REDACTED

EXHIBITS A-E

SEE THE INITIAL COMMENTS DATED OCTOBER 1, 2007

REDACTED

EXHIBIT F (REPLACEMENT)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.usplo.gov



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

Application/Control Number:

Art Unit:

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, the can be reached on the control of the organization where this application or proceeding is assigned is

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary Examiner Art Unit January 14, 2005





Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO FILING DATE	EIBST NAMED INVENTOR	ATTORNEY DOCKET NO.
		G
·		
		EXAMINER
		ART UNIT PAPER NUMBER
		DATE MAN ED. 08/27/99

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

Commissioner of Patents and Trademarks

Page 63

Serial Number:

Art Unit:

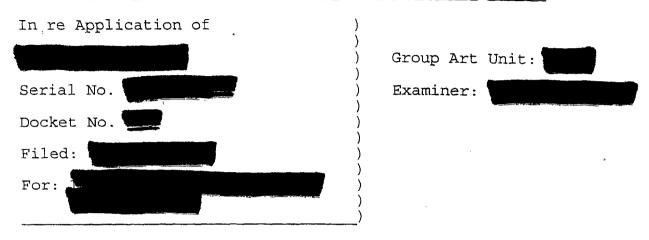
advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

48. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is . The examiner can normally be reached on Monday-Friday from 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, and can be reached on . The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



<u>UNDER 37 CFR 1.181(A)(3)</u>

Hon. Assistant Commissioner For Patents Washington, D.C. 20231 Sir:

The Applicant respectfully petitions the Commissioner for his intervention to direct the Examiner to expeditiously provide the Applicant with an Examiner's Answer in response to the Applicant's Appeal Brief.

Examination in the instant application proceeded to the taking of an appeal and the timely filing of an Appeal Brief on August 28, 2000. An Examiner's Answer was due within two months.

The examiner should furnish the appellant with a written statement in answer to the appellant's brief within 2 months after the receipt of the brief by the examiner.

<u>See MPEP 1208</u> (emphasis added). The importance of an examiner expeditiously furnishing an Examiner's Answer is even more compellingly illustrated by the fact that an Examiner's Answer takes "precedence" and "priority" over <u>special</u> applications.

Certain procedures by the examiners [examiner's answers] take precedence over actions even on special cases....

Applications in which practice requires that the examiner act within a set period, such as 2 months after

appellants brief to furnish the <u>examiner's answers</u> (MPEP § 1208) <u>necessarily takes priority over special cases</u> without specific time <u>limits</u>.

<u>See MPEP 708.01</u> (emphasis added). Nevertheless, it has been over <u>five (5) months</u> and the Applicant has not received an Examiner's Answer. This is a blatant violation of the plain requirements of the PTO and of the right's of the Applicant.

Even the United States Congress discourages delays by the PTO. The United States Congress, in the term extension provision of the American Inventors Protection Act of 1999, sent the clear message that undue delay by the PTO is unacceptable.

A significant additional delay is caused by a Notice of Non-Compliance under 37 CFR 1.192 generated by the Examiner. This Notice is improper and unnecessary; and the Examiner does not have authority to thus further delay the Examiner's Answer. The Appellant met all of the requirements of 37 CFR 1.192 -- hence the Examiner must provide the required Examiner's Answer. The issue of the claims being separately patentable and not standing or falling together is clearly set out in Section VII of the Appeal Brief with cites to the sections and exhibits of the Appeal Brief and to the controlling law of the Federal Circuit. The Examiner's ignoring of this material does not overcome his lack of authority to refuse to provide an Examiner's Answer in a timely manner.

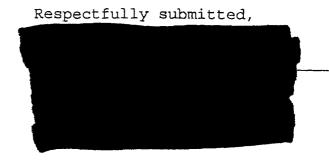
In view of the above, the Commissioner is hereby petitioned to direct the Examiner to immediately prepare an Examiner's Answer in the instant application or, alternatively, to pass the instant application to issue.

Because this petition seeks to invoke the Supervisory Authority of the Commissioner, a petition fee is not required.

Please charge any fees associated with the papers transmitted herewith to Deposit Account No. 08-3626, including any fees that may be required but are not set forth above.

A Declaration claiming small entity status has been filed herein.

Dated: January 19, 2001





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

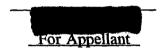
Paper No.

Application Number: Filing Date: Appellant(s):

er:

MAILED

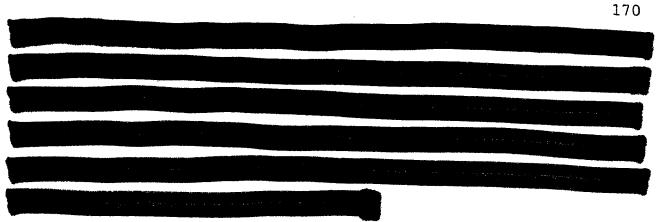
AUG 2 1 2001



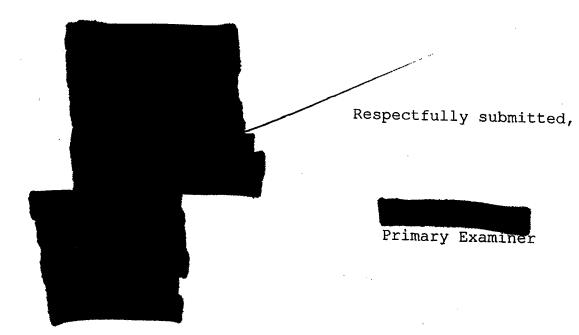
Technology Center

EXAMINER'S ANSWER

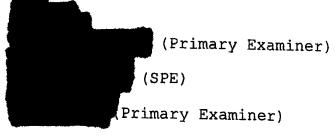
This is in response to appellant's brief on appeal filed August 28, 2000. To assist the reader in navigating this lengthy Answer, the Examiner has provided the following Table of Contents.



For the above reasons, it is believed that the rejections should be sustained.



Appeal Conference Conferees:



August 3, 2001

EXHIBIT G SEE THE INITIAL COMMENTS DATED OCTOBER 1, 2007

REDACTED

EXHIBIT H



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, DC 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
		G G	
		7	EXAMINER
		ART U	INIT PAPER NUMBER
		DATE MAILE 09/23	ED: /98

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

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)			
Examiner		Group Art	Unit	
13				·

-The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address-Period for Response A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely. - If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication. - Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). **Status** 219198 Responsive to communication(s) filed on ☐ This action is FINAL. ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G. 213. Disposition of Claims __is/are pending in the application. Of the above claim(s) is/are withdrawn from consideration. ☐ Claim(s)_ is/are allowed. -∕∐-Claim(s)₋ - is/are rejected. ☐ Claim(s) is/are objected to. ☐ Claim(s)are subject to restriction or election requirement. **Application Papers** ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. ☐ The proposed drawing correction, filed on____ _____is approved disapproved. ☐ The drawing(s) filed on______ is/are objected to by the Examiner. ☐ The specification is objected to by the Examiner. ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 (a)-(d) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d). ☐ All ☐ Some* ☐ None. of the CERTIFIED copies of the priority documents have been received. received in Application No. (Series Code/Serial Number) received in this national stage application from the International Bureau (PCT Rule 17.2(a)). *Certified copies not received:_ Attach ment(s) ☑Information Disclosure Statement(s), PTO-1449, Paper No(s). ☐ Interview Summary, PTO-413 ☐ Notice of References Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-1 52 ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 □ Other

U. S. Patent and Trademark Office PTO-326 (Files: 3-97)

Part of Paper No.

Office Action Summary

Serial Number:

Art Unit:

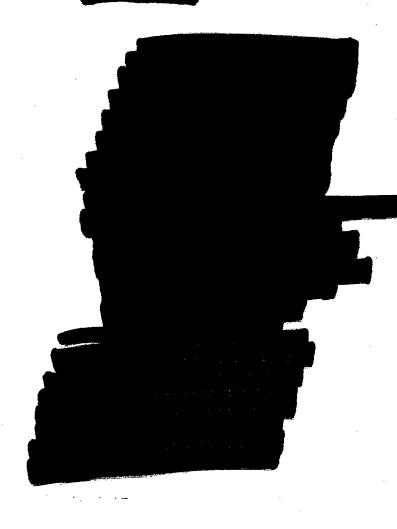
on:

The fax phone number for this Group is



Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

September 17, 1998

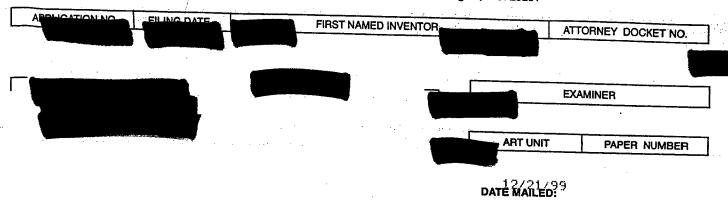




UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

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Washington, D.C. 20231



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

Commissioner of Patents and Trademarks





Office Action Summary

Application No.	Applicant(s)	
Examiner	Group Ärt Unit	

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE OF THIS COMMUNICATION. MONTH(S) FROM THE MAILING DATE

 Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the Failure to reply within the set or extended period for reply will, by statute, cause the application to become 	f thirty (30) days will be considered timely. mailing date of this communication .
Status	•
☐ Responsive to communication(s) filed on 6/23/99	
☑ This action is FINAL.	
☐ Since this application is in condition for allowance except for formal matters, prosecut accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11; 453 O.G. 213.	tion as to the merits is closed in
Disposition of Claims	
⊠ Claim(s)	is/are pending in the application.
Of the above claim(s)	is/are withdrawn from consideration.
☐ Claim(s)	is/are allowed.
	•
☐ Claim(s) ☐ Claim(s)	is/are rejected.
☐ Claim(s)————————————————————————————————————	are subject to restriction or election requirement.
Application Papers	
☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.	
☐ The proposed drawing correction, filed onis ☐ approved ☐ c	disapproved.
☐ The drawing(s) filed onis/are objected to by the Examiner.	
☐ The specification is objected to by the Examiner.	a Francisco
The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119 (a)-(d)	
 □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d). □ All □ Some* □ None of the CERTIFIED copies of the priority documents have 	
☐ received.	y been
☐ received in Application No. (Series Code/Serial Number)	<u> </u>
☐ received in this national stage application from the International Bureau (PCT Rule	e 1-7.2(a)).
*Certified copies not received:	•
Attachment(s)	
S≾Information Disclosure Statement(s), PTO-1449, Paper No(s). □ Inte	erview Summary, PTO-413
	ice of Informal Patent Application, PT0 1 52
1	ner
Office Anthon Communication	

Serial Number:
Art Unit:

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. in the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. in no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

57. Any inquiry concerning this communication or earlier

Serial Number:

Art Unit:

communications from the examiner should be directed to whose telephone number is ______. The examiner can normally be reached on Monday-Friday from 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, can be reached on . The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

December 20, 1999





UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.

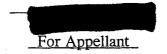
Application Number: Filing Date:

Appellant(s):



MAILED

SEP 1 0 2001



EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed September 1, 2000. To assist the reader in navigating this lengthy Answer, the Examiner has provided the following Table of Contents. Section IX is titled "Conclusion". In this section, Appellant reiterates the arguments presented in the previous sections. The arguments presented in response to these sections, above, are thus referenced in response.

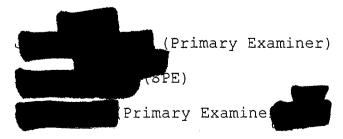
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Primary Examiner



Appeal Conference Conferees:

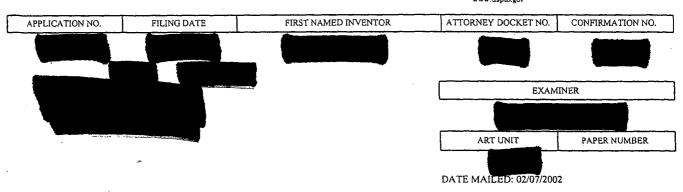


September 6, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

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

Application No.:

Art Unit:

- 1. The reply brief filed November 13, 2001, has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.
- 2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is ______ The examiner can normally be reached on Monday-Friday from 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, and the can be reached on the fax phone number for the organization where this application or proceeding is assigned is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is

February 1, 2002

The opinion in support of the decision being entered today was <u>not</u> written for publication and is <u>not</u> binding precedent of the Board.

Paper No. 52

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte

Appeal No. Application

HEARD: July 14, 2004

MAILED

AUG 2 5 2004

U.S. PATENT AND TRADEMARK OFFICE

BOALD ATTENT APPEALS

AND INTERPERENCES

Before

Administrative Patent Judges.

Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the final rejection of claims, all of the pending claims. Claims have been canceled.

We affirm-in-part.





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.
			EXAM	INER
*			ART UNIT	PAPER NUMBER
			DATE MAILED: 10/03/200	6

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

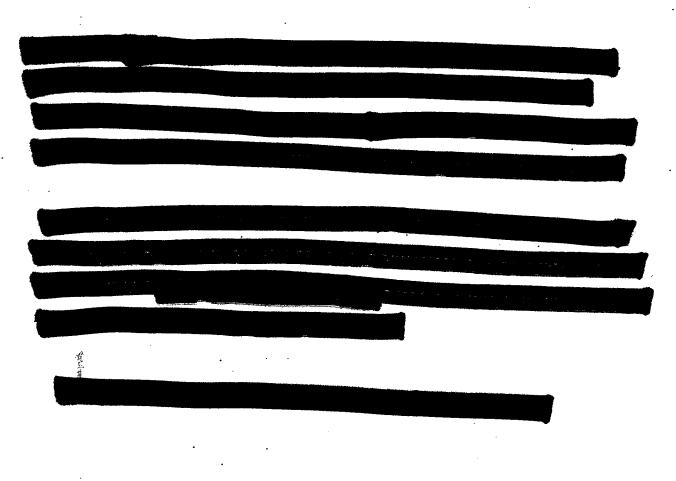
	Application No.	Applicant(s)	
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Office Action Summary	Examiner	Art Unit	
- The MAILING DATE of this communication a Period for Reply	ppears on the cover sheet wi	th the correspondence address -	
A SHORTENED STATUTORY PERIOD FOR REF THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for repty specified above is less than thitly (30) days, a to - If NO period for repty is specified above, the maximum statutory perion - Failure to repty within the set or extended period for repty will, by state Any repty received by the Office later than three months after the may earned patent term adjustment. See 37 CFR 1.704(b).	N. 1.136(a). In no event, however, may a reply within the statutory minimum of thin od will apply and will expire SIX (6) MON tute, cause the application to become AE	eply be timely filed y (30) days will be considered timely. THS from the mailing date of this communical ANDONED (35 U.S.C. § 133).	ation.
Status			
1) Responsive to communication(s) filed on Se	*	•	
•	his action is non-final.		
 Since this application is in condition for allow 	<u>.</u>	•	s is
closed in accordance with the practice unde	er <i>Ex parte Quayle</i> , 1935 C.0). 11, 453 O.G. 213.	
Disposition of Claims			
4)⊠ Claim(s) <u>See Office Action Paragraph 1</u> is/a	are pending in the application	1.	
4a) Of the above claim(s) is/are with	drawn from consideration.		
5) Claim(s) is/are allowed.	er i		÷
6) Claim(s) all pending is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) are subject to restriction ar	nd/or election requirement.		
Application Papers			
9)☐ The specification is objected to by the Exam			
10) The drawing(s) filed on is/are: a)	accepted or b) objected to	by the Examiner.	
Applicant may not request that any objection to	- ' '	• • •	
Replacement drawing sheet(s) including the co			
11) The cath or declaration is objected to by th	e Examiner. Note the attache	ed Office Action or form PTO-15	2.
Priority under 35 U.S.C. § 119			
12)☐ Acknowledgment is made of a claim for for a)☐ All b)☐ Some * c)☐ None of:	reign priority under 35 U.S.C.	§ 119(a)-(d) or (f).	
1. Certified copies of the priority docur	ments have been received.		
2. Certified copies of the priority docur		Application No.	
3. Copies of the certified copies of the			•
application from the International Br	ureau (PCT Rule 17.2(a)).		
* See the attached detailed Office action for	a list of the certified copies n	ot received.	
		•	
Attachment(s)	,	·	
1) Notice of References Cited (PTO-892)	4) Interview	v Summary (PTO-413)	
2) Notice of Draftsperson's Patent Drawing Review (PTO-94	18) Paper N	o(s)/Mail Date	
3) Information Disclosure Statement(s) (PTO-1449 or PTO/S Paper No(s)/Mail Date 2/8/02.	SB/08) 5) \(\bigcap \text{Notice of } \) 6) \(\bigcap \text{Other:} \)	if Informal Patent Application (PTO-152)	

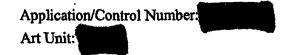
DETAILED ACTION

Application/Control Number:

Art Unit.

