

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO			
Application No.:	12/971,013	First Named Inventor:	Robert Glenn Dennis
Filing Date:	December 17, 2010	Attorney Docket No.:	091235-00002
Title of the Invention:	Portable Coagulation Monitoring Device and Method of Assessing Coagulation Response		
THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EFW/EFW_HELP.HTML .			
APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.			
The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.			
The corresponding PCT application number(s) is/are: <u>PCT/US2010/060911</u>			
The international filing date of the corresponding PCT application(s) is/are: <u>December 17, 2010</u>			
I. List of Required Documents:			
a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)			
<input checked="" type="checkbox"/> is attached.			
<input type="checkbox"/> is <u>not</u> attached because the document is already in the U.S. application.			
b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)			
<input checked="" type="checkbox"/> is attached.			
<input type="checkbox"/> is <u>not</u> attached because the document is already in the U.S. application.			
c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.			
d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.			
<input type="checkbox"/> is attached.			
<input checked="" type="checkbox"/> has already been filed in the above-identified U.S. application on <u>September 1, 2011</u>			
(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)			
<input type="checkbox"/> are attached.			
<input type="checkbox"/> have already been filed in the above-identified U.S. application on _____			

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: CORTINA A. JOSE WARD AND SMITH, P.A. P.O. BOX 867 1001 COLLEGE COURT NEW BERN NC 28563-0867 USA
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PCT

**NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION**

(PCT Rule 44.1)

Date of mailing (day/month/year) 23 AUGUST 2011 (23.08.2011)

Applicant's or agent's file reference 091235-00007

FOR FURTHER ACTION See paragraphs 1 and 4 below
--

International application No. PCT/US2010/060911

International filing date (day/month/year) 17 DECEMBER 2010 (17.12.2010)

Applicant ENTEGRION, INC. et al

1. The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70**For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004, 9.011.**

2. The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.

no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the PCT Applicant's Guide, National Chapters.

Name and mailing address of the ISA/KR



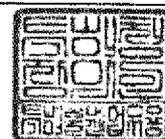
Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsu-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

COMMISSIONER

Telephone No. 82-42-481-8755



* Attention

Copies of the documents cited in the international search report can be searched in the following Korean Intellectual Property Office English website for three months from the date of mailing of the international search report.

<http://www.kipo.go.kr/en/> => PCT Services => PCT Services

ID : PCT international application number

PW : **WE7G38XK**

Inquiries related to PCT International Search Report or Written Opinion prepared by KIPO as an International Searching Authority can be answered not only by KIPO but also through IPKC (Intellectual Property Korea Center), located in Vienna, VA, which functions as a PCT Help Desk for PCT applicants.

Homepage: <http://www.ipkcenter.com>

Email: ipkc@ipkcenter.com

Phone: +1 703 388 1066

Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 091235-00007	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2010/060911	International filing date (<i>day/month/year</i>) 17 DECEMBER 2010 (17.12.2010)	(Earliest) Priority Date (<i>day/month/year</i>) 18 DECEMBER 2009 (18.12.2009)
Applicant ENTEGRION, INC. et al		

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of:

the international application in the language in which it was filed

a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).

c. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. **Certain claims were found unsearchable** (See Box No. II)

3. **Unity of invention is lacking** (See Box No. III)

4. With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 1

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2010/060911**A. CLASSIFICATION OF SUBJECT MATTER***G01N 33/49(2006.01)i, G01N 21/25(2006.01)i, G01N 33/86(2006.01)i*

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

G01N 33/49; G01N 33/86; C12Q 1/56; G01N 11/14

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Korean utility models and applications for utility models
Japanese utility models and applications for utility modelsElectronic data base consulted during the international search (name of data base and, where practicable, search terms used)
eKOMPASS(KIPO internal) & Keywords: coagulation, response, blood, droplet, viscosity, optics, and sensor**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 05181415 A (ESVAN, DANIEL et al.) 26 January 1993 See column 2, lines 12 - 51; claim 1.	1-31
A	US 7399637 B2 (WRIGHT, DAVID W. et al.) 15 July 2008 See column 5, line 39 - column 8, line 39; claim 1.	1-31
A	US 7361306 B2 (BOTE, ANTONIO BOTE) 22 April 2008 See column 2, line 16 - column 4, line 14; claim 1; figs. 1-3.	1-31
A	US 2004-0175296 A1 (OPALSKY, CINDRA A. WIDRIG et al.) 09 September 2004 See paragraphs 69-74; claim 1; fig. 2.	1-31
A	US 7074582 B2 (FISCHER, TIMOTHY J. et al.) 11 July 2006 See column 6, line 41 - column 7, line 62; claim 1.	1-31

 Further documents are listed in the continuation of Box C. See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

22 AUGUST 2011 (22.08.2011)

Date of mailing of the international search report

23 AUGUST 2011 (23.08.2011)

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsa-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

BYUN, SUNG CHEAL

Telephone No. 82-42-481-8262



INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/US2010/060911

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 05181415 A	26.01.1993	None	
US 7399637 B2	15.07.2008	EP 1740944 A1 US 2005-0233466 A1 WO 2005-106467 A1	10.01.2007 20.10.2005 10.11.2005
US 7361306 B2	22.04.2008	AU 2003-224166 A1 EP 1503211 A2 JP 04362378 B2 JP 2005-523433 A US 2005-0180886 A1 WO 03-087817 A2 WO 03-087817 A3	27.10.2003 02.02.2005 21.08.2009 04.08.2005 18.08.2005 23.10.2003 23.10.2003
US 2004-0175296 A1	09.09.2004	AU 2001-17634 A1 CA 2391743 A1 EP 1234053 A1 EP 1234053 A4 EP 1234053 B1 JP 03792156 B2 JP 04235641 B2 JP 2003-515111 A JP 2006-126206 A KR 10-2002-0065519 A US 2010-0240067 A1 US 2010-0240136 A1 US 6750053 B1 US 7736901 B2 US 7923256 B2 US 7977106 B2 WO 01-36666 A1	30.05.2001 25.05.2001 28.08.2002 30.07.2003 18.04.2007 05.07.2006 11.03.2009 22.04.2003 18.05.2006 13.08.2002 23.09.2010 23.09.2010 15.06.2004 15.06.2010 12.04.2011 12.07.2011 25.05.2001
US 7074582 B2	11.07.2006	AU 2002-14619 A1 AU 2002-214619 B2 BR 0114936 A CA 2427231 A1 EP 1337660 A2 EP 1337660 A4 JP 04068454 B2 JP 2004-518111 A MX PA03003682 A US 2004-0053351 A1 US 6743596 B1 WO 02-34110 A2 WO 02-34110 A3	06.05.2002 19.03.2009 07.10.2003 02.05.2002 27.08.2003 17.08.2005 26.03.2008 17.06.2004 07.08.2003 18.03.2004 01.06.2004 02.05.2002 20.06.2002

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: CORTINA A. JOSE WARD AND SMITH, P.A. P.O. BOX 867 1001 COLLEGE COURT NEW BERN NC 28563-0867 USA		<h1>PCT</h1> WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)	
		Date of mailing (day/month/year) 23 AUGUST 2011 (23.08.2011)	
Applicant's or agent's file reference 091235-00007		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/US2010/060911	International filing date (day/month/year) 17 DECEMBER 2010 (17.12.2010)	Priority date(day/month/year) 18 DECEMBER 2009 (18.12.2009)	
International Patent Classification (IPC) or both national classification and IPC <i>G01N 33/49(2006.01)i, G01N 21/25(2006.01)i, G01N 33/86(2006.01)i</i>			
Applicant ENTEGRION, INC. et al			
<p>1. This opinion contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p> <p>2. FURTHER ACTION</p> <p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p>			

Name and mailing address of the ISA/KR  Korean Intellectual Property Office Government Complex-Daejeon, 189 Cheongsa-ro, Seo-gu, Daejeon 302- 701, Republic of Korea Facsimile No. 82-42-472-7140	Date of completion of this opinion 22 AUGUST 2011 (22.08.2011)	Authorized officer BYUN, SUNG CHEAL Telephone No. 82-42-481-8262	
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US2010/060911

Box No. 1 Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of :
 - the international application in the language in which it was filed
 - a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
2. This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:
 - a. a sequence listing filed or furnished
 - on paper
 - in electronic form
 - b. time of filing or furnishing
 - contained in the international application as filed.
 - filed together with the international application in electronic form.
 - furnished subsequently to this Authority for the purposes of search.
4. In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2010/060911

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-31	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-31	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-31	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

- D1: US 05181415 A (ESVAN, DANIEL et al.) 26 January 1993
- D2: US 7399637 B2 (WRIGHT, DAVID W. et al.) 15 July 2008
- D3: US 7361306 B2 (BOTE, ANTONIO BOTE) 22 April 2008
- D4: US 2004-0175296 A1 (OPALSKY, CINDRA A. WIDRIG et al.) 09 September 2004
- D5: US 7074582 B2 (FISCHER, TIMOTHY J. et al.) 11 July 2006

A. Novelty and Inventive Step

A.1 Claims 1-15

The subject matter of claim 1 differs from that of D1 and the other prior documents (D2-D5) in that a device for measuring coagulation response in a blood sample comprises: a first member and a second member, which are linearly movable relative to each other; a drive mechanism connected to at least one of the first member and the second member; and an optical detection sensor system for detecting interaction of light with a blood sample. And it is not obvious to a skilled person in the art by the documents, taken alone or in combination. Therefore, claim 1 meets the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

Claims 2-15 are dependent on claim 1, and therefore meet the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

A.2 Claims 16-29

The subject matter of claim 16 differs from that of D1 and the other prior documents (D2-D5) in that a method of measuring coagulation response in a blood sample comprises: moving at least one plate linearly with respect to the other plate; and optically detecting coagulation response of the droplet of blood. And it is not obvious to a skilled person in the art by the documents, taken alone or in combination. Therefore, claim 16 meets the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

Claims 17-29 are dependent on claim 16, and therefore meet the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

A.3 Claims 30-31

Claim 30 is about a method of measuring coagulation response in a blood sample, but claim 30 shares similar technical features with claim 16. Consequently, as described in A.2, claim 30 meets the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

Claim 31 is dependent on claim 30, and therefore meets the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

B. Industrial Applicability

Claims 1-31 are industrially applicable under PCT Article 33(4).

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
23 June 2011 (23.06.2011)

(10) International Publication Number
WO 2011/075614 A2

(51) International Patent Classification:

G01N 33/49 (2006.01) G01N 33/86 (2006.01)
G01N 21/25 (2006.01)

27278 (US). **DACORTA, Joseph A.** [US/US]; 6019 Old NC 86, Chapel Hill, North Carolina 27516 (US).

(21) International Application Number:

PCT/US2010/060911

(74) Agent: **CORTINA, A. Jose**; Ward and Smith, P.A., P.O. Box 867, 1001 College Court, New Bern, North Carolina 28563-0867 (US).

(22) International Filing Date:

17 December 2010 (17.12.2010)

(81) Designated States (unless otherwise indicated, for every kind of national protection available):

AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CI, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

61/287,780 18 December 2009 (18.12.2009) US

(71) Applicant (for all designated States except US): **ENTEGRION, INC.** [US/US]; 4401 Research Commons, Suite 200, Research Triangle Park, North Carolina 27709 (US).

(72) Inventors; and

(75) Inventors/Applicants (for US only): **DENNIS, Robert Glenn** [US/US]; 102 Butterfield Court, Chapel Hill, North Carolina 27516 (US). **FISCHER, Thomas H.** [US/US]; 122 Murray Street, Hillsborough, North Carolina

(84) Designated States (unless otherwise indicated, for every kind of regional protection available):

ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK,

[Continued on next page]

(54) Title: PORTABLE COAGULATION MONITORING DEVICE AND METHOD OF ASSESSING COAGULATION RESPONSE

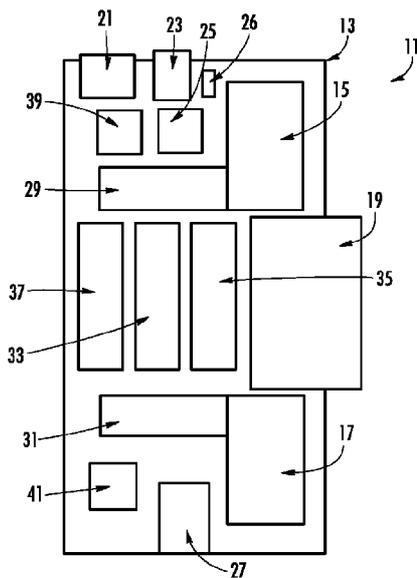


FIG. 1

(57) Abstract: A device, system and method is disclosed in which small volume blood samples are subjected to shear forces and shear stresses between two parallel planar surfaces to which linear motion trajectories are imparted. The formation of clots or coagulation of the sample is measured from dynamic mechanical coupling which occurs between the two parallel planar surfaces. Detection of the coagulation response can be achieved through optical probing or by measurement of physical effects of the blood sample binding to the planar surfaces, and restricting movement thereof.

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**PORTABLE COAGULATION MONITORING DEVICE
AND METHOD OF ASSESSING COAGULATION RESPONSE**

CROSS REFERENCE TO RELATED APPLICATIONS

This application is related to and claims priority to U.S. Provisional Application Serial No. 61/287.780 filed December 18, 2009, the disclosure of which is expressly incorporated herein in its entirety.

FIELD OF THE INVENTION

[0001] The invention relates to a device, and method which allows rapid assessment of coagulation response. More particularly, the invention relates to such a device and method which provides extensive and complex information on coagulation response, including platelet function and fibrin polymerization to allow selection of appropriate treatment protocols, in particular for trauma induced coagulopathies but also for the diagnosis of hereditary or acquired abnormalities of coagulation, such as von Willebrand disease or hemophilias.

BACKGROUND OF THE INVENTION

[0002] The process by which the body prevents blood loss is referred to as coagulation. Coagulation involves the formation of a blood clot (thrombus) that prevents further blood loss from damaged tissues, blood vessels or organs. This is a complicated process with a cellular system comprised of cells called platelets that circulate in the blood and serve to form a platelet plug over damaged vessels and a second system based upon the actions of multiple proteins (called clotting factors) that act in concert to produce a fibrin clot. These two systems work in concert to form a clot and disorders in either system can yield disorders that cause either too much or too little clotting.

[0003] Platelets serve three primary functions: (1) sticking to the injured blood vessel (a phenomenon called platelet adherence), (2) attaching to other platelets to enlarge the forming plug (a phenomenon called platelet aggregation), and (3) providing support for the processes of the coagulation cascade (molecules on the surface of platelets greatly accelerate several key reactions)

[0004] When a break in a blood vessel occurs, substances are exposed that normally are not in direct contact with the blood flow. These substances (primarily collagen and attached multimeric von Willibrand factor) allow the platelets to adhere to the broken surface. Once a platelet adheres to the surface, it releases chemicals that attract additional platelets to the damaged area, referred to as platelet aggregation. These two processes are the first responses to stop bleeding. The protein based system (the coagulation cascade) serves to stabilize the plug that has formed and further seal up the wound.

[0005] The support role of the platelet to the coagulation cascade is provided, in part, by one of the components on the outside of a platelet, called phospholipids, which are required for many of the reactions in the clotting cascade. The goal of the cascade is to form fibrin, which will form a mesh within the platelet aggregate to stabilize the clot. All of the factors have an inactive and active form. Once activated, the factor will serve to activate the next factor in the sequence until fibrin is formed. The coagulation cascade takes place at the site of a break in a blood vessel that has the platelet aggregate. Fibrin forms a mesh that, in concert with the platelets, plugs the break in the vessel wall. The fibrin mesh is then further stabilized by additional factors which cross-linkup the clot (much like forming an intricate network of reinforced strands of fibrin).

[0006] In the case of trauma induced bleeding, it is important to understand very quickly the clotting response of a particular individual in order to apply appropriate therapy to treat bleeding and ensure that the trauma is dealt with appropriately. Defective platelet functions, both primary (adhesive, von Willibrand factor interaction) and secondary (fibrin polymer organization and polymerization, integrin function) are recognized as a particularly important contributor in prolonged non-compressible bleeding. The development of hemostatic disorders in trauma patients, and associated progression in hemorrhagic and other shock states, can be due to different factors and thus require different therapies .

[0007] Currently, thromboelastography (TEG) is the accepted clinical standard for testing the efficiency of whole blood coagulation. For purposes of this disclosure, it should be noted that by "whole blood" is meant a mixture of whole blood with one or more substances, a fraction of whole blood containing one or more of the constituents of whole blood, a fraction of whole

blood mixed with one or more non-blood substances, or a purified blood constituent, such as blood platelets or serum, a reconstituted blood preparation, a modified blood sample, or a blood substitute.

[0008] A TEG system was first developed in Germany in 1948 and has been incrementally improved since then. However, its principle of operation remains the same.

[0009] Traditional TEG requires a relatively large sample of blood, i.e., about 0.36 ml in a small cup. A pin is inserted into the blood and is rotated in a sinusoidal oscillation through a small angle at a low frequency. The device measures coupling of motion through rotation over time. It does not measure platelet adhesion, only polymerization of fibrin, and does not allow for mechanical activation of the coagulation response through shear forces. Thus, the information obtained from a TEG analysis falls far short of our current understanding of coagulation response, and requires excessive amounts of time which could result in inappropriate treatment for trauma being applied, leading to adverse results to a patient, possibly even death.

[0010] Another device generally known as the PFA-100 attempts to mimic a blood vessel by forcing blood flow through a narrow channel leading to a filter which has an aperture therein. The device measures the time for the aperture to clog and is essentially indicative of platelet function response which results in clogging. The time of closure of the aperture indirectly provides an indication of clotting due to platelet response. The use of such devices as TEG and the PFA-100 requires intensive laboratory training and upkeep, and they are not easily used in the field.

[0011] Accordingly, it is desirable to provide a portable coagulation monitoring device for diagnosis of trauma-related coagulopathies in the field, which yields rapid results, including extensive information about the complex mechanisms involved in coagulation, from a small sample of blood. More specifically, it is important to provide such a device which can be used by first responders under conditions encountered in the field, providing real time information, which allows for immediate treatment of a hemorrhaging event, as compared to prior art systems and devices which could result in delays of 45 minutes or more during what is considered an important initial time period for critical care to be applied and which use non-anticoagulated

blood samples that do not have to be treated with activators and initiators as surrogates for the true coagulation process.

SUMMARY OF THE INVENTION

[0012] In one aspect, the invention relates to a device for measuring coagulation response in a native, non-anticoagulated blood sample. The device includes two members or plates each having surfaces facing each other, and spaced an amount sufficient to allow a relatively small sample of blood to contact both surfaces at the same time without an air space between .

[0013] The plates are movable relative to each other in a parallel and linear direction, and the spacing is such that the components of blood can initiate coagulation or adherence to each of the surfaces. A drive mechanism is connected to either one or both of the members for linearly moving one or the other relative to each other when a blood sample is in contact with their surfaces. An optical detection sensor system is provided for detecting interaction of light with a blood sample located between the two members, with the interaction of light and detection thereof providing an indication of coagulation response of the blood sample. More specifically, with appropriate positioning of light source and detectors, over time and in accordance with the variation of the movement of the members to generate a particular shear rate, information about both platelet response, fibrin response and other responses of the blood components during coagulation can be obtained.

[0014] More specifically, the device allows for the measurement of coagulation response based on the knowledge that the biophysical response of blood depends in part on the relative shear rate between the blood and surfaces with which it is in contact. More specifically, the higher the shear rate, the greater the platelet response so that the platelets then stick to the surfaces of the plates, and thereby trigger the fibrin polymerization and couple the motion of the two plates when only one is driven by the motors. More specifically, it is recognized that in hemorrhaging events platelets need to react quickly so the use of a high shear rate for a short time period can allow accurate assessment of platelet response for these conditions. Thereafter, lower shear rates can be employed in terms of relative movements of the plates or members with

respect to each other, to obtain an accurate assessment of fibrin response, or at an intermediate shear rate, both fibrin and platelet response.

“Shear” here is defined as the acceleration force felt by a particle in the moving bulk flow of fluid (blood) at the interface with the stationary solid (face of the glass plates). The shear “rate” is the differential of velocities felt on different aspects of the particle’s cross-sectional area and is dependant on the particle’s distance from the stationary surface.

[0015] In a preferred aspect, the first member and second members are plates making up a blood sample collection cartridge which is removable from the device. In the case that one or both plates are moved with respect to each other, the device is programmed for moving the plates at different speeds relative to each other for detecting different mechanisms involved in a coagulation response of a blood sample, as previously discussed with respect to shear.

[0016] The optical detection system is adapted for detecting binding of the blood sample to the surfaces to couple the motion of the plates relative to each other as an indication of platelet response during coagulation. In addition, the system can also probe fibrin response.

[0017] Other features and details of the device are described in the detailed discussion which follows, the Appendices hereto, and in the appended claims in which the invention is described in a nonlimiting manner.

[0018] In an alternative aspect there is provided a method of measuring coagulation response in blood sample. A sample droplet of blood is placed between and in contact with facing surfaces of oppositely disposed plates. At least one or both plates are moved linearly with respect to the other at a predetermined rate. The coagulation response of the droplet is optically detected.

[0019] To detect two different types of coagulation response, the plates can be moved relative to each other at a first speed and a response optically detected, and thereafter moved at a second speed which is slower than the first speed and a second response optically detected, typically fibrin polymerization. In addition, in the case where only one plate is moved, it should be appreciated that the visco-elastic response of the blood sample on the surfaces of both plates can cause the movement of the first plate to induce movement of the second plate (“coupled

motion”), which can be measured as indicative of visco-elastic response of the blood, ultimately leading to conclusions which may be inferred relative to coagulation response. Moreover, by moving the plates at different speeds over time, changes in the visco-elastic state of the blood sample may be measured as a clot is formed, which is also indicative of coagulation response.

[0020] Optical detection may be done by transmitting light into the sample droplet, and detecting at least one of transmission, reflection and refraction of the light through the sample droplet at respective light detectors. Analog signals may be generated from the detection representative of coagulation properties of the blood in the sample droplet. The plates are preferably made of glass, more specifically transparent glass, to allow light transmission of 90% or more of the incident light intensity.

[0021] These and other advantages and features that characterize the invention are set forth in the claims annexed hereto and forming a further part hereof. However, for a better understanding of the invention, and of the advantages and objectives attained through its use, reference should be made to the Drawings, and to the accompanying descriptive matter, including Appendices I, II, III, and IV which are specifically incorporated in their entirety by reference herein, in which there are described exemplary embodiments of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

[0022] Fig. 1 is a schematic diagram illustrating various components making up the device and system in accordance with the invention.

[0023] Fig. 2 is a schematic diagram of a sample cassette in which a sample droplet may be loaded, and which may be employed in an exemplary embodiment of the portable coagulation monitor in accordance with the invention, for example, as shown in Fig. 1.

[0024] Fig. 3 is a schematic diagram illustrating relative movement of two plates in contact with blood to cause shear and initiate clotting response

[0025] Fig. 4 is a perspective view of an embodiment of the device of the invention.

[0026] Fig. 5 is an exploded view of an embodiment of the device of the invention.

DETAILED DESCRIPTION OF THE INVENTION

[0027] Fig. 1 illustrates in schematic form an exemplary portable coagulation monitor or assay device 11 for diagnosis of trauma or other related coagulopathies in which it is important to assess coagulation response to optimize treatment, for example, in critical field situations wherein the first hour is critical in terms of preventing long-term debilitating events or even death.

[0028] The device is housed in an impact resistant housing 13 which has all the components housed thereon in a conventional manner.

[0029] At least one and preferably a pair of linear voice coil actuator motors 15 and 17 are provided for driving movement of sample plates in a removable blood sample cassette which is illustrated in greater detail in Fig. 2. While the motors 15 and 17 and removable blood sample cassette 19 have been described briefly, the remaining components are discussed generally with reference to the drawings in a clockwise manner beginning with the data card port 21 in the upper left-hand corner of the device.

[0030] The data card port 21 is useful for receiving an FD card or any memory module, including data on the module for calibrating the device 11, and/or for removing data from the device 11 for input into another system in which the data can be analyzed. A USB port 23 allows for direct interface with a computer, for example, under the control of a physician for a more complex analysis.

[0031] Microcontroller 25 operates with EEPROM 26 and handles data from the USB port and the data card port 21 and can provide control for a user interface (not shown) such as an LCD display which provides initially acquired data and analysis thereof to a user using the device. Linear voice coil actuator motors 15 and 17, and the removable blood sample cassette 19 have been briefly described and will be discussed in greater detail hereinafter.

[0032] A wireless link 27, such as for transmitting data in the RF or IR spectrum, is also provided, and provides an additional means for communicating data and programming to and from the device. Optical displacement sensors 29 and 31 detect where the linear voice coil actuator motors 15 and 17 are located and control the limits of movement thereof. The digital

synthesizer module 33 serves to control operation of the motors 15 and 17 through motor drivers 35 by generating the necessary waveforms to drive the voice coil actuator motors 15 and 17.

[0033] The ADC module 37 is an analog to digital converter which obtains data from the optical or physical measurements conducted on a sample in the removable blood cassette 19, converts the data into digital form and supplies it to microcontroller 39 which manages the data obtained to provide useful results to a user of the device.

[0034] A 3-axis accelerometer 41 is a conventional device which takes into account outside effects and vibrations on the device 11, and serves to cancel the effects of these vibrations on any data collected as a result of analysis of a sample.

[0035] The removable blood sample cassette 19 is shown in Fig. 2 in schematic form and includes an upper sample plate 101 and a lower sample plate 103 between which can be deposited a sample droplet of blood. Linkages 105 to the voice coil actuator motors on the device are provided, which are connected to an upper linear compliant mechanism 107 and a lower linear compliant mechanism 109 which serve to drive movement of the upper and lower plates respectively. Optical sensors 111 are provided in position relative to the sample plates for detecting light being projected from, for example, a laser or other light source (not shown), through and into a sample between the plates. The light can then be detected as light transmitted through the sample, reflected, refracted or otherwise modified in the path through the sample, and detected by optical sensors 111 to obtain information about the coagulation properties of the blood sample.

[0036] A power link 113 serves for connection to a power supply such as, for example, batteries or other form of power. A data link 115 can also be provided to allow data collected from the sample and stored on an EEPROM 117 to be downloaded from the device. In this context, it will be appreciated by those of ordinary skill in the art that the data link 115 and EEPROM 117, when the cassette 19 is received in the device 11, can be connected to the various electronic components within the device 11 for having data uploaded and downloaded thereto.

[0037] As may also be appreciated by those of ordinary skill in the art, Fig. 3 further illustrates the operation of the device in accordance with the invention and with parallel plates,

typically having a small gap of about 50 to about 250 μ m between the parallel plates. They slide past each other with controlled velocity to create a shear stress between the plates which is represented as $T = \mu V/D$ where T equals shear stress, μ = viscosity, $V = V1 + V2$, wherein V is equal to the relative linear velocity of the plates, and D = gap between the plates.

[0038] Fig. 4 further illustrates in assembly view, a device 11 in accordance with the invention showing various components thereof. As may be appreciated from Fig. 4, the device is pocket-sized, preferably with overall dimensions similar to an iPhone, of about 12 cm by about 6 cm by about 2 cm. The device 11 is ruggedized with an internal accelerometer compensating for impacts and vibration. As designed it is versatile and can measure platelet and fibrin clotting over a wide dynamic range of shear. Yet still further, the device 11 can operate on USB hub power as a peripheral device with components which are readily manufactured and assembled. Typically, biophysical resolution is less than about 2 μ displacement, and the device 11 allows for a wide range of shear stresses and complete optical access.

[0039] As further illustrated in the exploded view of Fig. 5, the device 11 preferably is made of a monolithic CNC-machined housing, of materials such as Acetal, 6Al - 4V Ti, 2024 Al. A bottom sample window 203 cooperates with a top sample window 205 and they are moved by displacement sensor arms 207. A monolithic compliant four-bar mechanism 209 made typically of aluminum is associated with the displacement sensor arms 207. Motor assemblies 211, typically a VCA motor coil assembly, serves to move the various components and is associated with a magnet assembly 213, typically made of rare earth. Optical sensor arrays 215 serve to interrogate and measure the clotting response. The sensor arrays 215 are typically infra-red differential displacement sensor arrays.

[0040] Preferably in the device, the first and second surfaces of the plates 101 and 103 have, at least, been coated with textures, substances or other materials to induce, slow or otherwise modify the coagulation process so as to select for or against specific aspects of coagulation of the sample for diagnostic or other purposes. Modification to the surfaces can include those that enhance platelet or blood protein binding reactivity or activation. Similarly, such modification can reduce platelet or blood protein binding reactivity, or activation as will

become more clearly evident from the following detailed discussion of such treatments or coatings.

[0041] The device is capable of analyzing blood rheology and coagulation of fresh whole blood or some fraction thereof without the need to add external reagents, such as tissue factor, kaolin, initiator, citrate and others. Such substances and others may electively be added for detailed analytical reasons, but in the most desired embodiment of the device, they are not necessary.

[0042] In accordance with the assembly, the device 11, is configured for measuring in real time or with minimal delay the dynamic balance between pro and anti thrombotic hemostatic status by sequential samples from the same person or animal. In a more preferred aspect, the motors 15 and 17 are linear voice coil actuator motors, but can be any other type of device capable of driving linear motion.

[0043] In one embodiment, detection of coagulation is done optically by measuring mechanical interaction between the first and second surfaces of the plates 101 and 103 resulting from changes in the viscosity of the sample fluid and binding to the plate surfaces. In a preferred aspect, the relative motions between the two plates 101 and 103 is controlled to generate arbitrarily selected wave forms to induce desired fluid shear rates at selected amplitudes, frequency, duration, and sequence such that the device is enabled to emulate fluid shear as desired over a very broad range, from DC (zero shear) to shear rates that would cause fluid cavitation and subsequent destruction of the cellular components of the sample, and continuously including all points in the shear rate spectrum between these two points.

[0044] More specifically, the shear rate is controlled in a sequence of values to generate specific protocols or plate motion paradigms for targeted diagnostic or analytic objectives, such as rapid initiation of primary coagulation, destructive or non-destructive viscoelastic evaluation of early, mid-phase, or late-phase clotting, emulation of clinically accepted or otherwise recognized shear rate protocols for comparison with other commercial or experimental devices, or validation testing against known standards. While light can be used for optical detection it is clear that the full electromagnetic spectrum of waves can be used to generate analog signals

representative of coagulation properties of the sample droplet for both primary and secondary coagulation mechanisms.

[0045] It should be noted that when the term "blood sample" is used herein, it is intended to mean whole blood, a mixture of whole blood with one or more substances, a fraction of whole blood containing one or more of the constituents of whole blood, a fraction of whole blood mixed with one or more non-blood substances, or a purified blood constituent, such as blood platelets or serum, a reconstituted blood preparation, a modified blood sample, or a blood substitute.

[0046] In a specific embodiment, interchangeable sample cassettes 19 can be employed, each one serving a different analytical and maintenance or calibration function. One cassette 19 can be for regular calibration and validation of the device 11. Alternatively, such a disposable and replaceable cassette 19 can serve to calibrate the device 11, receive the blood sample, hold the blood sample, allow different sample chamber geometries for different test protocols, maintain sample the viability during a test, serve for safe removal of the sample for storage such a freezing, freeze drying, etc., or for sample disposal without exposure to the blood sample. In one embodiment, the cassette 19 allows for collection of the blood sample by means of simple capillary action eliminating the need to use sample extraction and metering devices.

[0047] As will be appreciated by those of ordinary skill in the art, the cassettes 19 may be manufactured for different tests and applications with different sample plate spacings, different surface chemical and optical properties, and similar variations for analysis and validation testing.

[0048] The cassette 19 may contain optical interrogation electronics allowing detection of blood status, type, pH, oxygenation, metabolites, toxins, or other measures detectable by optical means. The device 11 is such that through its electronics it can be interfaced with other laboratory systems such as microscopes, etc. The plates 101 and 103 are preferably optically clear to allow optical signals to pass through the blood sample allowing direct optical visualization of a portion or all of the blood sample between the planar surfaces. This allows transmission, reflection, internal reflection, selective absorption, polarization or optical rotation, frustrated internal reflection (either partial or total), and conduction of laser beams or other light surfaces.

[0049] As already noted, the cassette 19 may contain a non-volatile permanent memory storage device such as EEPROM 117, for containing initial data that identifies the cassette, lot, manufacture date, and details of construction, as well as allowing for storage of key data such as user-defined sample identification information, test initiation time, test duration, and specified test output data and results, to be permanently stored with each sample until destroyed.

[0050] The cassettes 19 may contain additional fluids or other materials such as additives, preservatives, sealing or barrier agents, and other like agents which can be added to or layered on top of the blood sample before, during, or after testing. In one embodiment not specifically shown in the drawings, instead of linear motion, rotary motion can be used to induce shear in addition to or as a replacement for linear displacement previously discussed.

[0051] As constructed, the device 11 is capable of delivering mechanical shear to the blood sample over a wide dynamic range of mechanical oscillations, including 0.0001 Hz to 1000 Hz employing a digital synthesizer 33 previously disclosed, typically a dual channel synthesizer, with the ability to generate regular periodic waveforms such as sine waves, triangle waves, square waves of varying duty cycle, frequency, and amplitude, plus the ability to generate arbitrary waveforms with rapid changes in all parameters, such as slew rate, amplitude, etc., or which may also hold steady (DC) mechanical displacements of either one or both of the planar surfaces. The motors 15 and 17 may be driven by drivers 35 in a manner where either one or both drive mechanisms are coupled with the motors 15 and 17, and can be employed simultaneously to effect linear motion, or where either may be employed as a single or in concert with the other mechanism serving as a precision sensor for mechanical displacement. In such a system, mechanical features are incorporated such as 4-bar or multi-bar monolithic compliant mechanisms, to eliminate mechanical hysteresis from the use of sliding or rolling bearing surfaces other than those associated with the blood sample itself.

[0052] Data analysis and reduction software may be incorporated into the device electronics to allow the resulting measured parameters of blood coagulation to be stored for later retrieval, transferred to a computer or other device for display, storage, or analysis, displayed graphically, displayed in numerical form with physical units, or displayed in icon or symbolic form to indicate a specific diagnosis, clinical indication, or parametric change of clinical

significance. The software will allow the resulting data to be represented in such a way to allow the user to compare the results directly with similar or analogous results that would be expected from other devices with similar functions, or to display the data in such a way to render comparison with accepted standard values or ranges for coagulation parameters. In this context, it is noted that a user interface (not shown) is implemented with the device such as a LCD user interface.

[0053] The device 11 employs plates 101 and 103 motion protocols coupled with data analysis and data reduction software to enable the direct assessment of, for example, platelet function, function of the coagulation cascade, red blood cell (RBC) rheology, RBC aggregation, the effects of pro- or anti- coagulation agents, fibrinolysis, and other characteristics of blood coagulation. The device 11, with appropriate user requirements and user interfaces may be classified as "simple" (CLIA "waived" classification) to permit use in-home and by unskilled users. The disposable cassette is configured for collecting and holding the blood sample through simple unskilled collection of the fluid sample without requiring the use of any measuring pipette, syringe, or other metering device for blood sample collection. The cassette 19 allows safe handling, storage, retrieval, and disposal of the collected blood sample and may be manufactured to allow adjustment of the surface area and spacing between the plates to allow the use of very small volumes of blood, typically on the order of less than about 1 mL.

