08-06)
Approved for use through 09/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

PETITION TO MAKE SPECIAL UNDER ACCELERATED EXAMINATION PROGRAM

Attorney Docket Number	076376.0411	First Named Inventor	TOYONORI SASAKI
Application Number (if Known)			
Title of Invention	INK CARTRIDGES		

APPLICANT HEREBY PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE REVISED ACCELERATED EXAMINATION PROGRAM. See Instruction sheet on page 3.

1. **Claims of the application:**
   a. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims. The application may not contain any multiple dependent claims.

   b. **Applicant hereby agrees not to separately argue the patentability of any dependent claim during any appeal** in the application. Specifically, the applicant agrees that the dependent claims will be grouped together with and not argued separately from the independent claim from which they depend in any appeal brief filed in the application (37 CFR 41.37(c)(1)(vii)).

   c. The claims must be directed to **a single invention**.

2. **Interviews:**
   Applicant hereby agrees to have (if requested by examiner):
   a. An interview (including an interview before a first Office action) to discuss the prior art and any potential rejections or objections with the intention of clarifying and possibly resolving all issues with respect to patentability at that time, and

   b. A telephonic interview to make an election without traverse if the Office determines that the claims are not obviously directed to a single invention.

3. **Preexamination Search Statement and Accelerated Examination Support Document:**
   With this petition, applicant is providing: a **preexamination search statement**, in compliance with the requirements set forth in item 8 of the instruction sheet, and an **"accelerated examination support document"** that includes:
   a. An **information disclosure statement** in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the independent claims;

   b. For each reference cited, **an identification of all the limitations of the claims** that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

   c. A **detailed explanation of how each of the claims are patentable** over the references cited with the particularity required by 37 CFR 1.111(b) and (c);

   d. A concise **statement of the utility** of the invention as defined in each of the independent claims (unless the application is a design application);

   e. An identification of any cited references that may be disqualified as prior art under 35 U.S.C. 103(c) as amended by the CREATE act; and

   f. **A showing of where each limitation of the claims finds support under the first paragraph of 35 U.S.C. 112** in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step-) plus-function claim element that invokes consideration under 35 U.S.C. 112, ¶6; and (2) the structure, material, or acts that correspond to any means- (or step-) plus-function claim element that invokes consideration under 35 U.S.C. 112, ¶6. If the application claims the benefit of one or more applications under title 35, United St ates Code, the showing must also include where each limitation of the claims finds support under the first paragraph of 35 U.S.C. 112 in each such application in which such support exists.

Doc Code: PET.SPRE.ACX

PTO/SB/28 (08-06)
Approved for use through 09/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

PETITION TO MAKE SPECIAL UNDER ACCELERATED EXAMINATION PROGRAM (Continued)

Attorney Docket Number	076376.0411	First Named Inventor	TOYONORI SASAKI

Attachments:

a.		Accelerated Examination Support Document (see item 3 above).
b.		A statement, in compliance with the requirements set forth in item 8 of the instruction sheet, detailing the preexamination search which was conducted.
c.		Information Disclosure Statement.
d.	☐	Other (*e.g.*, a statement that the claimed subject matter is directed to environmental quality, energy, or countering terrorism (37 CFR 1.102(c)(2))

Fees: The following fees must be filed electronically via EFS or EFS-Web:

a.	The basic filing fee, search fee, examination fee, and application size fee (if required) under 37 CFR 1.16.
b.	Petition fee under 37 CFR 1.17(h) - unless the petition is filed with a showing under 37 CFR 1.102(c)(2).

Signature:

Click Remove if you wish to remove this signatory — Remove

Signature	/Timothy J. Churna/	Date	2006-09-29
Name (Print/Typed)	Timothy J. Churna	Registration Number	48340

Click Add if you wish to add additional signatory — Add

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.*

PTO/SB/28 (08-06)
Approved for use through 09/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Instruction Sheet Petition to Make Special Under the Accelerated Examination

A grantable petition must meet the following conditions:

1. The petition to make special under the accelerated examination program must be filed with the application and accompanied by the fee set forth in 37 CFR 1.17(h) or a statement that the claimed subject matter is directed to environmental quality, energy, or countering terrorism.

2. The application must be a non-reissue utility or design application filed under 35 U.S.C. 111(a).

3. The application must be **filed electronically** using the Office electronic filing system (EFS) or EFS-Web.

4. The application must be complete under 37 CFR 1.51 and in condition for examination on filing. For example, the application must be filed together with the basic filing fee, search fee, examination fee, and application size fee (if applicable), and an oath or declaration under 37 CFR 1.63.