1. The following Office Action is responsive to the Board of Patent Appeals and Interferences' (BPAI) Decision On Appeal of November 10, 2004; affirming the examiner "inpart". Claims were pending on appeal, of which:





Rule 198, effective September 13, 2004, states:

§ 1.198 Reopening after a final decision of the Board of Patent Appeals and interferences.

When a decision by the Board of Patent Appeals and Interferences on appeal has become final for judicial review, prosecution of the proceeding before the primary examiner will not be reopened or reconsidered by the primary examiner except under the provisions of § 1.114 or § 41.50 of this title without the written authority of the Director, and then only for the consideration of matters not already adjudicated, sufficient cause being shown.

In view of an update search conducted after the decision, and upon consideration of pertinent prior art now applied to all copending related applications in the application family (i.e., prosecution is hereby re-opened. New grounds of prior art rejection are advanced herein based on the prosecution history. The Group Direction who is a signatory hereto authorizes this decision in order to consider these matters not previously adjudicated.

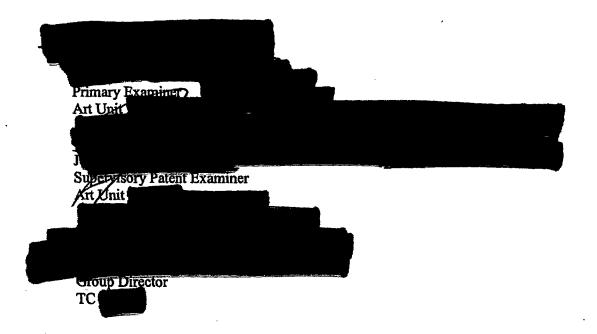
Claims remain pending.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is the examiner can normally be reached on M-F, 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, the can be reached on the can be reached

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at a status and toll-free).



Applicant(s)/Patent Under Application/Control No. **Notice of References Cited Art Unit** Examiner Page 1 of 1 U.S. PATENT DOCUMENTS Document Number Date Classification Name Country Code-Number-Kind Code MM-YYYY Α В C D Ε US-F US-G US-US-Н ı US-US-K US-US-US-**FOREIGN PATENT DOCUMENTS Document Number** Date Country Name Classification Country Code-Number-Kind Code MM-YYYY Ν 0

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	Ņ					
	V					
	w					
	x					

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



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.

EXAMINER

ART UNIT PAPER NUMBER

MAIL DATE DELIVERY MODE

05/11/2007 PAPER

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

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

DATE MAILED:

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

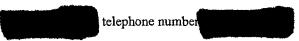
APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION		ATTORNEY DOCKET NO.
	•		,	
				EXAMINER
				
			ART UNIT	PAPER
				20070402A

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

Commissioner for Patents

A court decision relevant to the examination of this application will be rendered soon. Ex parte prosecution is SUSPENDED FOR A PERIOD OF 6 MONTHS from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

Any inquiry concerning this communication should be directed to



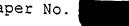


REDACTED

EXHIBIT I

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No.



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

MAILED

Ex parte

Appeal No. Application No.

PATATAL CEFFOG BOARD OF PATENT APPEALS

HEARD: November 14, 2000

Before Administrative Patent Judge.

Administrative Patent Judges.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from the rejection of claims We reverse.

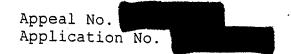
BACKGROUND

The invention at issue is a broadly claimed system for The system includes

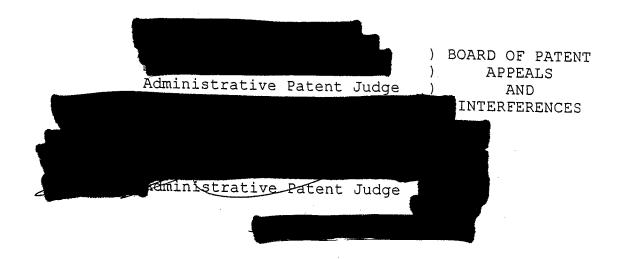
Application No.

CONCLUSION

In summary, the rejection of claims and ander 35 U.S.C. § 103 as obvious over and is reversed. The rejection of claims and under § 103 as obvious over in view of is also reversed. In addition, the rejection of claims ander § 103 as obvious over in view of further in view of is reversed.



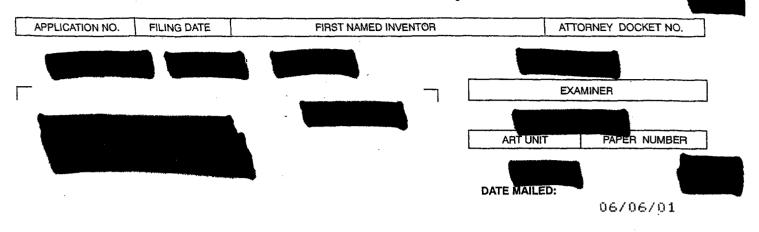
REVERSED





UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231



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

Commissioner of Patents and Trademarks

Office Action Summary

Application No. Applicant(s)

Examiner Art Unit

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filled after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). **Status** 1) Responsive to communication(s) filed on 2b) This action is non-final. 2a) This action is **FINAL**. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213. Disposition of Claims 4) Claim(s) is/are pending in the application. 4a) Of the above, claim(s) is/are withdrawn from consider atio 5) Claim(s) 6) 🔯 Claim(s) 7) Claim(s) _____ is/are objected to. 8) Claims are subject to restriction and/or election requirement Application Papers 9) \square The specification is objected to by the Examiner. 10) The drawing(s) filed on ______ is/are objected to by the Examiner. 11)□ The proposed drawing correction filed on is: a□ approved by disapproved. 12) \square The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d). a) All b) Some* c) None of: 1. Certified copies of the priority documents have been received.

Attachment(s)

15) X Notice of References Cited (PTO-892)	18) Interview Summary (PTO-413) Paper No(s).
16) Notice of Draftsperson's Patent Drawing Review (PTO-948)	19) Notice of Informal Patent Application (PTO-152)
17) Information Disclosure Statement(s) (PTO-1449) Paper No(s).	20) Other:

2. Certified copies of the priority documents have been received in Application No.

application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14)

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

3. Copies of the certified copies of the priority documents have been received in this National Stage

Application/Control Number:

Art Unit:



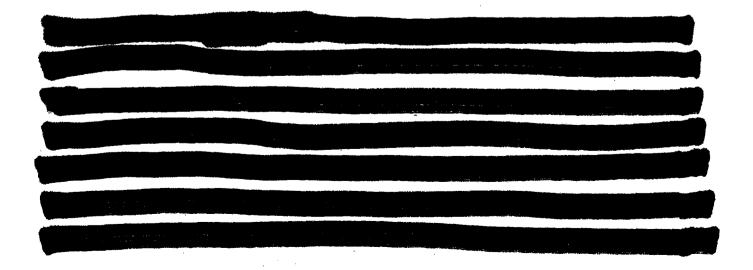
1. This action is in response to the Board of Appeals Decision of December 21, 2000, reversing the examiner. The decision has been fully reviewed and this action drafted in accordance with that opinion. New references are applied below to the pending claims. Therefore, this action reopens prosecution and is made non-final.

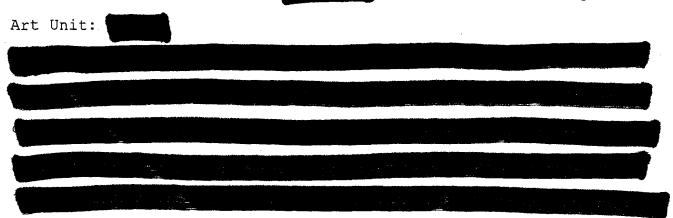
35 U.S.C. §102 REJECTIONS

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.



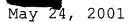


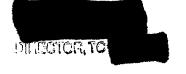
Contact Information

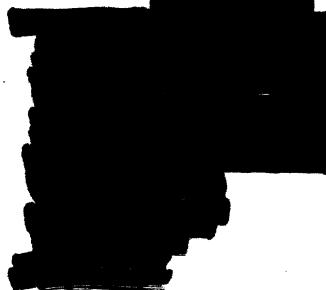
60. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is The examiner can normally be reached on Monday-Friday from 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, and can be reached on the fax phone number for the organization where this application or proceeding is assigned is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is



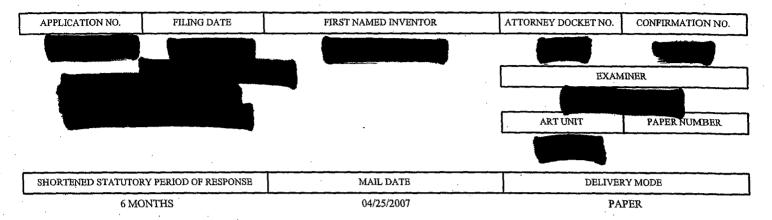






UNITED STATES PATENT AND TRADEMARK OFFICE

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



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

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



UNITED STATES DEPARTMENT OF COMMERCE

DATE MAILED:

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	·	ATTORNEY DOCKET NO.
				EXAMINER
		·		
			ART UNIT	PAPER
				20070402

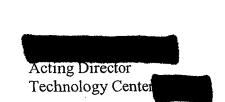
Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

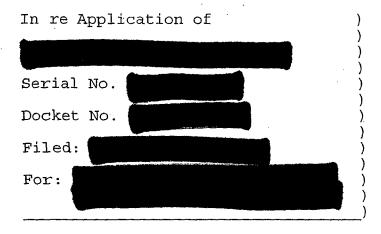
A court decision relevant to the examination of this application will be rendered soon. Ex parte prosecution is SUSPENDED FOR A PERIOD OF 6 MONTHS from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

Any inquiry concerning this communication should be directed to

at telephone number



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



<u>PETITION FOR AN ACTION ON THE MERITS</u> <u>UNDER 37 CFR 1.181(A)(3)</u>

Hon. Commissioner For Patents P.O. Box 1450, Alexandria, VA 22313-1450 Sir:

The Applicant respectfully petitions the Commissioner for his intervention to direct the Examiner to expeditiously provide the Applicant with an Action on the merits.

The PTO requires an expeditious response to amendments (MPEP 708, last paragraph):

All amendments before final rejection should be responded to within two months of receipt.

Further, the PTO requires that the instant application be advanced out of turn for examination for the following reasons (MPEP 708.01, item I):

Applications pending more than 5 years, including those which, by relation to a prior United States application, have an effective pendency of more than 5 years.

The instant application meets both of these criterions, it has been pending more than 5 years and it has an effective pendency of more than 5 years.

REDACTED

EXHIBIT J

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Serial No.

Docket No.

Filed:

For:

Group Art Unit:

Examiner:

REQUEST FOR RECONSIDERATION AND/OR PETITION UNDER 37 CFR 1.144/1.181 FOR WITHDRAWAL OF AN IMPROPER RESTRICTION REQUIREMENT

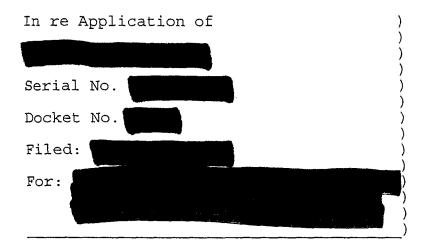
Hon. Assistant Commissioner For Patents Washington, D.C. 20231

Sir:

The Applicant respectfully requests reconsideration and/or petitions for intervention of the Commissioner to withdraw an improper restriction requirement and to direct the Examiner to generate an action directed to all of the claims presented for examination

This Request/Petition is timely filed. It is filed in response to a **Final** Action and is filed within **two months** of the May 24, 1999 date of the Final Action.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES



Group Art Unit:

Examiner:

TRANSMITTAL LETTER

Hon. Assistant Commissioner For Patents Washington, D.C. 20231

Sir:

Transmitted herewith is:

- 1. APPEAL BRIEF in triplicate
- 2. EXHIBITS AND APPENDIX in triplicate
- 3. PETITION FOR EXTENSION OF TIME
- 4. REQUEST TO TAKE NOTICE

The fees are calculated below.

Appeal Brief
Extension of Time (4-months)

\$ 300.00

\$1,360.00

Total Fee

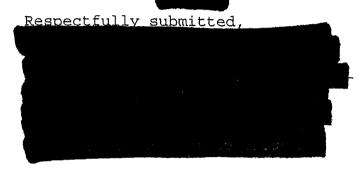
\$1,660.00

Charge \$ 1,660.00 to Deposit Account No. 08-3626.

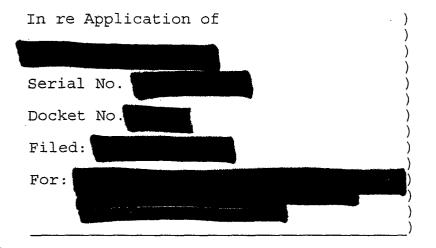
No. Please charge any fees associated with the papers transmitted herewith to Deposit Account No. Including any fees that may be required but are not set forth above.

CERTIFICATION OF MAILING BY EXPRESS MAIL: I hereby certify that this correspondence is being deposited with the United States Postal Service with Express Mail post office to addressee service under 37 CFR 1.10, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 with the express mail label number may 23, 2000.

Dated: May 23, 2000



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES



Group Art Unit:

REQUST TO TAKE NOTICE

Hon. Assistant Commissioner For Patents Washington, D.C. 20231

ATTENTION: Board of Patent Appeals and Interferences

Sir:

The purpose of this request to provide notice to the Board of Patent Appeals and Interferences that there are three outstanding petitions awaiting decision in the above-identified application. The petitions (filed on July 23, 1999) challenge the propriety of a restriction requirement, a constructive non-election regarding amendments

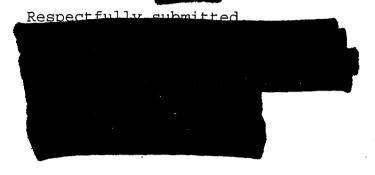
It is requested that any decision on the appeal in this case be held in abeyance until all of the Appellant's administrative and judicial remedies have been exhausted.

It is not believed that a petition fee is necessary since Appellant is simply notifying the PTO that the petitions remain outstanding.

Prompt action on the three petitions is requested.

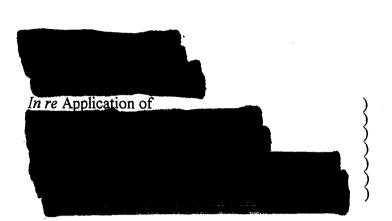
CERTIFICATION OF MAILING BY EXPRESS MAIL: I hereby certify that this correspondence is being deposited with the United States Postal Service with Express Mail post office to addressee service under 37 CFR 1.10, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 with the express mail label number on May 23, 2000.

Dated: May 23, 2000





COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023 I



Paper No.

MAILED

NOV 1 6 2000

DECISION ON PETITION Center

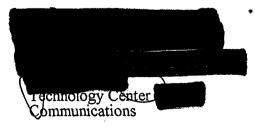
This is a decision on the petition to request and/or petition under 37 CFR 1.144/1.181 for notification requirement, the petition to request reconsideration and/or petition under 37 CFR 1.144/1.181 for withdrawal of an improper restriction requirement, and the petition under 37 CFR 1.181(a)(3) for withdrawal of an improper constructive nonelection all filed July 23, 1999 (collectively, Paper No. 19).