[0054] The device 11 and cassette 19 allows optical microscopic inspection of most or all of the sample volume before, during, or after coagulometric analysis, using both standard and inverted microscopic arrangements. The device 11 can be employed to diagnose and quantify diseases and derangements of blood coagulation, including but not limited to induced, acquired, and congenital conditions such as trauma-induced coagulopathies (TIC), von Willebrand Disease (vWD), coagulation factor consumption, platelet consumption, thrombasthenia, platelet metabolic exhaustion, hemodilution, over-activation of protein C, S, and fibrinolytic pathways, altered RBC rheology, and improperly administered coagulation modulating therapeutics, and other diseases and conditions of blood coagulation.

[0055] Yet still further, the device 11 can rapidly assess coagulopathies in the field in a period of time less than 15 minutes, and preferably less than 4 minutes, at the site of an injury or

trauma, during transport, or at any other time during the course of rescue, first response, treatment, surgical intervention, or recovery. Use of feedback and feed-forward technology serves to stabilize the blood sample to resist the effects of external mechanical noise, vibration, and shock from impact. Testing the time course of changes in both primary and secondary coagulation during the early phase of medical response to trauma and blood loss can be effected. Similarly, intra-surgical testing of primary and secondary coagulation, and changes to these mechanisms during the course of surgery can be accomplished.

[0056] The device 11 can be used for rapid in-vitro screening of bioactive compounds intended to affect the mechanisms of primary or secondary coagulation. It can also be used for guidance of clinical treatment of diseases of the mechanisms of primary or secondary coagulation.

[0057] Similarly, the device 11 and cassette 19 may be modified for use in the measurement of the rheological properties of other bodily substances of clinical and research interest, such as pulmonary mucous, for the study of and clinical guidance of the treatment of cystic fibrosis, for example, such applications requiring a specially-designed cassette (disposable) and specialized test protocols and firmware, or for use in the study of new and novel fluids with variable rheology.

[0058] The device 11 employs opto-electronic and wireless means to allow more than one device to be employed simultaneously, or with multiple samples, each with different test initiation times and different test durations or different sample chamber test protocols, to provide a rich set of coagulation data to a central computer or data collection and display device. This allows that many samples can be monitored simultaneously to track dynamic changes in the coagulation status of blood from an individual during surgery or recovery, or during transport or treatment in the field.

[0059] As previously discussed, certain embodiments of the invention may take the form of adding coatings to the plates 101 and 105, typically glass plates, on the surfaces that come into contact with the blood sample. These coatings may be of a character to promote platelet adherence and activation, such as collagen, more specifically type IV collagen, of human or bovine origin. Likewise, the coating may be derived from the extracellular matrix (ECM) of

cultured fibroblasts, or from cultured endothelium, or derived from the natural subendothelial tissue of living blood vessels of human or animal origin. Particular molecular components of the matrix, such as vitronectin or fibronectin may comprise the coating or be an enriched feature of the matrix to enhance the adhesion properties. The coating may also be of a synthetic nature to promote platelet adherence and/or activation, such as polyamides or polyglucosamines, more specifically β -N-acetyl polyglucosamine of natural or synthetic origin. Other embodiments may incorporate coatings on the plates 101 and 105 to modulate platelet function, such as materials capable of releasing activators of platelet function, e.g., adenosine diphosphate or epinephrine, or inhibitors of platelet function such as prostaglandins, e.g., prostacyclin or prostaglandin E-1.

[0060] Another embodiment of the invention may take the form of adding coatings to the plates 101 and 105 that promote, initiate, or modulate the process of coagulation and fibrin polymerization. These coatings may take the form of materials capable of releasing micronized silica, or kaolin, or tissue factor (natural or recombinant), or other such agents which are known to promote steps in the coagulation cascade. The coatings may also be of a nature to reverse anticoagulants that may be present in the blood sample, such as a material capable of releasing the enzyme heparinase to remove heparin, or mineralized calcium to reverse citrate. These coatings may be preferred for testing of blood from patients that do not have sufficient platelet count or function to be able to initiate coagulation by the shear-induced mechanism of platelet activation. For the same reason, the coatings may incorporate a source of phospholipids, either of natural or synthetic origin, or contain partial or whole thromboplastins to mimic the agents used in standard clinical coagulation tests such as the prothrombin time (PT) or partial thromboplastin time (PTT).

[0061] In yet another embodiment of the invention, coatings may be added to the plates that inhibit or modulate or reverse the effects of hyperfibrinolysis in the blood sample, such as materials capable of releasing epsilon amino caproic acid (EACA), or trans-examic acid, or aprotinin, or other antiplasmin compounds or chemicals that affect the action of the enzyme plasmin. These coatings may be preferred for testing of blood from patients in a severe state of hyperfibrinolysis that obfuscates the ability to extract other useful information on the coagulation/hemostasis system components in the sample (and thus the patient) unless the immediate effects of plasmin in the test system are ablated. Likewise, the coatings may contain

buffering compounds of acidic or basic nature to adjust the blood sample pH to the optimal desired level of between pH 7.2 to 7.4 or other specified level to avoid loss of information when the sample is overly acidotic or basic due to severe conditions in the patient. These buffering compounds may take the form of released salts or amino acids or other zwitterionic polymeric soluble compounds biocompatible with blood for the purpose of producing and maintaining the desired pH.

[0062] These and other coatings to be added to the plates 101 and 105 of the instant invention generally do not alter the geometry of the blood sample space between the plates 101 and 105, or the motion and control of the plates 101 and 105 by the motorized mechanism, beyond the capacity of the system to be adjusted to maintain the required gap within specifications. For that reason, the preferred methods of manufacturing these coatings on the glass plates may include use of electrostatic charging and deposition of the desired materials directly in contact with the glass members, or by layering of thin molecular hydrogels and carrier emulsions containing the desired agents in a releasable form suitable for activation immediately when contacted by the blood sample.

[0063] The specified coatings may be comprised of single agents for a singular purpose, or may be a combination mixture of several or more of the specified coatings for multiple supporting purposes. One embodiment may be comprised of having different coatings on the two surfaces, one of one type and the other of a different type or at different density or modification of the similar coating on the opposing member. In a further embodiment one or more coatings may be applied at differing densities or concentration in differing areas of one or both surfaces, or with linear, radial, or other gradients of density of coating on one or both surfaces. The pattern or gradient for each coating type may differ from that of other surface coating treatments on the same or opposing surfaces. While in one exemplary embodiment the surfaces are glass, they may be of any other material capable of accepting the coatings thereon, and of functioning in the manner intended, as will be evident to those of ordinary skill.

[0064] While the present invention has been illustrated by a description of various embodiments and while these embodiments have been described in considerable detail, it is not the intention of the Applicants to restrict, or in any way limit the scope of the appended claims to

such detail. The invention in its broader aspects is therefore not limited to the specific details, representative devices and methods, and illustrative example shown and described. Accordingly, departures may be made from such details without departing from the spirit or scope of the Applicants' general inventive concept of monitoring global hemostasis function in a portable device employing shear-induced activation of platelets and the full spectrum of response of blood coagulation.

CLAIMS

WHAT IS CLAIMED IS:

1. A device for measuring coagulation response in a blood sample, comprising:
 - a first member having a first surface, and a second member having a second surface, said first member positioned for having said first surface facing said second surface of said second member, and spaced an amount sufficient to allow a sample droplet of blood to contact said first surface and said second surface and initiate coagulation, and said first member and second member being linearly movable relative to each other;
 - a drive mechanism connected to at least one of said first member and said second member for linearly moving said first member and said second member relative to each other in parallel when a blood sample is in contact with said first surface and said second surface; and
 - an optical detection sensor system for detecting interaction of light with a blood sample located between said first member and second member, as an indication of coagulation response of said blood sample.
2. The device of claim 1, wherein said first member and second member make up a blood sample collection cartridge which is removable from said device.
3. The device of claim 2, wherein said blood sample collection cartridge further comprises a memory device on said cartridge for storing data relating to a blood sample tested.
4. The device of claim 1, wherein the drive mechanism is programmed for moving the first member and second member at different speeds relative to each other for detecting different mechanisms involved in a coagulation response of a blood sample.
5. The device of claim 1, wherein said optical detector sensor system is adapted for detecting binding of the blood sample to the first surface and the second surface as an indication of platelet response during coagulation.

6. The device of Claim 1 wherein the said first and second surfaces (1 and 2) have at least one been treated to induce, slow, or modify the coagulation process for selecting in favor of or against specific aspects of coagulation of the sample other purposes.
7. The device of claim 6, wherein said treatment of the surfaces enhances platelet or blood protein binding, reactivity, or activation.
8. The device of claim 6, wherein said treatment of the surfaces reduces platelet or blood protein binding, reactivity, or activation.
9. The device of Claim 1, configured for analyzing blood rheology and coagulation of fresh whole blood or some fraction thereof without adding external reagents.
10. The device of Claim 1, configured for measuring with no functional delay the dynamic balance between pro- and anti- thrombotic hemostatic status by sequential samples from the same person or animal.
11. The device of claim 1, further comprising at least one microcontroller for controlling operation of said drive mechanism and optical detection sensor system.
12. The device of claim 1, further comprising at least one displacement sensor for detecting and controlling the amount of relative movement between said first member and said second member.
13. The device of claim 1, further comprising a connection interface module for connecting and communicating between the device and an external system.
14. The device of claim 1, wherein said drive mechanism comprises a device capable of driving linear motion.
15. The device of claim 1, further comprising an analog to digital converter connected to optical detection sensor system for converting analog signals indicative of coagulation response of a blood sample into digital signals for storage thereof.
16. A method of measuring coagulation response in a blood sample, comprising:

placing a sample droplet of blood between and in contact with first and second facing surfaces of oppositely disposed substantially parallel plates;

moving at least one plate linearly with respect to the other plate at a predetermined speed;
and

optically detecting coagulation response of the droplet of blood by measuring mechanical interaction between the first and second surfaces resulting from changes in the viscosity of the sample fluid and binding to the plate surfaces.

17. The method of claim 16, further comprising moving at least one plate at a first speed and optically detecting adherence of the sample droplet of blood to the surface of the plates to determine platelet response during coagulation.

18. The method of claim 17, further comprising subsequently moving at least one plate at a second speed slower than the first speed, and optically detecting the level of coagulation of the blood sample as indicative of Fibrin polymerization response.

19. The method of claim 16, wherein the relative motions between the two plates is controlled to generate arbitrarily selected waveforms to induce desired fluid shear rates at selected amplitudes, frequency, duration, and sequence such that the device is enabled to emulate fluid shear as desired over a very broad range, from DC (zero shear) to shear rates that would cause fluid cavitation and subsequent destruction of the cellular components of the sample, and continuously including all points in the shear rate spectrum between these two points.

20. The method of claim 19, wherein the shear rate is controlled in a sequence of values to generate specific protocols or plate motion paradigms for targeted diagnostic or analytic objectives, such as rapid initiation of primary coagulation, destructive or non-destructive viscoelastic evaluation of early, mid-phase, or late-phase clotting, emulation of clinically-accepted or otherwise recognized shear rate protocols for comparison with other commercial or experimental devices, or validation testing against known standards.

21. The method of claim 16, wherein said plates are part of a cassette insertable in a device for measuring coagulation, and wherein said plates are transparent.

22. The method of claim 21, wherein the cassette further comprises memory, and further comprising storing thereon information about coagulation response resulting from said optical detection.

23. The method of claim 16, wherein said optical detection is conducted by transmitting electromagnetic waves into the sample droplet, and detecting at least one of transmission, absorption, reflection and refraction of the electromagnetic waves through the sample droplet at respective light detectors, to generate analog signals representative of coagulation properties of the blood in the sample droplet for primary and secondary coagulation mechanisms.

24. The method of claim 23, further comprising converting said signals to digital signals, storing the digital signals and analyzing the stored digital signals in a predetermined manner to obtain selected information about the coagulation response of the blood in the sample droplet.

25. The method of claim 16, further comprising at least one voice coil actuator motor connectable to at least one plate for moving said at least one plate, and moving said at least one plate with said motor.

26. The method of claim 25, further comprising a processor connected to said motor and controlling the operation thereof with said processor in a predetermined manner.

27. The method of claim 16, further comprising: moving one plate relative to the other plate in a manner causing the other plate to move due to visco-elastic coupling between the blood and the other plate; and determining the visco-elastic properties of the blood from the movement of the other plate.

28. The method of claim 16, further comprising: detecting strain rates caused by movement of the one plate and the other plate caused by visco-elastic coupling between the one plate and the other plate caused by the blood sample; and determining the coagulation state of the blood by inference analysis based on visco-elasticity of the blood sample determined from mechanical coupling between the two plates and the resulting said strain rates.

29. The method of claim 16, further comprising continually measuring the visco-elasticity of the blood over time to monitor changes over time of the coagulation response of the blood.

30. A method of measuring coagulation response in a blood sample comprising:
- placing a sample droplet of blood between and in contact with facing surfaces of oppositely disposed plates;
 - moving at least one plate linearly with respect to the other plate at a first speed;
 - optically detecting a first coagulation response of the blood indicative of platelet response in the blood;
 - moving at least one plate linearly with respect to the other plate at a second speed; and
 - optically detecting a second coagulation response of the blood indicative of fibrin polymerization.
31. The method of claim 30, further comprising continually measuring the visco-elasticity of the blood over time to monitor changes over time of the coagulation response of the blood.

1/3

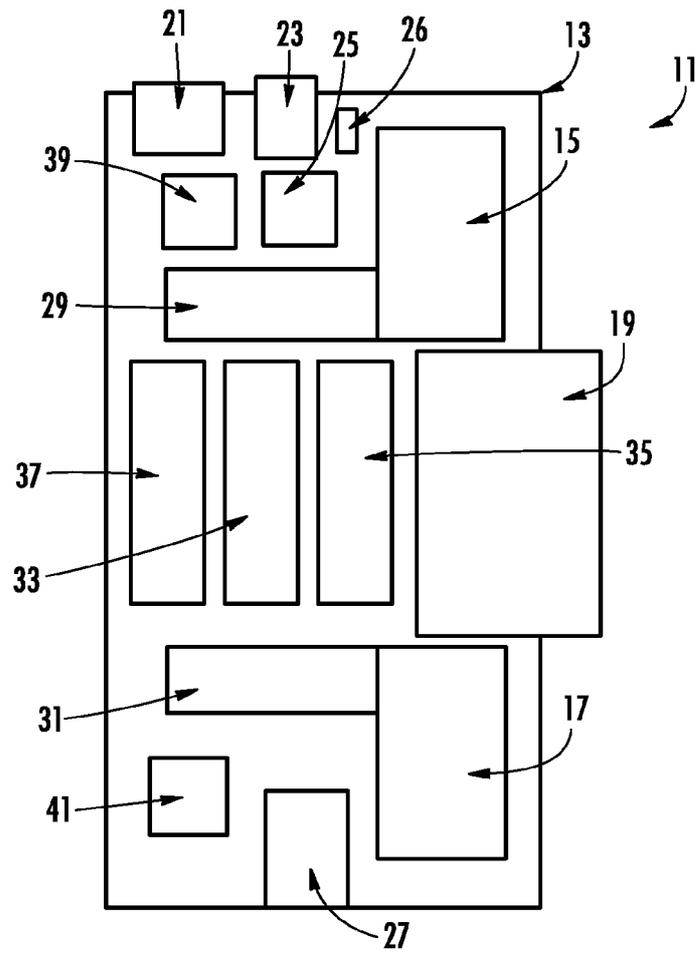


FIG. 1

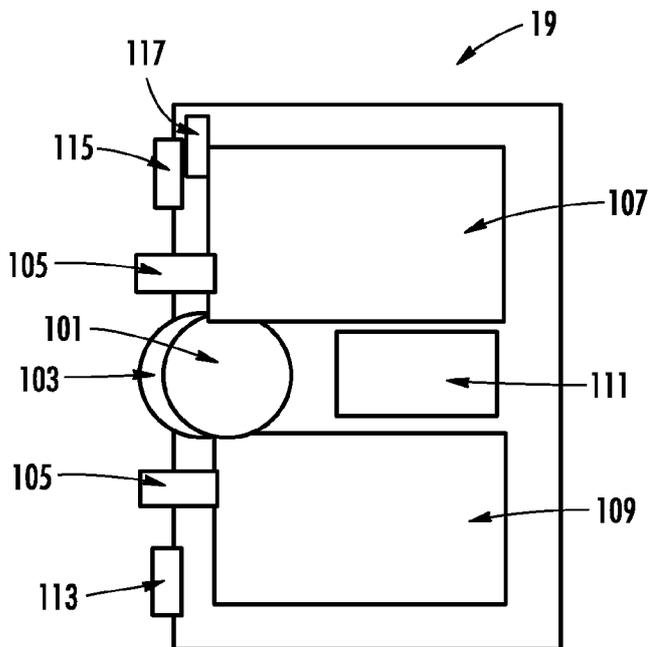
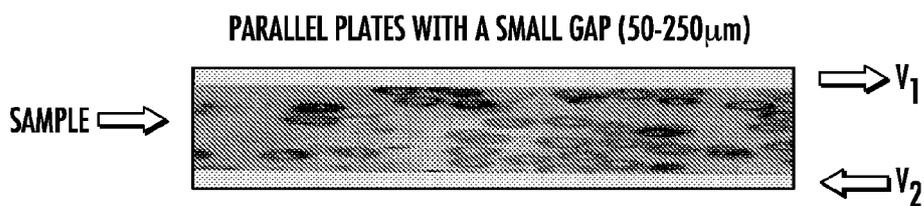


FIG. 2



PLATES SLIDE PAST EACH OTHER WITH CONTROLLED VELOCITY.
THIS CREATES A SHEAR STRESS BETWEEN THE PLATES:

$$\tau = \mu V/d$$

WHERE: τ = SHEAR STRESS, μ = VISCOSITY, $V = V_1 - V_2$, d = GAP BETWEEN PLATES

FIG. 3

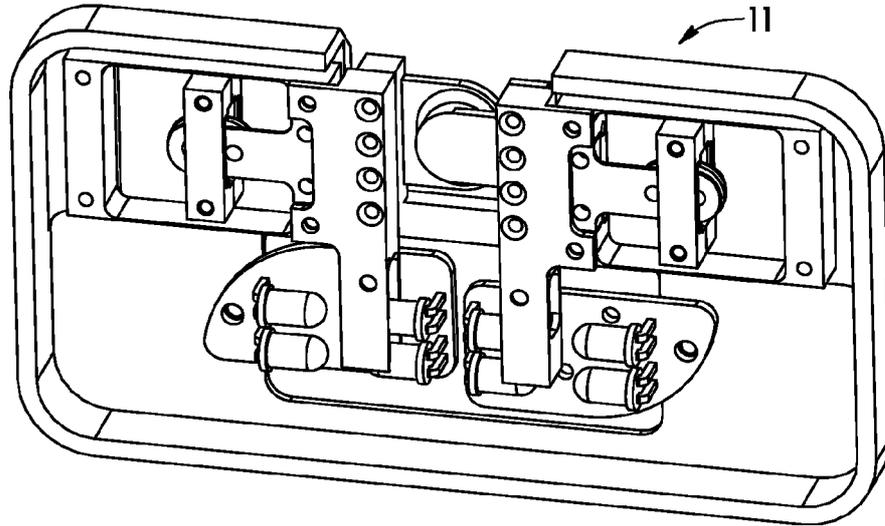


FIG. 4

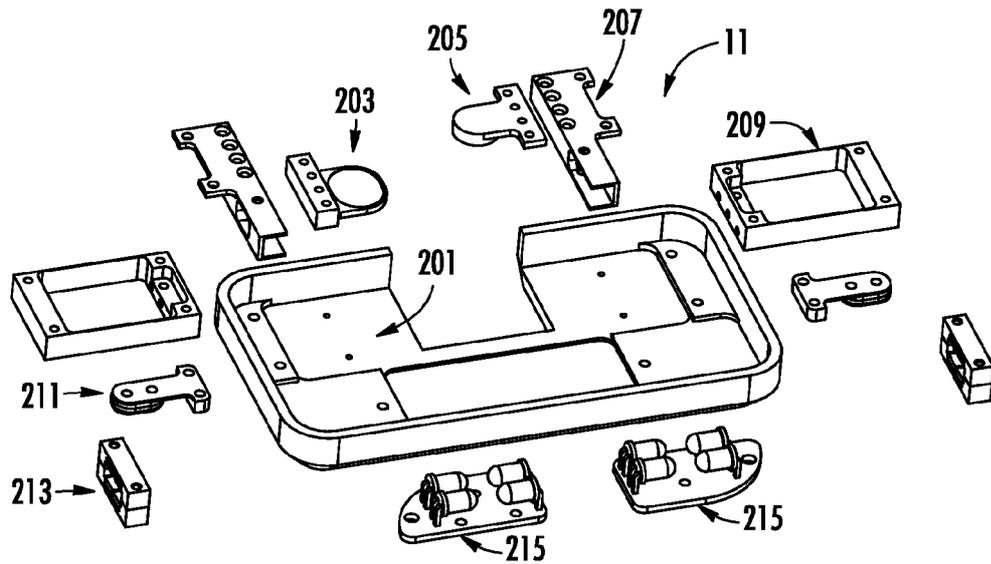


FIG. 5



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CRAIG M. BELL
407 SERGENT DRIVE
LAMBERTVILLE NJ 08530

MAILED
JAN 13 2011
OFFICE OF PETITIONS

In re Application of :
Kenneth H. MOYER :
Application No. 12/971,068 :
Filed: December 17, 2010 :
Attorney Docket No. MGTH001 :
DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 17, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Craig M. Bell, which will be treated as the result of the attorney having evidence that the applicant is at least 65 years of age. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

This application is being referred to the Office of Data Management for processing. This application will be accorded "special" status when pre-examination processing is done.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions



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KUSNER & JAFFE
HIGHLAND PLACE SUITE 310
6151 WILSON MILLS ROAD
HIGHLAND HEIGHTS OH 44143

MAILED
MAY 09 2011
OFFICE OF PETITIONS

In re Application of :
Lin, et al. :
Application No.: 12/971,134 :
Filed: December 17, 2010 :
Attorney Docket No: **HK9848US.3** :
For: CONDUCTOR PACKAGE STRUCTURE AND METHOD OF THE SAME :

DECISION ACCORDING
RULE 47(a) STATUS

This is in response to the petition under 37 CFR 1.47(a), filed April 6, 2011.

The petition is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

The above-identified application was filed on December 17, 2010, without a proper oath or declaration. Accordingly, a "Notice to File Missing Parts of Nonprovisional Application" was mailed on January 6, 2011, requiring an executed oath or declaration and a surcharge for the late filing of the oath or declaration.

On April 6, 2011, petitioner filed a petition under 37 CFR 1.47, with a request for an extension of time within the first month.

Petitioner has shown that inventor Lin has refused to join the prosecution of the above-identified application. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to the Office of Patent Application Processing for further review.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions



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OFFICE OF PETITIONS

Hutchens Law Office
P.O. Box 597
Phoenix AZ 85001

In re Application of	:	
Marinus Todd Westrate	:	DECISION ON PETITION
Application No. 12/971,164	:	TO WITHDRAW
Filed: December 17, 2010	:	FROM RECORD
Attorney Docket No. West.0001	:	

This is a decision on the request to withdraw as attorney of record under 37 CFR § 1.36(b), filed December 28, 2011.

The request is **NOT APPROVED**.

The request cannot be approved because it lacks the name of the first inventor (Marinus Todd Westrate) or the assignee of record that is associated with the address listed in the request. Therefore, the change of correspondence address is considered improper.

The Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71*, or, if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.

The assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, the statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (e.g., reel and frame number).

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4584.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions

Doc Code: PET.AUTO		PTO/SB/83
Document Description: Petition automatically granted by EFS-Web		U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS	
Application Number	12971164	
Filing Date	17-Dec-2010	
First Named Inventor	Marinus Westrate	
Art Unit	3738	
Examiner Name		
Attorney Docket Number	West.0001	
Title	Artificial Limb Protection System	
<input checked="" type="radio"/> Please withdraw me as attorney or agent for the above identified patent application and all the practitioners of record.		
The reason(s) for this request are those described in 37 CFR: 10.40(c)(5)		
Certifications		
<input checked="" type="checkbox"/> I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment		
<input checked="" type="checkbox"/> I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled		
<input checked="" type="checkbox"/> I/We have notified the client of any responses that may be due and the time frame within which the client must respond		
Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:		
Name	Marinus Todd Westrate	
Address	5080 Warbler Way	
City	kalamazoo	
State	MI	
Postal Code	49009	
Country	US	

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Beth Hutchens/
Name	Beth Hutchens
Registration Number	61695



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P.O. Box 1450
Alexandria, VA 22313-1450
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Decision Date : March 7, 2012

In re Application of :

DECISION ON REQUEST TO WITHDRAW AS

Marinus Westrate

ATTORNEY/AGENT OF RECORD

Application No : 12971164

Filed: 17-Dec-2010

Attorney Docket No : West.0001

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR. § 1.36(b), filed March 7, 2012

The request is **APPROVED**

The request was signed by Beth Hutchens (registration no. 61695) on behalf of all the attorneys/agents of record. All attorneys/agents of record have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 with correspondence address:

Name Marinus Todd Westrate
Name2
Address 1 5080 Warbler Way
Address 2
City kalamazoo
State MI
Postal Code 49009
Country US

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 245223	Application Number (if known): 12/971,215	Filing date: 12-17-2010
---------------------------------------	--	--------------------------------

First Named Inventor: **VNS Raju Singamsetti**

Title: **SYSTEMS AND METHODS FOR IDENTIFYING FAULTY SENSORS WITHIN A POWER GENERATION SYSTEM**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:
Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 11/16/11
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: VNS Raju Singamsetti)
Confirmation No.: 7498)
Serial No.: 12/971,215)
Filing Date: 12-17-2010)
Atty Docket No.: 245223)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The embodiments described herein relate generally to a photovoltaic (PV) power generation system, and more specifically, to methods and systems for monitoring sensors included within with the PV power generation system. (See [0001]).

Solar energy has increasingly become an attractive source of energy and has been recognized as a clean, renewable alternative form of energy. Solar energy in the form of sunlight may be converted to electrical energy by solar cells. A more general term for devices that convert light to electrical energy is "photovoltaic cells." Sunlight is a subset of light and solar cells are a subset of photovoltaic cells. A photovoltaic cell comprises a pair of electrodes and a light-absorbing photovoltaic material disposed therebetween. When the photovoltaic material is irradiated with light, electrons that have been confined to an atom in the photovoltaic material are released by light energy to move freely. Thus, free

electrons and holes are generated. The free electrons and holes are efficiently separated so that electric energy is continuously extracted. Current commercial photovoltaic cells use a semiconductor photovoltaic material, typically silicon. (See [0002]).

In order to obtain a higher current and voltage, solar cells are electrically connected to form a solar module. In addition to a plurality of solar cells, the solar module may also include sensors, for example, an irradiance sensor, a temperature sensor, and/or a power meter. The irradiance sensor detects a flux of radiation (e.g., solar flux) on a surface of the solar module and provides a controller with an irradiance signal proportional to the solar flux. Based on an output of the irradiance sensor, energy expected to be produced by the solar module may be calculated and/or operation of the solar module may be adjusted. For example, the configuration of the solar module may be adjusted to maximize the solar flux on the surface of the solar module. Furthermore, the output of the irradiance sensor may indicate that there is an excessive buildup of dirt on the surface of the solar module. In response, the controller may direct a cleaning device to spray the solar module with water or other appropriate solvent or to vibrate the module to remove the accumulated dirt. Faulty operation of an irradiance sensor is difficult to detect and may lead to misinterpretation of the actual power produced by the panels. Typically, a fault in an irradiance sensor is detected by conducting a root cause analysis of all components within the solar module based on historical data and log files of all the components. (See [0003]).

In one aspect, a photovoltaic (PV) power generation system is provided. The system includes at least one PV module comprising a plurality of PV cells, a plurality of sensors, and a processing device communicatively coupled to the plurality of sensors. The processing device is configured to determine a power output of each of the plurality of PV cells, receive data from the plurality of sensors, and identify a faulty sensor within the plurality of sensors based at least partially on the determined power output and the received data. (See [0004]).

In another aspect, a control system configured to identify faulty sensors within a photovoltaic (PV) power generation system that includes a plurality of photovoltaic (PV) cells is provided. The control system includes a processing device coupled to a plurality of sensors, each of the plurality of sensors is associated with a PV cell of the plurality of PV cells. The processing device is configured to receive sensor signals from each of the plurality of sensors including a first sensor signal from a first sensor associated with a first PV cell. The processing device is further configured to determine a sensor signal average and determine a power output of each of the plurality of PV cells including a first power output of the first PV cell. The processing device is further configured to determine an average power output and identify a faulty sensor based at least partially on a comparison of the first sensor signal and the sensor signal average and a comparison of the first power output and the average power output. (See [0005]).

In yet another aspect, a method for monitoring operation of a first sensor of a plurality of sensors within a photovoltaic (PV) power generation system is

provided. The PV power generation system includes a plurality of PV cells and a system controller. The method includes receiving a first sensor signal from the first sensor, the first sensor associated with a first PV cell of the plurality of PV cells. The method also includes receiving a second sensor signal from a second sensor, the second sensor associated with a second PV cell of the plurality of PV cells. The method also includes determining a first power output of the first PV cell and a second power output of the second PV cell and determining the first sensor is faulty based at least partially on a comparison of the first sensor signal and the second sensor signal and a comparison of the first power output and the second power output. (See [0006]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources for at least the reason that the claimed embodiments improve the efficiency and operability of photovoltaic (PV) power generation systems used to convert solar energy into sustainable electrical energy.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 16, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,215	12/17/2010	V N S Raju Singamsetti	245223 (22402-244)	7498
45432	7590	12/14/2011	EXAMINER	
PATRICK W. RASCHE (22402) ARMSTRONG TEASDALE LLP 7700 Forsyth Boulevard Suite 1800 St. Louis, MO 63105			ART UNIT	PAPER NUMBER
			2857	
			NOTIFICATION DATE	DELIVERY MODE
			12/14/2011	ELECTRONIC

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.

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

uspatents@armstrongteasdale.com



PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

DEC 14 2011

In re Application of :
SINGAMSETTI, V N S RAJU : DECISION ON PETITION
Application No. 12/971,215 : TO MAKE SPECIAL UNDER
Filed: December 17, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 245223 (22402-244) : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 16, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800



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In re Application of
Holloway H. Frost

:
:

Application No. 12971286

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed:

:

Attorney Docket No. 0053901-036US

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 17-DEC-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No: 12/971,431 Filing date: December 17, 2010

First Named Inventor: Andrew Lauder

Title of the Invention: FOLDABLE ACCESSORY DEVICE

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML](http://www.uspto.gov/ebc/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/061382

The international filing date of the corresponding PCT application(s) is/are: 20 December 2010

- I. List of Required Documents:**
- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**
 Is attached
 Is not attached because the document is already in the U.S. application.
 - b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**
 Is attached.
 Is not attached because the document is already in the U.S. application.
 - c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM
BETWEEN THE EPO AND THE USPTO**

(continued)

Application No.:	12/971,431
First Named Inventor:	Andrew Lauder

d. (1) **An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

Is attached

Has already been filed in the above-identified U.S. application on _____

(2) **Copies of all documents (except) for U.S. patents or U.S. patent application publications)**

Are attached.

Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	4	Amended US claim 1 corresponds with patentable PCT claims 3, 4
33	2	New US claim 33 corresponds with patentable PCTclaim 2
4	5	Amended US claim 4 corresponds with patentable PCTclaim 5
5	6	Amended US claim 5 corresponds with patentable PCTclaim 6
6	7	Amended US claim 6 corresponds with patentable PCTclaim 7
15	8	Amended US claim 15 corresponds with patentable PCTclaim 8
16	9	Amended US claim 16 corresponds with patentable PCTclaim 9
25	10	New US claim 25 corresponds with patentable PCTclaim 10
26	11	New US claim 26 corresponds with patentable PCTclaim 11
27	12,13	New US claim 27 corresponds with patentable PCTclaims 12 and 13
28	14	New US claim 28 corresponds with patentable PCTclaim 14
29	15	New US claim 29 corresponds with patentable PCTclaim 15
30	16	New US claim 30 corresponds with patentable PCTclaim 16
31	17	New US claim 31 corresponds with patentable PCTclaim 17
32	18	New US claim 32 corresponds with patentable PCTclaim 18

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Michael J. Ferrazano/	Date May 27, 2011
Name (Print/Typed) Michael J. Ferrazano	Registration Number 44,105

PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL SEARCHING AUTHORITY

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

To:
Ferrazano, Michael J.
BEYER LAW GROUP LLP
P.O. Box 1687
Cupertino, CA 95015-1687
ETATS-UNIS D'AMERIQUE

(PCT Rule 44.1)

Applicant's or agent's file reference APL1P788WO	Date of mailing (day/month/year) 10 May 2011 (10-05-2011)
International application No. PCT/US2010/061382	International filing date (day/month/year) 20 December 2010 (20-12-2010)
Applicant APPLE INC.	

1. The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:
The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70

For more detailed instructions, see PCT Applicant's Guide, International Phase, paragraphs 9.004 - 9.011.

2. The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer URLICHS, Alexandra Tel: +31 (0)70 340-2291
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference APL1P788WO	FOR FURTHER ACTION		see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US2010/061382	International filing date (day/month/year) 20/12/2010	(Earliest) Priority Date (day/month/year) 17/09/2010	
Applicant APPLE INC.			

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

- the international application in the language in which it was filed
 a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

- b. This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6b1(a)).
c. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. **Certain claims were found unsearchable** (See Box No. II)

3. **Unity of invention is lacking** (see Box No III)

4. With regard to the **title**,

- the text is approved as submitted by the applicant
 the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- the text is approved as submitted by the applicant
 the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. 24A
 as suggested by the applicant
 as selected by this Authority, because the applicant failed to suggest a figure
 as selected by this Authority, because this figure better characterizes the invention
- b. none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2010/061382

A. CLASSIFICATION OF SUBJECT MATTER

INV. G06F1/16
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
G06F A47B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 440 502 A (REGISTER DAVID S [US]) 8 August 1995 (1995-08-08) figures 3a-3e column 6, line 48 - column 8, line 17 -----	1
A	US 2002/154099 A1 (OH YOUNG-JIN [KR]) 24 October 2002 (2002-10-24) figures 9,10a-10c paragraphs [0042], [0043] ----- -/--	1

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

29 April 2011

Date of mailing of the international search report

10/05/2011

Name and mailing address of the ISA/

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040,
Fax: (+31-70) 340-3016

Authorized officer

Piriou, Nominoë

INTERNATIONAL SEARCH REPORT

International application No

PCT/US2010/061382

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>Amazon: "Apple iPad Case (CASE-ZML MC361ZM/B)", http://www.amazon.com</p> <p>15 March 2010 (2010-03-15), XP002634625, Retrieved from the Internet: URL:http://www.amazon.com/Apple-iPad-Case-CASE-ZML-MC361ZM/dp/B003CGMQ38/ref=sr_1_1?ie=UTF8&qid=1304005136&sr=8-1 [retrieved on 2011-04-28] the whole document</p>	1,10-13
A	<p>US 2009/251406 A1 (SEIBERT PHILIP [US] ET AL) 8 October 2009 (2009-10-08) figures 2-6 paragraphs [0020] - [0022]</p>	1,14-16
A	<p>WO 03/021922 A1 (ERICSSON TELEFON AB L M [SE]; SCHOEN LENNART [SE]) 13 March 2003 (2003-03-13) figures 6a-6d,7 page 15, line 12 - page 19, line 8</p>	1,17,18
A	<p>WO 2007/029969 A1 (PARK JEONG-WOO [KR]) 15 March 2007 (2007-03-15) paragraphs [0042] - [0049] paragraphs [0084] - [0089] figures 1,2,12</p>	1

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No PCT/US2010/061382

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5440502	A	08-08-1995	NONE
US 2002154099	A1	24-10-2002	KR 20010096637 A TW 493295 B
US 2009251406	A1	08-10-2009	NONE
WO 03021922	A1	13-03-2003	NONE
WO 2007029969	A1	15-03-2007	CN 101304886 A JP 2009507676 T KR 20070029041 A US 2008222848 A1

PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL SEARCHING AUTHORITY

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

To:
 Ferrazano, Michael J.
 BEYER LAW GROUP LLP
 P.O. Box 1687
 Cupertino, CA 95015-1687
 ETATS-UNIS D'AMERIQUE

(PCT Rule 44.1)

Date of mailing (day/month/year) 10 May 2011 (10-05-2011)

Applicant's or agent's file reference APL1P788WO

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No. PCT/US2010/061382

International filing date (day/month/year) 20 December 2010 (20-12-2010)

Applicant
 APPLE INC.