5. The application must contain three (3) or fewer independent claims and twenty (20) or fewer total claims. The application may not contain any multiple dependent claims. The petition must include a statement that **applicant will agree not to separately argue the patentability of any dependent claim during any appeal** in the application. Specifically, the applicant is agreeing that the dependent claims will be grouped together with and not argued separately from the independent claim from which they depend in any appeal brief filed in the application (37 CFR 41.37(c)(1)(vii)).

6. The claims must be directed to a **single invention**. The petition must include a statement that applicant will agree to have a telephonic interview to make an election without traverse in a telephonic interview if the Office determines that all the claims are not directed to a single invention.

7. The petition must include a statement that **applicant will agree** to have an interview (including an interview before a first Office action) to discuss the prior art and any potential rejections or objections with the intention of clarifying and possibly resolving all issues with respect to patentability at that time.

8. At the time of filing, applicant must provide a statement that a **preexamination search was conducted**, including an identification of the field of search by United States class and subclass and the date of the search, where applicable, and, for database searches, the search logic or chemical structure or sequence used as a query, the name of the file or files searched and the database service, and the date of the search.
   a. This preexamination search must involve U.S. patents and patent application publications, foreign patent documents, and nonpatent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated source and includes such a justification with this statement.
   b. This preexamination search must be directed to the claimed invention and encompass all of the features of the independent claims, giving the claims the broadest reasonable interpretation.
   c. The preexamination search must also encompass the disclosed features that may be claimed, in that an amendment to the claims (including any new claim) that is not encompassed by the preexamination search will be treated as non-responsive and will not be entered.
   d. A search report from a foreign patent office will not be accepted unless the search report satisfies the requirements set forth above.
   e. Any statement in support of a petition to make special must be based on a good faith belief that the preexamination search was conducted in compliance with these requirement. See 37 CFR 1.56 and 10.18.

9. At the time of filing, applicant must provide in support of the petition an **accelerated examination support document that includes:**
   a. An **information disclosure statement** in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
   b. For each reference cited, **an identification of all the limitations of the claims** that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
   c. A **detailed explanation of how each of the claims are patentable** over the references cited with the particularity required by 37 CFR 1.111(b) and (c);
   d. A concise **statement of the utility** of the invention as defined in each of the independent claims (unless the application is a design application);
   e. An identification of any cited references that may be disqualified as prior art under 35 U.S.C. 103(c) as am ende d by the CREATE act; and
   f. A **showing of where each limitation of the claims finds support under the first paragraph of 35 U.S.C. 112** in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step-) plus-function claim element that invokes consideration under 35 U.S.C. 112, ¶6; and (2) the structure, material, or acts that correspond to any means- (or step-) plus-function claim element that invokes consideration under 35 U.S.C. 112, ¶6. If the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under the first paragraph of 35 U.S.C. 112 in each such application in which such support exists.
   For more information, see notice "Changes to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" available on the USPTO web site at http://www.uspto.gov/web/office s/pac/dapp/ogsheet.html

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:			
Toyonori SASAKI		Examiner	To Be Assigned
Application No.:	To Be Assigned	Group Art Unit	To Be Assigned
Filed:	September 29, 2006	Confirmation No.	To Be Assigned
For: INK CARTRIDGES			

PRE-EXAMINATION SEARCH DOCUMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This Pre-Examination Search Document is provided in support of the Petition for Accelerated Examination filed herewith.

A pre-examination search was conducted involving U.S. patents and patent application publications, foreign patent documents and non-patent literature as indicated below. The results of the search are provided on an Information Disclosure Statement filed concurrently herewith.

A. Pre-examination Search

1. US Field of Search:

Classes/Subclasses Searched:

73/305, 307, 309, 317, 319, 322.5;

116/227, 228, 229;

250/573, 575;

340/603, 612, 618, 623, 625;

347/19, 85, 86, 108

401/192, 194;

Date Conducted: June 26, 2006 –July 11, 2006

2. Foreign Field of Search:

IPCs Searched:

B29C041/00;

B41J002/175;

B41J002/195;

B41J024/34;

B41J029/13;

B41J029/393;

B41J032/00;

B43L025/00;

Date Conducted: August 24, 2006 – September 13, 2006

3. Database Searches:

a. Database Service: USPTO EAST

Files Searched:

US Patent Document Databases: US-PGPUB, USPAT

Foreign Patent Document Databases: EPO, JPO, DERWENT

Search Logic:

L1 (ink and (cartridge or housing or casing or tank or enclosure or cover$3))

L2 ((ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (level$3 or indicat$4 or remain$4 or residual or detect$4)

L3 ((ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (translucent or transparent or clear)

L4 ((ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (mold$3)

L5 ((ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (air adj (inlet or outlet or supply))

L6 (ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (float$3 or buoy$4)

L7 (ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (communicat$4 or path or perpendicular or chamber$2)

L8 (ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (film or thick$5)

L8 (ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (groov$4 or recess or concave$3 slot$3)

L9 (ink and (cartridge or housing or casing or tank or enclosure or cover$3)) and (stub$3 or protru$5 or ridge or rough$4 or bend$3 or bent or rib$4)

Date Conducted: June 26, 2006 – September 13, 2006

b. Database Services: JPO NCIPI

Files Searched:

Foreign Patent Document Databases: JPO

Japanese Domestic Classification F-Terms Searched:

2C056(KC01, KC04, KC05, KC06, KC07, KC09, KC13, KC15, KC16, KC17, KC18, KC20, KC21, KC22, KC23, KC25, KC27, KC30);

2C056(KD01, KD02, KD03, KD04, KD06, KD08 and KD10);

Date Conducted: August 24, 2006 – September 13, 2006

c. Database Services: Korean Patent Office (KIPO) Kipris

Files Searched

Foreign Patent Document Database: KIPO

Search Logic:

L1 (ink * (cartridge + housing + casing + tank + enclosure + cover or covering))

L2 (ink * (cartridge + housing + casing + tank + enclosure + cover)) * (mold + molded)

L3 (ink * (cartridge + housing + casing + tank + enclosure + cover)) * (chamber + translucent + transparent + clear)

L4 (ink * (cartridge + housing + casing + tank + enclosure + cover)) * (air*inlet)

L5 (ink * (cartridge + housing + casing + tank + enclosure + cover)) * (indicating + indicator + indication + level + remain + remaining + residual)

Date Conducted: August 24, 2006 – September 13, 2006

d. Database Service: Dialog

Files Searched:

Inspec, NTIS, Ei Compendex, Gale Group PROMT, Weldasearch, Dissertation Abstracts Online, Inside Conferences, JICST-Eplus, FLUIDEX, Wilson Applied Science & Technology Abstracts, PASCAL, PIRA, Wilson Business Abstracts, Asia-Pacific Directory

Search Logic:

L1 (ink (3n) (cartridge or case or casing or tank or housing or enclosure or cover)

Date Conducted: August 24, 2006 – September 13, 2006.

e. Database Service: Google

File Searched:

Google Scholar (Non Patent Literature)

Search Logic:

L1 ink (cartridge OR casing OR case OR tank OR housing OR cover OR enclosure) (transparent OR transparent);

L2 ink (cartridge OR casing OR case OR tank OR housing OR cover OR enclosure) (residual OR level OR indicating);

Date Conducted: August 24, 2006 – September 13, 2006

f. Database Services : SCIRUS

File Searched:

Journal Sources, Websites (Non Patent Literature)

Search Logic :

L1 ink cartridge translucent;

L2 ink cartridge mold;

L3 ink cartridge residual;

L4 ink cartridge level indication;

L5 ink cartridge level monitoring;

Conducted: August 24, 2006 – September 13, 2006

g. Database Services: GWU ALADIN

File Searched:

Academic Search Premier

Search Logic:

L1 ink cartridge molding;

L2 ink cartridge level;

L3 ink cartridge residual;

L4 ink cartridge monitoring;

Conducted: August 24, 2006 – September 13, 2006

B. Search Directed to the Invention

The pre-examination search was directed to the claimed invention, encompassing all the features of the claims and giving the claims their broadest reasonable interpretation.

C. Search Directed to the Disclosure

No disclosed features that are unclaimed at this time are currently seen as features that may be claimed later.

D. Search Report from a Foreign Patent Office

No search report from a foreign patent office is provided here as the pre-examination search.

E. Statement of Good Faith

All statements above in support of the petition to make special are based on a good faith belief that the search was conducted in compliance with the requirements of this rule.

Respectfully submitted,
BAKER BOTTS L.L.P.

Dated: September 29, 2006

By: _____
Timothy J. Churna
Registration No. 48,340

Baker Botts L.L.P.
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1299 Pennsylvania Avenue, N.W.
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(202) 639-7890 (facsimile)

JBA/TJC/tt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:			
Toyonori SASAKI		Examiner	To Be Assigned
Application No.:	To Be Assigned	Group Art Unit	To Be Assigned
Filed:	September 29, 2006	Confirmation No.	To Be Assigned
For: INK CARTRIDGES			

ACCELERATED EXAMINATION SUPPORT DOCUMENT

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Sir:

This accelerated examination support document is provided in support of the petition for accelerated examination filed herewith.