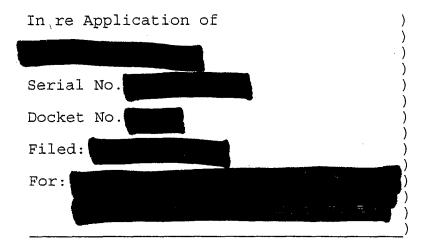
As for the issues surrounding the requirement for restriction, 37 CFR 1.143 states the if the applicant disagrees with the requirement, he may request reconsideration and withdrawal or modification of the requirement, giving the reasons therefor. Further, 37 CFR 1.144 states that after a final requirement for restriction, the applicant, in addition to making any reply due on the remainder of the action, may petition the Commissioner to review the requirement. Heretofore, the examiner has not made a *final* requirement for restriction, and so the former rule applies.

For the above-stated reasons, the petition is **DISMISSED** as premature.

The application has been forwarded to the examiner of record for consideration of the abovenoted papers as a request for reconsideration of the requirement for restriction.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Group Art Unit:

<u>PETITION FOR AN EXAMINER'S ANSWER</u> <u>UNDER 37 CFR 1.181(A)(3)</u>

Hon. Assistant Commissioner
 For Patents
Washington, D.C. 20231
Sir:

The Applicant respectfully petitions the Commissioner for his intervention to direct the Examiner to expeditiously provide the Applicant with an Examiner's Answer in response to the Applicant's Appeal Brief.

Examination in the instant application proceeded to the taking of an appeal and the timely filing of an Appeal Brief on May 23, 2000. An Examiner's Answer was due within two months.

The examiner should furnish the appellant with a written statement in answer to the appellant's brief <u>within 2 months</u> after the receipt of the brief by the examiner.

<u>See</u> MPEP 1208 (emphasis added). The importance of an examiner expeditiously furnishing an Examiner's Answer is even more compellingly illustrated by the fact that an Examiner's Answer takes "precedence" and "priority" over <u>special</u> applications.

Certain procedures by the examiners [examiner's answers] take precedence over actions even on special cases....

Applications in which practice requires that the examiner act within a set period, such as 2 months after

appellants brief to furnish the <u>examiner's answers</u> (MPEP § 1208) <u>necessarily takes priority over special cases</u> without specific time <u>limits</u>.

<u>See MPEP 708.01</u> (emphasis added). Nevertheless, it has been over <u>eight (8) months</u> and the Applicant has not received an Examiner's Answer. This is a blatant violation of the plain requirements of the PTO and of the right's of the Applicant.

Even the United States Congress discourages delays by the PTO. The United States Congress, in the term extension provision of the American Inventors Protection Act of 1999, sent the clear message that undue delay by the PTO is unacceptable.

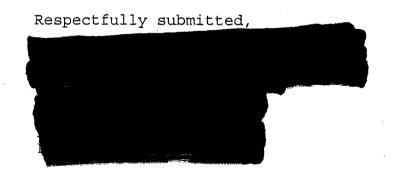
In view of the above, the Commissioner is hereby petitioned to direct the Examiner to immediately prepare an Examiner's Answer in the instant application or, alternatively, to pass the instant application to issue.

Because this petition seeks to invoke the Supervisory Authority of the Commissioner, a petition fee is not required.

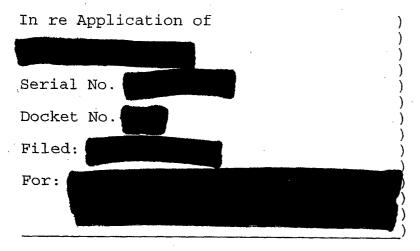
Please charge any fees associated with the papers transmitted herewith to Deposit Account No. including any fees that may be required but are not set forth above.

A Declaration claiming small entity status has been filed herein.

Dated: January 19, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



PETITION FOR AN ACTION ON THE MERITS UNDER 37 CFR 1.181(A)(3)

Hon. Assistant Commissioner For Patents Washington, D.C. 20231

Sir:

The Applicant respectfully petitions the Commissioner for his intervention to direct the Examiner to expeditiously provide the Applicant with an Action on the merits.

The PTO requires an expeditious response to amendments (MPEP 708, last paragraph):

All amendments before final rejection should be responded to within two months of receipt.

Further, the PTO requires that the instant application be advanced out of turn for examination for the following reasons (MPEP 708.01, item I):

Applications pending more than 5 years, including those which, by relation to a prior United States application, have an effective pendency of more than 5 years.

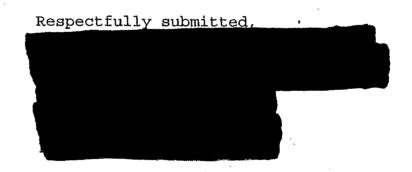
The instant application meets both of these criterion, it has been pending more that 5 years and it has an effective pendency of more than 5 years. No action has been received in the instant application in more than a year.

The Applicant filed a Request For Status in the instant application dated November 9, 2004 but the Examiner has not responded thereto.

In view of the above, the Commissioner is hereby petitioned to direct the Examiner to immediately prepare an action in the instant application or, alternatively, to pass the instant application to issue.

Because this petition seeks to invoke the Supervisory Authority of the Commissioner under 37 CFR 1.181(a)(3), a petition fee is not required and thus a fee authorization is not needed.

Dated: January 20, 2005





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UNITED STATES PATENT AND TRADEMARK DIFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MAIL

FEB 2 4 2005

DIRECTOR OFFICE TECHNOLOGY CENTER

DECISION ON PETITION

In re Application of:

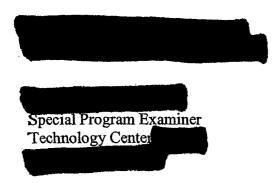
.

This is a decision on the petition, filed on January 21, 2005 under 37 C.F.R. §1.181 requesting an expedited action on the merits. This petition has been considered a request to affirm that this application is under "special" status in accordance with 37 CFR 1.102.

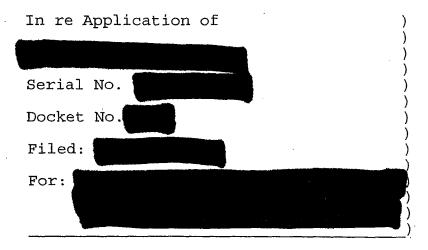
Petitioner provides support for the request for expedited action with reference to MPEP sections 708 and 708.01. The latter section specifically states that applications pending over 5 years should be considered special. Since this application by virtue of its prolonged pendency is already special in accordance with PTO policy, Petitioner's request is moot.

The examiner will be notified that this application should be considered as "special" and appropriate for expedited action.

The petition is **DISMISSED**.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



PETITION FOR AN ACTION ON THE MERITS UNDER 37 CFR 1.181(A)(3)

Hon. Commissioner For Patents P.O. Box 1450, Alexandria, VA 22313-1450 Sir:

The Applicant respectfully petitions the Commissioner for his intervention to direct the Examiner to expeditiously provide the Applicant with an Action on the merits.

The PTO requires an expeditious response to amendments (MPEP 708, last paragraph):

All amendments before final rejection should be responded to within two months of receipt.

Further, the PTO requires that the instant application be advanced out of turn for examination for the following reasons (MPEP 708.01, item 1):

Applications pending more than 5 years, including those which, by relation to a prior United States application, have an effective pendency of more than 5 years.

The instant application meets both of these criterions, it has been pending more than 5 years and it has an effective pendency of more than 5 years.

The Applicant filed a Petition For An Action On The Merits dated January 20, 2005. The Applicant pointed out therein that "[n]o action has been received in the instant application in more than a year".

The PTO responded with a "DECISION ON PETITION" stating that "[t]he examiner will be notified that this application should be considered as 'special' and appropriate for expedited action" and then the PTO dismissed the petition. However:

- 1. the Applicant did not receive a paper notifying the Examiner to that effect and
- 2. the Applicant did not receive an action on the merits.

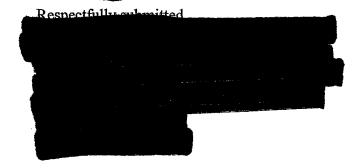
Furthermore, the "DECISION ON PETITION" was not directed to the remedy that the Applicant was petitioned for, which should have been directed to an action on the merits.

In view of the above, the Commissioner is hereby petitioned for a second time to direct the Examiner to immediately prepare an action in the instant application or, alternatively, to pass the instant application to issue.

Because this petition seeks to invoke the Supervisory authority of the Commissioner under 37 CFR 1.181(a)(3), a petition fee is not required and thus a fee authorization is not needed.

<u>CERTIFICATION OF MAILING BY EXPRESS MAIL:</u> I hereby certify that this correspondence is being deposited with the United States Postal Service with Express Mail post office to addressee service under 37 CFR 1.10, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 with the express mail label number from March 28, 2007.

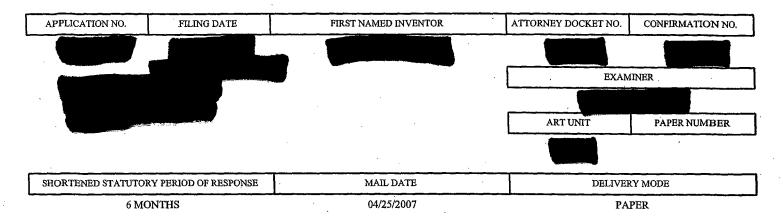
Dated: March 28, 2007





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



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

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.



UNITED STATES DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

DATE MAILED:

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR I PATENT IN REEXAMINATION		ATTORNEY DOCKET NO.	
			-	EXAMINER	
·		•			_
			ART UNIT	PAPER	
				20070402	_

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

Commissioner for Patents

A court decision relevant to the examination of this application will be rendered soon. Ex parte prosecution is SUSPENDED FOR A PERIOD OF 6 MONTHS from the date of this letter. Upon expiration of the period of suspension, applicant should make an inquiry as to the status of the application.

Any inquiry concerning this communication should be directed to

t telephone number

Andrew Christensen

Acting Director

Technology Center 2600

appellants brief to furnish the <u>examiner's answers</u> (MPEP § 1208) <u>necessarily takes priority over special cases</u> without specific time limits.

See MPEP 708.01 (emphasis added). Nevertheless, considerable time has elapsed, yet the Applicant has not received an Examiner's Answer. This is a violation of the plain requirements of the PTO and of the Appellant's rights.

Further, the PTO requires that the instant application be advanced out of turn for examination for the following reasons (MPEP 708.01, item I):

Applications pending more than 5 years, including those which, by relation to a prior United States application, have an effective pendency of more than 5 years.

The instant application meets both of these criterions, it has been pending more than 5 years and it has an effective pendency of more than 5 years.

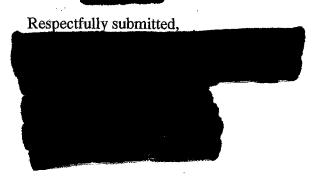
In view of the above, the Commissioner is hereby petitioned to direct the Examiner to immediately prepare an Examiner's Answer in the instant application or, alternatively, to pass the instant application to issue.

The Applicant makes note that a decision has been rendered by the Federal Circuit in *Hyatt v. Dudas*, Appeal No. 2006-1171, on June 28, 2007 reversing the decision of the District Court.

Because this petition seeks to invoke the Supervisory authority of the Commissioner under 37 CFR 1.181(a)(3), a petition fee is not required and thus a fee authorization is not needed.

<u>CERTIFICATION OF MAILING BY EXPRESS MAIL:</u> I hereby certify that this correspondence is being deposited with the United States Postal Service with Express Mail post office to addressee service under 37 CFR 1.10, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 with the express mail label number on August 28, 2007.

Dated: August 28, 2007



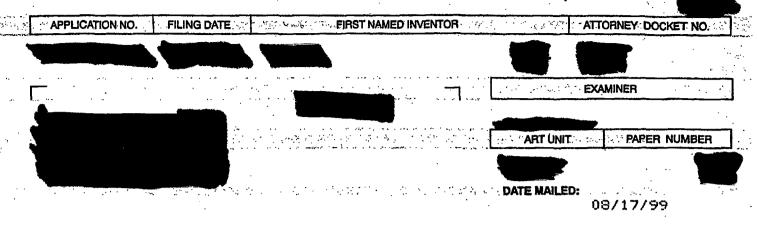
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EXHIBIT K



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



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Commissioner of Patents and Trademarks

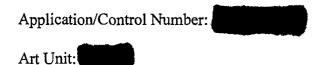
Application No. Applicant(s) Office Action Summary Examiner Group Art Unit The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address-**Period for Reply** A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication . - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). **Status** Responsive to communication(s) filed on This action is FINAL. ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G. 213. **Disposition of Claims** Claim(s) ___ is/are pending in the application. Of the above claim(s) is/are withdrawn from consideration. is/are allowed. ☐ Claim(s). Ø Claim(s)is/are rejected. ☐ Claim(s) is/are objected to. Claim(s). are subject to restriction or election requirement. **Application Papers** ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. ☐ The proposed drawing correction, filed on_____ __ is __ approved __ disapproved: ☐ The drawing(s) filed on_ __ is/are objected to by the Examiner. The specification is objected to by the Examiner. ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 (a)-(d) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d). ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been □ received. ☐ received in Application No. (Series Code/Serial Number)_____ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)). *Certified copies not received: Attachment(s) ☐ Interview \$ummary, PTO-413 ☐ Notice of Reference(s) Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152 ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 □ Other Office Action Summary

*U.S. GPO: 1997-433-221/62717

Part of Paper No.

U. S. Patent and Trademark Office

PTO-326 (Rev. 9-97)



applicant himself has stated on the record, namely that in order to establish prima facie case of obviousness certain criteria must be adhered to. The examiner has followed the criteria as shown here-in-above. Furthermore, applicant is reminded of 37 CFR §1.111(b) which specifically states:

A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the reference does not comply with the requirements of this section.

With regard to applicant's arguments regarding the double patenting rejections, the examiner respectfully disagrees. Each and every rejection has set forth sufficient and reasonable arguments for such a rejection, which arguments have not been persuasively refuted by applicant.

Applicant argues that "the examiner has not rebutted the presumptively correct disclosure, the 112-1 rejection (sic) must fall", the examiner respectfully disagrees. Again the examiner has set forth various reasonable reasons for such rejections, applicant's arguments have not been found persuasive enough to warrant the withdrawing of the rejections. The rejections are therefore being maintained.

Applicant's comments regarding the incorporation by reference issue are noted, the examiner has corrected and clarified the objections. A new clarified section of MPEP 608.01(p) objections appears in the rejection here-in-above. Furthermore, the requirements will be held in abeyance until such time as the examiner indicates allowable subject matter.

48. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period



will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

49. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is examiner can normally be reached on Monday through Thursday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, the examiner of this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

July 27, 1999

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023I
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BEFGRE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.

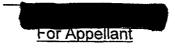


Application Number:
Filing Date:
Appellant(s):

MAILED

OCT 0 1 2001

Technology Center



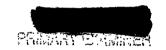
EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed July 19, 2000.