- The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
Filing of amendments and statement under Article 19:
 The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46).
When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.
Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
 1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70
For more detailed instructions, see PCT Applicant's Guide, International Phase, paragraphs 9.004 - 9.011.
- The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
- With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
 - the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
 - no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
- Reminders**
 The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.
 Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).
 Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.
 In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.
 For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Name and mailing address of the International Searching Authority
 European Patent Office, P.B. 5818 Patentlaan 2
 NL-2280 HV Rijswijk
 Tel. (+31-70) 340-2040
 Fax: (+31-70) 340-3016

Authorized officer
 URLICHS, Alexandra
 Tel: +31 (0)70 340-2291

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

To:

see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2010/061382

International filing date (day/month/year)
20.12.2010

Priority date (day/month/year)
17.09.2010

International Patent Classification (IPC) or both national classification and IPC
INV. G06F1/16

Applicant
APPLE INC.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040
Fax: +31 70 340 - 3016

Date of completion of
this opinion

see form
PCT/ISA/210

Authorized Officer

Pirioiu, Nominoë

Telephone No. +31 70 340-9481



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2010/061382

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - the international application in the language in which it was filed
 - a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:
 - a. (means)
 - on paper
 - in electronic form
 - b. (time)
 - in the international application as filed
 - together with the international application in electronic form
 - subsequently to this Authority for the purposes of search
4. In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>1-18</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	<u>2-18</u>
	No: Claims	<u>1</u>
Industrial applicability (IA)	Yes: Claims	<u>1-18</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

- D1 US 5 440 502 A (REGISTER DAVID S [US]) 8 August 1995 (1995-08-08)
- D2 US 2002/154099 A1 (OH YOUNG-JIN [KR]) 24 October 2002 (2002-10-24)
- D3 Amazon: "Apple iPad Case (CASE-ZML MC361ZM/B)",
<http://www.amazon.com>
, 15 March 2010 (2010-03-15), XP002634625,
Retrieved from the Internet:
URL:http://www.amazon.com/Apple-iPad-Case-CASE-ZML-MC361ZM/dp/B003CGMQ38/ref=sr_1_1?ie=UTF8&qid=1304005136&sr=8-1
[retrieved on 2011-04-28]
- D4 US 2009/251406 A1 (SEIBERT PHILIP [US] ET AL) 8 October 2009 (2009-10-08)
- D5 WO 03/021922 A1 (ERICSSON TELEFON AB L M [SE]; SCHOEN LENNART [SE]) 13 March 2003 (2003-03-13)
- D6 WO 2007/029969 A1 (PARK JEONG-WOO [KR]) 15 March 2007 (2007-03-15)

2 The present application does not meet the criteria of Article 33(3) PCT, because the subject-matter of claim 1 does not involve an inventive step.

2.1 D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses the following:

an accessory unit (see fig. 34, col. 6, l. 55, cover 300), comprising:

- a hinge span (see fig. 3a, hinge 310a),

hold the accessory unit to a host unit. This is a well known design option for the skilled person, which does not require the exercise of any inventive skills, see e.g. D2.

(ii) depending on the shape the user wants to give to the accessory device when folded, the length of the segments will vary accordingly. Hence it merely amounts to a design choice for the skilled person, without the exercise of any inventive skills.

(iii) in D1, the segments are rigid. However no specific constructional details are given. In searching for a solution to how to build such segments, the skilled person would find other accessory devices such as the one described in D3. Combined with the common general knowledge of the skilled person, as well as the disclosure of D3 using those reinforced panels covered by a fabric, the skilled person would consider that the claimed construction is merely one of many several straightforward possibilities from which the skilled person would choose, without the exercise of any inventive skills, in order to solve the posed problem.

(iv) D1 provides a support for a host unit. However no specific details are given as to how the support structure is held into place. D1 merely suggests several solutions, but allows many other solutions. Magnetic means such as described in D6 is a well known means to hold structures together. Hence the use of magnetic means to hold the segments together is merely a design choice for the skilled person, without the exercise of any inventive skills.

It is important to note that the way the accessory device is folded so as to form a support for a host device, is merely the implementation of well known folding shapes of e.g. a sheet of paper. As folding a piece of paper is within the reach of any person, using different alternative folding shapes of a flap to support a host unit is well within the reach of the skilled person, without the exercise of any inventive skills.

- a flap portion pivotally connected to the hinge span comprising a plurality of segments all but one of which are substantially the same size (see fig. 3a, pieces ref. 300b, 300c, 300d, and 300e),
- a folding region between each of the segments arranged to allow the plurality of segments to fold with respect to each other (see fig. 3a, hinges ref. 310b, 310c and 310d)

2.2 The subject-matter of claim 1 therefore differs from this device known from D1 in that:

according to claim 1,

- (i) the hinge span includes a first magnetic element
- (ii) one of the segment is longer than the other segments
- (iii) each segment includes a pocket that is about the same size as the corresponding segment, with a rigid insert incorporated into each pocket, the rigid insert providing support for the associated segment
- (iv) a first segment located at a first end of the flap and includes a magnetically attractable element and wherein a second segment located at a second end of the flap includes a plurality of magnetic resources, wherein when the first and second segments are folded one atop the other, all of the magnetic resources in the second segment magnetically attract the magnetically attractable element in the first segment to form a structure.

2.3 The relationship between the above stated features (i) to (iv) is not one of functional reciprocity, i.e. does not provide a synergistic effect by achieving a technical effect over and above the sum of their respective individual effects. Thus they are considered as a mere aggregation of features. Therefore the inventive step of each of those features will be assessed independently as follows:

- (i) although the claim is not clear as to the purpose or problem that may be solved by such feature, it is understood from the description as originally filed, as well as dependent claim 2, that the first magnetic element's purpose is to

- 2.4 As none of the above features involves an inventive step, and given that they are considered a mere aggregation of features, the subject-matter of independent claim 1 can not be considered as involving an inventive step in the sense of Article 33(3) PCT.
- 3 Dependent claims 2-18 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, for the following reasons:
- claims 2, 4: magnetic means to attach a lid to a host unit is a well known design choice for the skilled person, without the exercise of any inventive skills, see D2.
 - claims 3, 5-7: the exact orientation and position of the host unit with the aid of the accessory unit is a design choice for the skilled person, which stems from e.g. ergonomic choices. Hence any precise measurements of e.g. the segments and orientation of the host unit, depends merely on those choices which have been passed on to the skilled person, here in the person of the designer, who will simply implement those choices, without the exercise of any inventive skills.
 - claims 10-12: the use of microfiber is well known in the field of protective lids, see e.g. D3. The material used for the outer layer is merely a choice which depends on the taste of the user.
 - claims 14-16: detecting the closed position of a cover and switching off the display of the host unit is well known in the field of portable devices when solving the problem of saving power, see e.g. D4, and thus can not lead to the presence of any inventive step.
 - claims 17, 18: detecting the partial covering of the display and adjusting the user interface is well known in the field of portable devices and is merely a design choice for the skilled person without the exercise of any inventive skills, see e.g. D5.

Possible steps after receipt of the international search report (ISR) and written opinion of the International Searching Authority (WO-ISA)

General information

For all international applications filed on or after 01/01/2004 the competent ISA will establish an ISR. It is accompanied by the WO-ISA. Unlike the former written opinion of the IPEA (Rule 66.2 PCT), the WO-ISA is not meant to be responded to, but to be taken into consideration for further procedural steps. This document explains about the possibilities.

Amending claims under Art. 19 PCT

Within 2 months after the date of mailing of the ISR and the WO-ISA the applicant may file amended claims under Art. 19 PCT directly with the International Bureau of WIPO. The PCT reform of 2004 did not change this procedure. For further information please see Rule 46 PCT as well as form PCT/ISA/220 and the corresponding Notes to form PCT/ISA/220.

Filing a demand for international preliminary examination

In principle, the WO-ISA will be considered as the written opinion of the IPEA. This should, in many cases, make it unnecessary to file a demand for international preliminary examination. If the applicant nevertheless wishes to file a demand this must be done before expiry of 3 months after the date of mailing of the ISR/ WO-ISA or 22 months after priority date, whichever expires later (Rule 54bis PCT). Amendments under Art. 34 PCT can be filed with the IPEA as before, normally at the same time as filing the demand (Rule 66.1 (b) PCT).

If a demand for international preliminary examination is filed and no comments/amendments have been received the WO-ISA will be transformed by the IPEA into an IPRP (International Preliminary Report on Patentability) which would merely reflect the content of the WO-ISA. The demand can still be withdrawn (Art. 37 PCT).

Filing informal comments

After receipt of the ISR/WO-ISA the applicant may file informal comments on the WO-ISA directly with the International Bureau of WIPO. These will be communicated to the designated Offices together with the IPRP (International Preliminary Report on Patentability) at 30 months from the priority date. Please also refer to the next box.

End of the international phase

At the end of the international phase the International Bureau of WIPO will transform the WO-ISA or, if a demand was filed, the written opinion of the IPEA into the IPRP, which will then be transmitted together with possible informal comments to the designated Offices. The IPRP replaces the former IPEA (international preliminary examination report).

Relevant PCT Rules and more information

Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003

Bitte beachten Sie, dass angeführte Nichtpatentliteratur (wie z. B. wissenschaftliche oder technische Dokumente) je nach geltendem Recht dem Urheberrechtsschutz und/oder anderen Schutzarten für schriftliche Werke unterliegen könnte. Die Vervielfältigung urheberrechtlich geschützter Texte, ihre Verwendung in anderen elektronischen oder gedruckten Publikationen und ihre Weitergabe an Dritte ist ohne ausdrückliche Zustimmung des Rechtsinhabers nicht gestattet.

Veillez noter que les ouvrages de la littérature non-brevets qui sont cités, par exemple les documents scientifiques ou techniques, etc., peuvent être protégés par des droits d'auteur et/ou toute autre protection des écrits prévue par les législations applicables. Les textes ainsi protégés ne peuvent être reproduits ni utilisés dans d'autres publications électroniques ou imprimées, ni rediffusés sans l'autorisation expresse du titulaire du droit d'auteur.

Please be aware that cited works of non-patent literature such as scientific or technical documents or the like may be subject to copyright protection and/or any other protection of written works as appropriate based on applicable laws. Copyrighted texts may not be copied or used in other electronic or printed publications or re-distributed without the express permission of the copyright holder.

1. An accessory unit, comprising:
 - a hinge span, the hinge span including a first magnetic element;
 - a flap portion pivotally connected to the hinge span, comprising;
 - a plurality of segments all but one of which are substantially the same size and wherein one segment is longer than the other segments, wherein each segment includes a pocket that is about the same size as the corresponding segment;
 - a rigid insert incorporated into each pocket, the rigid insert providing support for the associated segment; and
 - a folding region between each of the segments arranged to allow the plurality of segments to fold with respect to each other, wherein a first segment located at a first end of the flap and includes a magnetically attractable element and wherein a second segment located at a second end of the flap includes a plurality of magnetic resources, wherein when the first and second segments are folded one atop the other, all of the magnetic resources in the second segment magnetically attract the magnetically attractable element in the first segment to form a structure.
2. The accessory unit as recited in claim 1 wherein the structure is magnetically attached to an electronic device having a display.
3. The accessory unit as recited in claims 1 - 2, wherein the overlaid first and second segments form one side of a triangular structure that is about equal in length to a second side of the triangular structure each of which is shorter than the third side of the triangular structure.
4. The accessory unit as recited in claims 1 - 3, wherein the triangular structure is magnetically attached to a host unit having a display.
5. The accessory unit as recited in claims 1 - 3 wherein the triangular support structure forms a first stand to support the host unit in a desktop mode, wherein visual content presented at the display is positioned about 11° from horizontal.
6. The accessory unit as recited in claims 1 - 3 wherein the triangular support structure forms a second stand to support the host unit in a display mode, wherein visual content presented at the display is positioned about 75° from horizontal.
7. The accessory unit as recited in claims 1 - 3 wherein the triangular support structure forms a first hanger arranged to support the host unit in a hanging mode, wherein visual content presented at the display is at about 90° from horizontal.

8. The accessory unit as recited in claims 1- 3 wherein the triangular support structure forms a first type handle arranged to support the host unit in a grasping mode.
9. The accessory unit as recited in claim 2, wherein the magnetically attached first and second segments form a planar structure used to grasp the host unit.
10. The accessory unit as recited in claim 2, wherein the flap portion comprises:
an inner layer, the inner layer in contact with the display when the accessory unit is magnetically attached to the host unit in a closed configuration; and
an outer layer attached to the inner layer, the outer layer exposed to an external environment.
11. The accessory unit as recited in claim 10, wherein the inner layer passively cleans a surface of the display in the closed configuration.
12. The accessory unit as recited in claim 11, wherein the inner layer is formed of microfiber, the microfiber passively cleans the surface of the display in accordance with movement of the flap portion.
13. The accessory unit as recited in claims 10 - 12, wherein the outer layer is formed of resilient material that includes at least plastic, and leather.
14. The accessory unit as recited in claims 10 - 13, wherein the flap portion further comprises a magnetic element that is detected by a first sensor in the host unit when the flap portion is in the closed configuration.
15. The accessory unit as recited in claims 13 - 14, wherein the first sensor alters an operating state of the host unit in accordance with the detection.
16. The accessory unit as recited in claims 13 - 15, wherein the first sensor alters the operating state of the host unit by turning the display OFF in the closed configuration.
17. The accessory unit as recited in claim 13 - 16, wherein a second sensor in the host unit in cooperation with the first sensor determines if the display is only partially viewable.
18. The accessory unit as recited in claims 13 - 17, wherein the first and second sensor cooperate to alter the operating state of the host unit by providing that only the partially viewable portion of the display presents visual content.



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.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,431	12/17/2010	Andrew Lauder	APLIP788/P9985USX3	7909

62464 7590 07/19/2011
BEYER LAW GROUP LLP
P.O. BOX 1687
CUPERTINO, CA 95015-1687

EXAMINER

ART UNIT	PAPER NUMBER
3677	

NOTIFICATION DATE	DELIVERY MODE
07/19/2011	ELECTRONIC

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.

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

USPTOmail@beyerlaw.com



UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 18 2011

BEYER LAW GROUP LLP
P.O. BOX 1687
CUPERTINO CA 95015-1687

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

In re application of : **DECISION ON REQUEST TO**
Andrew Lauder : **PARTICIPATE IN PATENT**
Application No. 12/971,431 : **PROSECUTION HIGHWAY**
Filed: December 17, 2010 : **PROGRAM AND PETITION**
For: FOLDABLE ACCESSORY DEVICE : **TO MAKE SPECIAL UNDER**
: **37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 27, 2011 to make the above-identified application special.

The request and petition are **DISMISSED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must disclose an eligible relationship to one or more PCT applications filed in the EPO or USPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
- (6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition fail to include:

(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);

The Claims Correspondence Table is silent as to claims 34 - 40.

Applicant is requested to submit a new "Claims Correspondence Table" to clarify the present of claims 34 – 40 and how these claims 34 – 40 are sufficiently correspond to the allowable/patentable claims in the PCT application(s).

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. All replies to a decision to dismiss must be submitted by EFS-Web using the document description "Petition to make special under Patent Prosecution Highway."

Any inquiry regarding this decision should be directed to Mikado Buiz, Quality Assurance Specialist, at (571) 272-6578.

 / Mikado Buiz /
Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 7/18/11

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	12/971,431	Filing date:	December 17, 2010
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First Named Inventor:	Andrew Lauder
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Title of the Invention:	FOLDABLE ACCESSORY DEVICE
-------------------------	---------------------------

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML](http://www.uspto.gov/ebc/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/061382

The international filing date of the corresponding PCT application(s) is/are: 20 December 2010

I. List of Required Documents:

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)

- Is attached
- Is not attached because the document is already in the U.S. application.

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).

- Is attached.
- Is not attached because the document is already in the U.S. application.

c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM
BETWEEN THE EPO AND THE USPTO**

(continued)

Application No.:	12/971,431
First Named Inventor:	Andrew Lauder

d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.

Is attached

Has already been filed in the above-identified U.S. application on

May 27, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

Are attached.

Have already been filed in the above-identified U.S. application on

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	3, 4	Amended US claim 1 corresponds with patentable PCT claims 3, 4
33	2	New US claim 33 corresponds with patentable PCTclaim 2
4	5	Amended US claim 4 corresponds with patentable PCTclaim 5
5	6	Amended US claim 5 corresponds with patentable PCTclaim 6
6	7	Amended US claim 6 corresponds with patentable PCTclaim 7
15	8	Amended US claim 15 corresponds with patentable PCTclaim 8
16	9	Amended US claim 16 corresponds with patentable PCTclaim 9
25	10	New US claim 25 corresponds with patentable PCTclaim 10
26	11	New US claim 26 corresponds with patentable PCTclaim 11
27	12, 13	New US claim 27 corresponds with patentable PCTclaims 12 and 13
28	14	New US claim 28 corresponds with patentable PCTclaim 14
29	15	New US claim 29 corresponds with patentable PCTclaim 15
30	16	New US claim 30 corresponds with patentable PCTclaim 16
31	17	New US claim 31 corresponds with patentable PCTclaim 17
32	18	New US claim 32 corresponds with patentable PCTclaim 18

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Michael J. Ferrazano/	Date July 27, 2011
Name (Print/Typed) Michael J. Ferrazano	Registration Number 44,105

PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL SEARCHING AUTHORITY

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

To:
Ferrazano, Michael J.
BEYER LAW GROUP LLP
P.O. Box 1687
Cupertino, CA 95015-1687
ETATS-UNIS D'AMERIQUE

Handwritten notes:
APL1P788WO
1/17/12
7/11/11
APL1P788WO

(PCT Rule 44.1)

Date of mailing (day/month/year)	10 May 2011 (10-05-2011)
Applicant's or agent's file reference APL1P788WO	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/US2010/061382	International filing date (day/month/year) 20 December 2010 (20-12-2010)
Applicant APPLE INC.	

- The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
Filing of amendments and statement under Article 19:
The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):
When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.
Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70
For more detailed instructions, see PCT Applicant's Guide, International Phase, paragraphs 9.004 - 9.011.
- The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
- With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
 - the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
 - no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
- Reminders**
The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide, National Chapters*.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer URLICHS, Alexandra Tel: +31 (0)70 340-2291
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference APL1P788WO	FOR FURTHER ACTION		see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US2010/061382	International filing date (day/month/year) 20/12/2010	(Earliest) Priority Date (day/month/year) 17/09/2010	
Applicant APPLE INC.			

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

- the international application in the language in which it was filed
 a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6b1(a)).

c. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. **Certain claims were found unsearchable** (See Box No. II)

3. **Unity of invention is lacking** (see Box No III)

4. With regard to the **title**,

- the text is approved as submitted by the applicant
 the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- the text is approved as submitted by the applicant
 the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. 24A
 as suggested by the applicant
 as selected by this Authority, because the applicant failed to suggest a figure
 as selected by this Authority, because this figure better characterizes the invention
- b. none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2010/061382

A. CLASSIFICATION OF SUBJECT MATTER

INV. G06F1/16
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
G06F A47B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 440 502 A (REGISTER DAVID S [US]) 8 August 1995 (1995-08-08) figures 3a-3e column 6, line 48 - column 8, line 17 -----	1
A	US 2002/154099 A1 (OH YOUNG-JIN [KR]) 24 October 2002 (2002-10-24) figures 9,10a-10c paragraphs [0042], [0043] ----- -/--	1

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

29 April 2011

Date of mailing of the international search report

10/05/2011

Name and mailing address of the ISA/

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040,
Fax: (+31-70) 340-3016

Authorized officer

Piriou, Nominoë

INTERNATIONAL SEARCH REPORT

International application No

PCT/US2010/061382

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>Amazon: "Apple iPad Case (CASE-ZML MC361ZM/B)", http://www.amazon.com</p> <p>15 March 2010 (2010-03-15), XP002634625, Retrieved from the Internet: URL:http://www.amazon.com/Apple-iPad-Case-CASE-ZML-MC361ZM/dp/B003CGMQ38/ref=sr_1_1?ie=UTF8&qid=1304005136&sr=8-1 [retrieved on 2011-04-28] the whole document</p>	1,10-13
A	<p>US 2009/251406 A1 (SEIBERT PHILIP [US] ET AL) 8 October 2009 (2009-10-08) figures 2-6 paragraphs [0020] - [0022]</p>	1,14-16
A	<p>WO 03/021922 A1 (ERICSSON TELEFON AB L M [SE]; SCHOEN LENNART [SE]) 13 March 2003 (2003-03-13) figures 6a-6d,7 page 15, line 12 - page 19, line 8</p>	1,17,18
A	<p>WO 2007/029969 A1 (PARK JEONG-WOO [KR]) 15 March 2007 (2007-03-15) paragraphs [0042] - [0049] paragraphs [0084] - [0089] figures 1,2,12</p>	1

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No PCT/US2010/061382

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5440502	A	08-08-1995	NONE
US 2002154099	A1	24-10-2002	KR 20010096637 A TW 493295 B
US 2009251406	A1	08-10-2009	NONE
WO 03021922	A1	13-03-2003	NONE
WO 2007029969	A1	15-03-2007	CN 101304886 A JP 2009507676 T KR 20070029041 A US 2008222848 A1

PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL SEARCHING AUTHORITY

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

To:
 Ferrazano, Michael J.
 BEYER LAW GROUP LLP
 P.O. Box 1687
 Cupertino, CA 95015-1687
 ETATS-UNIS D'AMERIQUE

(PCT Rule 44.1)

Date of mailing (day/month/year) 10 May 2011 (10-05-2011)

Applicant's or agent's file reference APL1P788WO

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No. PCT/US2010/061382

International filing date (day/month/year) 20 December 2010 (20-12-2010)

Applicant
 APPLE INC.

1. The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
Filing of amendments and statement under Article 19:
 The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46).
When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.
Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
 1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70
For more detailed instructions, see PCT Applicant's Guide, International Phase, paragraphs 9.004 - 9.011.
2. The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
 - the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
 - no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
4. **Reminders**
 The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

 Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

 Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

 In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

 For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide, National Chapters*.

Name and mailing address of the International Searching Authority
 European Patent Office, P.B. 5818 Patentlaan 2
 NL-2280 HV Rijswijk
 Tel. (+31-70) 340-2040
 Fax: (+31-70) 340-3016

Authorized officer
 URLICHS, Alexandra
 Tel: +31 (0)70 340-2291

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

To:

see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2010/061382

International filing date (day/month/year)
20.12.2010

Priority date (day/month/year)
17.09.2010

International Patent Classification (IPC) or both national classification and IPC
INV. G06F1/16

Applicant
APPLE INC.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040
Fax: +31 70 340 - 3016

Date of completion of
this opinion

see form
PCT/ISA/210

Authorized Officer

Pirioiu, Nominoë

Telephone No. +31 70 340-9481



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2010/061382

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - the international application in the language in which it was filed
 - a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:
 - a. (means)
 - on paper
 - in electronic form
 - b. (time)
 - in the international application as filed
 - together with the international application in electronic form
 - subsequently to this Authority for the purposes of search
4. In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>1-18</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	<u>2-18</u>
	No: Claims	<u>1</u>
Industrial applicability (IA)	Yes: Claims	<u>1-18</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

- D1 US 5 440 502 A (REGISTER DAVID S [US]) 8 August 1995 (1995-08-08)
- D2 US 2002/154099 A1 (OH YOUNG-JIN [KR]) 24 October 2002 (2002-10-24)
- D3 Amazon: "Apple iPad Case (CASE-ZML MC361ZM/B)",
<http://www.amazon.com>
, 15 March 2010 (2010-03-15), XP002634625,
Retrieved from the Internet:
URL:http://www.amazon.com/Apple-iPad-Case-CASE-ZML-MC361ZM/dp/B003CGMQ38/ref=sr_1_1?ie=UTF8&qid=1304005136&sr=8-1
[retrieved on 2011-04-28]
- D4 US 2009/251406 A1 (SEIBERT PHILIP [US] ET AL) 8 October 2009 (2009-10-08)
- D5 WO 03/021922 A1 (ERICSSON TELEFON AB L M [SE]; SCHOEN LENNART [SE]) 13 March 2003 (2003-03-13)
- D6 WO 2007/029969 A1 (PARK JEONG-WOO [KR]) 15 March 2007 (2007-03-15)

2 The present application does not meet the criteria of Article 33(3) PCT, because the subject-matter of claim 1 does not involve an inventive step.

2.1 D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses the following:

an accessory unit (see fig. 34, col. 6, l. 55, cover 300), comprising:

- a hinge span (see fig. 3a, hinge 310a),

hold the accessory unit to a host unit. This is a well known design option for the skilled person, which does not require the exercise of any inventive skills, see e.g. D2.

(ii) depending on the shape the user wants to give to the accessory device when folded, the length of the segments will vary accordingly. Hence it merely amounts to a design choice for the skilled person, without the exercise of any inventive skills.

(iii) in D1, the segments are rigid. However no specific constructional details are given. In searching for a solution to how to build such segments, the skilled person would find other accessory devices such as the one described in D3. Combined with the common general knowledge of the skilled person, as well as the disclosure of D3 using those reinforced panels covered by a fabric, the skilled person would consider that the claimed construction is merely one of many several straightforward possibilities from which the skilled person would choose, without the exercise of any inventive skills, in order to solve the posed problem.

(iv) D1 provides a support for a host unit. However no specific details are given as to how the support structure is held into place. D1 merely suggests several solutions, but allows many other solutions. Magnetic means such as described in D6 is a well known means to hold structures together. Hence the use of magnetic means to hold the segments together is merely a design choice for the skilled person, without the exercise of any inventive skills.

It is important to note that the way the accessory device is folded so as to form a support for a host device, is merely the implementation of well known folding shapes of e.g. a sheet of paper. As folding a piece of paper is within the reach of any person, using different alternative folding shapes of a flap to support a host unit is well within the reach of the skilled person, without the exercise of any inventive skills.

- a flap portion pivotally connected to the hinge span comprising a plurality of segments all but one of which are substantially the same size (see fig. 3a, pieces ref. 300b, 300c, 300d, and 300e),
- a folding region between each of the segments arranged to allow the plurality of segments to fold with respect to each other (see fig. 3a, hinges ref. 310b, 310c and 310d)

2.2 The subject-matter of claim 1 therefore differs from this device known from D1 in that:

according to claim 1,

- (i) the hinge span includes a first magnetic element
- (ii) one of the segment is longer than the other segments
- (iii) each segment includes a pocket that is about the same size as the corresponding segment, with a rigid insert incorporated into each pocket, the rigid insert providing support for the associated segment
- (iv) a first segment located at a first end of the flap and includes a magnetically attractable element and wherein a second segment located at a second end of the flap includes a plurality of magnetic resources, wherein when the first and second segments are folded one atop the other, all of the magnetic resources in the second segment magnetically attract the magnetically attractable element in the first segment to form a structure.

2.3 The relationship between the above stated features (i) to (iv) is not one of functional reciprocity, i.e. does not provide a synergistic effect by achieving a technical effect over and above the sum of their respective individual effects. Thus they are considered as a mere aggregation of features. Therefore the inventive step of each of those features will be assessed independently as follows:

- (i) although the claim is not clear as to the purpose or problem that may be solved by such feature, it is understood from the description as originally filed, as well as dependent claim 2, that the first magnetic element's purpose is to

- 2.4 As none of the above features involves an inventive step, and given that they are considered a mere aggregation of features, the subject-matter of independent claim 1 can not be considered as involving an inventive step in the sense of Article 33(3) PCT.
- 3 Dependent claims 2-18 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, for the following reasons:
- claims 2, 4: magnetic means to attach a lid to a host unit is a well known design choice for the skilled person, without the exercise of any inventive skills, see D2.
 - claims 3, 5-7: the exact orientation and position of the host unit with the aid of the accessory unit is a design choice for the skilled person, which stems from e.g. ergonomic choices. Hence any precise measurements of e.g. the segments and orientation of the host unit, depends merely on those choices which have been passed on to the skilled person, here in the person of the designer, who will simply implement those choices, without the exercise of any inventive skills.
 - claims 10-12: the use of microfiber is well known in the field of protective lids, see e.g. D3. The material used for the outer layer is merely a choice which depends on the taste of the user.
 - claims 14-16: detecting the closed position of a cover and switching off the display of the host unit is well known in the field of portable devices when solving the problem of saving power, see e.g. D4, and thus can not lead to the presence of any inventive step.
 - claims 17, 18: detecting the partial covering of the display and adjusting the user interface is well known in the field of portable devices and is merely a design choice for the skilled person without the exercise of any inventive skills, see e.g. D5.

1. An accessory unit, comprising:
 - a hinge span, the hinge span including a first magnetic element;
 - a flap portion pivotally connected to the hinge span, comprising;
 - a plurality of segments all but one of which are substantially the same size and wherein one segment is longer than the other segments, wherein each segment includes a pocket that is about the same size as the corresponding segment;
 - a rigid insert incorporated into each pocket, the rigid insert providing support for the associated segment; and
 - a folding region between each of the segments arranged to allow the plurality of segments to fold with respect to each other, wherein a first segment located at a first end of the flap and includes a magnetically attractable element and wherein a second segment located at a second end of the flap includes a plurality of magnetic resources, wherein when the first and second segments are folded one atop the other, all of the magnetic resources in the second segment magnetically attract the magnetically attractable element in the first segment to form a structure.
2. The accessory unit as recited in claim 1 wherein the structure is magnetically attached to an electronic device having a display.
3. The accessory unit as recited in claims 1 - 2, wherein the overlaid first and second segments form one side of a triangular structure that is about equal in length to a second side of the triangular structure each of which is shorter than the third side of the triangular structure.
4. The accessory unit as recited in claims 1 - 3, wherein the triangular structure is magnetically attached to a host unit having a display.
5. The accessory unit as recited in claims 1 - 3 wherein the triangular support structure forms a first stand to support the host unit in a desktop mode, wherein visual content presented at the display is positioned about 11° from horizontal.
6. The accessory unit as recited in claims 1 - 3 wherein the triangular support structure forms a second stand to support the host unit in a display mode, wherein visual content presented at the display is positioned about 75° from horizontal.
7. The accessory unit as recited in claims 1 - 3 wherein the triangular support structure forms a first hanger arranged to support the host unit in a hanging mode, wherein visual content presented at the display is at about 90° from horizontal.

8. The accessory unit as recited in claims 1- 3 wherein the triangular support structure forms a first type handle arranged to support the host unit in a grasping mode.
9. The accessory unit as recited in claim 2, wherein the magnetically attached first and second segments form a planar structure used to grasp the host unit.
10. The accessory unit as recited in claim 2, wherein the flap portion comprises:
an inner layer, the inner layer in contact with the display when the accessory unit is magnetically attached to the host unit in a closed configuration; and
an outer layer attached to the inner layer, the outer layer exposed to an external environment.
11. The accessory unit as recited in claim 10, wherein the inner layer passively cleans a surface of the display in the closed configuration.
12. The accessory unit as recited in claim 11, wherein the inner layer is formed of microfiber, the microfiber passively cleans the surface of the display in accordance with movement of the flap portion.
13. The accessory unit as recited in claims 10 - 12, wherein the outer layer is formed of resilient material that includes at least plastic, and leather.
14. The accessory unit as recited in claims 10 - 13, wherein the flap portion further comprises a magnetic element that is detected by a first sensor in the host unit when the flap portion is in the closed configuration.
15. The accessory unit as recited in claims 13 - 14, wherein the first sensor alters an operating state of the host unit in accordance with the detection.
16. The accessory unit as recited in claims 13 - 15, wherein the first sensor alters the operating state of the host unit by turning the display OFF in the closed configuration.
17. The accessory unit as recited in claim 13 - 16, wherein a second sensor in the host unit in cooperation with the first sensor determines if the display is only partially viewable.
18. The accessory unit as recited in claims 13 - 17, wherein the first and second sensor cooperate to alter the operating state of the host unit by providing that only the partially viewable portion of the display presents visual content.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,431	12/17/2010	Andrew Lauder	APLIP788/P9985USX3	7909
62464	7590	08/19/2011	EXAMINER	
BEYER LAW GROUP LLP			MAH, CHUCK Y	
P.O. BOX 1687			ART UNIT	PAPER NUMBER
CUPERTINO, CA 95015-1687			3677	
			NOTIFICATION DATE	DELIVERY MODE
			08/19/2011	ELECTRONIC

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.

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

USPTOmail@beyerlaw.com



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BEYER LAW GROUP LLP
P.O. BOX 1687
CUPERTINO CA 95015-1687

In re application of
Lauder et al.
Application No. 12/971,431
Filed: December 17, 2010
For: FOLDABLE ACCESSORY DEVICE

: **DECISION ON REQUEST TO**
: **PARTICIPATE IN PATENT**
: **PROSECUTION HIGHWAY**
: **PROGRAM AND PETITION**
: **TO MAKE SPECIAL UNDER**
: **37 CFR 1.102(a)**

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 27, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must disclose an eligible relationship to one or more PCT applications filed in the EPO or USPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
- (6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the preliminary amendment filed on July 27, 2011. The request to participate in the PPH pilot program complies with the above requirements. Therefore, the above-identified application has been accorded "special" status.

All other inquiries concerning the examination or status of the application should be directed to the Patent Application Information Retrieval (PAIR) system.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Mikado Buiz, Quality Assurance Specialist, at (571) 272-6578.

 / Mikado Buiz /
Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 8/18/11



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes details for application 12/971,529 filed 12/17/2010 by Steffen MADSEN.