Identification of the Limitations of the Claims Disclosed by the Cited References begins on page 2 of this paper.

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Identification of the Limitations of the Claims Disclosed by the Cited References:

1. Japanese Patent Publication No. JP-8281966

a. Independent Claim 1

Japanese Patent Publication No. JP-8281966 ("JP '966") describes an ink cartridge 21 (Figures 2 and 3) including a first wall (not numbered, but shown in Figure 2), and a second wall (not numbered, but shown in Figures 2 and 3) which is perpendicular to the first wall and is connected to the first wall. Ink cartridge 21 also includes a translucent portion 31 (Figures 2 and 3) which extends from an end of the second wall of ink cartridge, and translucent portion 31 has an inner space defined therein. Moreover, ink cartridge 22 includes an ink chamber 24-25 (Figure 2), and a movable member (not numbered, but shown in Figures 2 and 3) including a float 34 and a light blocking portion 33. The movable member is configured to selectively be positioned within and outside the inner space of translucent portion 31 based on the amount of ink within ink chamber 24-25, and float 34 and light blocking portion 33 move together and in the same direction.

Independent claim 1 is not anticipated by JP '966 at least because JP '966 does not disclose that a sliding member and a float portion move independent of each other.

b. Dependent Claim 2

JP '966 states that float 34 and light blocking portion 33 move together and in the same direction.

Dependent claim 2 is not anticipated by JP '966 at least because JP '966 does not disclose that the sliding member and the float portion move substantially perpendicular with respect to each other.

c. Dependent Claim 3

JP '966 states that float 34 and light blocking portion 33 move together and in the same direction.

Dependent claim 3 is not anticipated by JP '966 at least because JP '966 does not disclose that the sliding member moves in a first direction and the float portion moves in a second direction which is slanted with respect to the first direction.

d. Dependent Claim 4

JP '966 states that an ink supply portion 29 (Figure 2) extends from an end of the first wall of ink cartridge 21, and translucent portion 31 extends from an end of the second wall of ink cartridge 21.

Dependent claim 4 is not anticipated by JP '966 at least because JP '966 does not disclose that the translucent portion and the ink supply portion are positioned on the same wall of the ink cartridge.

e. Dependent Claims 6 and 7

Dependent claims 6 and 7 are not anticipated by JP '966 at least because JP '966 does not disclose an extender portion including a guide path.

f. Independent Claim 8

JP '966 describes an ink cartridge 21 (Figures 2 and 3) including a first wall (not numbered, but shown in Figure 2), and a second wall (not numbered, but shown in Figures 2 and 3) which is perpendicular to the first wall and is connected to the first

wall. Ink cartridge 21 also includes a translucent portion 31 (Figures 2 and 3) which extends from an end of the second wall of ink cartridge, and translucent portion 31 has an inner space defined therein. Moreover, ink cartridge 22 includes an ink chamber 24-25 (Figure 2), and a movable member (not numbered, but shown in Figures 2 and 3) including a float 34 and a light blocking portion 33. The movable member is configured to selectively be positioned within and outside the inner space of translucent portion 31 based on the amount of ink within ink chamber 24-25, and float 34 and light blocking portion 33 move together and in the same direction.

Independent claim 8 is not anticipated by JP '966 at least because JP '966 does not disclose that a sliding member and a float portion move substantially perpendicular with respect to each other.

g. Independent Claim 9

JP '966 describes an ink cartridge 21 (Figures 2 and 3) including a first wall (not numbered, but shown in Figure 2), and a second wall (not numbered, but shown in Figures 2 and 3) which is perpendicular to the first wall and is connected to the first wall. Ink cartridge 21 also includes a translucent portion 31 (Figures 2 and 3) which extends from an end of the second wall of ink cartridge, and translucent portion 31 has an inner space defined therein. Moreover, ink cartridge 22 includes an ink chamber 24-25 (Figure 2), and a movable member (not numbered, but shown in Figures 2 and 3) including a float 34 and a light blocking portion 33. The movable member is configured to selectively be positioned within and outside the inner space of translucent portion 31 based on the amount of ink within ink chamber 24-25, and float 34 and light blocking portion 33 move together and in the same direction.