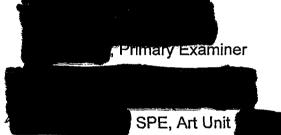
Application/Control Number:
Art Unit:

Respectfully submitted,

Primary Examiner

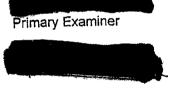


Appeal Conference Conferees:



Primary Examiner

September 28, 2001



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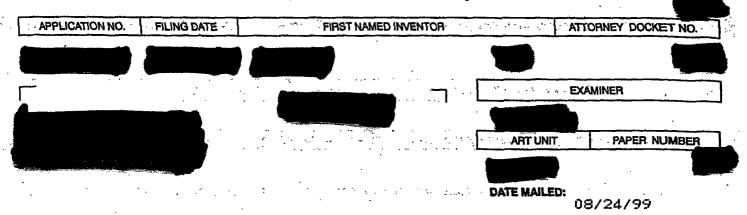
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EXHIBIT L



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



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

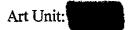
Commissioner of Patents and Trademarks



Application No.	pplicant(s)
Examiner	Group Art Unit

Office Action Summary -The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Status Responsive to communication(s) filed on This action is FINAL. : Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G. 213. **Disposition of Claims** Claim(s) _ is/are pending in the application. Of the above claim(s) is/are withdrawn from consideration □ Claim(s) is/are allowed. Claim(s) is/are rejected. ☐ Claim(s) is/are objected to. ☐ Claim(s) are subject to restriction or election requirement. **Application Papers** ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. ☐ The proposed drawing correction, filed on_ is approved disapproved. ☐ The drawing(s) filed on_ __ is/are objected to by the Examiner. ☐ The specification is objected to by the Examiner. ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 (a)-(d) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d). ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received. received in Application No. (Series Code/Serial Number) received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)). *Certified copies not received; Attachment(s) Minformation Disclosure Statement(s), PTO-1449, Paper No(s): ∴ ☐ Interview Summary, PTO-413 ☐ Notice of Reference(s) Cited, PTO-892 Notice of Informal Patent Application, PTO-152 ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 □ Other

Office Action Summary



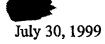
45. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is examiner can normally be reached or two day through Thursday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor. Can be reached on Group is (

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is



PRIMARY EXAMINER





United States Patent and Trademark Office

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023I

WWW.USDIO.GOV

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.

Application Number:
Filing Date:
Appellant(s):

MAILED

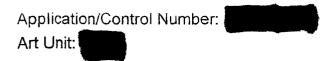
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Technology Center



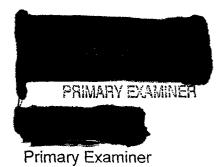
EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed July 25, 2000.

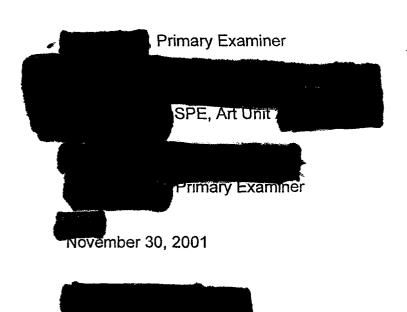


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Respectfully submitted,



Appeal Conference Conferees:



REDACTED

EXHIBIT M



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

EXAMINER

DATE MAILED:

08/17/99

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

Commissioner of Patents and Trademarks

Office Action Summary

	Application No. Applicant(s)					
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<u>-</u>	LAdilli			GIOUP AIT OILL	
-The MAILING DATE of this communication appe	ears on the cov	er sheet b	eneath the co	orrespondence address	}
Period for Reply		<i>></i>	÷u		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET OF THIS COMMUNICATION.	TO EXPIRE	_ ک	MONTH(S) FROM THE MAILING I	DATE
 Extensions of time may be available under the provisions of 37 CFF from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a If NO period for reply is specified above, such period shall, by defar Failure to reply within the set or extended period for reply will, by st 	reply within the st ult, expire SIX (6)	atutory minim	ium of thirty (30) in the mailing dat	days will be considered time	
Status /	/	· **			
Responsive to communication(s) filed on	99	·			
This action is FINAL.					
☐ Since this application is in condition for allowance exce accordance with the practice under Ex parte Quayle, 1				the merits is closed in	,
Disposition of Claims					
Claim(s) _	2		is/are	pending in the application	o n. .
Of the above claim(s)			is/are	withdrawn from conside	ration.
☐ Claim(s)			is/are	allowed.	
⊠ Claim(s)—			is/are	rejected	
☐ Claim(s)			is/are	objected to.	
☐ Claim(s)				subject to restriction or el	ection
Application Papers			/ requi	irement.	•
☐ See the attached Notice of Draftsperson's Patent Dra	wina Review. P	TO-948.			
☐ The proposed drawing correction, filed on				/ed.	
☐ The drawing(s) filed on is/are of	pjected to by the	e Examiner			
☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examine		*	-		
∼-Priority under 35 U.S.C. § 119 (a)-(d)					
☐ Acknowledgment is made of a claim for foreign priori ☐ All ☐ Some* ☐ None of the CERTIFIED copie	-				· ·
received.	ımban)				
☐ received in Application No. (Series Code/Serial No. ☐ received in this national stage application from the	,				
*Certified copies not received:					
Attachment(s)		-			
★Information Disclosure Statement(s), PTO-1449, Par	oer No(s).		⊒ Interview Su	ımmary, PTO-413 👡 🕝	2 1 250
☐ Notice of Reference(s) Cited, PTO-892			☐ Notice of Inf	formal Patent Application	, PT0-152
☐ Notice of Draftsperson's Patent Drawing Review, PT	O-948	٠.,	☐ Other	<u> </u>	
	Office Action S	ummary			;

U. S. Patent and Trademark Office PTO-326 (Rev. 9-97)

Part of Paper No.

Art Unit:

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is (The examiner can normally be reached on Monday through Thursday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, can be reached on The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

July 17, 1999

PRIMARY EXAMINER

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 2023! www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS **AND INTERFERENCES**

Paper No.

Application Number: Filing Date: Appellant(s):

For Appellant

MAILED OCT 3 1 2001

Technology Center

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed July 17, 2000.

Application/Control Number:
Art Unit:

system, its construction would be at a considerable cost of time, effort and experimentation.

Appellant argues in a con page a through page that "The Rejections Are Judicially Estopped ... Under the doctrine of judicial estoppel, where a party assumes a certain position, he may not thereafter assume a contrary position ... judicial estoppel is designed to preserve the integrity of the judicial process by "protection against litigants who 'play fast and loose with the courts', the examiner will agree with the general message of the statement.

The Examiner has considered Appellant's extensive arguments thoroughly but he does not find them persuasive. For all the reasons enumerated above, it is believed that the rejections should be sustained.

REDACTED

EXHIBIT N



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

EXAMINER

ART UNIT: PAPER NUMBER

08/17/99

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

--- Commissioner of Patents and Trademarks

Office Action Comment	Application No. Applicant(s)					
Office Action Summary	Examiner			Group Art Unit		
—The MAILING DATE of this communication appea	ars on the cove	er sheet ben	eath the co	orrespondence	address—	· · .
Period for Reply	A #4	* \(\)				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET OF THIS COMMUNICATION.	TO EXPIRE	5	_MONTH(S) FROM THE MA	ILING DATE	
 Extensions of time may be available under the provisions of 37 CFR from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a If NO period for reply is specified above, such period shall, by defau Failure to reply within the set or extended period for reply will, by sta 	reply within the sta lt, expire SIX (6) M	tutory minimum ONTHS from th	of thirty (30) ne mailing dat	days will be conside to of this communication	ered timely.	
Status	- '1	/				
M Responsive to communication(s) filed on /2/11/93	t and	_4/1/9	9		•	
This action is FINAL.		/ /				
 Since this application is in condition for allowance exceptions accordance with the practice under Ex parte Quayle, 19 			ution as to	the merits is cl	osed in	
Disposition of Claims						
☑ Claim(s)			Lis/are	pending in the a	opiication.	
Of the above claim(s)			is/are	withdrawn from o	consideration.	
□ Claim(s)		<u> </u>	is/are	allowed.		
⊠ Claim(s)_			is/are	rejected.		
☐ Claim(s)			is/are	objected to.		. 7.
□ Claim(s)			are su	bject to restriction	n or election	:
Application Papers		•	requir	ement.		
☐ See the attached Notice of Draftsperson's Patent Draw	ving Review, PT(D-948 .	ing the state of	ter to the second	ing the state of	
☐ The proposed drawing correction, filed on	•		disapprove	ed.		·
☐ The drawing(s) filed on is/are obj	•					
☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examiner.						
Priority under 35 U.S.C. § 119 (a)-(d)				:	•	
 □ Acknowledgment is made of a claim for foreign priority □ All □ Some* □ None of the CERTIFIED copies □ received. □ received in Application No. (Series Code/Serial Nun 	of the priority do	cuments hav	re been	to the area of the control of the co		
☐ received in this national stage application from the I						
*Certified copies not received:				•		
Attachment(s)			. 24.			
MInformation Disclosure Statement(s), PTO-1449, Pape	r No(s).	_ ⊹ □ Inf	terview Sun	nmary, PTO-413	and the second second	٠.,
Notice of Reference(s) Cited, PTO-892	ere de tradición			rmal Patent Appl	•	
☐ Notice of Draftsperson's Patent Drawing Review, PTO	-948	□ 0	ther		· · · · · · · · · · · · · · · · · · ·	_
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Applicant argues that "the examiner has not rebutted the presumptively correct disclosure, the 112-1 rejection (sic) must fall", the examiner respectfully disagrees. Again the examiner has set forth various reasonable reasons for such rejections, applicant's arguments have not been found persuasive enough to warrant the withdrawing of the rejections. The rejections are therefore being maintained.

Applicant's comments regarding the incorporation by reference issue are noted, the examiner has corrected and clarified the objections. A new clarified section of MPEP 608.01(p) objections appears in the rejection here-in-above. Furthermore, the requirements will be held in abeyance until such time as the examiner indicates allowable subject matter.

32. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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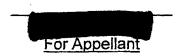


COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023I
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.

Application Number:
Filing Date: Appellant(s):

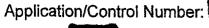


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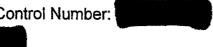
Technology Center

EXAMINER'S ANSWER

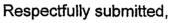
This is in response to appellant's brief on appeal filed July 17, 2000.



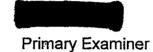




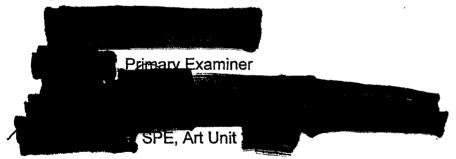
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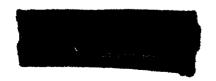


Appeal Conference Conferees:



Primary Examiner

September 24, 2001



REDACTED

EXHIBIT O



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED:

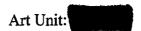
08/17/99

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

Commissioner of Patents and Trademarks

,		plication No	. /	pplicant(s)		_	
Office Action Summary	ā	ecijalijalist			Group Art Un		
The MAILING DATE of this communication	n appear s on	the cover	sheet ber	neath the d	respondenc	e address	
Period for Reply	· 74		\sim	· •		-1	
A SHORTENED STATUTORY PERIOD FOR REPLY OF THIS COMMUNICATION.	IS SET TO EX	PIRE	<u> </u>	_MONTH(S	B) FROM THE N	MAILING DATE	
 Extensions of time may be available under the provisions of from the mailing date of this communication. If the period for reply specified above is less than thirty (30 If NO period for reply is specified above, such period shall, Failure to reply within the set or extended period for reply views.) days, a reply w by default, expir	ithin the statu e SIX (6) MO	tory minimur NTHS from t	n of thirty (30) he mailing da	days will be cons te of this commun	idered timely.	
Status	1 1			Same Same	in the second		
Responsive to communication(s) filed on	7/9/98		,		**.		
This action is FINAL.	717					 •	
☐ Since this application is in condition for allowand accordance with the practice under Ex parte Que	ce except for f uayle, 1935 C.	ormal matte D. 1 1; 453	ers, prose O.G. 213.	cution as to	the merits is	closed in	
Disposition of Claims					•		
X Claim(s)	- 10° 10° 10° 10° 10° 10° 10° 10° 10° 10°			is/are	pending in the	application.	
Of the above claim(s)				is/are	withdrawn from	n consideration.	
☐ Claim(s)		-	-	is/are	allowed.		
St Claim(s)					rejected.	·.	
☐ Claim(s)				•	• .	. 1	
☐ Claim(s)					ubject to restric	- F	
Application Papers					rement.	uon on election	
☐ See the attached Notice of Draftsperson's Pate	ent Drawing Re	eview, PTO-	948.				
☐ The proposed drawing correction, filed on	•	•] disapprov	ed.		٠.
☐ The drawing(s) filed on is	/are objected	to by the Ex	kaminer.			-	٠.
☐ The specification is objected to by the Examine ☐ The oath or declaration is objected to by the Examine					. V.	en e	
Priority under 35 U.S.C. § 119 (a)-(d)			- '	,			
☐ Acknowledgment is made of a claim for foreign ☐ All ☐ Some* ☐ None of the CERTIFIED ☐ received.	-				3.4		•
☐ received in Application No. (Series Code/Se ☐ received in this national stage application fr	-			ule 1 7 2(a)	·		
*Certified copies not received:					······································		•
Attachment(s)		_		. ,		•	•
	9. Paper No(s		··················In	terview Sur	nmary, PTO-41	3	
		•		•	-	plication, PTO-15	52
☐ Notice of Draftsperson's Patent Drawing Revie				ther			~
	-						
J. S. Patent and Trademark Office	Office A	ction Sumr	nary				

Part of Paper No.



not been found persuasive enough to warrant the withdrawing of the rejections. The rejections are therefore being maintained.

Applicant's comments regarding the incorporation by reference issue are noted, the examiner has corrected and clarified the objections. A new clarified section of MPEP 608.01(p) objections appears in the rejection here-in-above. Furthermore, the requirements will be held in abeyance until such time as the examiner indicates allowable subject matter.

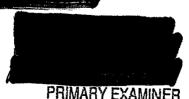
41. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to . whose telephone number is (The examiner can normally be reached on Monday through Thursday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, it is to be reached on Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is



August 13, 1999



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE Washington, D.C. 2023 www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS **AND INTERFERENCES**

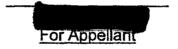
Paper No.



Application Number: Filing Date:

Appellant(s):

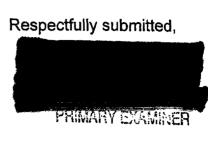
Technology Center



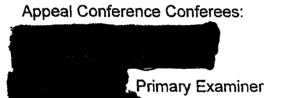
EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed July 17, 2000.

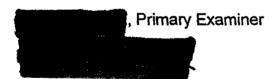




Primary Examiner



, SPE, Art Unit







REDACTED

EXHIBIT P



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED:

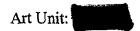
08/17/99

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

Commissioner of Patents and Trademarks.

Office Action Summary	Application No.	Applicant(s)
Office Action Summary	Examinar	Group Art Unit
—The MAILING DATE of this communication appe	ars on the cover shee	t beneath the correspondence address-
Period for Reply	_	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET OF THIS COMMUNICATION.	TO EXPIRE 5	MONTH(S) FROM THE MAILING DATE
 Extensions of time may be available under the provisions of 37 CFF from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a If NO period for reply is specified above, such period shall, by defaulting to reply within the set or extended period for reply will, by state 	reply within the statutory mi	nimum of thirty (30) days will be considered timely. from the mailing date of this communication .
Status		
K Responsive to communication(s) filed on	15/98	
This action is FINAL.	,	
☐ Since this application is in condition for allowance exception accordance with the practice under Ex parte Quayle, 19	pt for formal matters, pr 935 C.D. 1 1; 453 O.G.:	rosecution as to the merits is closed in 213.
Disposition of Claims	1	Surger Barbary
☑ Claim(s)		is/are pending in the application
Of the above claim(s)		is/are withdrawn from consideration.
□ Claim(s)		is/are allowed.
☑ Claim(s)		is/are rejected.
☐ Claim(s)		is/are objected to.
☐ Claim(s)		are subject to restriction or election
/	•	requirement.
Application Papers		
☐ See the attached Notice of Draftsperson's Patent Draw	- ·	
☐ The proposed drawing correction, filed on		• • • •
☐ The drawing(s) filed onis/are obj	ected to by the Examine	эг.
☐ The specification is objected to by the Examiner.		
☐ The oath or declaration is objected to by the Examiner.		
Priority under 35 U.S.C. § 119 (a)-(d)		
 □ Acknowledgment is made of a claim for foreign priority □ All □ Some* □ None of the CERTIFIED copies □ received. 		
 received in Application No. (Series Code/Serial Nun received in this national stage application from the I 		
*Certified copies not received:	inormation and read (i.)	f
Attachment(s)		٠
• •	ar Mo(o)	Clinton days Commerce, PTO 440
Information Disclosure Statement(s), PTO-1449, Pape ☐ Notice of Reference(s) Cited, PTO-892 \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		•
☐ Notice of Draftsperson's Patent Drawing Review, PTO		••
Huonge of prefishersons Lettery prawing beaten's LIO	-3-0	□ Other

Office Action Summary



36. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is examiner can normally be reached on Monday through Thursday from 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, the examiner can be reached on the fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

July 11, 1999

PRIMARY EXAMINER

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023I
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.