7590 03/09/2012
PANITCH SCHWARZE BELISARIO & NADEL LLP
ONE COMMERCE SQUARE
2005 MARKET STREET, SUITE 2200
PHILADELPHIA, PA 19103

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)
The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Handwritten signature of Anne Barnes

Patent Publication Branch
Office of Data Management



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**CYTEC INDUSTRIES INC.
1937 WEST MAIN STREET
P.O. BOX 60
STAMFORD CT 06904-0060**

MAILED

JAN 05 2012

OFFICE OF PETITIONS

In re Application of :
CROSS, et al. :
Application No. 12/971,542 :
Filed: December 17, 2010 : **DECISION ON PETITION**
Attorney Docket No. 08012S :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed September 29, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts (Notice) mailed January 5, 2011. A Notice of Abandonment was mailed on September 16, 2011.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of the required fees; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Notice mailed January 5, 2011, is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions



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AUG 11 2011

OFFICE OF PETITIONS

**FISH & ASSOCIATES, PC
ROBERT D. FISH
2603 MAIN STREET, SUITE 1000
IRVINE, CA 92614-6232**

In re Application of
James Simon
Application No. 12/971,568
Filed: December 17, 2010
Attorney Docket No. 101040.0001US3

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**DECISION ON PETITION
TO WITHDRAW
FROM RECORD**

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed July 29, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office will require the practitioner(s) to certify that he, she or they have: (1) given reasonable notice to the client, prior to the expiration of the reply period, which the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any replies that may be due and the time frame within which the client must respond, pursuant to 37 CFR 10.40 (c).

The request was signed by Robert D. Fish on behalf of all the practitioners of record associated with Customer Number 24392.

Customer Number 24392 has been withdrawn as attorney from record. Applicant is reminded that there is no attorney of record at this time.

The correspondence address of record has been changed and the new correspondence address is the address indicated below.

There are no outstanding Office actions that require a reply.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-6059. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/A. Kelley-Collier/
Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

cc: JAMES SIMON
8 ESTATES DRIVE
VILLA PARK, CA 92861



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/971,568	12/17/2010	James Simon	101040.0001US3

CONFIRMATION NO. 8208

POWER OF ATTORNEY NOTICE



OC000000049243504

24392
FISH & ASSOCIATES, PC
ROBERT D. FISH
2603 Main Street
Suite 1000
Irvine, CA 92614-6232

Date Mailed: 08/10/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/29/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/atkelley-collier/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,570	12/17/2010	Yoshihito MITSUOKA	MNL-2018-2624	8213
7590 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER KOONTZ, TAMMY J	
			ART UNIT	PAPER NUMBER
			3974	
			NOTIFICATION DATE	DELIVERY MODE
			01/27/2012	ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management



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MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH NC 27627

MAILED

JAN 07 2011

OFFICE OF PETITIONS

In re Application of :
Stafford, Darrel W. :
Application No. 12/971,574 : **ON PETITION**
Filed: December 17, 2010 :
Attorney Docket No. 5470-401CT6 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 17, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a Statement of Darrel W. Stafford, Ph.D., along with a copy of his North Carolina driver's license. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Office of Patent Application Processing for further pre-examination processing. Thereafter, the application will be referred to Technology Center Art Unit 1634 for action on the merits commensurate with this decision.

Liana Walsh
Petitions Examiner
Office of Petitions



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In re Application of
William Toreki

:
:

Application No. 12971659

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed:

:

Attorney Docket No. QMT1.123-US

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 22-DEC-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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ELMAN TECHNOLOGY LAW, P.C.
P. O. BOX 209
SWARTHMORE, PA 19081

MAILED
MAR 24 2011
OFFICE OF PETITIONS

In re Application of
William Toreki, et. al.
Application No. 12/971,659
Filed: December 17, 2010
Attorney Docket No. QMT1.123-US

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DECISION GRANTNG PETITION

This is a decision on the petition filed January 5, 2011, requesting that the above-identified application be accorded a filing date of December 17, 2010, without the omitted drawing¹. In the alternative, petitioner files a petition under 37 CFR 1.57, on January 5, 2011, to amend the application to include the inadvertently omitted drawing.

It is noted that the petitions are not signed by an attorney of record. However, in accordance with 37 CFR 1.34(a), the signature of Gerry J. Elman appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts.

The application was deposited on December 17, 2010. However, on January 5, 2011, the Office of Patent Application Processing mailed a Notice of Incomplete Nonprovisional Application (Notice) requiring drawings and stating that the filing date of the application would be the date of receipt of the omitted drawings.

In response, the present petitions were filed along with the omitted drawing on January 5, 2011.

It is noted that while petitioner submitted the omitted drawing, the petition contains a statement from the attorney that the drawings are not necessary for an understanding of the claimed subject matter. Therefore, the petition under 37 CFR 1.182 is **granted**².

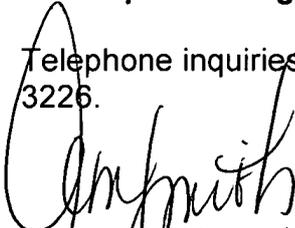
In view of the above, the petition under 37 CFR 1.57 is **dismissed as moot**.

¹ This petition is properly treated under 37 CFR 1.182.

² The \$400 petition fee submitted on January 26, 2011, is unnecessary and will be credited back to petitioner's credit card, in due course.

This application file is being referred to the Office of Patent Application Processing for further **processing with a filing date of December 17, 2010.**

Telephone inquiries concerning this matter may be directed to Andrea Smith at (571) 272-3226.



Andrea Smith
Petitions Examiner
Office of Petitions



David Bucci
Petitions Examiner



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David A. Einhorn
Baker & Hostetler LLP
45 Rockefeller Plaza
New York NY 10111

MAILED
FEB 13 2012
OFFICE OF PETITIONS

In re Patent No. 8,048,686 :
Issue Date: November 1, 2011 :
Application No. 12/971,702 : **DECISION ON PETITION**
Filed: December 17, 2010 :
Attorney Docket No. DE1998 :

This is a decision on the Request To Correct Assignee Name Under 37 CFR 3.81(b), filed December 20, 2011, to identify the correct assignee's name. A completed Certificate of Correction Form (PTO/SB/44) was submitted with Petition.

The petition under 37 CFR §3.81(b) is **GRANTED**.

Petitioner urges that the present Petition was submitted to identify the correct assignee's name on the previously submitted PTOL 85B. Accordingly, petitioner requests that a Certificate of Correction (PTO/SB/44) be issued to identify the correct assignee's name to the Title Page of the Letters Patent.

37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in §3.11 before issuance of the patent, and must include a request for a certificate of correction under §1.323 of this chapter (accompanied by the fee set forth in §1.20(a) and the processing fee set forth in §1.17(i) of this chapter.

The requisite \$130.00 processing fee (Fee Code 1464), as set forth under 37 CFR 1.17(i), was submitted. However, the requisite \$100.00 fee (Fee Code 1811), as set forth under 37 CFR §1.20(a), is required. Therefore, since the petition was accompanied deposit account authorization, the fee has been charged. Further, Office assignment records are consistent with the requested correction. Accordingly, since the Petition complies with the provisions of 37 CFR §3.81(b), it is appropriate for the Office to issue a Certificate of Correction in accordance with the content of the Form (PTO/SB/44) submitted with Petition.

U.S. Patent No. 8,048,686
Application No. 12/971,702
Decision on Petition under 37 CFR §3.81(b)

Page 2

Inquiries related this communication should be directed to the undersigned at (571)272-3213.

Any questions concerning the issuance of a Certificate of Correction should be directed to the Certificates of Correction Branch at (703)756-1814.

This matter is being referred to the Certificates of Correction Branch for processing of a Certificate of Correction in U.S. Patent No. 8,048,686.



Cheryl Gibson-Baylor
Petitions Examiner
Office of Petitions



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,751	12/17/2010	Yin Thai Chan	14952.0332 D3	8588
27890	7590	04/10/2012	EXAMINER	
STEPTOE & JOHNSON LLP			FERRE, ALEXANDRE F	
1330 CONNECTICUT AVENUE, N.W.			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20036			1788	
			NOTIFICATION DATE	DELIVERY MODE
			04/10/2012	ELECTRONIC

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.

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

hfox@steptoe.com
ipdocketing@steptoe.com
lfielding@steptoe.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Mailed : **APR 10 2012**
In re Application of : **DECISION ON**
Chan et al : **PETITION**
Serial No. 12/971,751 :
Filed: December 17, 2010 :
For: **MICROSPHERES INCLUDING**
NANOPARTICLES

This is a decision on the PETITION FILED UNDER 37 CFR 1.182 filed on November 8, 2011. The petition will be decided under 35 CFR 1.181. Applicant requests withdrawal of the Notice of Non-compliant Amendment mailed on August 8, 2011. The notice was sent in response to the amendment filed on June 16, 2011.

The Examiner asserts that amended claims 18 and 22-28 filed June 16, 2011 are directed to an invention that is independent or distinct from the invention originally claimed. The Examiner states that since Applicants have received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. The amendment canceled all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP 821.03).

A review of the record indicates that the application was filed with claims 1-102 and by a preliminary amendment on December 17, 2010, claims 1-7, 19-21 and 29-102 were cancelled. Claims 18 and 22-28 remained. The Examiner mailed an Office Action on these claims. In response to the Office Action, Applicants filed an amendment on June 16, 2011 amending claim 18 and claim 25. The Examiner asserts that original claims 18 and 22-28 and amended claims 18 and 22-28 are related as combination and subcombination.

DECISION

The notice of non-responsive amendment does not properly set forth reasons for requiring a restriction between the claims filed June 16, 2011 and those filed December 17, 2010. The amendment as filed on June 16, 2011 is considered compliant.



UNITED STATES PATENT AND TRADEMARK OFFICE

The petition is **Granted**.

The notice of non-complaint amendment is withdrawn and the amendment has been entered. The application will be forwarded to the Examiner for an action on the merits based on the amended claims filed June 16, 2011.

/Gladys JP Corcoran/
Director, Technology Center 1700

Gladys J. Corcoran
Director, TC 1700
Chemical and Materials Engineering

wk

STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, N.W.
WASHINGTON DC 20036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Huibin ZHU)
Confirmation No.: 8704)
Serial No.: 12/971,810)
Filing Date: 12/17/2010)
Atty Docket No.: 247214-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

Applicant respectfully submits that the present invention is directed to power systems and, more particularly, to a power generation system, a power converter system, and methods of converting power. (see at least paragraph [0001]).

In some known renewable energy power systems, direct current (DC) electrical power is generated from at least one renewable energy source. Such renewable energy sources may include wind, solar, geothermal, hydro, biomass, and/or any other renewable energy source. To properly couple such power systems to an electrical grid, the electrical power must be converted to alternating current (AC). At least some known power systems use a power converter to convert DC power to AC power. (see at least paragraph [0002]).

Such conversion from DC power to AC power typically produces one or more variations in the voltage and/or current components of the AC power generated. To reduce such variations, at least some known power converters use one or more inductors to filter the current and/or voltage generated by the power converters. More specifically, in at least some known power converters, at least one inductor is coupled to each output of the power converters. The use of such inductors, however, undesirably increases a cost of the power converters. (see at least paragraph [0003]).

Embodiments of the present invention facilitate providing an efficient and cost-effective power converter system for use within a power generation system. The power converter system includes a converter configured to be coupled to a power generation unit, and an inverter coupled to the converter by a DC bus. The inverter is configured to be coupled to an electrical distribution network for supplying electrical energy to the network. A control system controls the operation of the converter and the inverter. The inverter includes three inverter phases that each includes a plurality of bridges. Each bridge includes two switches coupled together in series. Each inverter phase is coupled to a separate inductor, and each inductor includes a plurality of windings positioned about a common core. An output of each bridge is coupled to a separate winding of the inductor. As such, the power converter systems described herein provide a high effective inductance for filtering power provided to an electrical distribution network while reducing a cost of the inductors used within the power converter systems. (see at least paragraph [0041]).

The embodiments described in the present invention facilitate the manufacture of reliable and inexpensive components for wind, solar, geothermal, hydro, biomass, and/or any other renewable energy sources. By creating a power converter that is inexpensive, the present invention materially contributes to the development of renewable energy by reducing the manufacturing costs of renewable energy systems. As such, embodiments of the present invention facilitate the production of high output power wind, solar, geothermal, hydro, biomass, and/or any other renewable energy sources, which in turn promotes increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company
By: /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: August 16, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **247214-1** Application Number (if known): **12/971,810** Filing date: **12-17-2010**

First Named Inventor: **Huibin ZHU**

Title: POWER GENERATION SYSTEM, POWER CONVERTER SYSTEM, AND METHODS OF CONVERTING POWER

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **August 16, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971.810	12/17/2010	Huibin Zhu	247214-1	8704
45432	7590	09/22/2011	EXAMINER	
PATRICK W. RASCHE (22402)			BERHANE, ADOLF D	
ARMSTRONG TEASDALE LLP			ART UNIT	PAPER NUMBER
7700 Forsyth Boulevard			2838	
Suite 1800			NOTIFICATION DATE	DELIVERY MODE
St. Louis, MO 63105			09/22/2011	ELECTRONIC

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.

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

uspatents@armstrongteasdale.com



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PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of	:	
ZHU et al.	:	DECISION ON PETITION
Application No. 12/971,810	:	TO MAKE SPECIAL UNDER
Filed: December 17, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247214-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on August 16, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800



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TASER INTERNATIONAL, INC.
17800 N. 85TH STREET
SCOTTSDALE AZ 85255-9603

MAILED

NOV 17 2011

OFFICE OF PETITIONS

In re Application of	:	
BRUNDULA	:	
Application No. 12/971,883	:	NOTICE
Filed: December 17, 2010	:	
Attorney Docket No. 101.01754	:	

This is in response to the paper filed October 26, 2011, under 37 CFR 1.28(g)(2) requesting that status as a Small Entity be removed.

In accordance with the request, status as a Small Entity has been removed. In the paper filed October 26, 2011, the attorney has requested that the present change of status not be consider retroactive and that any paper already filed or any fee paid in the present application, not be subject to the change of status.

Telephone inquiries concerning this decision should be directed to Diane Goodwyn at (571) 272-6735.

All other inquiries should be directed to the Technology Center at (571) 272-2800.

This matter is being referred to Technology Center 2836 for further processing.


 Thurman K. Page
 Petitions Examiner
 Office of Petitions



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TASER INTERNATIONAL, INC.
17800 N. 85TH STREET
SCOTTSDALE AZ 85255-9603

MAILED
NOV 17 2011
OFFICE OF PETITIONS

In re Application of :
BRUNDULA :
Application No. 12/971,883 : DECISION ON PETITION
Filed: December 17, 2010 :
Attorney Docket No. 101.01754 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed October 26, 2011, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to timely pay the issue fee on or before August 8, 2011, as required by the Notice of Allowance and Fee(s) Due, mailed May 6, 2011, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on August 9, 2011. A Notice of Abandonment was mailed August 19, 2011.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$870; (2) the petition fee of \$930; and (3) the required statement of unintentional delay.

Since the issue fee must be paid as a condition for revival of an abandoned application, the issue fee will be charged to Deposit Account No. 50-3337, as authorized.

The Request for Continued Examination (RCE) filed with the petition dated October 26, 2011, is acknowledged.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries should be directed to the Technology Center at (571) 272-2800.

The application is being referred to Technology Center Art Unit 2836 for processing of the RCE.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,885	12/17/2010	Akio OKI	061352-0371	8840

7590 05/31/2011
McDERMOTT WILL & EMERY LLP
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER

ART UNIT	PAPER NUMBER
1724	

MAIL DATE	DELIVERY MODE
05/31/2011	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.



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EL

May 31, 2011

In re application of : DECISION ON REQUEST TO
Oki, et al. : PARTICIPATE IN PATENT
Serial No. 12/971885 : PROSECUTION HIGHWAY
Filed: December 17, 2010 : PROGRAM AND
For: **METHOD FOR FORMING** : PETITION TO MAKE SPECIAL
ARTIFICIAL LIPID MEMBRANE : UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed March 17, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
- b. An English translation of the allowable/ patentable claim(s), if applicable; and
- c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:

- a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
- b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

- a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
 - ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPTO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and
- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
- b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Emily M. Le, Supervisory Patent Examiner, at (571) 272-0903.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/ Emily M. Le/

Emily M. Le
Supervisory Patent Examiner,
Technology Center 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Tobias Schuetz)
Confirmation No.: 8902)
Serial No.: 12/971,915)
Filing Date: 12-17-2010)
Atty Docket No.: 241656-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: July 13, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **241656-1** Application Number (if known): **12/971,915** Filing date: **12-17-2010**

First Named Inventor: **Tobias Schuetz**

Title: **SYSTEM AND METHOD FOR MEASURING TEMPERATURE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **July 13, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,915	12/17/2010	Tobias Schuetz	241656-1	8902
6147	7590	07/29/2011	EXAMINER	
GENERAL ELECTRIC COMPANY GLOBAL RESEARCH ONE RESEARCH CIRCLE BLDG. K1-3A59 NISKAYUNA, NY 12309			ART UNIT	PAPER NUMBER
			2855	
			NOTIFICATION DATE	DELIVERY MODE
			07/29/2011	ELECTRONIC

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.

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

ldocket@crd.ge.com
wahld@ge.com
haeckl@ge.com



GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of	:	
Schuetz et al.	:	DECISION ON PETITION
Application No. 12/971915	:	TO MAKE SPECIAL UNDER
Filed: December 17, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 241656-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 13, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The instant petition includes a statement identifying the basis for the special status as contributing to the development of renewable resources or energy conservation. The claims are directed to a system and method for collecting electromagnetic information for estimating temperature of a semiconductor junction. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the system and method of the applicant's invention in a manner that could contribute to the development of energy conservation. Any argument that the claimed invention can be used with for energy conservation or more efficient utilization of energy resources would be considered speculative as to how a hypothetical end-user might specially apply to the claimed temperature estimating system/method.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800



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

MAILED
SEP 27 2011
OFFICE OF PETITIONS

Stephen B. Salai, Esq.
Harter Secrest & Emery LLP
1600 Bausch & Lomb Place
Rochester NY 14604-2711

In re Application of	:	
Karl-Bruno Hänel	:	
Application No. 12/971,937	:	DECISION ON PETITION
Filed: July 11, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. ALCR29A	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed September 14, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by an attorney on behalf of inventor Karl Karl-Bruno Hänel attesting to his age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3652 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 05/31/2010. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 3449-1569PUS1

Application Number (if known): 12/971,945

Filing date: December 17, 2010

First Named Inventor: Jung Hyeok BAE

Title: LIGHT EMITTING DEVICE, METHOD OF MANUFACTURING THE SAME, AND LIGHT EMITTING DEVICE PACKAGE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

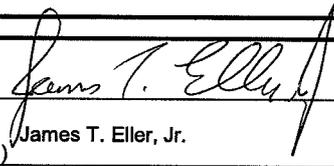
3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment

Signature



Date May 20, 2011

Name (Print/Typed) James T. Eller, Jr.

Registration Number 39538

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Jung Hyeok BAE et al.

Application No.: 12/971,945

Confirmation No.: 8952

Filed: December 17, 2010

Art Unit: 2811

For: LIGHT EMITTING DEVICE, METHOD OF
MANUFACTURING THE SAME, AND
LIGHT EMITTING DEVICE PACKAGE

Examiner: L. A. Gurley

**STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In support of the Petition to Make Special Under the Green Technology Pilot Program, it is respectfully submitted that the basis for the requested special status is that the invention in the above-identified patent application materially contributes to the development of environmental quality and energy conservation. Specifically, the claimed invention relates to a light emitting device including a light emitting structure formed of semiconductor layers.

A light emitting device with a light emitting structure formed of semiconductor layers according to the present disclosure has a much longer life-span than conventional light sources such as fluorescent tubes or other traditional light sources. Also, a light emitting device with a light emitting structure formed of semiconductor layers according to the present disclosure also uses less energy or power to operate than other traditional light sources. Thus, the environmental quality is significantly improved and energy is conserved.

Additionally, by filing this petition, Applicant agrees to make an election without traverse in a telephone interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction,"

as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

It is also submitted that this application meets the eligibility requirements to participate in the Green Technology Pilot Program, as listed in the attached Petition to Make Special Under the Green Technology Pilot Program.

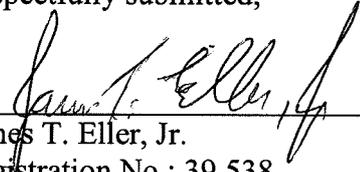
Accordingly, it is respectfully requested the Petition be granted.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: May 20, 2011

Respectfully submitted,

By 

James T. Eller, Jr.

Registration No.: 39,538

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000



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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,945	12/17/2010	Jung Hyeok BAE	3449-1569PUS1	8952
2292	7590	05/26/2011	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			GURLEY, LYNNE ANN	
PO BOX 747			ART UNIT	PAPER NUMBER
FALLS CHURCH, VA 22040-0747			2811	
			NOTIFICATION DATE	DELIVERY MODE
			05/26/2011	ELECTRONIC

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.

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

mailroom@bskb.com



BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of	:	
BAE et al.	:	DECISION ON PETITION
Application No. 12/971,945	:	TO MAKE SPECIAL UNDER
Filed: December 17, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 3449-1569PUS1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 20, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

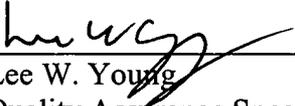
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2811 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS TX 75201-2980

MAILED
APR 08 2011
OFFICE OF PETITIONS

In re Application of :
Arghvani, Shifren, Ranade, Thompson, and Devilleneuve :
Application No.: 12/971,955 : DECISION REFUSING
Filed: December 17, 2010 : RULE 47(a) STATUS
Attorney Docket No: **078023.0361 (10-003)** :
For: TRANSISTOR WITH THRESHOLD VOLTAGE SET NOTCH AND METHOD OF
FABRICATION THEREOF

This is a decision on the petition under 37 CFR 1.47(a) filed March 7, 2011.

The petition under 37 CFR 1.47(a) is **dismissed**.

Any request for reconsideration under this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Failure to respond will result in the abandonment of this application. Any response should be titled "Request for Reconsideration of Petition Under 37 CFR 1.47(a).

The above-cited application was filed on December 17, 2010, and was not accompanied by a proper declaration. A Notice to File Missing Parts of Nonprovisional Application was mailed on January 6, 2011, requiring a properly executed declaration and surcharge. The notice allowed an extendable period for reply of two months from its mailing date. The instant petition was filed on March 7, 2011.

A grantable petition under 37 CFR 1.47(a) requires:

- (1) proof that the non-signing inventor(s) cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;
- (3) the petition fee,
- (4) a statement of the last known address of the non-signing inventor,

The petition does not satisfy items (1) and (2).

As to item (1), the instant petition does not detail the circumstances of the refusal of inventor Arghvani to join the prosecution of the application in that it does not provide a first-hand account of the presentation of the application papers and declaration to the non-signing inventor or a first-hand account

of the inventor's alleged refusal to join the prosecution of the application. Further to this point, Section 409.03(d) of the *Manual of Patent Examining Procedure* (MPEP) provides, in pertinent part, that:

Where a refusal of the inventor to sign the application papers is alleged, the circumstances of the presentation of the application papers and of the refusal must be specified in a statement of facts by the person who presented the inventor with the application papers and/or to whom the refusal was made. Statements by a party not present when an oral refusal is made will not be accepted.

Proof that a *bona fide* attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the nonsigning inventor for signature, but the inventor refused to accept delivery of the papers or expressly stated that the application papers should not be sent, may be sufficient. When there is an express oral refusal, that fact along with the time and place of the refusal must be stated in the statement of facts. When there is an express written refusal, a copy of the document evidencing that refusal must be made part of the statement of facts. The document may be redacted to remove material not related to the inventor's reasons for refusal.

When it is concluded by the 37 CFR 1.47 applicant that a nonsigning inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in the statement of facts in support of the petition or directly in the petition. If there is documentary evidence to support facts alleged in the petition or in any statement of facts, such evidence should be submitted. Whenever a nonsigning inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the petition.

Accordingly, the renewed petition must be accompanied by a statement from a person with first-hand knowledge and/or evidence regarding the presentation of the application papers and alleged refusal of the non-signing inventor to join the prosecution of the application.

The instant petition lacks item (2) as set forth above.

As to item (2), the declaration under 37 CFR 1.63 filed March 7, 2011, indicates that both inventor Arghavani and inventor Shifren are the first named inventor in the application. The renewed petition must be accompanied by a declaration under 37 CFR 1.63 that addresses this inconsistency.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents,
 PO Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS TX 75201-2980

MAILED

JUN 28 2011

OFFICE OF PETITIONS

In re Application of
Arghavani, et al.
Application No.: 12/971,955
Filed: December 17, 2010
Attorney Docket No: 078023.0361 (10-003)
Invention: TRANSISTOR WITH THRESHOLD
VOLTAGE SET NOTCH AND METHOD OF
FABRICATION THEREOF

:
:
: DECISION ACCORDING
: RULE 47(a) STATUS

This is in response to the renewed petition under 37 CFR 1.47(a), filed June 8, 2011.

The petition is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

The above-cited application was filed on December 17, 2010, without a properly executed declaration. A Notice to File Missing Parts of Nonprovisional Application was mailed on January 6, 2011, allowing a shortened period for reply of two months from its mailing date. Extensions of the time set for reply were available pursuant to 37 CFR 1.136(a). The notice required a proper oath or declaration to be filed and payment of a surcharge. A petition under 37 CFR 1.47(a) was filed on March 7, 2011, and dismissed by a decision mailed April 8, 2011.

Petitioner has shown that inventor Arghavani has refused to join the prosecution of the application. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to the Office of Patent Application Processing for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Reza Arghavani
192 Twin Pines Drive
Scotts Valley, CA 95066

MAILED

JUN 28 2011

In re Application of
Arghavani, et al.
Application No.: 12/971,955
Filed: December 17, 2010
Attorney Docket No: 078023.0361 (10-003)
Invention: TRANSISTOR WITH THRESHOLD
VOLTAGE SET NOTCH AND METHOD OF
FABRICATION THEREOF

: **OFFICE OF PETITIONS**

:

: LETTER

:

:

:

Dear Inventor Arghavani:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a joint inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Kenya A. McLaughlin at (571) 272-3222. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS TX 75201-2980

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Lars DAVIDEIT)
Confirmation No.: 8998)
Serial No.: 12/971,969)
Filing Date: 12-17-2010)
Atty Docket No.: 244862-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

Applicant respectfully submits that the present invention is directed to systems and methods for producing rotor blades for wind turbines. While wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, the availability of wind energy as a viable power generating option heavily depends on the cost/benefit economics of wind energy. As such, it is important that the cost of producing the energy, including maintenance of the wind turbines, cannot outweigh the benefits. Furthermore, turbine down time can have a substantial effect on the production of energy. The longer the period for which turbine operation is interrupted, the less time the turbine is available to produce energy.

In particular, wind turbine blade designs with twist bend coupling have been shown to reduce gust-induced extreme and fatigue loads. Reducing gust-induced extreme and fatigue loads, in turn, may decrease the down time for maintenance of wind turbines as the reduction in loads will increase the longevity of wind turbine components. Rotor blades for wind turbines are typically produced by laminating a structure into a prefabricated mold. The shape of the mold defines properties of the produced rotor blade like length, width, thickness, and twist bend coupling. It has been shown that the coupling coefficient between bending of an outer region of a rotor blade during gusts and an induced change of a twist angle is dependent on a number of factors, which are difficult to take into account during the design phase. Hence, the actual coupling properties of a rotor blade may only become evident after the first blade is produced from the mold. If subsequent testing shows that the twist bend coupling is unsatisfactory, it may be necessary to change the static twist angle of the blade. However, the tooling process for producing the mold is time-consuming and requires a significant amount of handwork. If it becomes evident after production of the first rotor blade that the blades produced do not exhibit satisfactory performance, a cumbersome and expensive reworking of the mold may be necessary.

The embodiments described in the present invention reduce both the cost of producing wind turbine rotor blades by allowing the adjustment of a rotor blade mold without a cumbersome and expensive reworking of the mold, and the cost of operating a wind turbine through reducing gust-induced extreme and fatigue loads on the wind turbine, which reduces maintenance down time to fix

components that have been stressed by excessive loads. By easing two known difficulties with wind turbines, gust-induced extreme and fatigue loads, and cumbersome and expensive reworking of the molds to optimize twist bend coupling properties of wind turbine rotors, the present invention materially contributes to the development of renewable energy by facilitating the production of less expensive rotor blades which will reduce the maintenance down time of the wind turbines of which they become a part, which in turn promotes increased energy production through more favorable cost/benefit economics of wind energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company
By: /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: July 29, 2011
GE Global Patent Operation
2 Corporate Drive, Suite 248
Shelton, CT 06484
203-944-6730

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **244862-1** Application Number (if known): **12/971,969** Filing date: **12-17-2010**

First Named Inventor: **Lars DAVIDEIT**

Title: **METHOD AND APPARATUS FOR PRODUCING A ROTOR BLADE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **July 29, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/971,969	12/17/2010	Lars DAVIDEIT	244862-1	8998
52082	7590	08/19/2011	EXAMINER	
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			JOHNSON, CHRISTINA ANN	
			ART UNIT	PAPER NUMBER
			1742	
			NOTIFICATION DATE	DELIVERY MODE
			08/19/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.carnaroli@ge.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

AUG 19 2011

In re Application of
Lars Davideit et al.
Application No. 12/971,969
Filed: December 17, 2010
Attorney Docket No. 244862-1

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 03, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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United States Patent and Trademark Office
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**BLAKELY SOKOLOFF TAYLOR
& ZAFMAN LLP
SUNNYVALE CA 94085-4040**

**MAILED
JAN 30 2012
OFFICE OF PETITIONS**

**In re Application of
WADA
Application No.: 12/971,974
Filed: December 17, 2010
Attorney Docket No.: 6639P1099
For: ELECTRONIC APPARATUS**

**: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 5, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
3. Applicant must
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
 - a. Documentation of prior office action:

- i. a copy of the office action(s) just prior to the “Decision to Grant a Patent” from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a “Notification of Reasons for Refusal” then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded “special” status.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application is being forwarded to Technology Center AU 2614 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitioners Examiner
Office of Petitions



**ECOLAB USA INC.
MAIL STOP ESC-F7, 655 LONE OAK DRIVE
EAGAN MN 55121**

**MAILED
MAY 23 2011
OFFICE OF PETITIONS**

In re Application of :
Victor F. Man et al : DECISION ON PETITION
Application No. 12/972,019 :
Deposited: December 17, 2010 :
Attorney Docket No. 2025USC1 :

This is a decision on the petition filed March 4, 2011, under 37 CFR 1.57(a), which is being treated as a petition requesting that the above-identified application, without drawings, be accorded a filing date of December 17, 2010.

Application papers in the above-identified application were deposited on December 17, 2010. However, on March 15, 2011, the Office of Patent Application Processing mailed applicants a "Notice Of Incomplete Nonprovisional Application," notifying applicants that the application papers had not been accorded a filing date because the application was deposited without drawings. In response, applicants timely filed this petition. Applicants request that the application be amended to include the inadvertently omitted drawings on the basis that the application as filed contained a prior benefit claim under 37 CFR 1.55 or 1.78.

Petitioner's arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method claim. MPEP 601.01(f) provides that:

It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Thus, pursuant to § 601.01(f), where the application includes at least one method claim, a drawing is not considered essential for a filing date. The instant application includes a method claim. Therefore, the instant application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

[i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

Please note that no petition is required and that the amendment must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17. Any amendment to include the inadvertently omitted drawing(s) will be considered by the examiner.

To the extent the instant petition requests a filing date of December 17, 2010, with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, no petition fee is necessary. Therefore, the petition fee submitted on March 4, 2011, is being credited to petitioner's credit card account as it is the method in which the fee was paid.

Pursuant to this decision, the application will be referred to the Office of Patent Application Processing for:

- **correction of the filing date to December 17, 2010;**
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing and**
- **for issuance of a filing receipt.**

Entry of the amendment filed March 4, 2011, will be determined by the examiner.

Application No. 12/972,019

-3-

Telephone inquiries concerning this matter may be directed to Karen Creasy at (571) 272-3208.

A handwritten signature in black ink, appearing to read 'Anthony Knight', written in a cursive style.

Anthony Knight
Director
Office of Petitions



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In re Application of
Kong Ping Oh

:
:

Application No. 12972042

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed: December 17, 2010

:

Attorney Docket No. 0001-003-02-US

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 12-JAN-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,062	12/17/2010	Donald Morris	LIUI135868	9170
26389	7590	01/11/2011	EXAMINER	
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			ART UNIT	PAPER NUMBER
			3652	
			NOTIFICATION DATE	DELIVERY MODE
			01/11/2011	ELECTRONIC

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.

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

efiling@cojk.com



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JAN 10 2011

CHRISTENSEN, O'CONNOR, JOHNSON,
KINDNESS, PLLC
1420 FIFTH AVENUE, SUITE 2800
SEATTLE, WA 92101-2347

In re application of :
Morris et al. :
Application No. 12/972,062 : **DECISION ON PETITION**
Filed: December 17, 2010 : **TO MAKE SPECIAL FOR**
For: COUNTERBALANCE MECHANISM : **NEW APPLICATION**
FOR FOLD OUT RAMP : **UNDER 37 CFR 1.102**

This is a decision on the petition filed on December 17, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed to a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist Teri P. Luu, at (571) 272-7045.

/Teri P. Luu/

Teri P. Luu
Special Program Examiner
Technology Center 3600

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)					
Application Information					
Application Number	12972072	Confirmation Number	9185	Filing Date	2010-12-17
Attorney Docket Number (optional)	10-11-5803	Art Unit	2811	Examiner	
First Named Inventor	Aram Tanielian				
Title of Invention	LOW PROFILE SCHOTTKY BARRIER DIODE FOR SOLAR CELLS AND SOLAR PANELS AND METHOD OF FABRICATION THEREOF				
<p>Attention: Office of Petitions An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).</p> <p>APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.</p> <p>A grantable petition requires one of the following items: (1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or (2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.</p>					
Name of Inventor who is 65 years of age, or older					
Given Name	Middle Name	Family Name		Suffix	
Aram		Tanielian			
<p>A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.</p>					
Signature	/R. Joseph Trojan/		Date (YYYY-MM-DD)	2011-07-22	
Name	R. Joseph Trojan		Registration Number	34264	

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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In re Application of
Aram Tanielian

:
:

Application No. 12972072

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed: December 17, 2010

:

Attorney Docket No. 10-11-5803

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 22-JUL-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

In The United States Patent and Trademark Office

Application Number: 12/972,087

Applicant(s): Wenhui He

Group Art Unit: 1772

Filing Date: 12/17/2010

Attorney Docket Number: LZUP136-PAT153

Title: Method of ecological restoration of water bodies containing excess nutrient

Date: 09/05/2011

PETITION FOR ADVANCEMENT OF EXAMINATION

Honorable Commissioner for Patents,
P.O. Box 1450,
Alexandria, VA 22313-1450

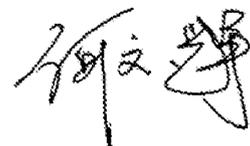
Sir:

The applicant respectfully requests advancement of examination of the invention, since the invention will materially enhance the quality of the environment, as set forth in § 1.102.

The invention relates to a method of ecological restoration of water bodies containing excess nutrient, in which nutrients accumulate and finally result in an outburst of unicellular algae which will destroy the ecological environment in the water bodies.

As disclosed, the invention was proved to be of material enhancement to the quality of the environment.