Independent claim 9 is not anticipated by JP '966 at least because JP '966 does not disclose that a distance between a signal blocking end of a sliding member and a float portion changes when the signal blocking end of the sliding member and the float portion move in response to a change in the amount of ink within the ink chamber.

h. Dependent Claim 10

JP '966 states that float 34 and light blocking portion 33 move together and in the same direction.

Dependent claim 10 is not anticipated by JP '966 at least because JP '966 does not disclose that a distance between a non-signal blocking end of the sliding member and the float portion changes when the non-signal blocking end of the sliding member and the float portion move in response to a change in the amount of ink within the ink chamber.

In view of the foregoing remarks, claims 1-4 and 6-10 are not anticipated by JP '966 because JP '966 does not disclose each and every limitation of these claims, and claim 5 is not anticipated by JP '966 because claim 5 depends from independent claim 1.

2. Patent Publication No. US 2005/0068389A1 to Katayama et al.

a. Independent Claim 1

Patent Publication No. US 2005/0068389A1 to Katayama et al. ("Katayama") describes an ink cartridge 103 (Figures 12 and 14) including a first wall (not numbered, but shown in Figure 14), a second wall (not numbered, but shown in Figure 14) which is perpendicular to the first wall and is connected to the first wall, and a translucent portion 134 (Figures 12 and 14) which extends from the second wall of ink

cartridge 103. Translucent portion 134 has an inner space defined therein. Ink cartridge 103 also includes an ink chamber 131, and a movable member 123 (Figure 14) which includes a float portion 161 and a signal blocking portion 160. Signal blocking portion 160 is disposed within and configured to move within the inner space of translucent portion 134 based on the amount of ink within ink chamber 131. Specifically, as the ink level within ink chamber 131 is lowered and moves in a first direction, float portion 161 moves substantially in the first direction, and signal blocking portion moves substantially in a second direction opposite the first direction.

Independent claim 1 is not anticipated by Katayama at least because Katayama does not disclose that a sliding member and a float portion move independent of each other.

b. Dependent Claim 2

Katayama states that float portion 161 and signal blocking portion 160 move together and in substantially opposite directions with respect to each other.

Dependent claim 2 is not anticipated by Katayama at least because Katayama does not disclose that the sliding member and the float portion move substantially perpendicular with respect to each other.

c. Dependent Claim 3

Katayama states that float portion 161 and signal blocking portion 160 move together and in substantially opposite directions with respect to each other.

Dependent claim 3 is not anticipated by Katayama at least because does Katayama not disclose that the sliding member moves in a first direction and the float portion moves in a second direction which is slanted with respect to the first direction.

d. Dependent Claim 4

Katayama states that an ink supply portion 121 (Figure 14) extends from an end of the first wall of ink cartridge 103, and translucent portion 134 extends from the second wall of ink cartridge 103.

Dependent claim 4 is not anticipated by Katayama at least because Katayama does not disclose that the translucent portion and the ink supply portion are positioned on the same wall of the ink cartridge.

e. Dependent Claims 6 and 7

Dependent claims 6 and 7 are not anticipated by Katayama at least because Katayama does not disclose an extender portion including a guide path.

f. Independent Claim 8

Katayama describes an ink cartridge 103 (Figures 12 and 14) including a first wall (not numbered, but shown in Figure 14), a second wall (not numbered, but shown in Figure 14) which is perpendicular to the first wall and is connected to the first wall, and a translucent portion 134 (Figures 12 and 14) which extends from the second wall of ink cartridge 103. Translucent portion 134 has an inner space defined therein. Ink cartridge 103 also includes an ink chamber 131, and a movable member 123 (Figure 14) which includes a float portion 161 and a signal blocking portion 160. Signal blocking portion 160 is disposed within and configured to move within the inner space of translucent portion 134 based on the amount of ink within ink chamber 131. Specifically, as the ink level within ink chamber 131 is lowered and moves in a first direction, float portion 161 moves substantially in the first direction, and signal blocking portion moves substantially in a second direction opposite the first direction.

Independent claim 8 is not anticipated by Katayama at least because Katayama does not disclose that a sliding member and a float portion move substantially perpendicular with respect to each other.

g. Independent Claim 9

Katayama describes an ink cartridge 103 (Figures 12 and 14) including a first wall (not numbered, but shown in Figure 14), a second wall (not numbered, but shown in Figure 14) which is perpendicular to the first wall and is connected to the first wall, and a translucent portion 134 (Figures 12 and 14) which extends from the second wall of ink cartridge 103. Translucent portion 134 has an inner space defined therein. Ink cartridge 103 also includes an ink chamber 131, and a movable member 123 (Figure 14) which includes a float portion 161 and a signal blocking portion 160. Signal blocking portion 160 is disposed within and configured to move within the inner space of translucent portion 134 based on the amount of ink within ink chamber 131. Specifically, as the ink level within ink chamber 131 is lowered and moves in a first direction, float portion 161 moves substantially in the first direction, and signal blocking portion moves substantially in a second direction opposite the first direction.