Application Number:
Filing Date: Appellant(s):

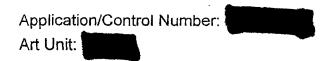
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Technology Center

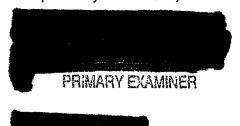


EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed July 17, 2000.

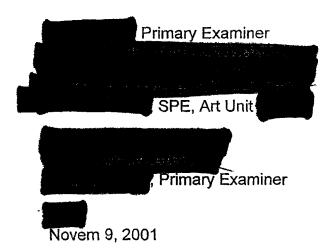


Respectfully submitted,



Primary Examiner

Appeal Conference Conferees:





REDACTED

EXHIBIT O



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED:

08/17/99

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

Commissioner of Patents and Trademarks

Office Action Summary

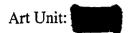
	Application No.	Applicant(s)		
	Examiner		Group Art Unit	
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—The MAILING DATE of this communication appears of	on the cover sheet	beneath the corresponden	ce address
Period for Reply	څ		•
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO E OF THIS COMMUNICATION.	XPIRE	MONTH(S) FROM THE	MAILING DATE
 Extensions of time may be available under the provisions of 37 CFR 1.13 from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, such period shall, by default, expecifier to reply within the set or extended period for reply will, by statute, 	within the statutory min pire SIX (6) MONTHS fr	imum of thirty (30) days will be co	nsidered timely. unication .
Status			
Responsive to communication(s) filed on			
This action is FINAL.			•
☐ Since this application is in condition for allowance except fo accordance with the practice under <i>Ex parte Quayle</i> , 1935 (s closed in
Disposition of Claims	1	_	
⊠ Claim(s)		is/are pending in th	e application.
Of the above claim(s)		is/are withdrawn fro	om consideration.
□ Claim(s)		is/are allowed.	
⊠ Claim(s)		is/are rejected.	•
☐ Claim(s)		•	
☐ Claim(s)			
• •		requirement.	
Application Papers	Davious PTO 048		
 □ See the attached Notice of Draftsperson's Patent Drawing □ The proposed drawing correction, filed on 	•	d C disapproved	-
☐ The proposed drawing correction, filed on is/are objects			
☐ The specification is objected to by the Examiner.		•	Sec. 17th Co.
☐ The oath or declaration is objected to by the Examiner.			• •
Priority under 35 U.S.C. § 119 (a)-(d)		•	
Acknowledgment is made of a claim for foreign priority und	der 35 U.S.C. § 11 9	(a)-(d).	
☐ All ☐ Some* ☐ None of the CERTIFIED copies of the	-	• • • •	
☐ received.	:		
 received in Application No. (Series Code/Serial Numbe received in this national stage application from the Intel 	-		
			,
*Certified copies not received:			,
Attachment(s)		•	
Information Disclosure Statement(s), PTO-1449, Paper No.	o(s)	☐ Interview Summary, PTO-	
☐ Notice of Reference(s) Cited, PTO-892	the second second	☐ Notice of Informal Patent	•
☐ Notice of Draftsperson's Patent Drawing Review, PTO-946	3	☐ Other	
Office	Action Summary	-	

U. S. Patent and Trademark Office PTO-326 (Rev. 9-97)

*U.S. GPO: 1997-433-221/62717

Part of Paper No.



Applicant argues that "the examiner has not rebutted the presumptively correct disclosure, the 112-1 rejection (sic) must fall", the examiner respectfully disagrees. Again the examiner has set forth various reasonable reasons for such rejections, applicant's arguments have not been found persuasive enough to warrant the withdrawing of the rejections. The rejections are therefore being maintained.

Applicant's comments regarding the incorporation by reference issue are noted, the examiner has corrected and clarified the objections. A new clarified section of MPEP 608.01(p) objections appears in the rejection here-in-above. Furthermore, the requirements will be held in abeyance until such time as the examiner indicates allowable subject matter.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE Washington, D.C. 20231 www.uspto.gov

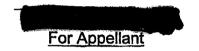
BEFORE THE BOARD OF PATENT APPEALS **AND INTERFERENCES**

Paper No.

Application Number: Filing Date: Appellant(s):

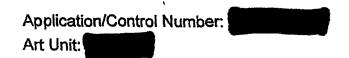
MAILED OCT 0 1 2001

Technology Center

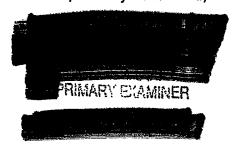


EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed July 19, 2000.

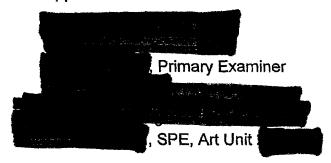


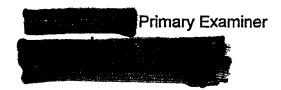
Respectfully submitted,



Primary Examiner

Appeal Conference Conferees:









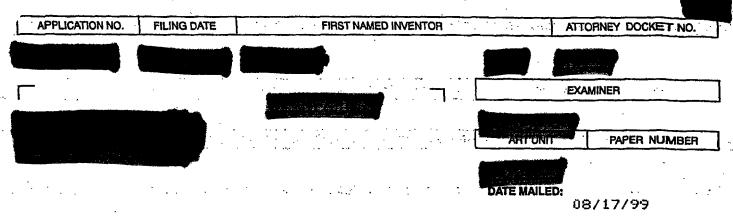
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EXHIBIT R



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



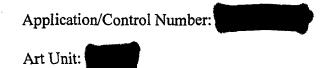
Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)	
Examinor	Group Art Unit	_
	1/4/2014/35/5	

-The MAILING DATE of this communication appears	s on the cover sheet beneath the correspondence address—
Per-iod for Reply	
A S HORTENED STATUTORY PERIOD FOR REPLY IS SET TO OF THIS COMMUNICATION.	D EXPIREMONTH(S) FROM THE MAILING DATE
from the mailing date of this communication.	· ·
Sta tus /	/_
Responsive to communication(s) filed on	/98
• • • •	t for formal matters, prosecution as to the merits is closed in 15 C.D. 1 1; 453 O.G. 213.
Disposition of Claims	
Claim(s)	is/are pending in the application.
Of the above claim(s)	is/are withdrawn from consideration.
□ Claim(s)	is/are allowed.
⊠ Claim(s)	is/are rejected.
	is/are objected to.
	are subject to restriction or election
	requirement.
Application Papers	w.
☐ See the attached Notice of Draftsperson's Patent Drawin	- •
☐ The proposed drawing correction, filed on	
☐ The drawing(s) filed onis/are obje	cted to by the Examiner.
☐ The specification is objected to by the Examiner.	and the second of the second o
· · · · · · · · · · · · · · · · · · ·	
Priority under 35 U.S.C. § 119 (a)-(d)	1 07110000404
 ☐ Acknowledgment is made of a claim for foreign priority t ☐ All ☐ Some* ☐ None of the CERTIFIED copies of 	
☐ received.	in the priority documents have been
☐ received in Application No. (Series Code/Serial Num	iber)
· · · · · · · · · · · · · · · · · · ·	nternational Bureau (PCT Rule 1 7.2(a)).
*Certified copies not received:	
Attachment(s)	
☑ Information Disclosure Statement(s), PTO-1449, Paper	(No(s) TInterview Summary, PTO-413
	☐ Notice of Informal Patent Application, PTO-152
□ Notice of Draftsperson's Patent Drawing Review, PTO-	
Off	lice Action Summary



objections appears in the rejection here-in-above. Furthermore, the requirements will be held in abeyance until such time as the examiner indicates allowable subject matter.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is:

PRIMARY EXAMINER

August 5, 1999

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023
WWW.uspto.gov

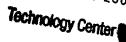


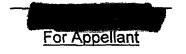
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 32

Application Number:
Filing Date: A
Appellant(s):

MAILED OCT 0 1 2001



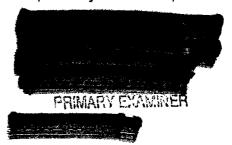


EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed July 19, 2000.

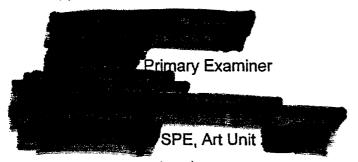


Respectfully submitted,



Primary Examiner

Appeal Conference Conferees:



September 24, 2001



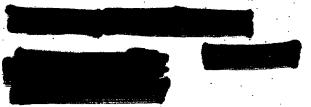
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EXHIBIT S



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Weshington, D.C. 20231

SERIAL NUMBER ATTORNEY DOCKET NO.



ART UNIT PAPER NUMBER DATE MAILED:

08/14/96

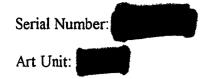
.....

This is a communication from the examiner in charge of your application. COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication	n filed on 3/22/96	This action is made final.
A shortened statutory period for response to this action is set to expire	month(s), days fro	m the date of this letter.
Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:		
 Notice of References Cited by Examiner, PTO-892. Notice of Art Cited by Applicant, PTO-1449. Information on How to Effect Drawing Changes, PTO-1474. 	2. Notice of Draftsman's Pa 4. Notice of Informal Patent 6.	tent Drawing Review, PTO-948. Application, PTO-152.
Part II SUMMARY OF ACTION	-	•
1. Claims	· · · · · · · · · · · · · · · · · · ·	are pending in the application.
Of the above, claims	are	withdrawn from consideration.
2. Claims	·	_have been cancelled.
3. Claims		_are allowed.
4. X Claims		_ are rejected.
s. Claims		_ are objected to.
6.]_] Claims	are subject to restrictly	on or election requirement.
7. This application has been filed with informal drawings under 37 C.F.R.	•	
	•	
7. This application has been filed with informal drawings under 37 C.F.R.	1.85 which are acceptable for exam	ination purposes. 2.F.A. 1.84 these drawings
 This application has been filed with informal drawings under 37 C.F.R. Formal drawings are required in response to this Office action. The corrected or substitute drawings have been received on 	1.85 which are acceptable for exam Under 37 (afternan's Patent Drawing Review, F	nination purposes. C.F.R. 1.84 these drawings TO-948).
 7. This application has been filed with informal drawings under 37 C.F.R. 8. Formal drawings are required in response to this Office action. 9. The corrected or substitute drawings have been received on are acceptable; acceptable (see explanation or Notice of Dr. 10. The proposed additional or substitute sheet(s) of drawings, filed on	1.85 which are acceptable for exam . Under 37 (aftsman's Patent Drawing Review, F	ination purposes. C.F.R. 1.84 these drawings TO-948). Capproved by the
 7. This application has been filed with informal drawings under 37 C.F.R. 8. Formal drawings are required in response to this Office action. 9. The corrected or substitute drawings have been received on	1.85 which are acceptable for exam Under 37 (affisman's Patent Drawing Review, F has (have) been been approved; disapproved 19. The certified copy has been	C.F.R. 1.84 these drawings PTO-948). □ approved by the
 7. This application has been filed with informal drawings under 37 C.F.R. 8. Formal drawings are required in response to this Office action. 9. The corrected or substitute drawings have been received on are acceptable; and acceptable (see explanation or Notice of Dr. The proposed additional or substitute sheet(s) of drawings, filed on examiner; addisapproved by the examiner (see explanation). 11. The proposed drawing correction, filed	1.85 which are acceptable for exam Under 37 (aftsman's Patent Drawing Review, F has (have) been has (have) been been approved; disapproved 19. The certified copy has been	C.F.R. 1.84 these drawings PTO-948). Capproved by the I (see explanation). received
 7. This application has been filed with informal drawings under 37 C.F.R. 8. Formal drawings are required in response to this Office action. 9. The corrected or substitute drawings have been received on are acceptable; not acceptable (see explanation or Notice of Drawings). 10. The proposed additional or substitute sheet(s) of drawings, filed on examiner; disapproved by the examiner (see explanation). 11. The proposed drawing correction, filed	1.85 which are acceptable for exam Under 37 (aftsman's Patent Drawing Review, F has (have) been has (have) been been approved; disapproved 19. The certified copy has been	C.F.R. 1.84 these drawings PTO-948). Capproved by the I (see explanation). received
 7. This application has been filed with informal drawings under 37 C.F.R. 8. Formal drawings are required in response to this Office action. 9. The corrected or substitute drawings have been received on are acceptable; not acceptable (see explanation or Notice of Drawings). 10. The proposed additional or substitute sheet(s) of drawings, filed on examiner; disapproved by the examiner (see explanation). 11. The proposed drawing correction, filed	1.85 which are acceptable for exam Under 37 (aftsman's Patent Drawing Review, F has (have) been has (have) been been approved; disapproved 19. The certified copy has been	C.F.R. 1.84 these drawings PTO-948). Capproved by the I (see explanation). received
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PTOL-326 (Rev. 2/93)

EXAMINER'S ACTION



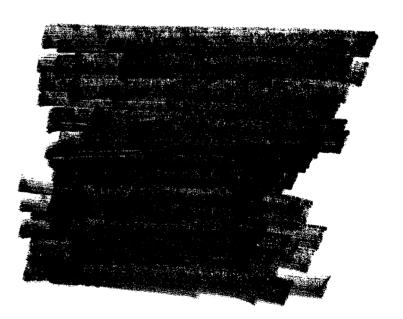
Contact Information

Any inquiry concerning this communication or earlier communications should be directed to Jack whose telephone number is the concerning. He can normally be reached Monday through Thursday from 7:30 am to 4:00 pm., and on atternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is Group FAX number is



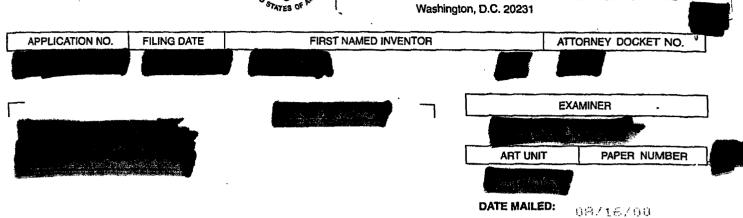
August 7, 1996





UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS



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

Page 94

Serial Number:

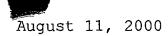
Art Unit:

system. The specific details in the application claims are all old and well known types of processing as evidenced by the prior art. The arguments as to the applicability of the prior art to the claims, which were advanced above, with respect to the 103 rejection are incorporated herein by reference. Essentially, the differences between the application claims and the previous patent claim constitute various obvious details, as shown by the prior art.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is . The examiner can normally be reached on Monday-Friday from 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, and can be reached on the fax phone number for the organization where this application or proceeding is assigned is and

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is





UNITED STATES DEPAR ANT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

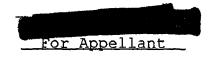
Paper No.

Application Number: Filing Date: Appellant(s):

MAILED

OCT 3 1 2001

Technology Center



EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed August 16, 2001. To assist the reader in navigating this lengthy Answer, the Examiner has provided the following Table of Contents.