The present invention was experimented in Yuanmingyuan Park, Beijing, China. After 20 days, the tamed *Daphnia magna* have reduced the blue algae from 55-70g/m³ to 0-5g/m³, lowered down more than 90% of chlorophyll a, and raised water transparence from 30-40cm to more than 150cm.

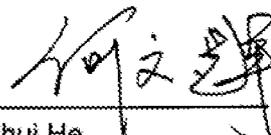


After cooperated with the submerged plant for two years, ammonia nitrogen in the water body reduced from 0.512-0.644mg/L to 0.140-0.426mg/L, nitrite nitrogen reduced from 0.05-0.06mg/L to 0.007-0.009mg/L, total nitrogen reduced from 5-6mg/L to 0.80-1.02mg/L, reactive phosphorus reduced from 0.052-0.075mg/L to 0.012-0.029mg/L, average reduction rate of ammonia nitrogen is 83.09%, average reduction rate of nitric nitrogen is 66.08%, average reduction rate of nitrite is 59.33%, average reduction rate of phosphate is 83.14%, and average reduction rate of Chl a is more than 99%.

In addition, it is worth mentioning that, the invention is a CIP, and the publication date of its parent application is November 12, 2009. Therefore, advancement of the examination should provide timely protection to the invention.

Therefore, the applicant respectfully believes that the examination of the invention could be advanced.

Respectfully submitted,


Wenhui He



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,087	12/17/2010	Wenhui He	LZUP136-PAT153	9211
71716	7590	11/03/2011	EXAMINER	
ZHEN ZHENG LU			PRINCE, FRED G	
1730 HUNTINGTON DRIVE #304			ART UNIT	PAPER NUMBER
DUARTE, CA 91010			1778	
			MAIL DATE	DELIVERY MODE
			11/03/2011	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.



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ZHEN ZHENG LU
1730 HUNTINGTON DRIVE #304
DUARTE CA 91010

11/3/11

In re Application of :
He : DECISION ON PETITION
Application No. 12/972,087 : TO MAKE SPECIAL UNDER
Filed: 12/17/2010 : THE GREEN TECHNOLOGY
Attorney Docket No. LZUP136-PAT153 : PILOT PROGRAM

Note that the instant petition was originally filed as a request for advancement of examination under 37 CFR 1.102. However, effective August 25, 2006 the advancement of examination based on environment as set forth in 37 CFR 1.102 is no longer offered. Applicants must meet the requirements as set forth in Accelerated Examination program or Green Technology program. Accordingly, the instant petition will be treated as a petition filed under the Green Technology program.

This is a decision on the petition under 37 CFR 1.102, filed 9/6/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis

for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 5 and 8.

In regard to item 5, petitioner should note that a statement has not been provided that states that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner as required by the Notice. Accordingly, the petition cannot be granted without such a statement.

In regard to item 8, petitioner should note that since no request in compliance with 37 CFR 1.219 has been made for the early publication of the present application and the publication fee as set forth in 37 CFR 1.18(d) has not been received, the petition is dismissed.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1778 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

In The United States Patent and Trademark Office

Application Number: 12/972,087 Examiner: Prince, Fred G
Applicant(s): Wenhui He Group Art Unit: 1778
Filing Date: 12/17/2010 Attorney Docket Number: LZUP136-PAT153
Title: Method of ecological restoration of water bodies containing excess nutrient

Date: 12/03/2011

PETITION FOR RECONSIDERATION

Honorable Commissioner for Patents,
P.O. Box 1450,
Alexandria, VA 22313-1450

Sir:

In response to the decision on petition to make special under the green technology pilot program mailed 11/03/2011, the applicant respectfully submits the instant petition for reconsideration, and provides the lacked items 5) and 8) of the requirements of special status as follows.

The applicant agrees to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner.

The instant invention has already been published and the publication fee as set forth in 37 CFR 1.18(d) is paid.

Therefore, the applicant respectfully believes that the examination of the invention could be advanced.

Respectfully submitted,



Wenhui He



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.
12/972,087	12/17/2010	Wenhui He	LZUP136-PAT153	9211
71716	7590	12/16/2011	EXAMINER	
ZHEN ZHENG LU			PRINCE, FRED G	
1730 HUNTINGTON DRIVE #304			ART UNIT	PAPER NUMBER
DUARTE, CA 91010			1778	
			MAIL DATE	DELIVERY MODE
			12/16/2011	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.



ZHEN ZHENG LU
1730 HUNTINGTON DRIVE #304
DUARTE CA 91010

12/16/11

In re Application of :
He : DECISION ON PETITION
Application No. 12/972,087 : TO MAKE SPECIAL UNDER
Filed: 12/17/2010 : THE GREEN TECHNOLOGY
Attorney Docket No. LZUP136-PAT153 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/5/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1778 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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

KING & SPALDING LLP
PO BOX 889
BELMONT CA 94002-0889

MAILED
MAY 13 2011
OFFICE OF PETITIONS

In re Application of :
Butters, et al. :
Application No. 12/972,089 : DECISION ACCORDING STATUS
Filed: December 17, 2010 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 38547-8020.US01:

This is in response to the petition under 37 CFR 1.47(a), filed April 13, 2011.

The petition under 37 CFR 1.47(a) is **GRANTED**.

Rule 47 applicant has demonstrated that inventor Bonzon has refused to sign the declaration after having been presented with the application papers. Specifically, a copy of the application papers were forwarded to Bonzon's last known address on March 8, 2011, but as of the mailing date of the petition, no executed declaration has been received.

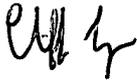
The petition and declaration have been reviewed and determined to be in compliance with 37 CFR 1.47(a).

The application is hereby accorded Rule 47 status.

As provided in 37 CFR 1.47(c), the Office will provide notice of this application's filing to the non-signing inventor at the last known address provided in the petition. Notice will also be provided in the Official Gazette.

The application is being forwarded to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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CHRISTINE BONZON
6556 WINDWARD RIDGE WAY
SAN DIEGO CA 92121

MAILED

MAY 13 2011

OFFICE OF PETITIONS

In re Application of :
Butters, et al. :
Application No. 12/972,089 :
Filed: December 17, 2010 : LETTER
Title: Aqueous Compositions and
Methods :

Dear Ms. Bonzon:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (571)272-3207. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Cliff Congo
Petitions Attorney
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Tao Xu
Title: SURFACE-TEXTURED ENCAPSULATIONS FOR USE WITH LIGHT
EMITTING DIODES
Serial No.: 12/972,135 Filing Date: 12/17/2010
Examiner: Unknown Group Art Unit: 2811
Docket No.: 70257.177 Confirmation No.: 9294

Irvine, California
December 17, 2010

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

STATEMENT UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir:

The basis for this Petition to Make Special Under the Green Technology Pilot Program is energy conservation. This invention contributes to energy conservation and thus qualifies for the Green Technology Pilot Program because the invention facilitates the manufacture and/or use of light emitting diodes (LEDs) which use substantially less energy than contemporary incandescent and fluorescent lights. Thus, it is respectfully submitted that the materiality standard is met.

Haynes & Boone, LLP
Attorney & Counselors

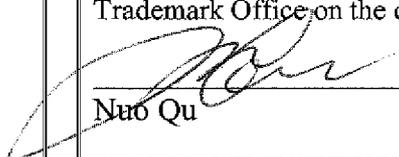
18100 Van Karman
Suite 750
Irvine, CA 92612-0169

CONCLUSION

Authorization is given to charge any fees due or credit any overpayments in regard to this communication to deposit account 08-1394. If the Examiner has any questions or concerns, a telephone call to the undersigned at (949) 202-3000 is welcomed and encouraged.

Certification of Electronic Transmission

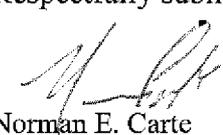
I hereby certify that this paper is being electronically transmitted to the U.S. Patent and Trademark Office on the date shown below.



Nuo Qu

December 17, 2010
Date of Signature

Respectfully submitted,


Norman E. Carte
Agent for Applicants
Reg. No. 30,455

Haynes & Boone, LLP
Attorney & Counselors

18100 Van Karman
Suite 750
Irvine, CA 92612-0169

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (12-09)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **70257.177** Application Number (if known): **12/972135** Filing date: **12/17/2010**

First Named Inventor: **Tao Xu**

Title: **SURFACE-TEXTURED ENCAPSULATIONS FOR USE WITH LIGHT EMITTING DIODES**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request. Applicant hereby rescinds under 37 CFR 1.213(b) any previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

If the application has been published, the petition must still be accompanied by the publication fee set forth in 37 CFR 1.18(d) and a statement that the application has been published.

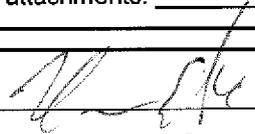
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that was published in the Federal Register if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature  Date **12/17/2010**
Name (Print/Typed) **Norman E Carte** Registration Number **30,455**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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.
12/972,135	12/17/2010	Tao Xu	70257.177	9294

27683 7590 01/12/2011
HAYNES AND BOONE, LLP
IP Section
2323 Victory Avenue
Suite 700
Dallas, TX 75219

EXAMINER

ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
01/12/2011	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.



HAYNES AND BOONE, LLP
IP Section
2323 Victory Avenue
Suite 700
Dallas TX 75219

In re Application of	:	
Tao XU	:	DECISION ON PETITION
Application No. 12/972,135	:	TO MAKE SPECIAL UNDER
Filed: December 17, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 70257.177	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 17, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2811 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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

SHELL OIL COMPANY
P O BOX 2463
HOUSTON TX 77252-2463

MAILED

APR 04 2011

OFFICE OF PETITIONS

In re Application of :
Van Buijtenen et al. :
Application No. 12/972170 :
Filing or 371(c) Date: 12/17/2010 :
Attorney Docket Number: : **DECISION**
TS2217 (US) : **ON PETITION**

This is a decision on the "Petition Under 37 CFR 1.57(a)(3) and Fee," filed February 11, 2011, to add inadvertently omitted drawings to the present application based upon a benefit claim.

The petition is granted to the extent indicated below.

Background

The application was filed on December 17, 2010. On January 5, 2011, the Office of Patent Application Processing mailed a Notice of Incomplete Nonprovisional Application (hereinafter "Notice"), informing Applicant, *inter alia*, that the application had NOT been accorded a filing date because the application had been deposited without drawings.

Applicant responds with the present petition and request to add the inadvertently omitted drawings as filed in the claimed foreign priority application incorporated by reference at page 1, lines 1-3 of the application as-filed. Applicant also files a Preliminary Amendment pursuant to 37 CFR 1.57(a), amending the application to include the drawings, along with a certified copy of the claimed priority application, European Application No. 09180764.4, filed December 24, 2009.

Petitioner's arguments and evidence have been considered. A review of the application confirms that, as filed, the application contained an explicit incorporation of the contents of prior European Application No. 09180764.4, filed December 24, 2009.

Incorporation by reference

The MPEP provides:

In an application containing an explicit incorporation by reference statement in the specification or in a transmittal letter (if the transmittal letter was filed prior to September 21, 2004), a petition for the granting of a filing date may be made under 37 CFR 1.182. A petition under 37 CFR 1.182 and the required petition fee, including an amendment submitting the necessary omitted material, requesting that the necessary omitted material contained in the prior application and submitted in the amendment, be included in the continuation or divisional application based upon the incorporation by reference statement, is required in order to accord the application a filing date as of the date of deposit of the continuation or divisional application.

MPEP 201.06(c)(IV)(A).

A review of the application file reveals that the application incorporated by reference the disclosure of prior European Application No. 09180764.4, filed December 24, 2009. A review of European Application No. 09180764.4, filed December 24, 2009, reveals that the application contains a drawing page. Therefore, based upon applicant's incorporation by reference of the contents of European Application No. 09180764.4, filed December 24, 2009, on filing of the present application, a filing date of December 17, 2010, may be accorded the present application.

Receipt of the amendment to include the inadvertently omitted drawing from European Application No. 09180764.4, filed December 24, 2009, is hereby acknowledged. The Examiner will address any issues of new matter.

Petition under 37 CFR 1.57(a)

In view of the foregoing, the petition under 37 CFR 1.57(a) is considered moot. A refund of the petition fee has been credited to Petitioner's deposit account.

Conclusion

This application is being forwarded to the Office of Patent Application Processing, Customer Corrections, for further processing, with the filing date of December 17, 2010, using the application papers present on that date.

Telephone inquiries concerning this matter should be directed to the undersigned at 571-272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions



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

GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

MAILED

MAY 24 2011

OFFICE OF PETITIONS

In re Application of :
Hemmelmann, et al. :
Application No. 12/972,207 : DECISION REFUSING STATUS
Filed: December 17, 2010 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 243967-1 :

This is in response to the petition under 37 CFR 1.47(a), filed May 6, 2011.

The petition under 37 CFR 1.47(a) is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventors. **Failure to respond will result in abandonment of the application.** Any extensions of time will be governed by 37 CFR 1.136(a).

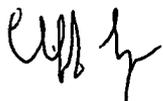
Rule 47 applicant has not submitted the required \$200 fee for a petition under 37 CFR 1.47. No authorization to charge the fee to counsel's deposit account could be found. As a result, the petition will not be considered on the merits until such time as applicant submits the petition fee.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

By FAX: (571)273-8300
 Attn: Office of Petitions

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/R20 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **243967_1** Application Number (if known): **12/972207** Filing date: **12-17-2010**

First Named Inventor: **Jan Erich Hemmelmann**

Title: **SYSTEM AND METHOD TO PROVIDE CONSTANT SPEED MECHANICAL OUTPUT IN A MACHINE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **May 31, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jan Erich Hemmelmann)
Confirmation No.: 9427)
Serial No.: 12/972207)
Filing Date: 12-17-2010)
Atty Docket No.: 243967_1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: May 31, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG K1-3A59
NISKAYUNA NY 12309

MAILED
AUG 02 2011
OFFICE OF PETITIONS

In re Application of :
Hemmelmann, et al. :
Application No. 12/972,207 : DECISION REFUSING STATUS
Filed: December 17, 2010 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 243967-1 :

This is in response to the renewed petition under 37 CFR 1.47(a),
filed July 25, 2011.

The petition under 37 CFR 1.47(a) is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of
this decision to reply, correcting the below-noted deficiencies.
Any reply should be entitled "Request for Reconsideration of
Petition Under 37 CFR 1.47(a)," and should only address the
deficiencies noted below, except that the reply may include an
oath or declaration executed by the non-signing inventors.
Failure to respond will result in abandonment of the application.
Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof
that the non-signing inventor(s) cannot be reached or refuses to
sign the oath or declaration after having been presented with the
application papers (specification, claims and drawings); (2) an
acceptable oath or declaration in compliance with 37 CFR 1.63;
(3) the petition fee; and (4) a statement of the last known
address of the non-signing inventor(s). The instant petition
does not satisfy item (2).

The declaration is not in compliance with 37 CFR 1.63 because it does not identify the non-signing inventor. The declaration must identify the name and citizenship of each inventor, and if not provided in an Application Data Sheet, must also identify the residence and mailing address of each inventor.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

By FAX: (571)273-8300
 Attn: Office of Petitions

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions



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

GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG K1-3A59
NISKAYUNA NY 12309

MAILED
OCT 12 2011
OFFICE OF PETITIONS

In re Application of :
Hemmelmann, et al. :
Application No. 12/972,207 : DECISION ACCORDING STATUS
Filed: December 17, 2010 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 243967-1 :

This is in response to the renewed petition under 37 CFR 1.47(a),
filed October 3, 2011.

The petition under 37 CFR 1.47(a) is **GRANTED**.

Applicant filed a 37 CFR 1.47(a) petition on July 25, 2011.
However, the petition was dismissed in a decision mailed on
August 2, 2011. The petition was dismissed because the 37 CFR
1.63 declaration did not identify the non-signing inventor.

With the instant renewed petition, Rule 47 applicant has
submitted a declaration in compliance with 37 CFR 1.63.

The above-identified application and papers have been reviewed
and found to be in compliance with 37 CFR 1.47(a). Accordingly,
the above-identified application is hereby accorded Rule 1.47(a)
status. As provided in 37 CFR 1.47(c), this Office will forward
notice of this application's filing to the non-signing inventor
at the last known address provided in the petition. Notice of
the filing of this application will also be published in the
Official Gazette.

Application No. 12/972,207

Page 2

The application is being forwarded to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

A handwritten signature in black ink, appearing to read "Cliff Congo". The signature is written in a cursive, somewhat stylized font.

Cliff Congo
Petitions Attorney
Office of Petitions



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

MICHAL WOLFGANG WASZAK
BRUCKNER-STR 17
81677 MUNCHEN GERMANY

MAILED
OCT 12 2011
OFFICE OF PETITIONS

In re Application of :
Hemmelmann, et al. :
Application No. 12/972,207 :
Filed: December 17, 2010 :
Title: System and Method to Provide :
Constant Speed Mechanical Output in a :
Machine :

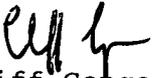
LETTER

Dear Mr. Waszak:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a joint inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (571)272-3207. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).


Cliff Congo
Petitions Attorney
Office of Petitions



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.
12/972,207	12/17/2010	Jan Erich Hemmelmann	243967-1	9427

6147 7590 11/17/2011
GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA, NY 12309

EXAMINER

ART UNIT	PAPER NUMBER
3655	

NOTIFICATION DATE	DELIVERY MODE
11/17/2011	ELECTRONIC

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.

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

ldocket@crd.ge.com
wahld@ge.com
haeckl@ge.com



UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 17 2011

GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of	:	
JAN ERICH HEMMELMANN et al.	:	DECISION ON PETITION
Application No. 12/972,207	:	TO MAKE SPECIAL UNDER
Filed: December 17, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 243967-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed June 3, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is GRANTED.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3655 for action on the merits commensurate with this decision.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600



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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,207	12/17/2010	Jan Erich Hemmelmann	243967-1	9427
6147	7590	11/17/2011	EXAMINER	
GENERAL ELECTRIC COMPANY GLOBAL RESEARCH ONE RESEARCH CIRCLE BLDG. K1-3A59 NISKAYUNA, NY 12309			ART UNIT	PAPER NUMBER
			3655	
			NOTIFICATION DATE	DELIVERY MODE
			11/17/2011	ELECTRONIC

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.

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

ldocket@crd.ge.com
wahld@ge.com
haeckl@ge.com



GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

NOV 17 2011

In re Application of :
Hemmelmann et al. :
Application No. 12/972,207 :
Filed: 12/17/2010 :
Attorney Docket No. 243967-1 :

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 6/3/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent

Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3655 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 246732-1 (22402-249) Application Number (if known): 12/972,221 Filing date: 12/17/2010

First Named Inventor: Timothy Botsford CRIBBS

Title: SYSTEMS AND METHODS FOR MONITORING A CONDITION OF A ROTOR BLADE FOR A WIND TURBINE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/

Date May 13, 2011

Name (Print/Typed) Douglas D. Zhang

Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,221	12/17/2010	TIMOTHY BOTSFORD CRIBBS	246732 (22402-249)	9451

45432	7590	06/01/2011	EXAMINER	
PATRICK W. RASCHE (22402)			ART UNIT	
ARMSTRONG TEASDALE LLP			PAPER NUMBER	
7700 Forsyth Boulevard			2877	
Suite 1800			NOTIFICATION DATE	
St. Louis, MO 63105			DELIVERY MODE	
			06/01/2011	
			ELECTRONIC	

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.

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

USpatents@armstrongteasdale.com



PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of	:	
Timothy CRIBBS	:	DECISION ON PETITION
Application No. 12/972, 221	:	TO MAKE SPECIAL UNDER
Filed: February December 17, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246732 (22402-249)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 19, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2877 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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**TOWNSEND AND TOWNSEND AND CREW LLP /PULMONX 017534
TWO EMBARCADERO CENTER, EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834**

MAILED

JUN 16 2011

OFFICE OF PETITIONS

In re Application of	:	
Aljuri et al.	:	DECISION ON PETITION
Application No. 12/972,225	:	TO WITHDRAW
Filed: December 17, 2010	:	FROM RECORD
Attorney Docket No. 017534-002821US	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed May 12, 2011.

The request is **NOT APPROVED**.

The Request for Withdrawal as Attorney or Agent and Change of Correspondence Address submitted on May 12, 2011 is hereby not accepted. Petitioner has not complied with current USPTO requirements, as set forth in 37 CFR 10.40 concerning Request for Withdrawal as Attorney and Change of Correspondence Address (form PTO/SB/83). Specifically, pursuant to 37 CFR 10.40, the Office will require the practitioner(s) to certify that he, she or they have:

- (1) given reasonable notice to the client, prior to the expiration of the reply period, that the practitioner(s) intends to withdraw from employment;
- (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and
- (3) notified the client of any replies that may be due and the time frame within which the client must respond.

Petitioner has not complied with the above certifications. It is suggested that petitioner submit a properly completed PTO/SB/83 (form enclosed), which provides a section wherein practitioners may certify the completion of the above-listed activities necessary for the request to withdraw from representation to be granted.

Further, the Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71*, or, if no assignee of the entire interest has properly been

made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.

According to a review of current USPTO records petitioner has not requested the address be changed to a properly recorded assignee or the first listed inventor. The Customer Number 20995 is neither the first named inventor nor the assignee who properly became of record under 37 CFR 3.71 As such, all future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Currently, there is no outstanding Office action that requires a reply.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-7751.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

Enclosure: PTO/SB/83



KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

Mail Date: March 17, 2011

In re Application of: Sullivan et al.

Application No.: 12/972233

Filed: December 17, 2010

Title: TISSUE CUTTER WITH DIFFERENTIAL
HARDNESS

: DECISION ON PETITION TO
: MAKE SPECIAL FOR NEW
: APPLICATION UNDER 37
: C.F.R. § 1.102 & M.P.E.P. §
: 708.02

This is a decision on the petition filed on December 17, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

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

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

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, and 5.3 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, and 6-6.6 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to “the petition” hereinbelow, the received papers under consideration include the PTO/SB/28 form, the “pre-examination search document” including pages 1-5; the “accelerated examination support document” comprising pages 1-82, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 606 subclasses 79.

Regarding the requirements of section II elements 6-6.6 outlined above, the accelerated examination support document is not in compliance with 37 CFR 11.18(b)(1) since the disclaimers in each section of the document contradict the information and belief statement that is a requirement of submitting a paper. In other words, applicant cannot file a paper while disclaiming the requirements of the regulation. In order for the accelerated examination support document to be acceptable, the disclaimer language must be removed.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner’s statements must also be consistent and must be related to the claim language. In the instant petition, each claim must be addressed as to the specific limitations that support patentability. None of the dependent claims include this reference to specific limitations. Claim 11 is not addressed specifically to its specific limitations and refers to claim 1. The listing of examples for claim 11 does not make it clear whether these are the only limitations that make the claim patentable or there are other limitations that support applicant position on patentability.

Note, a statement that the dependent claims are allowable because the independent claims are patentable is not sufficient. This does not provide guidance to the examiner as to whether the limitations could provide patentability should the examiner find the independent claims unpatentable.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written

description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such support exists. In the instant petition, 112 first paragraph support was not provided for provisional applications (60910618, 60910625, 60986912, 60910618, and 60910625) of which benefit is being claimed. Additionally for application 12/098250, it is not clear whether the sections of the table left blank were intentional to indicate that support is not found or whether the showing of support was inadvertently omitted. A statement must be made in each section of the table to clearly indicate petitioner's position of support for these limitations.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700



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APR 20 2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of: Sullivan et al.	:	
Application No.: 12/972233	:	DECISION ON PETITION TO
Filed: December 17, 2010	:	MAKE SPECIAL FOR NEW
Title: TISSUE CUTTER WITH DIFFERENTIAL	:	APPLICATION UNDER 37
HARDNESS	:	C.F.R. § 1.102 & M.P.E.P. §
	:	708.02
	:	

This is a decision on the renewed petitions filed on April 13, 2011 and April 15, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700



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WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

MAILED

JAN 21 2011

OFFICE OF PETITIONS

In re Application of :
Lee et al. :
Application No. 12/972,237 : **ON PETITION**
Filed: December 17, 2010 :
Attorney Docket No.38219-701.402 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 17, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

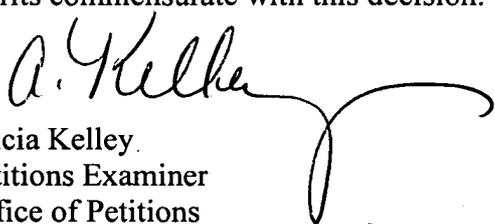
The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by the applicant's attorney that the applicant is over 65 years of age and is also accompanied with a Declaration from that applicant that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 1636 for action on the merits commensurate with this decision.


Alicia Kelley
Petitions Examiner
Office of Petitions



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Decision Date : July 26,2011

In re Application of :

Hiroyasu Tanaka

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 12972243

Filed : 17-Dec-2010

Attorney Docket No : 372839US2DIV

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed July 26,2011 , to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

This application file is being referred to Technology Center AU 2892 for processing of the request for continuing examination under 37 CFR 1.114 .

Office of Petitions

Electronic Petition Request	PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)
Application Number	12972243
Filing Date	17-Dec-2010
First Named Inventor	Hiroyasu Tanaka
Art Unit	2892
Examiner Name	CALVIN LEE
Attorney Docket Number	372839US2DIV
Title	SEMICONDUCTOR DEVICE

An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.

APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).

A grantable petition requires the following items:

- (1) Petition fee; and
- (2) One of the following reasons:
 - (a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;
 - (b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or
 - (c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).

Petition Fee

- Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).
- Applicant(s) status remains as SMALL ENTITY.
- Applicant(s) status remains as other than SMALL ENTITY

Reason for withdrawal from issue

- One or more claims are unpatentable
- Consideration of a request for continued examination (RCE) (List of Required Documents and Fees)
- Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

RCE request, submission, and fee.

- I certify, in accordance with 37 CFR 1.4(d)(4) that :
- The RCE request ,submission, and fee have already been filed in the above-identified application on
 - Are attached.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

- An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.
- A sole inventor
- A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors
- A joint inventor; all of whom are signing this e-petition
- The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/Eckhard H. Kuesters/
Name	Eckhard H. Kuesters
Registration Number	28870



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In re Application of
PETER A. BROMS

:

Application No. 12972383

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed: December 17, 2010

:

Attorney Docket No. ACUS204.3US

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 22-JUN-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)					
Application Information					
Application Number	12/972,383	Confirmation Number	9773	Filing Date	2010-12-17
Attorney Docket Number (optional)	ACUS204.3US	Art Unit	3695	Examiner	Thomas M Hammond III
First Named Inventor	PETER A. BROMS				
Title of Invention	ADJUSTABLE DERIVATIVE SECURITIES AND METHOD FOR ADJUSTING THE VALUE OF SAME DUE TO A CORPORATE EVENT				
Attention: Office of Petitions An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV). APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE. A grantable petition requires one of the following items: (1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or (2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.					
Name of Inventor who is 65 years of age, or older					
Given Name	Middle Name	Family Name	Suffix		
PETER	A.	BROMS			
A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature. Select (1) or (2) :					
<input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.					
<input checked="" type="radio"/> (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.					
Signature	/C. ANDREW IM/		Date (YYYY-MM-DD)	2011-06-22	
Name	C. ANDREW IM		Registration Number	40657	

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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**STEPHEN CHRISTOPHER SWIFT
SWIFT LAW OFFICE
2121 EISENHOWER AVENUE
SUITE 200
ALEXANDRIA, VA 22314-4688**

**MAILED
JAN 24 2011
OFFICE OF PETITIONS**

In re Application of :
Albert Hamilton Davis Sr. :
Application No. 12/972,486 : **ON PETITION**
Filing: December 19, 2010 :
Attorney Docket No. 299-2 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 19, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

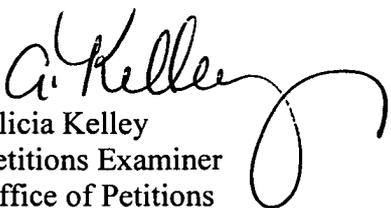
The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by the applicant's attorney that he is more than 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.


Alicia Kelley
Petitions Examiner
Office of Petitions



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**STEPHEN CHRISTOPHER SWIFT
SWIFT LAW OFFICE
2121 EISENHOWER AVENUE
SUITE 200
ALEXANDRIA VA 22314-4688**

**MAILED
JAN 24 2011
OFFICE OF PETITIONS**

In re Application of	:	
Albert Hamilton DAVIS SR.	:	
Application No. 12/972,490	:	DECISION ON PETITION
Filed: December 19, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 299-3	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 19, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Stephen Christopher Swift, which will be treated as the result of the attorney having evidence that the applicant is at least 65 years of age. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

This application is being referred to the Office of Data Management for processing. This application will be accorded "special" status when pre-examination processing is done.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Reinhard LANGEN)
Confirmation No.: 1177)
Serial No.: 12/972,590)
Filing Date: December 20, 2010)
Atty Docket No.: 242860-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 5, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **242860-1** Application Number (if known): **12/972,590** Filing date: **December 20, 2010**

First Named Inventor: **Reinhard LANGEN**

Title: **MODULAR ROTOR BLADE AND METHOD FOR MOUNTING A WIND TURBINE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Douglas D. Zhang/**

Date **May 5, 2011**

Name (Print/Typed) **Douglas D. Zhang**

Registration Number **37,985**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,590	12/20/2010	Reinhard LANGEN	242860_1	1177
52082	7590	05/19/2011	EXAMINER	
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			05/19/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.camaroli@ge.com



General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
LANGEN, REINHARD et al	:	DECISION ON PETITION
Application No. 12/972,590	:	TO MAKE SPECIAL UNDER
Filed: Dec. 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 242860_1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to the green technologies. This is not convincing. It is not clear how the claimed method of assembly and claimed two-segment blade and a cable will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. Claim 1 has nothing to do with wind turbines for energy generation. Claim 1 reads on a lawn mower blade with a cable attached for hanging.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. The application is currently undergoing pre-examination processing. Upon completion, the application will be forwarded to the Technology Center Art Unit 3745 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Reinhard LANGEN)
Confirmation No.: 1177)
Serial No.: 12/972,590)
Filing Date: 12-20-2010)
Atty Docket No.: 242860-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 19 May 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that it is not clear how the claimed method of assembly and claimed two-segment blade and a cable will provide and enhance the quality of the environment or contribute to the development of renewable energy resources or energy conservation or greenhouse gas reduction. The Decision further alleges that Claim 1 has nothing to do with wind turbines for energy generation and that Claim 1 reads on a lawn mower blade with a cable attached for hanging. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate generally to methods and systems for the mounting of wind turbines, and more particularly, to methods and systems for mounting wind turbines having modular rotor blades.

Conventionally, wind turbine blades are pre-fabricated in a factory and are transported to the erection site of the wind turbine via land, sea, or air transport. At the site, the rotor is typically mounted on the ground by attaching the rotor blades to the rotor hub, and the assembled rotor is subsequently lifted up to its position at the nacelle by a crane. During this process, a number of difficulties can occur, which are sometimes based on the characteristics of the terrain at the erection site and around it. As an example, wind turbines in mountain regions or at the coast often have to be transported over small winding roads. Land transport is in these cases hindered by the fact that the rotor blades have a considerable length which limits the ability of a carrying vehicle to follow curves. Moreover, the space at the erection site may be limited, for instance in mountain regions. Hence, it may hardly, or not at all, be possible to assemble the rotor on the ground, because to this end a plane space in the dimension of more than the diameter of the rotor is necessary. (see at least paragraphs [0003]-[0005]).

While wind conditions in mountain regions and coastal regions tend to be extremely favorable for capturing wind energy, the factors describe above may result in increased costs for erecting a wind turbine. In cases where erection costs become excessive, such factors may ultimately prohibit the erection of wind turbines at those sites, regardless of the favorable wind conditions.

The embodiments described herein provide a rotor blade for a wind turbine that includes at least two segments, and at least one cable, wherein the at least two segments are adapted to be mounted together to form the rotor blade, and wherein the at least one cable is adapted to attach the at least two segments, and wherein the at least one cable is extending through at least part of the segments. Further, methods for assembling a modular rotor blade and for mounting a wind turbine are provided. (see at least the Abstract of the Disclosure). The embodiments of the present invention include a wind turbine system that can be mounted in regions with limited space for the mounting process. More specifically, the modular rotor blades can be transported to construction sites in locations not easily accessible. (see at least paragraph [0022]).

Embodiments of the present invention promote easier transportation of wind turbine rotor blades to an erection site. Furthermore, embodiments of the present invention facilitate the assembly of wind turbine rotor blades at erection sites with limited space, particularly sites with favorable wind conditions. As such, the embodiments described herein reduce the cost prohibitive effects associated with transporting wind turbine blades to an erection site and assembling the blades at the erection site. This in turn promotes increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: June 16, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,590	12/20/2010	Reinhard LANGEN	242860_1	1177

52082 7590 07/01/2011
General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
07/01/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.carnaroli@ge.com



General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

7/1/11

In re Application of
Langen et al.
Application No. 12/972,590
Filed: 12/20/2010
Attorney Docket No. 242860_1

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/17/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Pedro Luis BENITO)
SANTIAGO)
Confirmation No.: 1330)
Serial No.: 12/972,649)
Filing Date: 12-20-2010)
Atty Docket No.: 241807-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 4, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **241807-1** Application Number (if known): **12/972,649** Filing date: **12/20/2010**

First Named Inventor: **Pedro Luis BENITO SANTIAGO**

Title: WIND TURBINE, AERODYNAMIC ASSEMBLY FOR USE IN A WIND TURBINE, AND METHOD FOR ASSEMBLING THEREOF

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Douglas D. Zhang/**

Date **May 4, 2011**

Name (Print/Typed) **Douglas D. Zhang**

Registration Number **37,985**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

Privacy Act Statement

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,649	12/20/2010	Pedro Luis BENITO SANTIAGO	241807_1	1330
52082	7590	05/19/2011	EXAMINER	
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			05/19/2011	ELECTRONIC

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gpo.mail@ge.com
allyson.camaroli@ge.com



General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
BENITO SANTIAGO, PEDRO LUIS et al	:	DECISION ON PETITION
Application No. 12/972,649	:	TO MAKE SPECIAL UNDER
Filed: Dec. 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 241807_1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within **ONE (1) MONTH OR THIRTY (30) DAYS** from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to the green technologies. This is not convincing. It is not clear how the claimed method of assembly will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. Claim 15 has nothing to do with wind turbines for energy generation.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. The application is currently undergoing pre-examination processing. Upon completion, the application will be forwarded to the Technology Center Art Unit 3726 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Pedro Luis BENITO)
SANTIAGO)
Confirmation No.: 1330)
Serial No.: 12/972,649)
Filing Date: 12-20-2010)
Atty Docket No.: 241807-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 19 May 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that it is not clear how the claimed method of assembly will provide and enhance the quality of the environment or contribute to the development of renewable energy resources or energy conservation or greenhouse gas reduction. The Decision further alleges that Claim 15 has nothing to do with wind turbines for energy generation. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate generally to methods and systems for a wind turbine, and more

particularly, a method of assembling a wind turbine and an aerodynamic assembly for use with a wind turbine.