Independent claim 9 is not anticipated by Katayama at least because Katayama does not disclose that a distance between a signal blocking end of a sliding member and a float portion changes when the signal blocking end of the sliding member and the float portion move in response to a change in the amount of ink within the ink chamber.

h. Dependent Claim 10

Katayama states that float portion 161 and signal blocking portion 160 move together and in substantially opposite directions with respect to each other.

Dependent claim 10 is not anticipated by Katayama at least because Katayama does not disclose that a distance between a non-signal blocking end of the sliding member and the float portion changes when the non-signal blocking end of the sliding member and the float portion move in response to a change in the amount of ink within the ink chamber.

In view of the foregoing remarks, claims 1-4 and 6-10 are not anticipated by Katayama because Katayama does not disclose each and every limitation of these claims, and claim 5 is not anticipated by Katayama because claim 5 depends from independent claim 1.

3. Patent No. US 6,899,418 B2 to Sasaki et al.

a. Independent Claim 1

Patent No. US 6,899,418 B2 to Sasaki et al. ("Sasaki") describes an ink cartridge 200 (Figure 14) including an exterior wall 234 (Figure 18), an interior wall (not numbered, but shown in Figure 18) which is parallel to exterior wall 234, and a translucent portion 372 (Figure 18) which extends from the interior wall. Translucent portion 372 has an inner space defined therein, and ink cartridge 200 also includes an ink chamber 310 (Figure 15). Ink cartridge 200 also includes a movable member 360 (Figure 16) which includes a signal blocking portion 367 (Figure 16) formed at a first end of movable member 360, and a pivot 365 (Figure 16) formed at a second end of movable member 360. Signal blocking portion 367 is disposed within and configured to move

within the inner space of translucent portion 372 based on the amount of ink within ink chamber, and an end portion of movable member 360 is configured to move in substantially the opposite direction of signal blocking portion 367.

Independent claim 1 is not anticipated by Sasaki at least because Sasaki does not disclose that a sliding member and a float portion move independent of each other.

b. Dependent Claim 2

Sasaki states that signal blocking portion 367 and the end of movable member 360 move together and in substantially opposite directions with respect to each other.

Dependent claim 2 is not anticipated by Sasaki at least because Sasaki does not disclose that the sliding member and the float portion move substantially perpendicular with respect to each other.

c. Dependent Claim 3

Sasaki states that signal blocking portion 367 and the end of movable member 360 move together and in substantially opposite directions with respect to each other.

Dependent claim 3 is not anticipated by Sasaki at least because does Sasaki not disclose that the sliding member moves in a first direction and the float portion moves in a second direction which is slanted with respect to the first direction.

d. Dependent Claim 4

Sasaki states that an ink supply portion 260 (Figure 15) extends from exterior wall 234 in a predetermined direction, and translucent portion 134 extends from the interior wall of ink cartridge 200 in the predetermined direction.

Dependent claim 4 is not anticipated by Sasaki at least because Sasaki does not disclose that the translucent portion and the ink supply portion are positioned on the same wall of the ink cartridge.

e. Dependent Claims 6 and 7

Dependent claims 6 and 7 are not anticipated by Sasaki at least because Sasaki does not disclose an extender portion including a guide path.

f. Independent Claim 8

Sasaki describes an ink cartridge 200 (Figure 14) including an exterior wall 234 (Figure 18), an interior wall (not numbered, but shown in Figure 18) which is parallel to exterior wall 234, and a translucent portion 372 (Figure 18) which extends from the interior wall. Translucent portion 372 has an inner space defined therein, and ink cartridge 200 also includes an ink chamber 310 (Figure 15). Ink cartridge 200 also includes a movable member 360 (Figure 16) which includes a signal blocking portion 367 (Figure 16) formed at a first end of movable member 360, and a pivot 365 (Figure 16) formed at a second end of movable member 360. Signal blocking portion 367 is disposed within and configured to move within the inner space of translucent portion 372 based on the amount of ink within ink chamber, and an end portion of movable member 360 is configured to move in substantially the opposite direction of signal blocking portion 367.