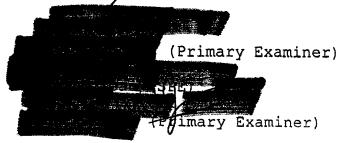
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Primary Examiner

PRIMARY EXAMINER

Appeal Conference Conferees:



October 25, 2001

REDACTED

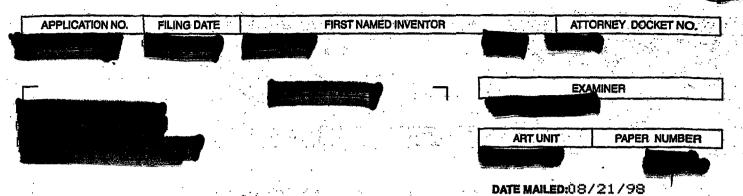
EXHIBIT T



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231



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

Office Action Summary

Application No. Applicant(s)	
Examiner Group Art Unit	
A STATE OF THE STA	

-The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address-

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.

 If the period for response specified above is less than thirty (30) days, a response within the si If NO period for response is specified above, such period shall, by default, expire SIX (6) MON Failure to respond within the set or extended period for response will, by statute, cause the ap 	NTHS from the mailing date of this communication :	
Status		,
☑ Responsive to communication(s) filed on 2/9/98	•	
☐ This action is FINAL.	,	
Since this application is in condition for allowance except for formal matters, paccordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G.		k.
Disposition of Claims		
⊠ Claim(s)	is/are pending in the application.	
Of the above claim(s)	is/are withdrawn from consideration.	
☐ Claim(s)	is/are allowed.	
⊠ Claim(s)	is/are rejected.	
☐ Claim(s)		
□ . Claim(s)	•	
Application Papers	requirement.	
☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948	3.	
☐ The proposed drawing correction, filed on is ☐ appro		
	iner.	
☐ The specification is objected to by the Examiner.		•
☐ The oath or declaration is objected to by the Examiner.		
Priority under 35 U.S.C. § 119 (a)-(d)		
 □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 1° □ All □ Some* □ None of the CERTIFIED copies of the priority docume □ received. □ received in Application No. (Series Code/Serial Number) □ received in this national stage application from the International Bureau (ents have been	•
*Certified copies not received:	•	
Attachment(s)		
⊠ Information Disclosure Statement(s), PTO-1449, Paper No(s).	☐ Interview Summary, PTO-413	
☑ Notice of References Cited, PTO-892	☐ Notice of Informal Patent Application, PTO-15	2
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948	☐ Other	_

Office Action Summary

Serial Number:

Art Unit:

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, can be reached on The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

August 14, 1998

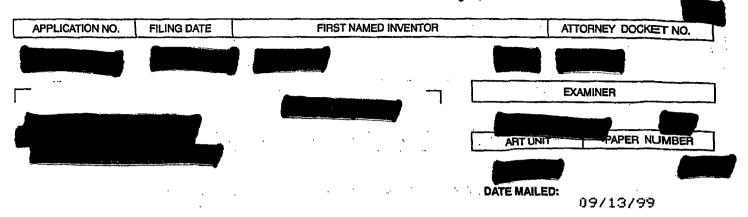




UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231



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

Office Action Summary

Application No. Applicant(s)

Examiner Group Art Unit

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—The MAILING DATE of this communication appears on the cover sheet	beneath the correspondence address-
Period for Reply	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE	MONTH(S) FROM THE MAILING DATE
 Extensions of time may be available under the provisions of 37 CFR 1:136(a). In no event, howe from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory mine if NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS for Failure to reply within the set or extended period for reply will, by statute, cause the application for the set of the s	nimum of thirty (30) days will be considered timely. from the mailing date of this communication .
Status	
Responsive to communication(s) filed on 2/24/99	•
This action is FINAL.	•••
Since this application is in condition for allowance except for formal matters, practice accordance with the practice under Ex parte Quayle, 1935 C.D. 1 1; 453 O.G.	rosecution as to the merits is closed in
Disposition of Claims	
✓ Claim(s)	is/are pending in the application.
Of the above claim(s)	is/are withdrawn from consideration.
☐ Claim(s)	is/are allowed.
区 Claim(s):	/is/are rejected.
☐ Claim(s)	• •
	are subject to restriction or election
	requirement.
Application Papers	
 □ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948. □ The proposed drawing correction, filed on is □ approv 	•
☐ The drawing(s) filed on is/are objected to by the Examin	• •
☐ The specification is objected to by the Examiner.	
☐ The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119 (a)-(d)	
 □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 □ All □ Some* □ None of the CERTIFIED copies of the priority documer □ received. □ received in Application No. (Series Code/Serial Number) □ received in this national stage application from the International Bureau (F 	nts have been
*Certified copies not received:	•
Attachment(s)	Filedoniau Ouronago PTO 440
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). ☐ Notice of Reference(s) Cited, PTO-892	☐ Interview Summary, PTO-413
☐ Notice of Draftsperson's Patent Drawing Review PTO-948	☐ Notice of Informal Patent Application, PTO-152

U. S. Patent and Trademark Office PTO-326 (Nev. 9-97)

"U.S. GPO: 1997-433-221/62717

Office Action Summary

Part of Paper No.

Serial Number:

Art Unit:

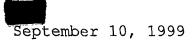
advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

55. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is . The examiner can normally be reached on Monday-Friday from 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, can be reached on (The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

PRIMARY EXAMINER





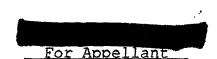
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.

Application Number: Filing Date:

Appellant(s):



OCT 0 1 2001
Technology Center

EXAMINER'S ANSWER

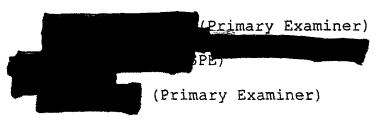
This is in response to appellant's brief on appeal filed September 8, 2000. To assist the reader in navigating this lengthy Answer, the Examiner has provided the following Table of Contents. Section IX is titled "Conclusion". In this section, Appellant reiterates the arguments presented in the previous sections. The arguments presented in response to these sections, above, are thus referenced in response.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Primary Examiner

Appeal Conference Conferees:



September 28, 2001

REDACTED

EXHIBIT U



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

A.	FIL	FIRST NAMED INVENTOR	NO.
П).		
•			PAPER NUMBER
		DATE	09/30/98 Mailed:
		and the second second	

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

Office Action Summary

Application No. Applicant(s)

Examiner Group Art Unit

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eriod for Response		7		
SHORTENED STATUTORY PERIOD FOR RESPONSE IS SE MAILING DATE OF THIS COMMUNICATION.	T TO EXPIRE	MONTH(S) FROM THE	
- Extensions of time may be available under the provisions of 37 CFR 1. from the mailing date of this communication. - If the period for response specified above is less than thirty (30) days, and the period for response is specified above, such period shall, by defar a failure to respond within the set or extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will, but the set of extended period for response will be	a response within the nuit, expire SIX (6) MC by statute, cause the a	statutory minimum of thirt ONTHS from the mailing dapplication to become ABA	y (30) days will be o ate of this communi	considered timely.
☐ This action is FINAL.				
☐ Since this application is in condition for allowance except accordance with the practice under Ex parte Quayle, 1935			e merits is clos	sed in
Disposition of Claims				· · · .
✓ Claim(s)	\	is/are pe	nding in the app	lication.
Of the above claim(s)		is/are wit	thdrawn from co	nsideration.
☐ Claim(s)		is/are all	owed.	
☐ Claim(s)	<u> </u>	is /are re	ected.	
☐ Claim(s)————————————————————————————————————	j	iş/are ob	jected to.	
☐ Claim(s)————————————————————————————————————		are subj	ect to restriction	or election
Application Papers		requiren	ient.	
☐ See the attached Notice of Draftsperson's Patent Drawing	Review, PTO-94	8.		
☐ The proposed drawing correction, filed on	is 🗆 appro	oved		
☐ The drawing(s) filed onis/are object	led to by the Exam	niner.		
☐ The specification is objected to by the Examiner.		All the		1. N. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.
☐ The oath or declaration is objected to by the Examiner.	est c		ý.	
Priority under 35 U.S.C. § 119 (a)-(d)				
☐ Acknowledgment is made of a claim for foreign priority ur ☐ All ☐ Some* ☐ None of the CERTIFIED copies of		,,,,	· ·	
 □ received. □ received in Application No. (Series Code/Serial Number □ received in this national stage application from the International Stage application from the Internation from the International Stage application from the Internation from the Internatio		(PCT Rule 1 7.2(a)).	·····•	
*Certified copies not received:	•		į	***
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☑ Information Disclosure Statement(s), PTO-1449, Paper N	IU(S).	☐ Interview Summ	•	K DTO 470
☐ Notice of References Cited, PTO-892	10.	☐ Notice of Information	- •	
☐ Notice of Draftsperson's Patent Drawing Review, PTO-94	ю	⊔ Other		· · · · · · · · · · · · · · · · · · ·
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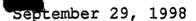
showing with respect to the claims individually discussed above is enough to give the applicant fair notice of how the rejection is applied to each and every other claim. The above paragraphs establish a <u>prima facie</u> showing of the unpatentability of the instant claims and the burden shifts to the applicant to show, if he can, patentable distinctions between the instant claims and those of the patents.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is . The examiner can normally be reached on Monday-Friday from 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, can be reached on the fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is

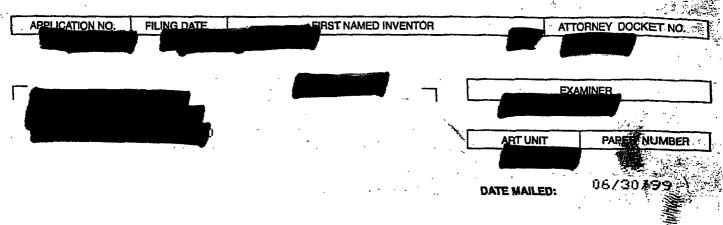
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Washington, D.C. 20231



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

Office Action Summary		
Omes Action Summary	Examiner	Group Art Unit
X Responsive to communication(s) filed on		
I This action is FINAL.		
Since this application is in condition for allowance in accordance with the practice under Ex parte Qu		
A shortened statutory period for response to this action is longer, from the mailing date of this communication application to become abandoned. (35 U.S.C. § 133 37 CFR 1.136(a).	n. Failure to respond within the	ne period for response will cause the
Disposition of Claims		
⊠ Claim(s)		_ is/are pending in the application.
Of the above, claim(s)		is/are withdrawn from consideration.
Claim(s)	······································	is/are allowed.
⊠ Claim(s)		is/are rejected.
Claim(s)		is/are objected to.
Claims	are subject to	o restriction or election requirement.
☐ See the attached Notice of Draftsperson's Pat ☐ The drawing(s) filed on ☐ The proposed drawing correction, filed on ☐ The specification is objected to by the Examin ☐ The oath or declaration is objected to by the Priority under 35 U.S.C. § 119	is/are objected to by the Exam	iner.
 □ Acknowledgement is made of a claim for form □ All □ Some* □ None of the CERTIF □ received. □ received in Application No. (Series Complete in Co	IED copies of the priority docu de/Serial Number)ion from the International Bure	reau (PCT Rule 17.2(a)).
Attachment(s) Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-14 Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Recommondary Notice of Informal Patent Application, PTO-1	view, PTO-948	

Application No.

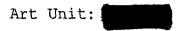
Applicant(s)

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--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Page 59

Serial Number:



event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

54. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is (The examiner can normally be reached on Monday-Friday from 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, and be reached on the fax phone number for this Group is

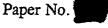
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

June 22, 1999

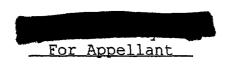


Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES



Application Number: Filing Date: Appellant(s):



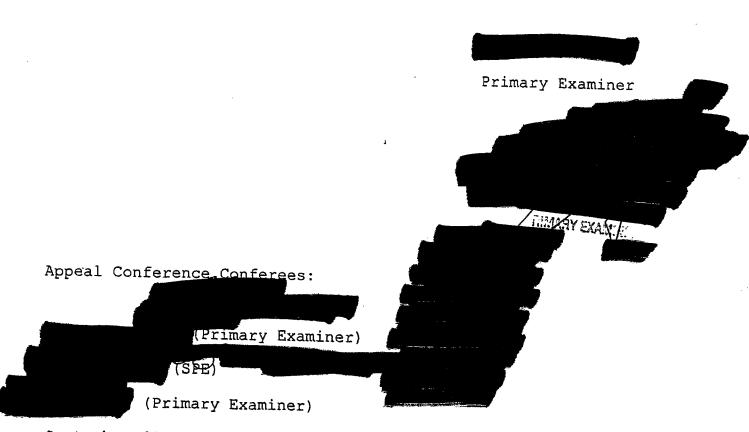
MAILED SEP 2 4 2001

Technology Center

This is in response to appellant's brief on appeal filed June 30, 2000, and the supplemental Brief filed January 8, 2001. assist the reader in navigating this lengthy Answer, the Examiner has provided the following Table of Contents.

should be sustained.

Respectfully submitted,



September 21, 2001

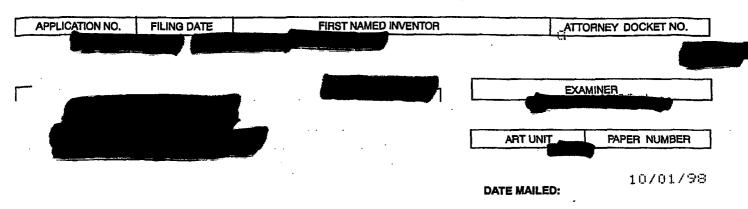
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EXHIBIT V



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231



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



	Application No.	Applicant(s)
Office Action Summary		
Office Action Summary	Examiner	Group Art Unit
—The MAILING DATE of this communication appears	s on the cover shee	t beneath the correspondence address—
Period for Response	<i>i</i>	_
A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SEMAILING DATE OF THIS COMMUNICATION.	ET TO EXPIRE	MONTH(S) FROM THE
 Extensions of time may be available under the provisions of 37 CFR 1. from the mailing date of this communication. If the period for response specified above is less than thirty (30) days, a If NO period for response is specified above, such period shall, by defa Failure to respond within the set or extended period for response will, b 	a response within the stated	tutory minimum of thirty (30) days will be considered timely. HS from the mailing date of this communication.
Status	<i>a</i> 1.	
Responsive to communication(s) filed on 12/9/9	17 & other	:15
☐ This action is FINAL.		A Committee of the Comm
☐ Since this application is in condition for allowance except f	for formal matters, pr	osecution as to the merits is closed in
accordance with the practice under Ex parte Quayle, 1935	5 C.D. 1 1; 453 O.G. 2	213.
Disposition of Claims	•	*
A Claim(s)		ie/are pending in the application.
Of the above claim(s)		is/are withdrawn from consideration.
☐ Claim(s)		is/are allowed.
☐ Claim(s)		is /are rejected.
□ Claim(s)	1, 1	is/are objected to.
☐ Claim(s)		are subject to restriction or election
Application Papers		requirement.
☐ See the attached Notice of Draftsperson's Patent Drawing	n Review PTO-948	,
☐ The proposed drawing correction, filed on	-	d 🗆 disapproved.
☐ The drawing(s) filed onis/are object	* *	• •
☐ The specification is objected to by the Examiner.		
☐ The oath or declaration is objected to by the Examiner.		
Priority under 35 U.S.C. § 119 (a)-(d)		•
 □ Acknowledgment is made of a claim for foreign priority un □ All □ Some* □ None of the CERTIFIED copies of t □ received. □ received in Application No. (Series Code/Serial Number □ received in this national stage application from the Interest 	the priority document	s have been
*Certified copies not received:	• *	, <i>n</i>
Attachment(s)		•
☑ Information Disclosure Statement(s), PTO-1449, Paper N	lo(s)	□ Intension Summer: DTO 440
 □ Notice of References Cited, PTO-1449, Paper N 		☐ Interview Summary, PTO-413
·		□ Notice of Informal Patent Application, PTO 152
☐ Notice of Draftsperson's Patent Drawing Review, PTO-94	HO .	□ Other
Office	e Action Summary	

Application:

Art Unit:

clearly identify those features that are not taught or suggested by the prior art.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Mancuso whose telephone number is _______ The examiner can normally be reached on Monday-Friday from 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, can be reached on The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

September 29, 1998





UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 09/13/99

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

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Office Action Summany	Application No.	Applicant(s)
Office Action Summary	r-xaminer	Group Art Unit
-The MAILING DATE of this communication appe	ears on the cover sheet	beneath the correspondence address-
Period for Reply	1	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET OF THIS COMMUNICATION.	TO EXPIRE 3	MONTH(S) FROM THE MAILING DATE
 Extensions of time may be available under the provisions of 37 CF from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a If NO period for reply is specified above, such period shall, by defa Failure to reply within the set or extended period for reply will, by set 	a reply within the statutory mir ult, expire SIX (6) MONTHS fi	nimum of thirty (30) days will be considered timely.
Status		
☐ Responsive to communication(s) filed on		5
☑ This action is FINAL.		
☐ Since this application is in condition for allowance exce accordance with the practice under Ex parte Quayle, 1		
Disposition of Claims		
		i≲/are pending in the application.
Of the above claim(s)		is/are withdrawn/from consideration.
□ Claim(s)	-,-	js/are allowed.
⊠ Claim(s)		is/are rejected.
☐ Claim(s)		·
□ Claim(s)		are subject to restriction or election
Application Papers	≪.	requirement.
☐ See the attached Notice of Draftsperson's Patent Dra	wing Review. PTO-948.	
☐ The proposed drawing correction, filed on	• •	ed □ disapproved.
	bjected to by the Examin	er.
☐ The specification is objected to by the Examiner.		The second of th
☐ The oath or declaration is objected to by the Examine	er.	
Priority under 35 U.S.C. § 119 (a)-(d)	•	
 □ Acknowledgment is made of a claim for foreign prioring □ All □ Some* □ None of the CERTIFIED copies □ received. □ received in Application No. (Series Code/Serial Normal prioring in the complexity of the comple	es of the priority documen	nts have been
*Certified copies not received:		-
Attachment(s)		
☑ Information Disclosure Statement(s), PTO-1449, Pa	per No(s).	☐ Interview Summary, PTO-413
☐ Notice of Reference(s) Cited, PTO-892		☐ Notice of Informal Patent Application, PTO-152
☐ Notice of Draftsperson's Patent Drawing Review, PT	O-948	☐ Other
	Office Action Summary	

U. S. Patent and Trademark Office PTO-326 (Rev. 9-97) Serial Number:



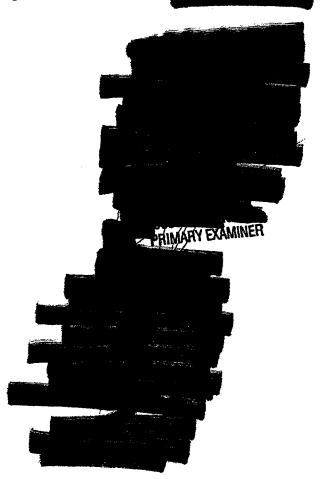
Art Unit:



communications from the examiner should be directed to Joseph Mancuso whose telephone number is The examiner can normally be reached on Monday-Friday from 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au, can be reached on
The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is



September 9, 1999



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.

Application Number:
Filing Date:
Appellant(s):

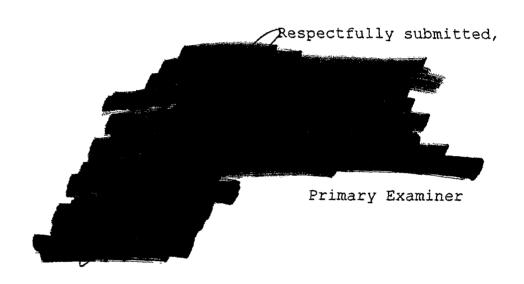
_____For Appellant

MAILED
OCT 0 2 2001
Technology Center

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed September 8, 2000. To assist the reader in navigating this lengthy Answer, the Examiner has provided the following Table of Contents. arguments are the same otherwise. These arguments are generic, noninformative and not found to be convincing. The arguments presented above apply to this section.

For the above reasons, it is believed that the rejections should be sustained.



Appeal Conference Conferees:

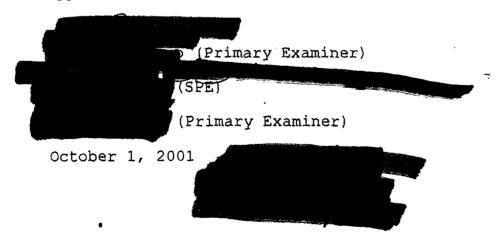


EXHIBIT W



United States Patent and Trademark Office

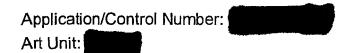
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov



DATE MAILED: 08/09/2005

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

		Application No.	Applicant(s)	
			, pp. 100 (0)	
	Office Action Summary			
		Examiner	Art Unit	
	The MAILING DATE of this communica	ation appears on the cover	sheet with the correspondence	addrose -
Period fo		anon appoure on the cover	onder man the contrappingence t	udd/ 665
THE - External after - If the - If NO - Failu Any (ORTENED STATUTORY PERIOD FOR MAILING DATE OF THIS COMMUNIC, asions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this commun period for reply specified above is less than thirty (30) or period for reply is specified above, the maximum stature to reply within the set or extended period for reply will eply received by the Office later than three months after the patent term adjustment. See 37 CFR 1.704(b).	ATION. 37 CFR 1.136(a). In no event, howe ication. days, a reply within the statutory min tory period will apply and will expire solves the application to	ever, may a reply be timely filed imum of thirty (30) days will be considered tin SIX (6) MONTHS from the mailing date of this become ABANDONED (35 U.S.C. § 133).	nely. s communication.
Status				
1)⊠	Responsive to communication(s) filed	on <u>19 July 2004</u> .		
2a)⊠	This action is FINAL . 2b)☐ This action is non-fina	al.	
3)□	Since this application is in condition for closed in accordance with the practice		•	he merits is
Disposit	on of Claims			
4)⊠	Claim(s) See Continuation Sheet is/ar	e pending in the applicati	on.	
	4a) Of the above claim(s) is/are	withdrawn from consider	ation.	
5)□	Claim(s) is/are allowed.			
	Claim(s) See Continuation Sheet is/a	re rejected.		
7)[_]	Claim(s) is/are objected to.			
8)[_]	Claim(s) are subject to restricti	on and/or election require	ment.	
Applicat	ion Papers			
9)[The specification is objected to by the	Examiner.	·	
10)□	The drawing(s) filed on is/are:	a) accepted or b) dob	jected to by the Examiner.	
	Applicant may not request that any object	= , ,	,	
11)	Replacement drawing sheet(s) including to The oath or declaration is objected to	· · · · · · · · · · · · · · · · · · ·	=,,	• •
Priority	under 35 U.S.C. § 119			
12)	Acknowledgment is made of a claim for All b) Some * c) None of:	or foreign priority under 35	i U.S.C. § 119(a)-(d) or (f).	
	1.☐ Certified copies of the priority of	locuments have been rec	eived.	
	2. Certified copies of the priority of			
			ave been received in this Nation	nal Stage
	application from the Internation	nal Bureau (PCT Rule 17.2	?(a)).	
*	See the attached detailed Office action	n for a list of the certified o	opies not received.	
A441 -	-41-1	. '		
Attachme	nt(s) ce of References Cited (PTO-892)	ا ا	Interview Summary (PTO-413)	
2) 🔲 Noti	ce of Draftsperson's Patent Drawing Review (P		Paper No(s)/Mail Date	
	rmation Disclosure Statement(s) (PTO-1449 or I er No(s)/Mail Date(s)		Notice of Informal Patent Application (I	PTO-152)
rap	C. 140(5)/Wall Date:	0)	Odiol	



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is The examiner can normally be reached on M-F, 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, the can be reached on The fax phone number for the organization where this application or proceeding is assigned is 7.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 5, 2005

PRIMARY EXAMINER

UNITED STATES PATENT AND TRADEMARK OFFICE

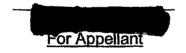


Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uspto.gov



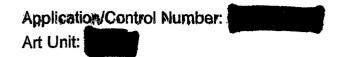
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number:
Filing Date: Appellant(s): 1



EXAMINER'S ANSWER

This is in response to the appeal brief filed August 8, 2006 appealing from the Office action mailed August 9, 2005.



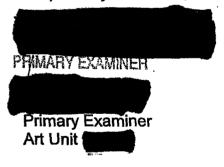
The Examiner has considered Appellant's extensive arguments thoroughly but he does not find them persuasive. For all the reasons enumerated above, it is believed that the rejections should be sustained.

(11) Related Proceeding(s) Appendix

Copies of the court or Board decision(s) identified in the Related Appeals and Interferences section of this examiner's answer are provided herein in Appellant's Appeal Brief, in the Evidence Appendix.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



Conferees:

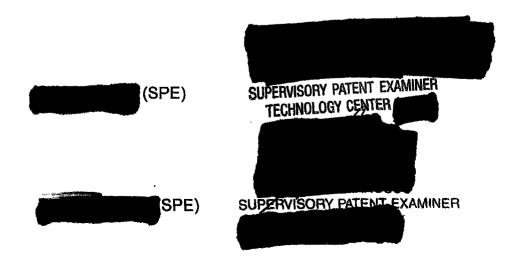


EXHIBIT X



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR

EXAMINER

DATE MAILED:

09/01/99

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

Commissioner of Patents and Trademarks

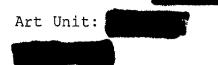
Office Action Summary

Application No.	Applicant(s)					
Examiner		Group Art Unit	T T	a afference ou meses	**	
					, ,	-

A Re	sponsive to communication(s) filed on 2/3/99, 2/22/99	•
() Th	is action is FINAL.	
-	this application is in condition for allowance except for formal matters, accordance with the practice under $Ex\ parte\ Quayle$, 1935 C.D. 11; 453 O	
s ions applic	thened statutory period for response to this action is set to expire <u>three</u> ger, from the mailing date of this communication. Failure to respond within ation to become abandoned. (35 U.S.C. § 133). Extensions of time may FR 1.136(a).	the period for response will cause the
Dispo	sition of Claims	
X	Claim(s)	is/are pending in the application.
	Of the above, claim(s)	is/are withdrawn from consideration.
	Claim(s)	is/are allowed.
X	Claim(s)	is/are rejected.
	Claim(s)	is/are objected to.
	Claims are subject	t to restriction or election requirement.
Priori	The drawingls) filed on is/are objected to by the Ex. The proposed drawing correction, filed on is	aminer. proved Edisapproved. S. § 119(a)-(d). cuments have been ureau (PCT Rule 17.2(a)).
[] [2]	Chment(s) Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Paper No(s). Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PTO-948 Notice of Informal Patent Application, PTO-152	

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

Serial Number:



Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is



August 31, 1999



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

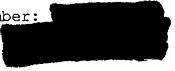
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.



Application Number: Filing Date:

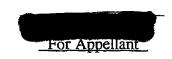
Appellant(s):



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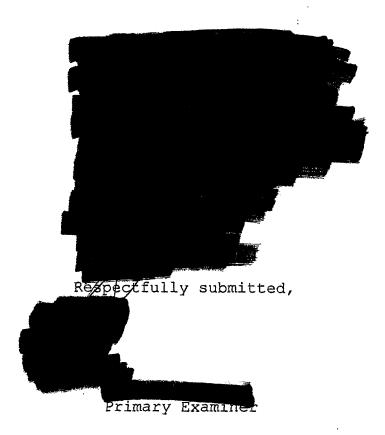
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Technology Center

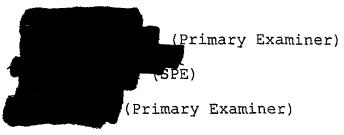


EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed September 1, 2000. To assist the reader in navigating this lengthy Answer, the Examiner has provided the following Table of Contents. For the above reasons, it is believed that the rejections should be sustained.



Appeal Conference Conferees:



August 23, 2001

EXHIBIT Y



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.usplo.gov

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO.

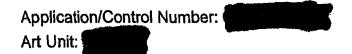
EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 09/07/2004

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

^				
	Application No.	Applicant(s)		
Office Action Summary	Examiner	Art Unit		
The MAILING DATE of this communication Period for Reply	n appears on me cover sileet	with the correspondence address		
A SHORTENED STATUTORY PERIOD FOR R THE MAILING DATE OF THIS COMMUNICAT! - Extensions of time may be available under the provisions of 37 of after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days of the NO period for reply is specified above, the maximum statutory. Failure to reply within the set or extended period for reply will, by Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).	ION. FR 1.136(a). In no event, however, may on. s, a reply within the statutory minimum of t period will apply and will expire SIX (6) My statute, cause the application to become	a reply be timely filed hirty (30) days will be considered timely. ONTHS from the mailing date of this communication. ABANDONED (35 U.S.C. § 133).		
Status				
1) Responsive to communication(s) filed on 2a) This action is FINAL. 2b) Since this application is in condition for a closed in accordance with the practice up	This action is non-final.	- •		
Disposition of Claims				
4) Claim(s) see action paragraph 1 is/are p 4a) Of the above claim(s) is/are w 5) Claim(s) is/are allowed. 6) Claim(s) all pending is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction	rithdrawn from consideration.			
Application Papers				
9) The specification is objected to by the E: 10) The drawing(s) filed on is/are: a) Applicant may not request that any objection Replacement drawing sheet(s) including the	accepted or b) objected or b) objected on to the drawing(s) be held in able correction is required if the draw	eyance. See 37 CFR 1.85(a). wing(s) is objected to. See 37 CFR 1.121(d).		
Priority under 35 U.S.C. § 119				
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.				
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-3) Information Disclosure Statement(s) (PTO-1449 or PT Paper No(s)/Mail Date <u>attached</u> .	O-948) Pape	view Summary (PTO-413) er No(s)/Mail Date ce of Informal Patent Application (PTO-152) er:		



112 FIRST PARAGRAPH ENABLEMENT REJECTIONS

The examiner has clarified the enablement rejections above. Applicant's remarks are addressed in that rejection.

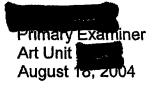
Conclusion

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to the exami

The examiner can normally be reached on M-F, 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, the can be reached on the can be reached on the fax phone number for the organization where this application or proceeding is assigned is

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (toll-free).