Wind turbines generally include a tower and a nacelle mounted on the tower. A rotor is rotatably mounted to the nacelle and is coupled to a generator by a shaft. A plurality of blades extends from the rotor. The blades are oriented such that wind passing over the blades turns the rotor and rotates the shaft, thereby driving the generator to generate electricity. In particular, the wind generates a torque force along the blades. This torque is not constant along the blade. Generally, the torque generated at an inner portion of the blade is smaller than the torque generated at an outer portion of the blade. The torque along the blade generally depends on the particular wind conditions. The angle of attack (i.e., the angle between the chord line of the blade and the oncoming wind flow) may vary along the blade in order to increase the torque at an inner portion of the blade. In particular, the angle of attack can be twisted from the inner portion of the blade to an outer portion thereof. However, this generally implies a complex blade shape, which may result in a significant cost increase. Furthermore, this approach for increasing the angle of attack at the inner portion of the rotor blade does not provide dynamic control of the torque along the blade in response to varying wind conditions. Dynamic control of the torque along the blade may be implemented by providing an adjustable angle of attack at the inner portion of the blade, for example, by attaching a movable slat to the blade. However, such a movable slat may be insufficient or even unsuitable for particular requirements posed by certain wind conditions. (see at least paragraphs [0002]-[0004]).

Embodiments described herein include an airfoil body designed to increase aerodynamic lift of an inner portion of a rotor blade, which airfoil body is attached to the hub at the airfoil body root portion. An airfoil body according to

embodiments herein facilitates increasing aerodynamic lift of the inner part of an associated rotor blade inevitably requiring modification thereof, in contrast to the slats discussed above. As set forth above, such modifications of the rotor blade may compromise the aerodynamic performance of the blades, as well as significantly increasing their design and manufacturing costs. (see at least paragraph [0028]).

In addition thereto, an airfoil body according to at least some of the embodiments disclosed herein does not add static load to the rotor blades since the airfoil body is attached to the hub at the airfoil body root portion. Thereby, the main load generated by the airfoil body may be directly transferred to the hub via load transfer areas at the hub. According to other embodiments, the airfoil body may contact a rotor blade for stabilizing the airfoil body. (see at least paragraph [0029]).

Implementing an airfoil body as described by embodiments herein facilitates increasing the aerodynamic lift at the inner portion of the rotor blades, which facilitates increasing wind capture of the wind turbine. Furthermore, increasing lift of an inner portion of the rotor blades generally facilitates avoiding that an insufficient torque on that part of the rotor blade may lead to an undesired stall of the rotor. (see at least paragraph [0030]). As such, the embodiments described herein promote increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: June 15, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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.
12/972,649	12/20/2010	Pedro Luis BENITO SANTIAGO	241807_1	1330
52082	7590	07/01/2011	EXAMINER	
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			07/01/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.carnaroli@ge.com



General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

7/1/11

In re Application of	:	
Benito et al.	:	
Application No. 12/972,649	:	DECISION ON PETITION
Filed: 12/20/2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 241807_1	:	THE GREEN TECHNOLOGY
	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/16/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Wei ZHU)
Confirmation No.: 1534)
Serial No.: 12/972,747)
Filing Date: December 20, 2010)
Atty Docket No.: 233622-4 (25229-0035))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 3, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 233622-4 (25229-0035) Application Number (if known): 12/972,747 Filing date: December 20, 2010

First Named Inventor: Wei ZHU

Title: SYSTEM AND METHOD FOR MONITORING AND CONTROLLING A WIND TURBINE FARM

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/

Date May 3, 2011

Name (Print/Typed) Douglas D. Zhang

Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,747	12/20/2010	Wei ZHU	233622-4 (25229-0035)	1534

77749 7590 05/13/2011
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

EXAMINER

DECADY, ALBERT

ART UNIT PAPER NUMBER

2121

MAIL DATE DELIVERY MODE

05/13/2011

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.



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MCNESS WALLACE & NURICK LLC
100 Pine Street
P.O. Box 1166
Harrisburg PA 17108-1166

In re Application of:

ZHU, Wei et al.
Application No. 12/972,747
Filed: December 20, 2010
Attorney Docket No. 233622-4 (25229-0035)
Title: **SYSTEM AND METHOD FOR
MONITORING AND CONTROLLING A
WIND TURBINE FARM**

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 5, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition

must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the Technology Center Art Unit 2121 for action on the merits commensurate with this decision.

Telephone inquiries concerning this decision should be directed to Eddie C. Lee at 571-272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100



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STEIN MCEWEN, LLP
1400 EYE STREET, NW
SUITE 300
WASHINGTON DC 20005

MAILED
APR 08 2011
OFFICE OF PETITIONS

In re Application of :
Aisthorpe and Kay :
Application No.: 12/972,784 : DECISION ACCORDING
Filed: December 20, 2010 : RULE 47(a) STATUS
Attorney Docket No: **0116.1019CIP** :
For: **HOUSING FOR ANIMAL FEEDSTUFF** :

This is in response to the petition under 37 CFR 1.47(a), filed March 7, 2011.

The petition is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

The above-cited application was filed on December 20, 2010, and was not accompanied by a proper declaration. A Notice to File Missing Parts of Nonprovisional Application was mailed on January 7, 2011, requiring a properly executed declaration and surcharge. The notice allowed an extendable period for reply of two months from its mailing date. The instant petition was filed on March 7, 2011.

Petitioner has shown that inventor Kay has constructively refused join the above-identified application. The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application will be forwarded to the Office Patent Application Processing for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Howard D. Driver)
Confirmation No.: 1656)
Serial No.: 12/972,806)
Filing Date: 12-20-2010)
Atty Docket No.: 246982-2/GEC-182B)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: July 21, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 246982-2/GEC-182B	Application Number (if known): 12/972,806	Filing date: 12-20-2010
---	---	-------------------------

First Named Inventor: **Howard D. Driver**

Title: **NOISE REDUCER FOR ROTOR BLADE IN WIND TURBINE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:
Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Statement Concerning the Basis for the Special Status

Signature <u>/Allison W. Mages/</u>	Date <u>July 21, 2011</u>
-------------------------------------	---------------------------

Name (Print/Typed) <u>Allison W. Mages</u>	Registration Number <u>57,275</u>
--	-----------------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,806	12/20/2010	Howard D. Driver	246982-2/GEC-182B	1656

87853 7590 07/29/2011
Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
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3745

MAIL DATE	DELIVERY MODE
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07/29/2011

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.



Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
DRIVER, HOWARD D.	:	DECISION ON PETITION
Application No. 12/972806	:	TO MAKE SPECIAL UNDER
Filed: December 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246982-2/GEC-182B	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 22, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The petition lacks item #4. In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. Petitioner indicates that the basis for Special Status is that the claimed invention contributes to the development of renewable energy source and energy conservation. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. It is not clear how the claimed rotor blade assembly for noise reduction will contribute to the development of renewable energy resources or to energy conservation. Although noise reduction on the blades may improve the quality of wind turbines in general, it is unclear how they contribute to further energy conservation. The claims are not related with the green technologies.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. This application is currently undergoing preexamination proceedings. When completed, the application will be forwarded to the Technology Center Art Unit 3745 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Howard D. DRIVER, et al.)
Confirmation No.: 1656)
Serial No.: 12/972,806)
Filing Date: 12-20-2010)
Atty Docket No.: 246982-2/GEC-182B)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 29 July 2011, in the above-referenced application.

As a result of the effects of Hurricane Irene, which made landfall in Connecticut on August 27, 2011, Applicant was left without power and was unable to file a response to The Decision to Make Special under the Green Technology Pilot Program (hereinafter "the Decision") within the set time period of ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of the decision. Every effort was made to file a timely response in the aftermath of Hurricane Irene. In view of the reasons discussed above, acceptance of the late filing of a response to the Decision is respectfully requested.

Applicant respectfully requests reconsideration of Application's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision alleges that it is not clear how the claimed rotor blade assembly for noise reduction will contribute to the development of renewable energy resources or to energy conservation. The Decision states that, although noise reduction on the blades may improve the quality of wind turbines in general, it is unclear how they contribute to further energy conservation. The Decision alleges that the claims are not related with the green technologies. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that the present invention in general to wind turbine rotor blades, and more particularly to materials for mounting noise reducers to the rotor blades. (see at least paragraph [0001]).

Wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, and wind turbines have gained increased attention in this regard. While wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, the availability of wind energy as a viable power generating option heavily depends upon finding suitable locations to install wind turbines. Installation of wind turbines often is prohibited or delayed by local regulatory or zoning concerns, particularly in relation to the noise generated from wind turbines. As such, it is important that aspects of wind turbine technology make installation in certain areas with regulatory and zoning concerns more feasible.

In many cases, various components are attached to the rotor blades of wind turbines to perform various functions during operation of the wind turbines. These components may frequently be attached adjacent to the trailing edges of the rotor

blades. For example, noise reducers may be attached to the trailing edges of the rotor blades to reduce the noise and increase the efficiency associated with the rotor blade. (see at least paragraphs [0002]-[0003]).

Typical prior art noise reducers may have a variety of disadvantages. For example, many currently known noise reducers include features that cause increased strains on the noise reducers when mounted to the rotor blades. Additionally, the bonding materials utilized to mount the noise reducers to the rotor blades may further increase these strains. For example, when the rotor blade experiences various strains during operation or otherwise, these strains are translated from the rotor blade to the noise reducers that utilize currently known mounting and bonding features. (see at least paragraph [0004]).

Embodiments of the present invention provide an improved noise reducer for a rotor blade with features for reducing the strain associated with mounting the noise reducer to a rotor blade. Embodiments of the present invention provide a noise reducer with features for reducing or preventing rotor blade strain from being translated to the noise reducer. (see at least paragraph [0005]). As such, embodiments of the present invention provide a more efficient and more reliable noise reducer and materially contribute to the development of renewable energy by facilitating the installation of wind turbines in areas with strict regulatory or zoning concerns, particularly in relation to the noise generated from wind turbines. As such, these measures expand the available locations for wind turbine technology, which increases the availability of wind energy as a viable power generating option, and in turn promotes increased renewable energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By: /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: August 30, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,806	12/20/2010	Howard D. Driver	246982-2/GEC-182B	1656

87853 7590 09/29/2011
Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
09/29/2011	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.



Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

9/29/11

In re Application of	:	
Driver et al.	:	DECISION ON PETITION
Application No. 12/972,806	:	TO MAKE SPECIAL UNDER
Filed: 12/20/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246982-2/GEC-182B	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 8/30/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 11546M	Application Number (if known):	Filing date: December 20, 2010
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First Named Inventor: Charles Winston Saunders
--

Title: Branched-Chain Fatty Acids And Biological Production Thereof

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: _____

Signature /Kelly L. McDow/	Date December 20, 2010
----------------------------	------------------------

Name (Print/Typed) Kelly L. McDow	Registration Number 43,787
-----------------------------------	----------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

<input type="checkbox"/> *Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,822	12/20/2010	Charles Winston Saunders	11546M	1700
27752	7590	03/18/2011	EXAMINER	
THE PROCTER & GAMBLE COMPANY Global Legal Department - IP Sycamore Building - 4th Floor 299 East Sixth Street CINCINNATI, OH 45202			ART UNIT	PAPER NUMBER
			1638	
			MAIL DATE	DELIVERY MODE
			03/18/2011	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.



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MAR 18 2011

THE PROCTER & GAMBLE COMPANY
Global Legal Department - IP
Sycamore Building - 4th Floor
299 East Sixth Street
CINCINNATI OH 45202

In re Application of :
SAUNDERS, Charles et al. : DECISION ON PETITION
Application No. 12/972822 : TO MAKE SPECIAL UNDER
Filed: December 20, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 11546M : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 20, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s): 3-4

In regard to item 3, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.

In regard to item 4, petitioner should note that the instant petition does not include a statement explaining how the materiality standard is met. As stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1638 for action in its regular turn.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner
Technology Center 1600

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 246248-1/GEC-232	Application Number (if known): 12/972,841	Filing date: 12-20-2010
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First Named Inventor: **Biao FANG**

Title: **REINFORCEMENT SYSTEM FOR WIND TURBINE TOWER**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/	Date May 13, 2011
Name (Print/Typed) Douglas D. Zhang	Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,841	12/20/2010	Biao Fang	246248-1/GEC-232	1736
87853	7590	05/26/2011	EXAMINER	
Dority & Manning, PA and General Electric Company Post Office Box 1449 Greenville, SC 29602			LILLIS, EILEEN DUNN	
			ART UNIT	PAPER NUMBER
			3635	
			MAIL DATE	DELIVERY MODE
			05/26/2011	PAPER

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

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Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
BIAO FANG et al.	:	DECISION ON PETITION
Application No. 12/972,841	:	TO MAKE SPECIAL UNDER
Filed: December 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246248-1/GEC-232	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 19, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to

make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4.

In regard to item 4, the claims are directed to a reinforcement system/method for a tower of a wind turbine. Since the wind turbine is not claimed, the claimed invention in and by itself would not ordinarily contribute to the development of renewable energy resources -- the claimed system/method cannot generate energy or convert the mechanical energy into electrical energy. There is no evidence in the present application that the claimed method materially contributes to the development of renewable energy resources. In addition, as the claimed system/method would not necessarily result in a tower used to support a wind turbine, petitioner's assertion of the claimed invention's contribution to the development of renewable energy resources or energy conservation is entirely speculative. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI)*. Accordingly, it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3635 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Biao FANG)
Confirmation No.: 1736)
Serial No.: 12/972,841)
Filing Date: 12-20-2010)
Atty Docket No.: 246248-1/GEC-232)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

MADAM:

This is responsive to the Decision on Petition, dated as mailed 26 May 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that the claims are directed to a reinforcement system/method for a tower of a wind turbine and that since the wind turbine is not claimed, the claimed invention in and by itself would not ordinarily contribute to the development of renewable energy resources – the claimed system/method cannot generate energy or convert the mechanical energy into electrical energy. The Decision further alleges that as the claimed system/method would not necessarily result in a tower used to support a wind turbine, petitioner's assertion

of the claimed invention's contribution to the development of renewable energy resources or energy conservation is entirely speculative.

Respectfully, Applicant does not agree with the comments made in the Decision. In particular, Applicant does not agree that the use of the claimed system/method in a tower used to support a wind turbine is speculative. Applicant respectfully submits that embodiments of the present invention relate generally to wind turbines, and more particularly to systems for reinforcing the towers of wind turbines. Applicant further respectfully draws the Examiner's attention to the claims directed to "a reinforcement system for a tower of a wind turbine" (see at least claims 1-15) and the claims directed to "a method for reinforcing a tower of a wind turbine" (see at least claims 16-20). Based on the above, it is believed that the use of the present invention with a wind turbine is not mere speculation.

Wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, and wind turbines have gained increased attention in this regard. However, the availability of wind energy as a viable power generating option heavily depends on the cost/benefit economics of wind energy. As such, it is important that the cost of producing the energy, including manufacturing and erecting the wind turbines, cannot outweigh the benefits.

A modern wind turbine typically includes a tower, generator, gearbox, nacelle, and one or more rotor blades. As the sizes of wind turbines generally increase, the towers of the wind turbines may be modified to accommodate these

increases. Thus, specific towers may be designed for specific classes and sizes of wind turbines. However, in many cases, the towers must also be designed to account for various environmental conditions, such as seismic conditions, soil conditions, and/or other inshore or offshore conditions. Because environmental conditions vary from location to location, each tower may require tailoring to the environmental conditions of a specific location. (see at least paragraphs [0002]-[0003]).

One prior art solution for designing towers to account for various environmental conditions is to individually design a singular tower or group of towers for a specific wind turbine and for the specific environmental conditions of a specific location. However, this approach requires a multitude of individual tower designs. Designing and manufacturing each of these individual designs is both costly and time-consuming. Another prior art solution for designing towers to account for various environmental conditions is to design a tower for a specific wind turbine and for the worst case environmental conditions for a variety of locations. However, because worst case scenarios are taken into account for this approach, the towers that result from this approach may be over-engineered and generally, for example, larger and heavier than necessary for many locations. Further, the resulting towers are costly to manufacture, transport, and erect. (see at least paragraphs [0004]-[0005]).

Embodiments of the present invention provide a reinforcement system and a method for reinforcing a tower of a wind turbine. The method includes providing a tower, the tower comprising at least one generally cylindrical tower

section, the at least one tower section having an exterior wall and an interior wall defining a height and a thickness there between. The method further includes performing a structural analysis of the tower to identify potential load limiting locations and, after performing the structural analysis, mounting at least one reinforcing member to the interior wall of the at least one tower section to reinforce the at least one tower section at the potential load limiting locations. . (see at least the Abstract of the Disclosure).

The reinforcement system for the tower disclosed herein allows for a tower to be designed and manufactured for a wind turbine for use in a variety of locations with a variety of environmental conditions, such as seismic conditions, soil conditions, and/or other inshore or offshore conditions. The design of the tower need only be tailored to, for example, the size and characteristics of the wind turbine. After the tower is manufactured and the location of the tower determined, the reinforcement system may be utilized to further individually tailor the tower to the specific environmental conditions of that location. Thus, the reinforcement system allows for the efficient and cost-effective design and manufacture of towers which may be used in various locations with various environmental conditions. Further, the reinforcement system may allow for existing wind turbines to be upgraded with, for example, heavier components, without requiring replacement of the tower. Rather, before, during, or after the upgrade, the reinforcement system may be utilized with the tower to tailor the tower for the upgrade. (see at least paragraphs [0027]).

As such, the embodiments described herein reduce the cost prohibitive effects associated with the need to individually manufacture wind turbine towers to account for various environmental conditions at the erection site of the particular wind turbine tower. By reducing the costs associated with manufacturing and erecting wind turbine towers, the embodiments of the present invention increase the availability of wind energy as a viable power generating option and promote increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By: /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: June 21, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,841	12/20/2010	Biao Fang	246248-1/GEC-232	1736
87853	7590	06/30/2011	EXAMINER	
Dority & Manning, PA and General Electric Company Post Office Box 1449 Greenville, SC 29602			LILLIS, EILEEN DUNN	
			ART UNIT	PAPER NUMBER
			3635	
			MAIL DATE	DELIVERY MODE
			06/30/2011	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.



Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

6/30/11

In re Application of	:	
Fang et al.	:	DECISION ON PETITION
Application No. 12/972,841	:	TO MAKE SPECIAL UNDER
Filed: 12/20/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246248-1/GEC-232	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/22/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3635 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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PFIZER INC.
PATENT DEPARTMENT
Bld 114 M/S 9114
EASTERN POINT ROAD
GROTON CT 06340

MAILED
SEP 15 2011
OFFICE OF PETITIONS

In re Application of :
Michael Robert Barbachyn, et al. :
Application No. 12/972,921 : **ON PETITION**
Filed: December 20, 2010 :
Attorney Docket No.: PC27712D :

This is a decision in response to the petition, filed August 30, 2011, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **DISMISSED**.

The rules and statutory provisions governing the operations of the U.S. Patent and Trademark Office require payment of a fee on filing each petition to revive an abandoned application for patent based on unintentional delay or to accept an unintentionally delayed payment of a fee for issuing a patent.

The petition in the above-identified application was not accompanied by payment of the required fee. Accordingly, no consideration on the merits of the petition can be given until the required fee is received.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

By Internet: EFS-Web¹

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)



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Bld 114 M/S 9114
EASTERN POINT ROAD
GROTON, CT 06340

MAILED
SEP 30 2011
OFFICE OF PETITIONS

In re Application of :
Michael Robert Barbachyn, et al. :
Application No. 12/972,921 :
Filed: December 20, 2010 :
Attorney Docket No.: PC27712D :
ON PETITION

This is a decision in response to the communication filed September 27, 2011, which is being treated as a request to renew the petition to revive the above-identified application under the provisions of 37 CFR 1.137(b).

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Restriction Requirement, mailed February 22, 2011, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extension of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the application became abandoned on March 23, 2011. This decision precedes the mailing of a Notice of Abandonment. On August 30, 2011, a petition under 37 CFR 1.137(b) was filed; however, the petition was dismissed in a decision mailed September 14, 2011. On September 27, 2011, the present petition was filed.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the response in the form of an election of the invention to be examined; (2) the petition fee of \$1,860 and (3) an adequate statement of unintentional delay.

The application is being referred to Technology Center AU 1624 for consideration of the response filed August 30, 2011.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes details for application 12/972,971 filed 12/20/2010 by Jorge Mendoza-Sosa, attorney docket 54026.99.2.2, confirmation 1986. Also includes examiner NGUYEN, TRINH T, art unit 3644, notification date 06/24/2011, and delivery mode ELECTRONIC.

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,982	12/20/2010	Katsunori Sato	Q122315	1011
23373	7590	01/11/2012	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			SHAH, KAMINI S	
			ART UNIT	PAPER NUMBER
			2128	
			NOTIFICATION DATE	DELIVERY MODE
			01/11/2012	ELECTRONIC

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

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sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM



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2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of:
SATO, Katsunori et al.
Application No. 12/972,982
Filed: December 20, 2010
For: **GOLF BALL TRAJECTORY
SIMULATION METHOD**

**DECISION ON PETITION
UNDER 37 C.F.R. § 1.84(a)(2)
TO ACCEPT COLOR
DRAWINGS**

This is a decision on the petition under 37 C.F.R. § 1.84(a)(2), filed on December 20, 2010, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 1-4 be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawings will be provided by the U.S. Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed with the required fee, and was filed with one (1) set of color drawings, via EFS-Web, which is acceptable. However, the color drawings identified in the petition do not correspond with the color figures on file. For instance, Figs. 3 and 4 are not in color. Furthermore, the specification does not contain the notification described above.

Accordingly, the petition is **DISMISSED**.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

Eddie C. Lee

Eddie C. Lee
Quality Assurance Specialist, TC 2100



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/972,982	12/20/2010	Katsunori Sato	Q122315	1011
23373	7590	03/28/2012	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			SHAH, KAMINI S	
			ART UNIT	PAPER NUMBER
			2128	
			NOTIFICATION DATE	DELIVERY MODE
			03/28/2012	ELECTRONIC

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SUITE 800
WASHINGTON, DC 20037

MAILED

MAR 27 2012

TECHNOLOGY CENTER 2100

In re Application of: Katsunori SATO)
Application No. 12/972,982)
Filed: December 20, 2010) DECISION ON PETITION UNDER 37
For: GOLF BALL TRAJECTORY) C.F.R. § 1.84(a)(2) TO ACCEPT
SIMULATION METHOD) COLOR DRAWINGS
)
)
)

This is a decision on the petition under 37 C.F.R. § 1.84(a)(2), filed February 13, 2012, requesting acceptance of color drawings.

The petition requests that the color drawings, identified to be Figs. 1B and 2B, be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), three (3) sets of the color drawings in question, a black and white photocopy of said drawings, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed with the required fee and one (1) set of color drawings. The requirement for three (3) sets of color drawings under 37 CFR 1.84(a)(2)(ii) is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of such color drawings is necessary when filing via EFS-Web.

The specification at page 10, para. [0013], contains the entire notification described above.

The petition is **GRANTED**.

A handwritten signature in black ink, appearing to read "Brian L. Johnson", written over a horizontal line.

Brian L. Johnson, (571) 272-3595
Quality Assurance Specialist, Technology Center 2100
Computer Architecture and Software



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,023	12/20/2010	Katsunori SATO	Q122316	1075
23373	7590	07/14/2011	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			ART UNIT	PAPER NUMBER
			2123	
			NOTIFICATION DATE	DELIVERY MODE
			07/14/2011	ELECTRONIC

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PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM



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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of:
SATO, Katsunori
Application No. 12/973,023
Filed: December 20, 2010
For: **GOLF BALL TRAJECTORY
SIMULATION METHOD**

**DECISION ON PETITION
UNDER 37 C.F.R. § 1.84(a)(2)
TO ACCEPT COLOR
DRAWINGS**

This is a decision on the petition under 37 C.F.R. § 1.84(a)(2), filed on December 20, 2010 requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 1-4 be accepted in lieu of black and white drawings. However, only Figs. 1B and 2B are in color.

A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"the file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed with the required fee. However, only Figs. 1B and 2B are in color, and the specification does not contain the required notification described above.

Accordingly, the petition is **DISMISSED**.

A renewed petition under 37 CFR § 1.84(a)(2) must be filed within TWO (2) MONTHS of this decision. If applicant fails to file a renewed petition within TWO (2) MONTHS, the drawings will be printed in black and white.

Serial No.: 12/973023
Decision on Petition

- 2 -

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

Eddie C. Lee

Eddie C. Lee
Quality Assurance Specialist, TC 2100



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,023	12/20/2010	Katsunori SATO	Q122316	1075
23373	7590	08/18/2011	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			RODRIGUEZ, PAUL L	
			ART UNIT	PAPER NUMBER
			2123	
			NOTIFICATION DATE	DELIVERY MODE
			08/18/2011	ELECTRONIC

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.

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

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM



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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of:
SATO, Katsunori
Application No. 12/973,023
Filed: December 20, 2010
For: **GOLF BALL TRAJECTORY
SIMULATION METHOD**

**DECISION ON PETITION
UNDER 37 C.F.R. § 1.84(a)(2)
TO ACCEPT COLOR
DRAWINGS**

This is a decision on the renewed petition under 37 C.F.R. § 1.84(a)(2), filed on July 20, 2011, requesting acceptance of color drawings.

The renewed petition requests that the color drawings of Figures 1A-2B be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawings will be provided by the U.S. Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed with the required fee and was filed with three (3) sets of color drawing Figures 1A-2B. The amendment to the specification filed on July 20, 2011 contains the required notification described above.

Accordingly, the petition is **GRANTED**.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

Eddie C. Lee

Eddie C. Lee
Quality Assurance Specialist, TC 2100

For more information,
in question



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Intellectual Property Dept.
Dewitt Ross & Stevens SC
2 East Mifflin Street
Suite 600
Madison WI 53703-2865

MAILED

OCT 19 2011

OFFICE OF PETITIONS

In re Application of :
Nigel Gough :
Application No. 12/973041 : **ON PETITION**
Filing or 371(c) Date: 12/20/2010 :
Attorney Docket Number: :
82047016-P3153-US :

This is a decision on the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137, filed September 22, 2011.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely reply to the Notice to File Corrected Application Papers ("Notice"), mailed January 6, 2011. The Notice set a two (2) month period for reply. Extensions of time under 37 CFR 1.136(a) were available. No complete and proper reply to the Notice having been received, the application became abandoned on March 7, 2011. A Notice of Abandonment was mailed on September 20, 2011.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that the petition includes (1) the reply to the Notice; (2) the petition fee; and (3) the required statement of unintentional delay. Accordingly, the reply is accepted as having been unintentionally delayed.

This application is being referred to the Office of Patent Application Processing for processing of the reply, and for continued processing in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **247403 -1** Application Number (if known): **12/973058** Filing date: **December 20, 2010**

First Named Inventor: **Scott Feldman-Peabody**

Title: VAPOR DEPOSITION APPARATUS AND PROCESS FOR CONTINUOUS DEPOSITION OF A DOPED THIN FILM LAYER ON A SUBSTRATE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **9/26/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Scott Feldman-Peabody)
Confirmation No.: 1145)
Serial No.: 12/973058)
Filing Date: December 20, 2010)
Atty Docket No.: 247403-1)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Thin film photovoltaic (PV) modules (also referred to as "solar panels") based on cadmium telluride (CdTe) paired with cadmium sulfide (CdS) as the photo-reactive components are gaining wide acceptance and interest in the industry. CdTe is a semiconductor material having characteristics particularly suited for conversion of solar energy (sunlight) to electricity. For example, CdTe has an energy bandgap of 1.45 eV, which enables it to convert more energy from the solar spectrum (sunlight) as compared to lower bandgap (1.1eV) semiconductor materials historically used in solar cell applications. Also, CdTe converts light more efficiently in lower or diffuse light conditions as compared to the lower bandgap materials and, thus, has a longer effective conversion time over the course of a day or in low-light (i.e., cloudy) conditions as compared to other conventional materials. (See [0002])

Solar energy systems using CdTe PV modules are generally recognized as the most cost efficient of the commercially available systems in terms of cost per watt of power generated. However, the advantages of CdTe notwithstanding, sustainable commercial exploitation and acceptance of solar power as a supplemental or primary source of industrial or residential power depends on the ability to produce efficient PV modules on a large scale and in a cost effective manner. (See [0003])

Certain factors greatly affect the efficiency of CdTe PV modules in terms of cost and power generation capacity. For example, CdTe is relatively expensive and, thus, efficient utilization (i.e., minimal waste) of the material is a primary cost factor. In addition, the energy conversion efficiency of the module is a factor of certain characteristics of the deposited CdTe film layer. Non-uniformity or defects in the film layer can significantly decrease the output of the module, thereby adding to the cost per unit of power. Also, the ability to process relatively large substrates on an economically sensible commercial scale is a crucial consideration. (See [0004])

CSS (Close Space Sublimation) is a known commercial vapor deposition process for production of CdTe modules. Reference is made, for example, to U.S. Pat. No. 6,444,043 and U.S. Pat. No. 6,423,565. Within the vapor deposition chamber in a CSS system, the substrate is brought to an opposed position at a relatively small distance (i.e., about 2-3 mm) opposite to a CdTe source. The CdTe material sublimates and deposits onto the surface of the substrate. In the CSS system of U.S. Pat. No. 6,444,043 cited above, the CdTe material is in

granular form and is held in a heated receptacle within the vapor deposition chamber. The sublimated material moves through holes in a cover placed over the receptacle and deposits onto the stationary glass surface, which is held at the smallest possible distance (1-2 mm) above the cover frame. The cover is heated to a temperature greater than the receptacle. (See [0005])

While there are advantages to the CSS process, the related system is inherently a batch process wherein the glass substrate is indexed into a vapor deposition chamber, held in the chamber for a finite period of time in which the film layer is formed, and subsequently indexed out of the chamber. The system is more suited for batch processing of relatively small surface area substrates. The process must be periodically interrupted in order to replenish the CdTe source, which is detrimental to a large scale production process. In addition, the deposition process cannot readily be stopped and restarted in a controlled manner, resulting in significant non-utilization (i.e., waste) of the CdTe material during the indexing of the substrates into and out of the chamber, and during any steps needed to position the substrate within the chamber. (See [0006])

Accordingly, there exists an ongoing need in the industry for an improved vapor deposition apparatus and process for economically feasible large scale production of efficient PV modules, particularly CdTe modules. (See [0007])

The subject matter disclosed in the application relates generally to the field of thin film deposition processes wherein a doped thin film layer, such as a semiconductor material layer, is deposited on a substrate. More particularly, the subject matter is related to a vapor deposition apparatus and associated process

for depositing a doped thin film layer of a photo-reactive material on a glass substrate in the formation of photovoltaic (PV) modules. (See [0001])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: September 26, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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.
12/973,058	12/20/2010	Scott Daniel Feldman-Peabody	247403-1/PRSS-61	1145

93081 7590 10/26/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

GARCIA, JOANNIE A

ART UNIT PAPER NUMBER

2895

MAIL DATE DELIVERY MODE

10/26/2011

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.



Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

In re Application of :
FELDMAN-PEABODY et al. : DECISION ON PETITION
Application No. 12/973,058 : TO MAKE SPECIAL UNDER
Filed: December 20, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 247403-1/PRSS-61 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on September 26, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

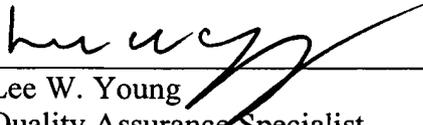
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2895 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2600

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **247403_2** Application Number (if known): **12/973,093** Filing date: **12-20-2010**

First Named Inventor: **James Neil Johnson**

Title: VAPOR DEPOSITION APPARATUS AND PROCESS FOR CONTINUOUS DEPOSITION OF A DOPED THIN FILM LAYER ON A SUBSTRATE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **10/26/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor James Neil Johnson)
Confirmation No.: 1216)
Serial No.: 12/973,093)
Filing Date: December 20, 2010)
Atty Docket No.: 247403__2)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates generally to the field of thin film deposition processes wherein a doped thin film layer, such as a semiconductor material layer, is deposited on a substrate. More particularly, the subject matter is related to a vapor deposition apparatus and associated process for depositing a doped thin film layer of a photo-reactive material on a glass substrate in the formation of photovoltaic (PV) modules. (See [0001])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 26, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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.
12/973,093	12/20/2010	James Neil Johnson	247403_2	1216

87853 7590 11/18/2011
Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER

SCARLETT, SHAKA S

ART UNIT	PAPER NUMBER
2829	

MAIL DATE	DELIVERY MODE
11/18/2011	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.



NOV 18 2011

Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

In re Application of :
JOHNSON et al. : DECISION ON PETITION
Application No. 12/973,093 : TO MAKE SPECIAL UNDER
Filed: December 20, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 247403_2 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 26, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the Technology Center Art Unit for action in its regular turn.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: James Neil JOHNSON)
Confirmation No.: 1216)
Serial No.: 13/973,093)
Filing Date: 12-20-2010)
Atty Docket No.: 247403-2 (GEC-238))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 18 November 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that the petition lacks a statement pertaining to the materiality standard is the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention.

Applicant respectfully submits that the present invention relates generally to the field of thin film deposition processes wherein a doped thin film layer, such as a semiconductor material layer, is deposited on a substrate. More particularly, the subject matter is related to a vapor deposition apparatus and associated process for depositing a doped thin film layer of a photo-reactive material on a glass substrate in the formation of photovoltaic (PV) modules. (see at least paragraph [0001]).

Thin film photovoltaic (PV) modules (also referred to as “solar panels”) based on cadmium telluride (CdTe) paired with cadmium sulfide (CdS) as the photo-reactive components are gaining wide acceptance and interest in the industry. CdTe is a semiconductor material having characteristics particularly suited for conversion of solar energy (sunlight) to electricity. For example, CdTe has an energy bandgap of 1.45 eV, which enables it to convert more energy from the solar spectrum (sunlight) as compared to lower bandgap (1.1eV) semiconductor materials historically used in solar cell applications. Also, CdTe converts light more efficiently in lower or diffuse light conditions as compared to the lower bandgap materials and, thus, has a longer effective conversion time over the course of a day or in low-light (i.e., cloudy) conditions as compared to other conventional materials. (see at least paragraph [0002]).

Solar energy systems using CdTe PV modules are generally recognized as the most cost efficient of the commercially available systems in terms of cost per watt of power generated. However, the advantages of CdTe notwithstanding, sustainable commercial exploitation and acceptance of solar power as a supplemental or primary source of industrial or residential power depends on the ability to produce efficient PV modules on a large scale and in a cost effective manner. Certain factors greatly affect the efficiency of CdTe PV modules in terms of cost and power generation capacity. For example, CdTe is relatively expensive and, thus, efficient utilization (i.e., minimal waste) of the material is a primary cost factor. In addition, the energy conversion efficiency of the module is a factor of certain characteristics of the deposited CdTe film layer. Non-uniformity or defects in the film layer can significantly decrease the output of the module, thereby adding to the cost per unit of power. Also, the ability to

process relatively large substrates on an economically sensible commercial scale is a crucial consideration. (see at least paragraphs [0003]-[0004]).