Independent claim 8 is not anticipated by Sasaki at least because Sasaki does not disclose that a sliding member and a float portion move substantially perpendicular with respect to each other.

g. Independent Claim 9

Sasaki describes an ink cartridge 200 (Figure 14) including an exterior wall 234 (Figure 18), an interior wall (not numbered, but shown in Figure 18) which is parallel to exterior wall 234, and a translucent portion 372 (Figure 18) which extends from the interior wall. Translucent portion 372 has an inner space defined therein, and ink cartridge 200 also includes an ink chamber 310 (Figure 15). Ink cartridge 200 also includes a movable member 360 (Figure 16) which includes a signal blocking portion 367 (Figure 16) formed at a first end of movable member 360, and a pivot 365 (Figure 16) formed at a second end of movable member 360. Signal blocking portion 367 is disposed within and configured to move within the inner space of translucent portion 372 based on the amount of ink within ink chamber, and an end portion of movable member 360 is configured to move in substantially the opposite direction of signal blocking portion 367.

Independent claim 9 is not anticipated by Sasaki at least because Sasaki does not disclose that a distance between a signal blocking end of a sliding member and a float portion changes when the signal blocking end of the sliding member and the float portion move in response to a change in the amount of ink within the ink chamber.

h. Dependent Claim 10

Sasaki states that signal blocking portion 367 and the end of movable member 360 move together and in substantially opposite directions with respect to each other.

Dependent claim 10 is not anticipated by Sasaki at least because Sasaki does not disclose that a distance between a non-signal blocking end of the sliding member and the float portion changes when the non-signal blocking end of the sliding member and the float portion move in response to a change in the amount of ink within the ink chamber.

In view of the foregoing remarks, claims 1-4 and 6-10 are not anticipated by Sasaki because Sasaki does not disclose each and every limitation of these claims, and claim 5 is not anticipated by Sasaki because claim 5 depends from independent claim 1.

Detailed Explanation of Patentability:

1. 35 U.S.C. § 102

Applicants respectfully submit that for at least the reasons set forth above, none of JP '966, Katayama, and Sasaki anticipates any of claims 1-10 of the above-captioned patent application under 35 U.S.C. § 102(a)-(g) at least because none of these references discloses each and every limitation of any of claims 1-10. MPEP 2131.

2. 35 U.S.C. § 103(a)

In order to establish a prima facie case of obviousness, at least three criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to those of ordinary skill in the art, to modify the primary reference to achieve the claimed invention. Second, there must be a reasonable expectation of success. Third, the prior art references must disclose all the claim limitations. MPEP 2143. Applicants respectfully submit that none of JP '966, Katayama, and Sasaki, either standing alone or in combination, renders claims 1-10 of the above-captioned patent application obvious under 35 U.S.C. §103(a) at least because none of these references discloses or suggests that the sliding member and the float portion move independent of each other, or that the distance between the signal blocking end of the sliding member and the float portion changes when the signal blocking end of the sliding member and the float portion move in response to a change in the amount of ink within the ink chamber.

Statement of Utility:

The present invention, as set forth in independent claims 1, 8, and 9, may be used to deliver ink to a recording medium, such as paper.

Showing of Support of Each Claim Limitation:

CLAIM LIMITATION	SUPPORT FOR CLAIM LIMITATION
1. An ink cartridge, comprising: an ink chamber comprising a wall having a first end and a second end opposite the first end;	At least Paragraph 0014.
a translucent portion positioned at the wall, wherein the translucent portion is configured to be in fluid communication with the ink chamber, and the translucent portion has an inner space formed therein; and	At least Paragraph 0018; and Figure 2.
a movable member comprising: a sliding member comprising a signal blocking portion, wherein the signal blocking portion is configured to move in a first direction from a first position within the inner space of the translucent portion to a second position based on the amount of ink within the ink chamber; and	At least Paragraphs 0005, 0022, 0023, and 0024; and Figure 3b.
a float portion operationally coupled to the sliding member, wherein the float portion is disposed within the ink chamber and is configured to move independent of the sliding member in a second direction from a third position to a fourth position based on the amount of ink within the ink chamber.	At least Paragraphs 0005, 0021, 0026, and 0027; and Figures 2 and 3a.
2. The ink cartridge of claim 1, wherein the second direction is substantially perpendicular to the first direction.	At least Paragraph 0027.