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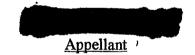
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Technology Center

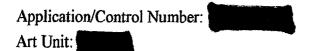
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number:
Filing Date: .
Appellant(s): 1



EXAMINER'S ANSWER

This is in response to the appeal brief filed August 26, 2005 appealing from the Office action mailed September 07, 2004.



can be performed by a second s

(11) Related Proceeding(s) Appendix

Copies of the court or Board decision(s) identified in the Related Appeals and
Interferences section of this examiner's answer are provided in the Appellant's Appeal Brief, in
the Evidence Appendix.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

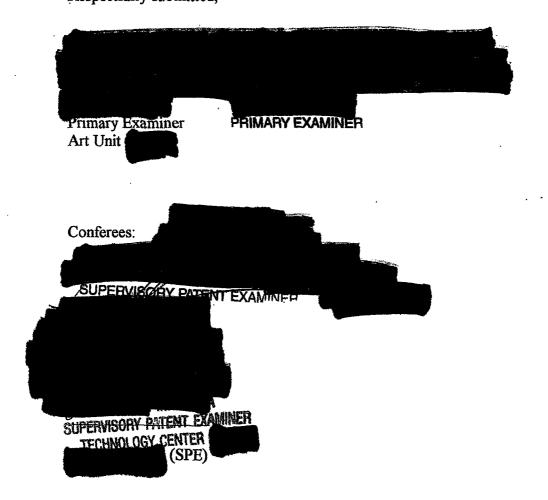


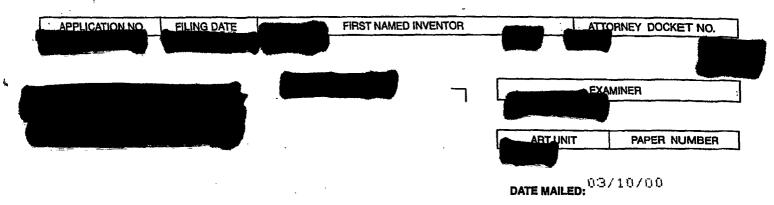
EXHIBIT Z



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231



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Commissioner of Patents and Trademarks

2 - Mail Copy

Office Action Summary

Application No.	Applicant(s)		
Examiner	at-the	Group Art Unit	.11

⊠ Res ponsive to communication(s) filed on 22 Feb 1999	<u> </u>
☑ This action is FINAL.	
Since this application is in condition for allowance except for for in accordance with the practice under Ex parte Quayle, 1935 (
A shortened statutory period for response to this action is set to a is longer, from the mailing date of this communication. Failure to application to become abandoned. (35 U.S.C. § 133). Extension 37 CFR 1.136(a).	respond within the period for response will cause the
Disposition of Claims	
☑ Claim(s)	is/are pending in the application.
Of the above, claim(s)	is/are withdrawn from consideration.
☐ Claim(s)	is/are allowed.
	is/are rejected.
Claim(s)	is/are objected to.
☐ Claims	are subject to restriction or election requirement.
Application Papers See the attached Notice of Draftsperson's Patent Drawing The drawing(s) filed on	ted to by the Examiner. is approved disapproved. under 35 U.S.C. § 119(a)-(d). the priority documents have been aber) International Bureau (PCT Rule 17.2(a)).
Attachment(s) Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Paper No. Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PTO-94 Notice of Informal Patent Application, PTO-152	
SEE OFFICE ACTION ON T	THE FOLLOWING PAGES

U. S. Patent and Trademark Office PTO- (Rev. 9-95)

Serial Number:

Art Unit:

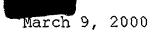
is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

68. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is _______ The examiner can normally be reached on Monday-Friday from 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, can be reached on The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

PRIMARY EXAMINE!





Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

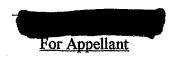
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number:
Filing Date:
Appellant(s):

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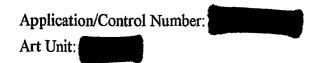
JUL 2 6 2006

Technology Center



EXAMINER'S ANSWER

This is in response to the appeal brief filed July 22, 2005 appealing from the Office action mailed September 07, 2004.



(11) Related Proceeding(s) Appendix

Copies of the court or Board decision(s) identified in the Related Appeals and

Interferences section of this examiner's answer are provided in the Appellant's Appeal Brief, in
the Evidence Appendix.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

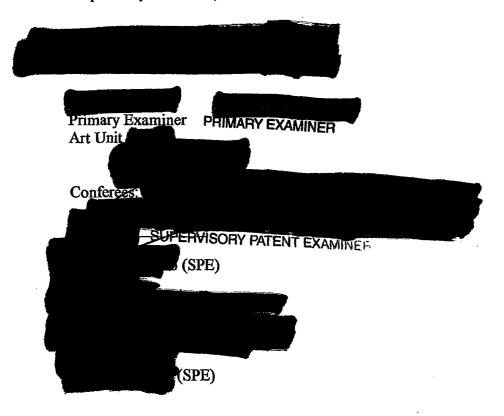


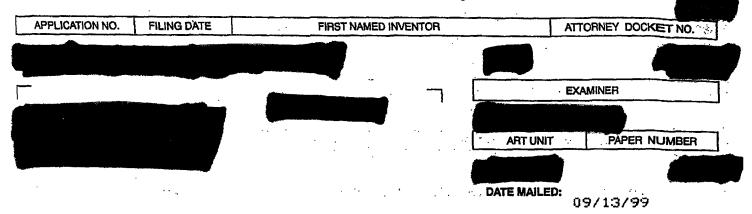
EXHIBIT AA



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231



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

Commissioner of Patents and Trademarks

	Application No.	Applicant(s)
<i>y</i>	- Abilianos,	
Office Action Summary	Examiner	Group Art Unit
	1	
-The MAILING DATE of this communication appe	ears on the cover she	eet beneath the correspondence address-
	1	
eriod for Reply	<u>`</u> ' 3	
SHORTENED STATUTORY PERIOD FOR REPLY IS SET FTHIS COMMUNICATION.	TO EXPIRE	MONTH(S) FROM THE MAILING DATE
- Extensions of time may be available under the provisions of 37 CFI from the mailing date of this communication.	1.136(a). In no event, ho	owever, may a reply be timely filed after SIX (6) MONTHS
- If the period for reply specified above is less than thirty (30) days, a		
 If NO period for reply is specified above, such period shall, by defarable to reply within the set or extended period for reply will, by st 		
- Palitie to teply within the set of extended period for teply will, by si	raturo, causo e lo applicatio	on to become ABANDONED (35 0.5.0. § 133).
Status		
★ Responsive to communication(s) filed on		
区 This action is FINAL.		•
 Since this application is in condition for allowance exce accordance with the practice under Ex parte Quayle, 1 	ept for formal matters, 1935 C.D. 1 1; 453 O.0	prosecution as to the merits is closed in 3. 213.
Disposition of Claims		,
		is/are pending in the application.
Of the above claim(s)		is/are withdrawn from consideration.
□ Claim(s)	., 1	is/are allowed.
⊠ Claim(s)		
☐ Claim(s)		•
		•
□ Claim(s)	46	are subject to restriction or election requirement.
Application Papers		•
\square See the attached Notice of Draftsperson's Patent Dra	•	
☐ The proposed drawing correction, filed on	- ·	- · ·
The drawing(s) filed onie/are o	bjected to by the Exan	niner.
☐ The specification is objected to by the Examiner.		4.
☐ The oath or declaration is objected to by the Examine	er.	
Priority under 35 U.S.C. § 119 (a)-(d)	•	
☐ Acknowledgment is made of a claim for foreign priori	ity under 35 U.S.C. § 1	11 9(a)-(d).
☐ All ☐ Some* ☐ None of the CERTIFIED copie	es of the priority docum	nents have been
☐ received.		1.
received in Application No. (Series Code/Serial N		
received in this national stage application from the	e international Bureau ;	(PG) Hule 1 /.2(a)).
*Certified copies not received:		•
Attachment(s)	·	
☑ Information Disclosure Statement(s), PTO-1449, Pa	per No(s).	☐ Interview Summary, PTO-413
	•	- · · · · · · · · · · · · · · · · · · ·
☐ Notice of Reference(s) Cited, PTO-892	er en	☐ Notice of Informal Patent Application, PTO-1 52
 □ Notice of Reference(s) Cited, PTO-892 □ Notice of Draftsperson's Patent Drawing Review, PT 	rO-948	☐ Notice of Informal Patent Application, PTO-1 52

Page 75

Serial Number:

Art Unit:

whose telephone number is The examiner can normally be reached on Monday-Friday from 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, can be reached on
The fax phone number for this Group is

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is

September 9, 1999





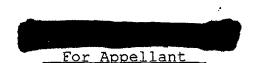
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No.

Application Number:

Filing Date:
Appellant(s):

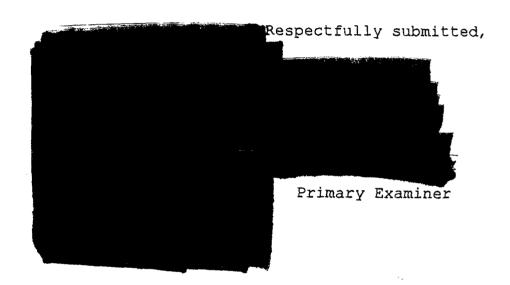


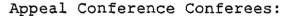
MAILED
OCT 0 2 2001
Technology Center

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed September 8, 2000. To assist the reader in navigating this lengthy Answer, the Examiner has provided the following Table of Contents. arguments are the same otherwise. These arguments are generic, noninformative and not found to be convincing. The arguments presented above apply to this section.

For the above reasons, it is believed that the rejections should be sustained.





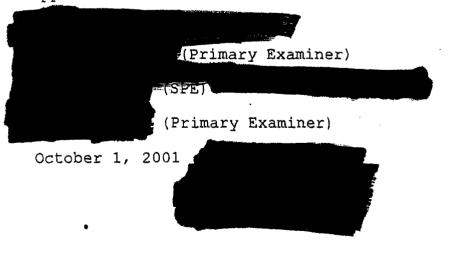
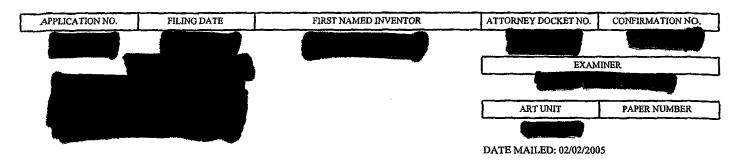


EXHIBIT AB



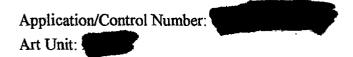
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		Application	No. Applie	cant(s)
-		Chhianni	The state of the s	
	Office Action Summary	Examiner	Art U	nit
Period fo	- The MAILING DATE of this commun	ication appears on the d	over sneet with the corresp	ondence address
A SHO THE I - Exter after - If the - If NO - Failur Any r earne	ORTENED STATUTORY PERIOD F MAILING DATE OF THIS COMMUN usions of time may be available under the provisions SIX (6) MONTHs from the mailing date of this common period for reply specified above is less than mirty (3 period for reply is specified above, the maximum street or reply within the set or extended period for reply eply received by the Office later than three months and patent term adjustment. See 37 CFR 1.704(b).	ICATION. s of 37 CFR 1.136(a). In no event nunication. s0) days, a reply within the statuto tatutory period will apply and will o y will, by statute, cause the applic	, however, may a reply be timely filed ry minimum of thirty (30) days will be o expire SIX (6) MONTHS from the mailination to become ABANDONED (35 U.)	considered timely. ng date of this communication. S.C. § 133).
Status				
	Responsive to communication(s) file This action is FINAL . Since this application is in condition closed in accordance with the pract	2b) This action is no for allowance except for	n-final. or formal matters, prosecuti	
Disposit	ion of Claims			
5)□ 6)⊠ 7)□	Claim(s) see action paragraph 1 is/4a) Of the above claim(s) is/4 Claim(s) is/are allowed. Claim(s) all pending is/are rejected Claim(s) is/are objected to. Claim(s) are subject to restr	are withdrawn from con	sideration.	
Applicat	ion Papers			
1	The specification is objected to by t		_	
10)	The drawing(s) filed on is/arc Applicant may not request that any obj		•	
	Replacement drawing sheet(s) including	•	•	
11)	The oath or declaration is objected		= - •	,
Priority	under 35 U.S.C. § 119			
а	Acknowledgment is made of a clair All b) Some * c) None of: 1. Certified copies of the priorit 2. Certified copies of the priorit 3. Copies of the certified copies application from the Internal See the attached detailed Office act	ty documents have been ty documents have been es of the priority docume tional Bureau (PCT Rule	n received. n received in Application No ents have been received in t e 17.2(a)).	D
2) No 3) Info	ent(s) tice of References Cited (PTO-892) tice of Draftsperson's Patent Drawing Review ormation Disclosure Statement(s) (PTO-1449 per No(s)/Mail Date <u>attached</u> .		4) Interview Summary (PTO-Paper No(s)/Mail Date. 5) Notice of Informal Patent (6) Other:	· •



Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

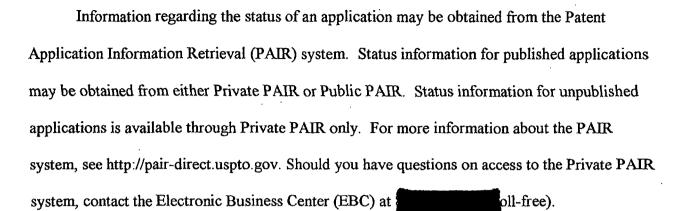
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is examiner can normally be reached on M-F, 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, the can be reached on the fax phone number for the organization where this application or proceeding is assigned is

Application/Control Number:





Primary Examiner Art Unit January 24, 2005

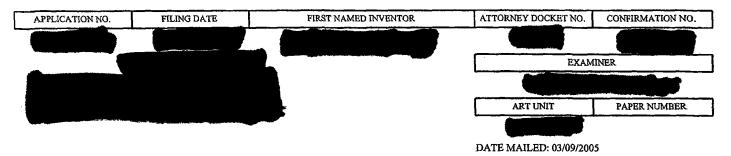


EXHIBIT AC



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	*	Application No.	Applicant(s)
Office Action Summary		Examiner	Art Unit
Period fo	The MAILING DATE of this communication app r Reply	ears on the cover sheet with the	correspondence address
THE I - Exter after - If the - If NO - Failu Any	ORTENED STATUTORY PERIOD FOR REPL' MAILING DATE OF THIS COMMUNICATION. sions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period or to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be y within the statutory minimum of thirty (30) o vill apply and will expire SIX (6) MONTHS fro , cause the application to become ABANDO!	timely filed lays will be considered timely. om the mailing date of this communication. NED (35 U.S.C. § 133).
Status			
1)⊠	Responsive to communication(s) filed on see	action paragraph 1.	
2a)⊠	This action is FINAL . 2b) ☐ This	action is non-final.	·
3)[Since this application is in condition for allowa	nce except for formal matters, p	prosecution as to the merits is
	closed in accordance with the practice under l	Ex parte Quayle, 1935 C.D. 11,	453 O.G. 213.
Disposit	ion of Claims		ч
4)🖂	Claim(s) see action paragraph 1 is/are pendin	g in the application.	
•	4a) Of the above claim(s) is/are withdra		
5)[Claim(s) is/are allowed.		·
6)⊠	Claim(s) all pending is/are rejected.		
7)	Claim(s) is/are objected to.		
8)[Claim(s) are subject to restriction and/o	or election requirement.	•
Applicat	ion Papers		
9)[The specification is objected to by the Examine	er.	
10)[The drawing(s) filed on is/are: a) acc	cepted or b) cobjected to by th	e Examiner.
•	Applicant may not request that any objection to the	drawing(s) be held in abeyance.	See 37 CFR 1.85(a).
	Replacement drawing sheet(s) including the correct	• • • • • • • • • • • • • • • • • • • •	-
11)[]	The oath or declaration is objected to by the E	xaminer. Note the attached Offi	ce Action or form PTO-152.
Priority	under 35 U.S.C. § 119	•	
=	Acknowledgment is made of a claim for foreign All b) Some * c) None of:	n priority under 35 U.S.C. § 119	(a)-(d) or (f).
	1. Certified copies of the priority documen	ts have been received.	
	2. Certified copies of the priority document	ts have been received in Applic	ation No
	3. Copies of the certified copies of the price	prity documents have been rece	ived in this National Stage
	application from the International Burea		
*	See the attached detailed Office action for a lis	t of the certified copies not rece	ived.
Attachm-	nt/c\	•	
Attachme	ce of References Cited (PTO-892)	4) Interview Summ	any (PTO-413)
2) 🔲 Noti	ce of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mai	Date
	rmation Disclosure Statement(s) (PTO-1449 or PTO/SB/08 er No(s)/Mail Date <u>attached</u> .	5) Notice of Information Other:	al Patent Application (PTO-152)
i ap	o. Hotophinan bato attables.	o, Correr:	

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to whose telephone number is examiner can normally be reached on M-F, 8:00 - 4:30.

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Art Unit October 27, 2004

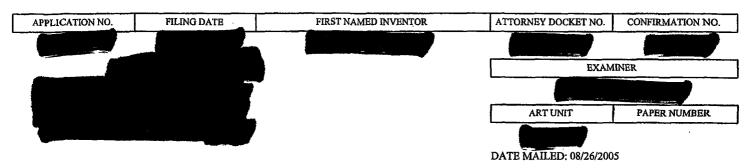


EXHIBIT AD



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Primary Examiner
Art Unit
June 29, 2005