CSS (Close Space Sublimation) is a known commercial vapor deposition process for production of CdTe modules. Reference is made, for example, to U.S. Pat. No. 6,444,043 and U.S. Pat. No. 6,423,565. Within the vapor deposition chamber in a CSS system, the substrate is brought to an opposed position at a relatively small distance (i.e., about 2-3 mm) opposite to a CdTe source. The CdTe material sublimates and deposits onto the surface of the substrate. In the CSS system of U.S. Pat. No. 6,444,043 cited above, the CdTe material is in granular form and is held in a heated receptacle within the vapor deposition chamber. The sublimated material moves through holes in a cover placed over the receptacle and deposits onto the stationary glass surface, which is held at the smallest possible distance (1-2 mm) above the cover frame. The cover is heated to a temperature greater than the receptacle. (see at least paragraph [0005]).

While there are advantages to the CSS process, the related system is inherently a batch process wherein the glass substrate is indexed into a vapor deposition chamber, held in the chamber for a finite period of time in which the film layer is formed, and subsequently indexed out of the chamber. The system is more suited for batch processing of relatively small surface area substrates. The process must be periodically interrupted in order to replenish the CdTe source, which is detrimental to a large scale production process. In addition, the deposition process cannot readily be stopped and restarted in a controlled manner, resulting in significant non-utilization (i.e., waste) of the CdTe material during the indexing of the substrates into and out of the chamber, and during any

steps needed to position the substrate within the chamber. (see at least paragraph [0006]).

In accordance with an embodiment of the invention, an apparatus is provided for vapor deposition of a sublimated source material, such as CdTe, as a thin film on a photovoltaic (PV) module substrate. Although the invention is not limited to any particular film thickness, a "thin" film layer is generally recognized in the art as less than 10 microns (μm). The apparatus includes a deposition head, and a receptacle disposed in the deposition head. A first feed tube is configured to supply a source material (e.g., a granular CdTe material) into the deposition head, and a second feed tube is configured to supply a dopant material into the deposition head as a fluid. In one embodiment, a nozzle can be attached to the second feed tube for supplying the dopant material to the deposition head as a fluid. The receptacle is configured for receipt of the source material. A heated distribution manifold is disposed below the receptacle and includes a plurality of passages defined therethrough. The receptacle is indirectly heated by the distribution manifold to a temperature effective for sublimating the source material within the receptacle. The sublimated source material flows out of the receptacle and downward in the head chamber through the passages in the distribution manifold. (see at least paragraph [0009]).

Embodiments of the present invention promote efficient production of PV modules on a large scale and in a cost effective manner. By reducing costs associated with the fabrication of solar cells, embodiments of the present invention reduce costs associated with producing solar energy. As such, embodiments of the present invention incentivize the creation and adoption of

solar energy resources, and contribute to the development of renewable energy resources.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: December 17, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,093	12/20/2010	James Neil Johnson	247403_2	1216
87853	7590	01/06/2012	EXAMINER	
Dority & Manning, PA and General Electric Company Post Office Box 1449 Greenville, SC 29602			SCARLETT, SHAKA S	
			ART UNIT	PAPER NUMBER
			2829	
			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

1/6/12

In re Application of :
Johnson et al. : DECISION ON PETITION
Application No. 12/973,093 : TO MAKE SPECIAL UNDER
Filed: 12/20/2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 247403_2 : PILOT PROGRAM

This is a decision on the request for reconsideration, filed 12/16/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 2829 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

VERIFICATION OF TRANSLATION

I, Naoya FUSHIMI, registered Patent Attorney, whose address is c/o OFH Patent, COI Kudan 3-chome Bldg. 5F, 2-7, Kudan-minami 3-chome, Chiyoda-ku, Tokyo 102-0074, Japan, am the translator of the allowed claims of PCT/JP2010/002625, entitled "ILLUMINATING DEVICE", and I state that the following is a true translation to the best of my knowledge and belief.

Signature of Translator: _____

Typed Name: _____

Naoya FUSHIMI

Date this 16th day of February, 2011.

CLAIMS

1. An illuminating device comprising a light source and an optical element including a light receiving surface faced to a light emitting surface of the light source, a first light exit surface located opposite to the end of the optical element from the light receiving surface and a second light exit surface connecting the light receiving surface and the first light exit surface,
- 5
- wherein when the center of the light emitting surface is designated as a first point, a point at the edge of the light emitting surface is designated as a second point and an axis which passes through the first point and is perpendicular to the light emitting surface is designated as an optical axis, the first light exit surface of the optical element has a hollow around the optical axis with respect to the edge and
- 10
- in a cross section of the optical element including the optical axis and the second point, when a point on the first exit surface at which angle of view from the first point with respect to the optical axis is 15 degrees is designated as a third point, an intersection of a ray which has been emitted at the second point and travels in parallel to the optical axis and the first light exit surface is designated as a fourth point, the first point is designated as the origin and an axis connecting the first point and the second point is designated as x axis, the first light exit surface is formed in such a way that x coordinate of a point which is the most distant from the optical axis on the first light exit surface is 1.5 times or more than x coordinate of the second point, that in 80 % or more of an area in which x coordinate of a point is equal to or greater than x coordinate of the third point, an angle of incidence of light emitted at the first point is equal to or greater than the critical angle and that in 80 % or more of an area in which x coordinate of a point is equal to or smaller than x coordinate of the fourth point, an angle of incidence of light emitted at the second point is smaller than the critical angle.
- 15
- 20
- 25

2. An illuminating device comprising a light source and an optical element including a light receiving surface faced to a light emitting surface of the light source, a first light exit surface located opposite to the end of the optical element from the light receiving surface and a second light exit surface connecting the
5 light receiving surface and the first light exit surface,

wherein when the center of the light emitting surface is designated as a first point, a point at the edge of the light emitting surface is designated as a second point and an axis which passes through the first point and is perpendicular to the light emitting surface is designated as an optical axis, the
10 first light exit surface of the optical element has a hollow around the optical axis with respect to the edge and

in a cross section of the optical element including the optical axis and the second point, in an area at which angle of view from the first point with respect to the optical axis is from 25 degrees to 60 degrees, the first light exit surface has an
15 area inclination of which is equal to or less than 20 degrees with respect to a straight line connecting the first point and the second point and when a point on the first exit surface at which angle of view from the first point with respect to the optical axis is 15 degrees is designated as a third point, an intersection of a ray which has been emitted at the second point and travels in parallel to the optical
20 axis and the first light exit surface is designated as a fourth point, angle of incidence to the first light exit surface of a ray which has been emitted at the first point and reaches the third point is designated as θ_{13} , angle of incidence to the first light exit surface of a ray which has been emitted at the second point and reaches the third point is designated as θ_{23} , angle of incidence to the first light
25 exit surface of a ray which has been emitted at the first point and reaches the fourth point is designated as θ_{14} , angle of incidence to the first light exit surface of a ray which has been emitted at the second point and reaches the fourth point is designated as θ_{24} , and the critical angle is designated as θ_c , the following conditions are satisfied.

$$15^\circ \leq \theta_{13} - \theta_{23} \leq 70^\circ \quad (1)$$

$$15^\circ \leq \theta_{14} - \theta_{24} \leq 65^\circ \quad (2)$$

$$0.2 \leq (\theta_{14} - \theta_{24}) / (\theta_{13} - \theta_{23}) \leq 1 \quad (3)$$

5 3. An illuminating device according to claim 2, wherein the following conditions are further satisfied.

$$\theta_c \leq \theta_{13} \quad (4)$$

$$\theta_{23} \leq \theta_c \quad (5)$$

10 4. An illuminating device according to any one of claims 1 to 3, wherein in the cross section of the optical element including the optical axis and the second point, when an axis connecting the first point and the second point is designated as x axis, the first light exit surface is formed in such a way that all of light emitted at the first point undergoes total internal reflection in an area in which x
15 coordinate of a point is equal to or greater than x coordinate of the third point.

5. An illuminating device according to any one of claims 1 to 3, wherein in the cross section of the optical element including the optical axis and the second point, when an axis connecting the first point and the second point is designated
20 as x axis, an area between the third point and the fourth point in x axis direction of the first light exit surface is formed in such a way that all of light emitted at the second point undergoes refraction.

6. An illuminating device according to any one of claims 1 to 3, wherein in
25 the cross section of the optical element including the optical axis and the second point, when an axis connecting the first point and the second point is designated as x axis, an area between the third point and the fourth point in x axis direction of the first light exit surface is on the other side of a straight line connecting the third point and the fourth point from the light source.

7. An illuminating device according to any one of claims 1 to 6, wherein when an area of the light emitting surface is designated A and an area of the first light exit surface is designated as B, the following condition is satisfied.

$$3 \leq B/A \leq 60 \quad (6)$$

8. An illuminating device according to any one of claims 1 to 6, wherein when an area of the light emitting surface is designated A and a projected area of the first light exit surface onto a plane of the light source is designated as C, the following condition is satisfied.

$$1 \leq C/A \leq 20 \quad (7)$$

9. An illuminating device according to any one of claims 1 to 6, wherein when an area of the light emitting surface is designated A and a height of the optical element is designated as D, the following condition is satisfied.

$$1 \leq D/\sqrt{A/\pi} \leq 10 \quad (8)$$

10. An illuminating device according to any one of claims 1 to 6, wherein when an area of the light emitting surface is designated A and a depth of the hollow on the first light exit surface is designated as E, the following condition is satisfied.

$$0.25 \leq E/\sqrt{A/\pi} \leq 4 \quad (9)$$

11. An illuminating device according to any one of claims 1 to 10, wherein the first light exit surface has a projection for diffusing light in an area which is closer to the optical axis than the third point.

12. An illuminating device according to any one of claims 1 to 11, wherein the

light emitting surface and the light receiving surface are separated by an amount of clearance.

13. An illuminating device according to claim 12, wherein when an area of the light emitting surface is designated A and clearance between the light emitting surface and the light receiving surface of the optical element is F, the following condition is satisfied.

$$0 < F / \sqrt{A/\pi} \leq 0.2 \quad (10)$$

14. An illuminating device according to any one of claims 1 to 13, wherein in the cross section of the optical element including the optical axis and the second point, when an axis connecting the first point and the second point is designated as x axis, a derivative of the first light exit surface with respect to x is continuous.

15. An illuminating device according to any one of claims 1 to 14, wherein at least a portion of the first light exit surface and the second light exit surface is provided with microscopic asperities.

16. An illuminating device according to any one of claims 1 to 15, wherein in the cross section of the optical element including the optical axis and the second point, the second light exit surface has a straight-line segment.

17. An illuminating device according to claim 16, wherein the optical element is provided with an optical surface for diffusing light around the boundary between the first light exit surface and the second light exit surface.

18. An illuminating device according to claim 17, wherein the optical surface for diffusing light has a concave shape with a constant radius of curvature R, and when an area of the light emitting surface is designated as A, the following

condition is satisfied.

$$R/\sqrt{A/\pi} \leq 0.5 \quad (11)$$

- 5 19. An illuminating device according to claim 16, wherein the optical element is provided with a light guiding section sticking out around the boundary between the first light exit surface and the second light exit surface.
20. An illuminating device according to claim 19, comprising a cover which
10 covers the light source and the optical element wherein the cover is connected to the optical element through the light guiding section.
21. An illuminating device according to any one of claims 1 to 20, wherein the optical element is of infinite-fold rotational symmetry around the optical axis.
- 15 22. An illuminating device according to claim 21, wherein a sector of 180° or less which is cut from the shape of rotational symmetry around the optical axis is utilized.
- 20 23. An illuminating device according to claim 22, wherein cutting surfaces of the sector from the shape are curved surfaces.
24. An illuminating device according to any one of claims 1 to 20, wherein a shape of a cross section of the optical element perpendicular to the optical axis is
25 not uniform in circumferential direction so as to carry out non-uniform illumination in circumferential directions around the optical axis.
25. An illuminating device comprising a light source and an optical element including a light receiving surface faced to a light emitting surface of the light

source, a first light exit surface located opposite to the end of the optical element from the light receiving surface and a second light exit surface connecting the light receiving surface and the first light exit surface,

5 wherein some of rays emitted in directions deviated from the direction perpendicular to the light emitting surface are led by total internal reflection on an area close to the light receiving surface of the second light exit surface in such a way that a virtual light emitting surface is formed in the optical element, a distance of which from the light emitting surface is H and which has a shape which is identical with that formed by projecting the light emitting surface onto a
10 plane parallel to the light emitting surface and when an area of the light emitting surface is designated as A, H should be determined such that the following condition is satisfied and that rays at an angle of view of 15 degrees with respect to the optical axis passing thorough the center of the virtual light emitting surface exist,

$$15 \quad 2 \leq H / \sqrt{A/\pi} \leq 15 \quad (12)$$

and wherein when the center of the virtual light emitting surface is designated as a first point, a point at the edge of the virtual light emitting surface is designated as a second point and an axis which passes through the first point and is perpendicular to the light emitting surface is designated as an optical axis,
20 the first light exit surface of the optical element has a hollow around the optical axis with respect to the edge and

in a cross section of the optical element including the optical axis and the second point, when a point on the first exit surface at which angle of view from the first point with respect to the optical axis is 15 degrees is designated as a third
25 point, an intersection of a ray which has been emitted at the second point and travels in parallel to the optical axis and the first light exit surface is designated as a fourth point, the first point is designated as the origin and an axis connecting the first point and the second point is designated as x axis, the first light exit surface is formed in such a way that x coordinate of a point which is the most

distant from the optical axis on the first light exit surface is 1.5 times or more than x coordinate of the second point, that in 80 % or more of an area in which x coordinate of a point is equal to or greater than x coordinate of the third point, an angle of incidence of light emitted at the first point is equal to or greater than the critical angle and that in 80 % or more of an area in which x coordinate of a point is equal to or smaller than x coordinate of the fourth point, an angle of incidence of light emitted at the second point is smaller than the critical angle.

26. An illuminating device comprising a light source and an optical element including a light receiving surface faced to a light emitting surface of the light source, a first light exit surface located opposite to the end of the optical element from the light receiving surface and a second light exit surface connecting the light receiving surface and the first light exit surface,

wherein some of rays emitted in directions deviated from the direction perpendicular to the light emitting surface are led by total internal reflection on an area close to the light receiving surface of the second light exit surface in such a way that a virtual light emitting surface is formed in the optical element, a distance of which from the light emitting surface is H and which has a shape which is identical with that formed by projecting the light emitting surface onto a plane parallel to the light emitting surface and when an area of the light emitting surface is designated as A, H should be determined such that the following condition is satisfied and that rays at an angle of view of 15 degrees with respect to the optical axis passing thorough the center of the virtual light emitting surface exist,

$$2 \leq H / \sqrt{A/\pi} \leq 15 \quad (12)$$

and wherein when the center of the virtual light emitting surface is designated as a first point, a point at the edge of the virtual light emitting surface is designated as a second point and an axis which passes through the first point and is perpendicular to the light emitting surface is designated as an optical axis,

the first light exit surface of the optical element has a hollow around the optical axis with respect to the edge

and n in a cross section of the optical element including the optical axis and the second point, in an area at which angle of view from the first point with respect to the optical axis is from 25 degrees to 60 degrees, the first light exit surface has an area inclination of which is equal to or less than 20 degrees with respect to a straight line connecting the first point and the second point and when a point on the first exit surface at which angle of view from the first point with respect to the optical axis is 15 degrees is designated as a third point, an intersection of a ray which has been emitted at the second point and travels in parallel to the optical axis and the first light exit surface is designated as a fourth point, angle of incidence to the first light exit surface of a ray which has been emitted at the first point and reaches the third point is designated as θ_{13} , angle of incidence to the first light exit surface of a ray which has been emitted at the second point and reaches the third point is designated as θ_{23} , angle of incidence to the first light exit surface of a ray which has been emitted at the first point and reaches the fourth point is designated as θ_{14} , angle of incidence to the first light exit surface of a ray which has been emitted at the second point and reaches the fourth point is designated as θ_{24} , and the critical angle is designated as θ_c , the following conditions are satisfied.

$$15^\circ \leq \theta_{13} - \theta_{23} \leq 70^\circ \quad (1)$$

$$15^\circ \leq \theta_{14} - \theta_{24} \leq 65^\circ \quad (2)$$

$$0.2 \leq (\theta_{14} - \theta_{24}) / (\theta_{13} - \theta_{23}) \leq 1 \quad (3)$$

PCT Claims

請求の範囲

[請求項1]

面光源と、該面光源の発光面に対向して配置される入射面、該入射面に対向する第1の出射面及び該入射面と第1の出射面とをつなぐ第2の出射面を備えた光学素子と、を含む照明装置であって、

該発光面の中心を第1の点、該発光面の縁の点を第2の点とし、第1の点を通り、該発光面に垂直な軸を該光学素子の光軸として、該光学素子の第1の出射面は、周縁に対して該光軸付近が窪んだ形状を有し、該光軸及び第2の点を含む、該光学素子の断面において、第1の点に対して前記光軸から15度の見込み角の位置にある第1の出射面上の点を第3の点とし、第2の点から射出して光軸に平行に進む光線が第1の出射面と交差する点を第4の点とし、第1の点を原点とし、第1の点と第2の点とを結ぶ軸をX軸として、第1の出射面の該光軸から最も離れた点のX座標は、第2の点の値の1.5倍以上であり、第1の出射面は、X座標が第3の点の値以上である領域の80%以上の領域で、第1の点から射出した光の入射角が臨界角以上であり、X座標が第4の点の値以下である領域の80%以上の領域で、第2の点から射出した光の入射角が臨界角より小さいように構成された照明装置。

[請求項2]

面光源と、該面光源の発光面に対向して配置される入射面、該入射面に対向する第1の出射面及び該入射面と第1の出射面とをつなぐ第2の出射面を備えた光学素子と、を含む照明装置であって、

該発光面の中心を第1の点、該発光面の縁の点を第2の点とし、第1の点を通り、該発光面に垂直な軸を該光学素子の光軸として、該光学素子の第1の出射面は、周縁に対して該光軸付近が窪んだ形状を有し、該光軸及び第2の点を含む、該光学素子の断面において、第1の点に対して該光軸から25度乃至60度の見込み角の領域において、第1の出射面は、第1及び第2の点を結ぶ直線に対する角度が20度以下の角度をなす領域を有し、第1の点に対して前記光軸から15度

の見込み角の位置にある第1の出射面上の点を第3の点とし、第2の点から射出して光軸に平行に進む光線が第1の出射面と交差する点を第4の点とし、第1の点から射出して第3の点に至る光線の第1の出射面への入射角を θ_{13} 、第2の点から射出して第3の点に至る光線の第1の出射面への入射角を θ_{23} から射出して第4の点に至る光線の第1の出射面への入射角を θ_{24} 、臨界角を θ_c として、

[数1]

$$15^\circ \leq \theta_{13} - \theta_{23} \leq 70^\circ \quad (1)$$

$$15^\circ \leq \theta_{14} - \theta_{24} \leq 65^\circ \quad (2)$$

$$0.2 \leq (\theta_{14} - \theta_{24}) / (\theta_{13} - \theta_{23}) \leq 1 \quad (3)$$

である照明装置。

[請求項3]

さらに

[数2]

$$\theta_c \leq \theta_{13} \quad (4)$$

$$\theta_{23} \leq \theta_c \quad (5)$$

である請求項2に記載の照明装置。

[請求項4]

該光軸及び第2の点を含む、該光学素子の断面において、第1の点と第2の点とを結ぶ軸をX軸として、X座標が第3の点の値以上の領域において、第1の出射面は、第1の点から射出する光をすべて全反射させるように構成された請求項1から3のいずれかに記載の照明装置。

[請求項5]

該光軸及び第2の点を含む、該光学素子の断面において、第1の点と第2の点とを結ぶ軸をX軸として、X軸方向の第3の点と第4の点との間の領域において、第1の出射面は、第2の点から射出する光をすべて屈折させるように構成された請求項1から3のいずれかに記載の照明装置。

[請求項6]

該光軸及び第2の点を含む、該光学素子の断面において、第1の点と第2の点とを結ぶ軸をX軸として、X軸方向の第3の点と第4の点

との間の領域において、第1の出射面は、第3の点と第4の点とを結ぶ直線に関して、該面光源の反対側に位置する請求項1から3のいずれかに記載の照明装置。

[請求項7] 該発光面の面積をAとし、第1の出射面の面積をBとして、

[数3]

$$3 \leq B/A \leq 60 \quad (6)$$

である請求項1から6のいずれかに記載の照明装置。

[請求項8] 該発光面の面積をAとし、第1の出射面の該光源面への射影面積をCとして、

[数4]

$$1 \leq C/A \leq 20 \quad (7)$$

である請求項1から6のいずれかに記載の照明装置。

[請求項9] 該発光面の面積をAとし、該光学素子の高さをDとして、

[数5]

$$1 \leq D/\sqrt{A/\pi} \leq 10 \quad (8)$$

である請求項1から6のいずれかに記載の照明装置。

[請求項10] 該発光面の面積をAとし、第1の出射面の窪みの深さをEとして、

[数6]

$$0.25 \leq E/\sqrt{A/\pi} \leq 4 \quad (9)$$

である請求項1から6のいずれかに記載の照明装置。

[請求項11] 第1の出射面が、該第3の点より該光軸に近い領域に、光拡散のための突起構造を備えた請求項1から10のいずれかに記載の照明装置

。

[請求項12] 該発光面と該入射面とが間隔を隔てて分離されている請求項1から11のいずれかに記載の照明装置。

[請求項13] 該発光面の面積をAとし、該発光面と該入射面との間隔をFとして

、

[数7]

$$0 < F/\sqrt{A/\pi} \leq 0.2 \quad (10)$$

である請求項12に記載の照明装置。

[請求項14] 該光軸及び第2の点を含む、該光学素子の断面において、第1の点と第2の点とを結ぶ軸をX軸として、第1の出射面のXに関する導関数が連続である請求項1から13のいずれかに記載の照明装置。

[請求項15] 第1の出射面及び第2の出射面の少なくとも一部の領域に微小凹凸形状を施した請求項1から14のいずれかに記載の照明装置。

[請求項16] 該光軸及び第2の点を含む、該光学素子の断面において、第2の出射面が直線状の部分有する請求項1から15のいずれかに記載の照明装置。

[請求項17] 該光学素子が、第1の出射面及び第2の出射面の境界付近に光拡散用光学面を備えた請求項16に記載の照明装置。

[請求項18] 該光拡散用光学面が、曲率半径Rの凹形状であり、該発光面の面積をAとして、

[数8]

$$R/\sqrt{A/\pi} \leq 0.5 \quad (11)$$

である請求項17に記載の照明装置。

[請求項19] 該光学素子が、第1の出射面及び第2の出射面の境界付近に、外側に延びた導光部を備えた請求項16に記載の照明装置。

[請求項20] 該光源および該光学素子を覆うカバーを備え、該カバーが該導光部によって該光学素子に接続された請求項19に記載の照明装置。

[請求項21] 該光学素子が、該光軸を中心とする無限回回転対称体である請求項1から20のいずれかに記載の照明装置。

[請求項22] 該光軸の周囲の回転対称な形状から、180°以下の扇形状に切り出した部分を利用した請求項21に記載の照明装置。

[請求項23] 該光学素子の、該扇形状に切り出した切断面が曲面である請求項

22に記載の照明装置。

[請求項24] 該光学素子の該光軸に垂直な断面の形状が、該光軸を中心とする放射方向によって異なる照射を行なうように、放射方向によって異なるように構成された請求項1から20のいずれかに記載の照明装置。

[請求項25] 面光源と、該面光源の発光面に対向して配置される入射面、該入射面に対向する第1の出射面及び該入射面と第1の出射面とをつなぐ第2の出射面を備えた光学素子と、を含む照明装置であって、

第2の出射面の該入射面に近い領域は、該発光面に対して垂直の方向から外れた方向に射出された光線の一部を内部全反射により導光することで、該光学素子内部において、該発光面からの距離がHであり、該発光面に平行な平面に該発光面を投射した形状の仮想発光面を形成するように構成され、Hは、該発光面の面積をAとして、

[数9]

$$2 \leq H / \sqrt{A/\pi} \leq 15 \quad (12)$$

を満たし、該仮想発光面の中心を通過する前記光軸から15度の見込み角の光線が存在する範囲の値であり、

該仮想発光面の中心を第1の点、該仮想発光面の縁の点を第2の点とし、第1の点を通り、該仮想発光面に垂直な軸を該光学素子の光軸として、該光学素子の第1の出射面は、周縁に対して該光軸付近が窪んだ形状を有し、該光軸及び第2の点を含む、該光学素子の断面において、第1の点に対して前記光軸から15度の見込み角の位置にある第1の出射面上の点を第3の点とし、第2の点を通りして光軸に平行に進む光線が第1の出射面と交差する点を第4の点とし、第1の点を原点とし、第1の点と第2の点とを結ぶ軸をX軸として、第1の出射面の該光軸から最も離れた点のX座標は、第2の点の値の1.5倍以上であり、第1の出射面は、X座標が第3の点の値以上である領域の80%以上の領域で、第1の点を通りした光の入射角が臨界角以上であり、X座標が第4の点の値以下である領域の80%以上の領域で、

第2の点を通じた光の入射角が臨界角より小さいように構成された照明装置。

[請求項26]

面光源と、該面光源の発光面に対向して配置される入射面、該入射面に対向する第1の出射面及び該入射面と第1の出射面とをつなぐ第2の出射面を備えた光学素子と、を含む照明装置であって、

第2の出射面の該入射面に近い領域は、該発光面に対して垂直の方向から外れた方向に射出された光線の一部を内部全反射により導光することで、該光学素子内部において、該発光面からの距離がHであり、該発光面に平行な平面に該発光面を投射した形状の仮想発光面を形成するように構成され、Hは、該発光面の面積をAとして、

[数10]

$$2 \leq H / \sqrt{A/\pi} \leq 15 \quad (12)$$

を満たし、該仮想発光面の中心を通過する前記光軸から15度の見込み角の光線が存在する範囲の値であり、

該仮想発光面の中心を第1の点、該仮想発光面の縁の点を第2の点とし、第1の点を通り、該仮想発光面に垂直な軸を該光学素子の光軸として、該光学素子の第1の出射面は、周縁に対して該光軸付近が窪んだ形状を有し、該光軸及び第2の点を含む、該光学素子の断面において、第1の点に対して該光軸から25度乃至60度の見込み角の領域において、第1の出射面は、第1及び第2の点を結ぶ直線に対する角度が20度以下の角度をなす領域を有し、第1の点に対して前記光軸から15度の見込み角の位置にある第1の出射面上の点を第3の点とし、第2の点を通って光軸に平行に進む光線が第1の出射面と交差する点を第4の点とし、第1の点と第3の点を通る線分と、第2の点と第3の点を通る線分が成す角度を θ_{132} 、第1の点と第4の点を通る線分と、第2の点と第4の点を通る線分が成す角度を θ_{142} 、臨界角を θ_c として、

[数11]

$$15^\circ \leq \theta_{132} \leq 70^\circ \quad (13)$$

$$15^\circ \leq \theta_{142} \leq 65^\circ \quad (14)$$

$$0.2 \leq \theta_{142} / \theta_{132} \leq 1 \quad (15)$$

である照明装置。

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 13 and Rules 43 and 44)

Applicant's or agent's file reference Q1000172PCT	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/JP2010/002625	International filing date (day/month/year) 09 April 2010 (09.04.2010)	(Earliest) Priority Date (day/month/year) 04 November 2009 (04.11.2009)
Applicant NALUX CO., LTD.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of:

- the international application in the language in which it was filed.
 a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. This international search report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43.6bis(a)).

c. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (see Box No. II).

3. Unity of invention is lacking (see Box No. III).

4. With regard to the title,

- the text is approved as submitted by the applicant.
 the text has been established by this Authority to read as follows:

5. With regard to the abstract,

- the text is approved as submitted by the applicant.
 the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 3
 as suggested by the applicant.
 as selected by this Authority, because the applicant failed to suggest a figure.
 as selected by this Authority, because this figure better characterizes the invention.
- b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP2010/002625

A. CLASSIFICATION OF SUBJECT MATTER		
Int.Cl. F21V5/04(2006.01)i, F21Y101/02(2006.01)n According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED		
Minimum documentation searched (classification system followed by classification symbols) Int.Cl. F21V5/04, F21Y101/02		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Jitsuyo Shinan Koho 1922-1996 Jitsuyo Shinan Toroku Koho 1996-2010 Kokai Jitsuyo Shinan Koho 1971-2010 Toroku Jitsuyo Shinan Koho 1994-2010		
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2009-21086 A (Panasonic Electric Works Co., Ltd.) 29 January, 2009 (29.01.09), Full text; all drawings (Family: none)	1-26
A	CD-ROM of the specification and drawings annexed to the request of Japanese Utility Model Application No. 67218/1992 (Laid-open No. 26270/1994) (Stanley Electric Co., Ltd.) 08 April, 1994 (08.04.94) Full text; all drawings (Family: none)	1-26
<input type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex.		
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family		
Date of the actual completion of the international search 29 June 2010 (29.06.2010)		Date of mailing of the international search report 13 July 2010 (13.07.2010)
Name and mailing address of the ISA/ Japanese Patent Office 4-3, Kasumigaseki 3-chome, Chiyoda-ku, Tokyo 100-8915		Authorized officer TSUCHIYA, Masashi Telephone No. 03-3581-1101 ext. 3372

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

Agent:
FUSHIMI, Naoya

To:
OKADA, FUSHIMI AND HIRANO, PC
NE Kudan Bldg., 2-7, Kudan-minami
3-chome, Chiyoda-ku, Tokyo 102-0074,
Japan

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 13 July 2010 (13.07.2010)

Applicant's or agent's file reference
Q1000172PCT

FOR FURTHER ACTION
See paragraph 2 below

International application No. PCT/JP2010/002625	International filing date (day/month/year) 09 April 2010 (09.04.2010)	Priority data (day/month/year) 04 November 2009 (04.11.2009)
--	--	---

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. F21V5/04(2006.01)i, F21Y101/02(2006.01)n

Applicant
NALUX CO., LTD.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ Japanese Patent Office 4-3, Kasumigaseki 3-chome, Chiyoda-ku, Tokyo 100-8915	Date of completion of this opinion 29 June 2010 (29.06.2010)	Authorized officer TSUCHIYA, Masashi Telephone No. 03-3581-1101 ext. 3372
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/002625

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
 - the international application in the language in which it was filed.
 - a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a)).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:
 - a. (means)
 - on paper
 - in electronic form
 - b. (time)
 - in the international application as filed
 - together with the international application in electronic form
 - subsequently to this Authority for the purposes of search
4. In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/002625

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-26	YES
	Claims		NO
Inventive step (IS)	Claims	1-26	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-26	YES
	Claims		NO

2. Citations and explanations:

Documents cited in the ISR

Document 1: JP 2009-21086 A (Panasonic Electric Works Co., Ltd.)
29 January, 2009 (29. 01. 09),
Full text; all drawings
(Family: none)

Document 2: CD-ROM of the specification and drawings annexed to
the request of Japanese Utility Model Application
No. 67218/1992 (Laid-open No. 26270/1994)
(Stanley Electric Co., Ltd.)
08 April, 1994 (08.04.94)
Full text; all drawings
(Family: none)

Claims 1-26:

The inventions as in claims 1-26 are not described in any documents cited
in the ISR and are not obvious to those skilled in the art.