3. The ink cartridge of claim 1, wherein the second direction is slanted with respect to the first direction.	At least Paragraph 0041 and Figure 6.
4. The ink cartridge of claim 1, further comprising an ink supply portion having an opening formed therethrough, wherein the ink supply portion is positioned at the wall adjacent to the second end of the wall, and the translucent portion is positioned between the first end of the wall and the ink supply portion.	At least Paragraphs 0014 and 0018; and Figure 1.
5. The ink cartridge of claim 1, wherein the second position is outside of the inner space of the translucent portion.	At least Paragraph 0027.
6. The ink cartridge of claim 1, wherein the movable member further comprises an extender portion coupled to each of the sliding member and the float portion, such that the float portion is operationally coupled to the sliding member via the extender portion, wherein the extender portion has a guide path formed therethrough, and the sliding member further comprises a pin member which couples the sliding portion to the extender portion via the guide path.	At least Paragraphs 0019, 0020, and 0022; and Figure 2.
7. The ink cartridge of claim 6, wherein the guide path comprises a first portion which extends in the second direction, and a second portion which is slanted with respect to the first portion.	At least Figures 2 and 3a.

8. An ink cartridge, comprising: an ink chamber comprising a wall having a first end and a second end opposite the first end;	At least Paragraph 0014.
a translucent portion positioned at the wall, wherein the translucent portion is configured to be in fluid communication with the ink chamber, and the translucent portion has an inner space formed therein; and	At least Paragraph 0018; and Figure 2.
a movable member comprising: a sliding member comprising a signal blocking portion, wherein the signal blocking portion is configured to move in a first direction from a first position within the inner space of the translucent portion to a second position based on the amount of ink within the ink chamber; and	At least Paragraphs 0005, 0022, 0023, and 0024; and Figure 3b.
a float portion operationally coupled to the sliding member, wherein the float portion is disposed within the ink chamber and is configured to move in a second direction from a third position to a fourth position based on the amount of ink within the ink chamber, and the second direction is substantially perpendicular to the first direction.	At least Paragraphs 0005, 0021, 0026, and 0027; and Figures 2 and 3a.
9. An ink cartridge, comprising: an ink chamber comprising a wall having a first end and a second end opposite the first end;	At least Paragraph 0014.

a translucent portion positioned at the wall, wherein the translucent portion is configured to be in fluid communication with the ink chamber, and the translucent portion has an inner space formed therein; and	At least Paragraph 0018; and Figure 2.
a movable member comprising: a sliding member comprising a signal blocking end and a non-signal blocking end opposite the signal blocking end, wherein the signal blocking end is configured to move in a first direction from a first position within the inner space of the translucent portion to a second position based on the amount of ink within the ink chamber; and	At least Paragraphs 0038, 0039, and 0041; and Figure 6.
a float portion operationally coupled to the sliding member, wherein the float portion is disposed within the ink chamber and is configured to move in a second direction from a third position to a fourth position based on the amount of ink within the ink chamber, wherein a first distance between the float portion and the signal blocking end when the float portion is in the third position is greater than a second distance between the float portion and the signal blocking end when the float portion is in the fourth position.	At least Paragraphs 0036 and 0041; and Figure 6.

10. The ink cartridge of claim 9, wherein a third distance between the float portion and the non-signal blocking end when the float portion is in the third position is less than a fourth distance between the float portion and the non-signal blocking end when the float portion is in the fourth position.	At least Paragraph 0041; and Figure 6.

Thus, claims 1-10 satisfy the requirements of 35 U.S.C. § 112, ¶1.

Conclusion:

In view of this Accelerated Support Document, Applicants respectfully request that the Examiner grant the Petition for Accelerated Examination in the above-captioned patent application. Applicants respectfully submit that the claims of the above-captioned patent application are in condition for allowance, and respectfully request that the Examiner allow the claims of the above-captioned patent application to issue in a U.S. patent.

Respectfully submitted,
BAKER BOTTS L.L.P.

Dated: September 29, 2006

By: _____
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	
Filing Date	2006-09-29
First Named Inventor	Toyonori SASAKI
Art Unit	
Examiner Name	
Attorney Docket Number	076376.0411

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(**Not for submission under 37 CFR 1.99)**

Application Number	
Filing Date	2006-09-29
First Named Inventor	Toyonori SASAKI
Art Unit	
Examiner Name	
Attorney Docket Number	076376.0411

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	
Filing Date	2006-09-29
First Named Inventor	Toyonori SASAKI
Art Unit	
Examiner Name	
Attorney Docket Number	076376.0411

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

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☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☑ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Timothy J. Churna/	Date (YYYY-MM-DD)	2006-09-29
Name/Print	Timothy J. Churna	Registration Number	48340

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.