特許協力条約

PCT

国際調査報告

(法8条、法施行規則第40、41条)

[PCT18条、PCT規則43、44]

出願人又は代理人 の書類記号 Q1000172PCT	今後の手続きについては、様式PCT/ISA/220 及び下記5を参照すること。	
国際出願番号 PCT/J P 2010/002625	国際出願日 (日.月.年) 09.04.2010	優先日 (日.月.年) 04.11.2009
出願人(氏名又は名称) ナルックス株式会社		

国際調査機関が作成したこの国際調査報告を法施行規則第41条(PCT18条)の規定に従い出願人に送付する。
この写しは国際事務局にも送付される。

この国際調査報告は、全部で 2 ページである。

この調査報告に引用された先行技術文献の写しも添付されている。

1. 国際調査報告の基礎

a. 言語に関し、この国際調査は以下のものに基づき行った。

出願時の言語による国際出願

出願時の言語から国際調査のための言語である _____ 語に翻訳された、
この国際出願の翻訳文(PCT規則12.3(a)及び23.1(b))

b. この国際調査報告は、PCT規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した(PCT規則43.6の2(a))。

c. この国際出願は、ヌクレオチド又はアミノ酸配列を含んでいる(第I欄参照)。

2. 請求の範囲の一部の調査ができない(第II欄参照)。

3. 発明の単一性が欠如している(第III欄参照)。

4. 発明の名称は 出願人が提出したものを承認する。

次に示すように国際調査機関が作成した。

5. 要約は 出願人が提出したものを承認する。

第IV欄に示されているように、法施行規則第47条第1項(PCT規則38.2)の規定により国際調査機関が作成した。出願人は、この国際調査報告の発送の日から1月以内にこの国際調査機関に意見を提出することができる。

6. 図面に関して

a. 要約書とともに公表される図は、

第 3 図とする。 出願人が示したとおりである。

出願人は図を示さなかったため、国際調査機関が選択した。

本図は発明の特徴を一層よく表しているため、国際調査機関が選択した。

b. 要約とともに公表される図はない。

A. 発明の属する分野の分類 (国際特許分類 (IPC)) Int.Cl. F21V5/04(2006.01)i, F21Y101/02(2006.01)n										
B. 調査を行った分野 調査を行った最小限資料 (国際特許分類 (IPC)) Int.Cl. F21V5/04, F21Y101/02										
最小限資料以外の資料で調査を行った分野に含まれるもの <table border="0"> <tr> <td>日本国実用新案公報</td> <td>1922-1996年</td> </tr> <tr> <td>日本国公開実用新案公報</td> <td>1971-2010年</td> </tr> <tr> <td>日本国実用新案登録公報</td> <td>1996-2010年</td> </tr> <tr> <td>日本国登録実用新案公報</td> <td>1994-2010年</td> </tr> </table>			日本国実用新案公報	1922-1996年	日本国公開実用新案公報	1971-2010年	日本国実用新案登録公報	1996-2010年	日本国登録実用新案公報	1994-2010年
日本国実用新案公報	1922-1996年									
日本国公開実用新案公報	1971-2010年									
日本国実用新案登録公報	1996-2010年									
日本国登録実用新案公報	1994-2010年									
国際調査で利用した電子データベース (データベースの名称、調査に使用した用語)										
C. 関連すると認められる文献										
引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求項の番号								
A	JP 2009-21086 A (パナソニック電気株式会社) 2009.01.29, 全文, 全図 (ファミリーなし)	1-26								
A	日本国実用新案登録出願 4-67218 号 (日本国実用新案登録出願公開 6-26270 号) の願書に添付した明細書及び図面の内容を記録した CD-ROM (スタンレー電気株式会社) 1994.04.08, 全文, 全図 (ファミリーなし)	1-26								
<input type="checkbox"/> C欄の続きにも文献が列挙されている。 <input type="checkbox"/> パテントファミリーに関する別紙を参照。										
* 引用文献のカテゴリー 「A」 特に関連のある文献ではなく、一般的技術水準を示すもの 「E」 国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの 「L」 優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献 (理由を付す) 「O」 口頭による開示、使用、展示等に言及する文献 「P」 国際出願日前で、かつ優先権の主張の基礎となる出願日の後に公表された文献 「T」 国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの 「X」 特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの 「Y」 特に関連のある文献であって、当該文献と他の1以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの 「&」 同一パテントファミリー文献										
国際調査を完了した日 29.06.2010	国際調査報告の発送日 13.07.2010									
国際調査機関の名称及びあて先 日本国特許庁 (ISA/JP) 郵便番号 100-8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官 (権限のある職員) 土屋 正志 電話番号 03-3581-1101 内線 3372	3X 3739								

特許協力条約

発信人 日本国特許庁（国際調査機関）

代理人 伏見直哉	様
あて名 〒102-0074 日本国東京都千代田区九段南3丁目2番7号、NE 九段ビル特許業務法人オカダ・フシミ・ヒラノ	

P C T
 国際調査報告及び国際調査機関の見解書
 又は国際調査報告を作成しない旨の決定
 の送付の通知書
 (法施行規則第41条)
 [PCT規則44.1]

発送日 (日.月.年)	1 3 . 0 7 . 2 0 1 0
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出願人又は代理人 の書類記号 Q1000172PCT	今後の手続きについては、下記1及び4を参照。
国際出願番号 PCT/J P 2 0 1 0 / 0 0 2 6 2 5	国際出願日 (日.月.年) 0 9 . 0 4 . 2 0 1 0
出願人 (氏名又は名称) ナルックス株式会社	

1.	<input checked="" type="checkbox"/> 国際調査報告及び国際調査機関の見解書が作成されたこと、及びこの送付書とともに送付することを、出願人に通知する。 PCT19条の規定に基づく補正書及び説明書の提出 出願人は、国際出願の請求の範囲を補正することができる（PCT規則46参照）。 いつ 補正書の提出期間は、通常国際調査報告の送付の日から2月である。 どこへ 直接次の場所へ The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: +41 22 338 82 70 詳細な手続については、添付用紙の備考を参照すること。
2.	<input type="checkbox"/> 国際調査報告が作成されないこと、及び法第8条第2項（PCT17条(2)(a)）の規定による国際調査報告を作成しない旨の決定及び国際調査機関の見解書をこの送付書とともに送付することを、出願人に通知する。
3.	<input type="checkbox"/> 法施行規則第44条（PCT規則40.2）に規定する追加手数料の納付に対する異議の申立てに関して、出願人に下記の点を通知する。 <input type="checkbox"/> 異議の申立てと当該異議についての決定を、その異議の申し立てと当該異議についての決定の両方を指定官庁へ送付することを求める出願人の請求とともに、国際事務局へ送付した。 <input type="checkbox"/> 当該異議についての決定は、まだ行われていない。決定されしだい出願人に通知する。
4.	今後の手続： 出願人は次の点に注意すること。 優先日から18月経過後、国際出願は国際事務局によりすみやかに国際公開される。出願人が公開の中止又は延期を望むときは、国際出願又は優先権の主張の取下げの通知がPCT規則90の2.1及び90の2.3にそれぞれ規定されているように、国際公開の事務的な準備が完了する前に国際事務局に到達しなければならない。 出願人は、国際調査機関の見解書に対して、非公式コメントを提出することができる。国際事務局は、国際予備審査報告が作成された場合又は作成される場合を除いて、このコメントをすべての指定官庁に送付する。これらのコメントは公開されるが、優先日から30月が経過するまでは公開されない。 いくつかの指定官庁については、出願人が国内段階の開始を優先日から30月まで（官庁によってはさらに遅くまで）延期することを望むときは、優先日から19月以内に、国際予備審査の請求書が提出されなければならない。そうでなければ、出願人はそれらの指定官庁に対して優先日から20月以内に、国内段階の開始のための所定の手続を取らなければならない。 その他の指定官庁については、19月以内に国際予備審査の請求書が提出されない場合にも、30月の（あるいはさらに遅い）期限が適用される。 様式PCT/IB/301の付属書類を参照。個々の指定官庁で適用される期限の詳細については、PCT出願人の手引、国内段階を参照。

名称及びあて名 日本国特許庁（ISA/JP） 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	権限のある職員 特許庁長官 電話番号 03-3581-1101 内線 3372	3 X	3 7 3 9
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注 意

1. 国際調査報告の発送日から起算する条約第19条（1）及び規則46.1に従う国際事務局への補正期間に注意してください。
2. 条約22条（2）に規定する期間に注意してください。
3. 法律又は契約等の制限により、国際調査報告に記載した非特許文献の写しの一部又は全てが送付されない場合があります。
4. 文献の写しの請求について

国際調査報告に記載した文献の複写

特許庁にこれらの引用文献の写しを請求することもできますが、独立行政法人工業所有権情報・研修館（特許庁庁舎2階）で公報類の閲覧・複写および公報以外の文献複写等の取り扱いをしています。

[担当及び照会先]

〒100-0013 東京都千代田区霞が関3丁目4番3号（特許庁庁舎2階）

独立行政法人工業所有権情報・研修館

【公報類】 閲覧部 TEL 03-3581-1101 内線3811～2

【公報以外】 資料部 TEL 03-3581-1101 内線3831～3

注意 特許庁に対して文献の写しの請求をすることができる期間は、国際出願日から7年です。

様式PCT/ISA/220の備考

この備考は、PCT19条の規定に基づく補正書の提出に関する基本的な指示を与えるためのものである。この備考は特許協力条約並びにこの条約に基づく規則及び実施細則の規定に基づいている。この備考とそれらの規定とが相違する場合には、後者が適用される。詳細な情報については、PCT出願人の手引も参照すること。

PCT19条の規定に基づく補正書の提出に関する指示

出願人は、国際調査報告及び国際調査機関の見解書を受領した後、国際出願の請求の範囲を補正する機会が一回ある。しかし、国際出願のすべての部分（請求の範囲、明細書及び図面）が、国際予備審査の手続においても補正できるもので、例えば出願人が仮保護のために補正書を公開することを希望する場合又は国際公開前に請求の範囲を補正する別の理由がある場合を除き、通常PCT19条の規定に基づく補正書を提出する必要はないことを強調しておく。さらに、仮保護は一部の国のみで与えられるだけであることも強調しておく（PCT出願人の手引、附録B参照）。

国際調査機関がPCT17条(2)の規定により国際調査報告を作成しない旨の決定をしたときは、PCT19条の規定により請求の範囲を補正することができないことに、出願人は注意されたい（PCT出願人の手引き、国際段階、第296段落参照）。

補正の対象となるもの

PCT19条の規定により請求の範囲のみ補正することができる。

国際段階においてPCT34条の規定に基づく国際予備審査の手続において請求の範囲を（更に）補正することができる。

明細書及び図面は、PCT34条の規定に基づく国際予備審査の手続においてのみ補正することができる。

国内段階に移行する際、PCT28条（又はPCT41条）の規定により、国際出願のすべての部分を補正することができる。

いつ

国際調査報告の送付の日から2月又は優先日から16月の内どちらか遅く満了するほうの期間内。しかし、その期間の満了後であっても国際公開の技術的な準備の完了前に国際事務局が補正を受領した場合には、その補正書は、期間内に受理されたものとみなすことを強調しておく（PCT規則46.1）。

補正書を提出すべきところ

補正書は、国際事務局のみに提出でき、受理官庁又は国際調査機関には提出してはいけない（PCT規則46.2）。国際予備審査の請求書を提出した／する場合には、以下を参照すること。

どのように

1以上の請求の範囲の削除、1以上の新たな請求の範囲の追加、又は1以上の請求の範囲の記載の補正による。すでに提出したすべての請求の範囲を差し替えるための完全な一式の請求の範囲を含む差し替え用紙を提出しなければならない。請求の範囲を削除する場合、その他の請求の範囲の番号を付け直す必要はない。請求の範囲の番号を付け直す場合には、アラビア数字で連続番号で付け直さなければならない（実施細則205(a)）。補正は国際公開の言語で行う。

補正書にどのような書類を添付しなければならないか

書簡（PCT実施細則第205号(b)）

補正書には書簡を添付しなければならない。

書簡は国際出願及び補正された請求の範囲とともに公開されることはない。これを「PCT19条(1)に規定する説明書」と混同してはならない（「PCT19条(1)に規定する説明書」については、以下を参照）。

書簡は、英語又は仏語を選択しなければならない。ただし、国際出願の言語が英語の場合、書簡は英語で、仏語の場合、書簡は仏語で記載しなければならない。

書簡には、出願時の請求の範囲と補正された請求の範囲との相違について表示しなければならない。特に、国際出願に記載した各請求の範囲との関連で次の表示（2以上の請求の範囲についての同一の表示する場合は、まとめることができる。）をしなければならない。

- (i) この請求の範囲は変更しない。
- (ii) この請求の範囲は削除する。
- (iii) この請求の範囲は追加である。
- (iv) この請求の範囲は出願時の1以上の請求の範囲と差し替える。
- (v) この請求の範囲は出願時の請求の範囲の分割の結果である。

様式PCT/ISA/220の備考(続き)

次に、添付する書簡中での、補正についての説明の例を示す。

1. [請求の範囲の一部の補正によって請求の範囲の項数が48から51になった場合] :
“請求の範囲1-29、31、32、34、35、37-48項は、同じ番号のもとに補正された請求の範囲と置き換えられた。請求の範囲30、33及び36項は変更なし。新たに請求の範囲49-51項が追加された。”
2. [請求の範囲の全部の補正によって請求の範囲の項数が15から11になった場合] :
“請求の範囲1-15項は、補正された請求の範囲1-11項に置き換えられた。”
3. [原請求の範囲の項数が14で、補正が一部の請求の範囲の削除と新たな請求の範囲の追加を含む場合] :
“請求の範囲1-6及び14項は変更なし。請求の範囲7-13は削除。新たに請求の範囲15、16及び17項を追加。”又は
“請求の範囲7-13は削除。新たに請求の範囲15、16及び17項を追加。その他の全ての請求の範囲は変更なし。”
4. [各種の補正がある場合] :
“請求の範囲1-10項は変更なし。請求の範囲11-13、18及び19項は削除。請求の範囲14、15及び16項は補正された請求の範囲14項に置き換えられた。請求の範囲17項は補正された請求の範囲15、16及び17項に分割された。新たに請求の範囲20及び21項が追加された。”

“PCT19条(1)の規定に基づく説明書”(PCT規則46.4)

補正書には、補正並びにその補正が明細書及び図面に与える影響についての説明書を提出することができる(明細書及び図面はPCT19条(1)の規定に基づいては補正できない)。

説明書は、国際出願及び補正された請求の範囲とともに公開される。

説明書は、国際公開の言語で作成しなければならない。

説明書は、簡潔でなければならない、英語の場合又は英語に翻訳した場合に500語を越えてはならない。

説明書は、出願時の請求の範囲と補正された請求の範囲との相違を示す書簡と混同してはならない。説明書を、その書簡に代えることはできない。説明書は別紙で提出しなければならない、見出しを付すものとし、その見出しは“PCT19条(1)の規定に基づく説明書”の語句を用いることが望ましい。

説明書には、国際調査報告又は国際調査報告に列記された文献との関連性に関して、これらを誹謗する意見を記載してはならない。国際調査報告に列記された特定の請求の範囲に関連する文献についての言及は、当該請求の範囲の補正に関してのみ行うことができる。

国際予備審査の請求書が提出されている場合

PCT19条の規定に基づく補正書及び添付する説明書の提出の時に国際予備審査の請求書が既に提出されている場合には、出願人は、補正書(及び説明書)を国際事務局に提出すると同時にその写し及び必要な場合、その翻訳文を国際予備審査機関にも提出することが望ましい(PCT規則55.3(a)、62.2の第1文を参照)。詳細は国際予備審査請求書(PCT/IPEA/401)の注意書参照。

国際予備審査の請求がされた場合は、国際予備審査機関が国際調査機関としては行動しておらず、PCT規則66.1(2)(b)の規定による国際事務局への通告がなされているという特定の除いて、国際調査機関の見解書は国際予備審査機関の見解書とみなされる。国際予備審査の請求がされると、様式PCT/ISA220の送付日から3月又は優先日から2月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる(PCT規則43の2.1(c))。

国内段階に移行するための国際出願の翻訳に関して

国内段階に移行する際、PCT19条の規定に基づいて補正された請求の範囲の翻訳を出願時の請求の範囲の翻訳の代わりに又は追加して、指定官庁/選択官庁に提出しなければならないこともあるので、出願人は注意されたい。

指定官庁/選択官庁の詳細な要求については、PCT出願人の手引きの国内段階を参照。

特許協力条約

発信人 日本国特許庁（国際調査機関）

代理人 伏見直哉 様 あて名 〒102-0074 日本国東京都千代田区九段南3丁目2番7号、NE 九段ビル特許業務法人オカダ・フシミ・ヒラノ		PCT 国際調査機関の見解書 (法施行規則第40条の2) [PCT規則43の2.1]	
		発送日 (日.月.年)	13.07.2010
出願人又は代理人 の書類記号 Q1000172PCT		今後の手続きについては、下記2を参照すること。	
国際出願番号 PCT/J P 2010/002625	国際出願日 (日.月.年) 09.04.2010	優先日 (日.月.年) 04.11.2009	
国際特許分類 (IPC) Int.Cl. F21V5/04(2006.01)i, F21Y101/02(2006.01)n			
出願人 (氏名又は名称) ナルクス株式会社			

1. この見解書は次の内容を含む。 <input checked="" type="checkbox"/> 第I欄 見解の基礎 <input type="checkbox"/> 第II欄 優先権 <input type="checkbox"/> 第III欄 新規性、進歩性又は産業上の利用可能性についての見解の不作成 <input type="checkbox"/> 第IV欄 発明の単一性の欠如 <input checked="" type="checkbox"/> 第V欄 PCT規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明 <input type="checkbox"/> 第VI欄 ある種の引用文献 <input type="checkbox"/> 第VII欄 国際出願の不備 <input type="checkbox"/> 第VIII欄 国際出願に対する意見
2. 今後の手続き 国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。 この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT/ISA/220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。 さらなる選択肢は、様式PCT/ISA/220を参照すること。
3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解書を作成した日 29.06.2010	
名称及びあて先 日本国特許庁 (ISA/J P) 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官 (権限のある職員) 土屋 正志 電話番号 03-3581-1101 内線 3372
	3 X 3739

第 I 欄 見解の基礎

1. 言語に関し、この見解書は以下のものに基づき作成した。

- 出願時の言語による国際出願
 出願時の言語から国際調査のための言語である _____ 語に翻訳された、この国際出願の翻訳文
(PCT規則12.3(a)及び23.1(b))

2. この見解書は、PCT規則 91 の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した (PCT規則 43 の 2.1(b))。

3. この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

- a. 提出手段 紙形式
 電子形式
- b. 提出時期 出願時の国際出願に含まれていたもの
 この国際出願と共に電子形式により提出されたもの
 出願後に、調査のために、この国際調査機関に提出されたもの

4. さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5. 補足意見：

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N)	請求項	1-26	有
	請求項		無
進歩性 (IS)	請求項	1-26	有
	請求項		無
産業上の利用可能性 (IA)	請求項	1-26	有
	請求項		無

2. 文献及び説明

国際調査報告に引用された文献

文献1：JP 2009-21086 A (パナソニック電気株式会社) 2009.01.29, 全文, 全図 (ファミリーなし)

文献2：日本国実用新案登録出願 4-67218 号 (日本国実用新案登録出願公開 6-26270 号) の願書に添付した明細書及び図面の内容を記録した CD-ROM (スタンレー電気株式会社) 1994.04.08, 全文, 全図 (ファミリーなし)

請求項 1-26

請求項 1-26 に記載された発明は、国際調査報告書に引用されたいずれの文献にも記載されておらず、当業者にとって自明なものでもない。

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	12973177	Filing date:	2010-12-20
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First Named Inventor:	Norifumi KANAI
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Title of the Invention:	ILLUMINATING DEVICE
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THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML](http://www.uspto.gov/ebc/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/002625

The international date of the corresponding PCT application(s) is/are: 2010-04-09

I. List of Required Documents:

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)

- Is attached.
- Is not attached because the document is already in the U.S. application.

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).

- Is attached.
- Is not attached because the document is already in the U.S. application.

c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM
BETWEEN THE JPO AND THE USPTO**

(continued)

Application No.: 12973177

First Named Inventor: Norifumi KANAI

d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.

 Is attached Has already been filed in the above-identified U.S. application on 2010-12-20

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

 Are attached. Have already been filed in the above-identified U.S. application on 2010-12-20**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	
10	10	
11	12	
12	15	
13	16	
14	21	
15	22	
16	23	
17	24	
18	25	
19	26	

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Douglas H. Goldhush/	Date 2011-02-16
Name (Print/Typed) Douglas H. Goldhush	Registration Number 33125

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,177	12/20/2010	Norifumi KANAI	060626.00102	1391
32294	7590	03/23/2011	EXAMINER	
Squire, Sanders & Dempsey (US) LLP 8000 TOWERS CRESCENT DRIVE 14TH FLOOR VIENNA, VA 22182-6212			ART UNIT	PAPER NUMBER
			2875	
			NOTIFICATION DATE	DELIVERY MODE
			03/23/2011	ELECTRONIC

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.

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

IPGENERALTYC@SSD.COM
SWHITNEY@SSD.COM



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Squire, Sanders & Dempsey (US) LLP
8000 TOWERS CRESCENT DRIVE
14TH FLOOR
VIENNA VA 22182-6212

In re Application of	: DECISION ON REQUEST TO
Norifumi KANAI	: PARTICIPATE IN THE PATENT
Application No.: 12/973,177	: PROSECUTION HIGHWAY
Filed: 20 December 2010	: PROGRAM AND PETITION
Attorney Docket No.: 060626.00102	: TO MAKE SPECIAL UNDER
For: ILLUMINATING DEVICE	: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed 16 February 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

Requirements (1-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirement (7).

Regarding the requirement of condition (7), applicant has failed to submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications. Applicant has failed to cite and provide the second document cited by the examiner in the PCT.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.



Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent of:

Norifumi KANAI

Confirmation No.: 1391

Application No.: 12/973177

Group Art Unit: 2875

Filed: December 20, 2010

Atty. Docket No.: 060626.00102

For: ILLUMINATING DEVICE

**PETITION TO ACCEPT REQUEST TO PARTICIPATE IN PATENT
PROSECUTION HIGHWAY PROGRAM UNDER 37 CFR 1.102(d)**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 11, 2011

Sir:

Applicant has received a Decision dated March 23, 2011 on Applicant's Request to Participate in Patent Prosecution Highway (PCT-PPH) Pilot Program that was filed on February 16, 2011. That Decision indicated that although applicant has met all requirements to participate in the PPH pilot program, the applicant has failed to submit an Information Disclosure Statement (IDS) documents cited in the international patent application. However, please note that such an IDS and cited documents were filed on December 20, 2010, as noted on the PTO/SB/20PCT-JP form which was filed on February 16, 2011. Applicant submits, therefore, that the requisite IDS and copies of the cited references by the PCT examiner in the international application has been properly and timely filed.

In view of the above, this submission completes a grantable request to participate in the PPH pilot program, and therefore, is sufficient to cure the deficiencies noted in the decision, and all requirements have been met. It is therefore respectfully requested that the

Request for Participation in the PPH Program submitted on February 16, 2011 be granted, and that timely consideration on the merits be given to this application.

In the event that there are any fees due with respect to this paper, please charge Counsel's Deposit Account No. 50-2222.

Respectfully submitted,

/Douglas H. Goldhush/

Douglas H. Goldhush
Registration No. 33125

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Vienna, Virginia 22182-6212
Telephone: 703-720-7800
Fax: 703-720-7802

DHG:kh

Enclosure: IDS/Listing of cited documents



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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32294	7590	04/27/2011	EXAMINER	
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In re Application of : **DECISION ON REQUEST TO**
Norifumi KANAI : **PARTICIPATE IN THE PATENT**
Application No.: 12/973,177 : **PROSECUTION HIGHWAY**
Filed: 20 December 2010 : **PROGRAM AND PETITION**
Attorney Docket No.: 060626.00102 : **TO MAKE SPECIAL UNDER**
For: ILLUMINATING DEVICE : **37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed 16 February 2011 and renewed on 11 April 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

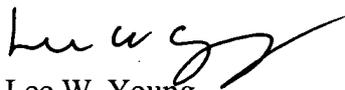
(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.



Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 83174485	Application Number (if known): 12973191	Filing date: December 20, 2010
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First Named Inventor: Michael Damian Czekala

Title: Internal Combustion Engine Having Common Power Source for Ion Current Sensing and Fuel Injectors

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: _____

Signature /David S. Bir/	Date 03-02-2011
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Name (Print/Typed) David S. Bir	Registration Number 38383
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Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,191	12/20/2010	Michael Damian Czekala	83174485	1414
28395	7590	03/15/2011	EXAMINER	
BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			HOANG, JOHNNY H	
			ART UNIT	PAPER NUMBER
			3747	
			MAIL DATE	DELIVERY MODE
			03/15/2011	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.



BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of	:	
CZEKALA, MICHAEL DAMIAN et al	:	DECISION ON PETITION
Application No. 12/973,191	:	TO MAKE SPECIAL UNDER
Filed: Dec. 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83174485	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 3, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner indicates that the claimed invention relates to reduction of greenhouse gas emission. This is not convincing. For example, it is not clear how the claimed common power supply for fuel injector and ionization sensor will provide and enhance the quality of the environment or contribute to energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

The application is currently undergoing pre-examination processing. The application will be forwarded to the Technology Center Art Unit 3747 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL DAMIAN CZEKALA

Serial No.: 12973191

Filed: December 20, 2010

For: INTERNAL COMBUSTION ENGINE HAVING COMMON
POWER SOURCE FOR ION CURRENT SENSING AND FUEL
INJECTORS

Group Art Unit: 3747

Examiner: Hoang, Johnny

Attorney Docket No.: 83174485

**REQUEST FOR RECONSIDERATION OF DECISION ON PETITION
FOR THE GREEN TECHNOLOGY PILOT PROGRAM**

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

Dear Sir:

In response to the Decision dismissing the Petition To Make Special Under the Green Technology Pilot Program mailed March 15, 2011, Applicant respectfully requests reconsideration and granting of the petition filed concurrently with a statement describing how the materiality standard was met on March 3, 2011.

The decision indicates that it is not clear how the claimed common power supply will contribute to energy conservation or the reduction of greenhouse gas emissions. However, as previously explained in the statement filed on March 3, 2011, the claimed common power supply is used in combination with ionization sensing to improve the control of the combustion process in various types of spark-ignition, compression-ignition, and combination internal combustion engines that use direct injection of fuel into the combustion chamber to reduce fuel consumption and feedgas emissions. The claimed invention also facilitates use of alternative fuels, such as gasoline/alcohol mixtures, for example. The use of alternative fuels and/or reducing fuel

consumption (improving fuel economy) materially contributes to energy conservation while also reducing associated greenhouse gas emissions.

Furthermore, use of an electrical power system for an engine that includes a high voltage power supply for the fuel injectors and ionization sensing reduces losses associated with having individual power supplies and therefore improves overall efficiency of the system and contributes to improved fuel economy.

As also explained, direct-injection spark-ignition (DISI) engines fueled by gasoline or gasoline/alcohol mixtures, compression-ignition engines fueled by diesel fuel, or combination engines fueled by gasoline or other fuels that may operate in a spark-ignition mode and a compression-ignition mode, sometimes referred to as homogeneous charge compression ignition (HCCI) mode, for example. A high-voltage power supply may be provided to generate the current required for desired performance of the fuel injectors for these applications, with representative voltages in the range of 60V or more compared to the nominal battery voltage of 12V or 24V, for example.

Manufacturers continue to improve control of internal combustion engines to enhance fuel economy and performance while reducing feedgas emissions using more sophisticated sensing and processing hardware and software.

To improve control of the combustion process, ionization current sensing (or ion sense) uses a bias voltage applied across a sensor positioned within the combustion chamber to generate a current signal indicative of the combustion quality and timing. The bias voltage for reliable ion current signals often exceeds the voltage available directly from the vehicle battery so that a boost circuit or high voltage power supply is used to provide a bias voltage in the range of 85V or more, for example. Some spark-ignition engines provide the high-voltage supply by switching the ignition coil or using the ignition coil to charge a capacitor during the spark generation and then discharge the capacitor to provide the bias voltage during the ion sense period. While suitable for some applications, these systems do not provide a bias voltage for ion

sense when no spark is generated, such as during compression-ignition mode in HCCI engines, for example.

As explained in the specification in Para. 7, the systems and methods of the present disclosure can provide ionization current sensing whether or not a spark plug discharge is provided, such as in compression ignition engines or operating modes, which include diesel engines and HCCI engines, for example. Using the high-voltage supply in spark-ignited applications for ignition coil charging facilitates more agile ignition timing with shorter ignition coil charge times and shorter dwell times, which in turn provides a larger time period for collecting ionization current data that is typically masked during coil/spark discharge. Using a single high-voltage power supply to actuate injectors and ionization sensing may provide a cost savings and reduce the number of control module pins required when the power supply is integrated within the engine controller.

More accurate control of the combustion process using ionization sensing provided by a high voltage power supply connectable to, and supplying substantially the same nominal boosted voltage higher than nominal battery voltage to, the fuel injectors and ignition coil during an ionization sensing period after spark discharge as claimed in claim 1, for example, is expected to improve the combustion process and reduce greenhouse feedgas emissions. As such, it is respectfully submitted that the claimed invention materially contributes to conservation of energy resources and/or the reduction of greenhouse gas emissions.

As described above, an electrical power system for an engine that includes a common power supply for ionization sensing and powering fuel injectors improves fuel economy by eliminating losses associated with a separate injector power supply, improves combustion efficiency through ionization sensing, and reduces greenhouse gas emissions through better control of the combustion process using the ionization sensing. As such, the invention claimed in claims 1, 6, and 15, for example, materially contributes to the conservation of energy resources and the reduction of greenhouse gas emissions.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,191	12/20/2010	Michael Damian Czekala	83174485	1414
28395	7590	04/21/2011	EXAMINER	
BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			HOANG, JOHNNY H	
			ART UNIT	PAPER NUMBER
			3747	
			MAIL DATE	DELIVERY MODE
			04/21/2011	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.



BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of	:	
CZEKALA, MICHAEL DAMIAN et al	:	DECISION ON PETITION
Application No. 12/973,191	:	TO MAKE SPECIAL UNDER
Filed: Dec. 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83174485	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 1, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3747 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700



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Commissioner for Patents
United States Patent and Trademark Office
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FISH & ASSOCIATES, PC
ROBERT D. FISH
2603 Main Street
Suite 1000
Irvine CA 92614-6232

MAILED
MAR 23 2011
OFFICE OF PETITIONS

In re Application of	:	
ZURLO, Gene	:	
Application No. 12/973,218	:	DECISION ON PETITION
Filed: December 20, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 101658.0001US6	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed February 07, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by Gene Zurlo's, attesting to his/her age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at 571-272-2783.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 1644 for action on the merits commensurate with this decision.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Thomas EDENFELD)
Confirmation No.: 1477)
Serial No.: 12/973,221)
Filing Date: December 20, 2010)
Atty Docket No.: 231459-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 3, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **231459-1** Application Number (if known): **12/973,221** Filing date: **December 20, 2010**

First Named Inventor: **Thomas EDENFELD**

Title: **HYDRAULIC YAW DRIVE SYSTEM FOR A WIND TURBINE AND METHOD OF OPERATING THE SAME**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Douglas D. Zhang/**

Date **May 3, 2011**

Name (Print/Typed) **Douglas D. Zhang**

Registration Number **37,985**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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12/973,221	12/20/2010	Thomas EDENFELD	231459_1	1477
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52082 7590 05/19/2011

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER

ART UNIT	PAPER NUMBER
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3745

NOTIFICATION DATE	DELIVERY MODE
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05/19/2011

ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.camaroli@ge.com



General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
EDENFELD, THOMAS et al	:	DECISION ON PETITION
Application No. 12/973,221	:	TO MAKE SPECIAL UNDER
Filed: Dec. 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 231459_1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 5, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within **ONE (1) MONTH OR THIRTY (30) DAYS** from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to the green technologies. This is not convincing. It is not clear how the claimed change of a law angle will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

The application is currently undergoing pre-examination processing. Upon completion, the application will be forwarded to the Technology Center Art Unit 3745 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Thomas EDENFELD)
Confirmation No.: 1477)
Serial No.: 12/973,221)
Filing Date: 12-20-2010)
Atty Docket No.: 231459-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 19 May 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that it is not clear how the claimed change of a yaw angle will provide and enhance the quality of the environment or contribute to the development of renewable energy resources or energy conservation or greenhouse gas reduction. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate generally to methods and systems for the yaw adjustment of wind turbines, and more particularly, to methods and systems for the hydraulic yaw adjustment of wind turbines.

At least some known wind turbines include a tower and a nacelle mounted on the tower. A rotor is rotatably mounted to the nacelle and is coupled to a generator by a shaft. A plurality of blades extend from the rotor. The blades are oriented such that wind passing over the blades turns the rotor and rotates the shaft, thereby driving the generator to generate electricity. If the plane defined by the rotor blades of the wind turbine is not perpendicular to the wind, the turbine may still be operable, but the rotor blades and the nacelle, to which they are coupled via the rotor blade hub and the rotor axis, experience shear forces that lead to a large load on these parts, to wear, and, hence, to an increased need for maintenance. Typically, the nacelle, to which the rotor is connected, is therefore turned to directly face the wind. To this aim, a controller, such as an electronic computer, receives measurement data of wind direction and wind speed and controls a motor to accordingly adjust a yaw angle of the nacelle. (see at least paragraphs [0002] and [0003]).

Typically, the at least one motor is an electric motor, which turns the nacelle via a gear with a high transmission ratio. If the wind changes direction, the nacelle is turned accordingly by the yaw drive system, until the plane of the rotor is again perpendicular to the direction of the wind. During this process, as long as the rotor plane is not perpendicular to the wind direction, the wind will exhibit shear forces on the nacelle which may contravene the force of the yaw drive motor. If a gust hits the wind turbine during this process, the yaw drive system, and particularly the yaw motor, has to withstand particularly high forces. Hence, the maximum exertable torque of the yaw drive motor has to be adapted such that the yaw drive system may exert a torque on the nacelle which is higher than the torque that the rotor exerts on the nacelle during strong gusts or other cases with extreme load. The torque which the yaw motor or motors have to

produce to move the nacelle during a gust is considerably higher than the torque that is needed for the adjustment of the yaw angle under normal operating conditions. In extreme cases, the torque exerted on the yaw motor can be four to five times as high as the torque which is needed to adjust the yaw angle under standard operating conditions. Further, the gear components of the yaw drive system also have to be designed to withstand these high gust forces. Together, these factors require a considerable oversizing of the motor and gear of conventional yaw drive systems, which is an undesired cost factor. (see at least paragraphs [0004]-[0006]).

The embodiments described herein include a wind turbine system that has a hydraulic yaw drive system with improved characteristics when subjected to high wind forces. More specifically, the yaw drive system is designed such that a valve in the hydraulic system may open during high loads caused by gusts, such that the nacelle may move, in response, or, as a result of the wind force, against the torque exerted by the yaw motor, or, in other words, the nacelle may “slip” due to the high load and thus passively react to the wind force. (see at least paragraph [0019]).

The systems and methods disclosed herein facilitate yaw drive systems with reduced cost and size, which can replace or be used instead of conventional yaw drive systems with considerably larger size. (see at least paragraph [0050]). Also, by providing a nacelle that may “slip” due to the high loads, the embodiments described herein facilitate the reduction of conditions that known to interrupt wind turbine system operation and require maintenance or repair. As such, embodiments of the present invention reduce the costs of manufacturing and maintaining wind turbine systems, which in turn promotes increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: June 15, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,221	12/20/2010	Thomas EDENFELD	231459_1	1477
52082	7590	07/01/2011	EXAMINER	
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			07/01/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.carnaroli@ge.com



General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

7/1/11

In re Application of	:	
Edenfeld et al.	:	DECISION ON PETITION
Application No. 12/973,221	:	TO MAKE SPECIAL UNDER
Filed: 12/20/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 231459_1	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/16/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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LACKENBACH SIEGEL, LLP
LACKENBACH SIEGEL BUILDING
1 CHASE ROAD
SCARSDALE NY 10583

MAILED

JAN 18 2011

OFFICE OF PETITIONS

In re Application of	:	
Paul A. Cutler	:	
Application No. 12/973,262	:	DECISION ON PETITION
Filed: December 20, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. CUTPA.P001	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 20, 2010, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Office of Patent Application Processing (OPAP) for action on the merits commensurate with this decision.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions



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900-55 Metcalfe Street
Ottawa ON K1P 5Y6
CANADA

MAILED
JUL 29 2011
OFFICE OF PETITIONS

In re Application of :
Lai : DECISION ON PETITION
Application No. 12/973,288 : PURSUANT TO
Filed: December 20, 2010 : 37 C.F.R. § 1.57(A)
Attorney Docket No. 54209-6C :
Title: PING FEATURE FOR ELECTRONIC :
DEVICES :

This is a decision on the "REPLY TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION AND PETITION UNDER 37 CFR 1.57(a)," filed on January 7, 2011, requesting that both the above-referenced application and Figures 1-4C be accorded a filing date of December 20, 2010.

Application papers in the above-identified application were deposited on December 20, 2010. However, on January 6, 2011, the Office of Data Management mailed Applicant a "Notice of Incomplete Nonprovisional Application," notifying Applicant that the application papers had not been accorded a filing date because the application was deposited without drawings.

On January 7, 2011, Applicant submitted this petition, where it is set forth that drawings were inadvertently omitted on submission of the present application. Applicant has argued, however, that the inadvertently omitted drawings were constructively present on filing however, due to a benefit claim that was present on filing.

It is noted that the application as filed included a specification, and the first line of the specification following the title indicates that this application is a continuation of prior-filed U.S. application number 11/020,318. Thus, pursuant to Rule 1.57(a), the application as filed is considered to have

incorporated by reference the prior filed application as to the inadvertently omitted drawings.

The second page of this petition is being construed to constitute an amendment, directing the entry of the four pages of drawings filed concurrently therewith.

Receipt of the \$400 petition fee is acknowledged.

In view of the benefit claim to prior-filed application number 11/020,318, the drawings supplied on January 7, 2011 would not constitute new matter if they were a part of the original disclosure of prior application No. 11/020,318. Of course, the Examiner is expected to compare the drawings supplied on January 7, 2011, to those contained within prior application No. 11/020,318 in order to verify that it is an accurate copy of the prior drawings and that they contain no new matter.

In view thereof, the petition is **GRANTED**.

Moreover, Applicant has asserted that a newly executed oath or declaration is not required. This assertion is confirmed to be accurate, since a copy of the declaration from prior-filed application number 11/020,318 was included both on filing and with this petition.¹

The application is being forwarded to the Office of Patent Application Processing (OPAP) for:

- **correction of the filing date to December 20, 2010;**
- **for indication in Office records, as appropriate, that "0" drawings were present on filing, and;**
- **for issuance of a filing receipt.**

The general phone number for OPAP is 571-272-4000. Telephone

¹ See MPEP § 602.05(a).

inquiries regarding this decision should be directed to Senior Attorney Paul Shanowski at (571) 272-3225.



Anthony Knight
Director
Office of Petitions



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

**BANNER & WITCOFF, LTD.
TEN SOUTH WACKER DRIVE
SUITE 3000
CHICAGO IL 60606**

MAILED

JUN 06 2011

OFFICE OF PETITIONS

In re Application of	:	
Nikitin et al.	:	DECISION ON PETITION
Application No. 12/973,306	:	TO WITHDRAW
Filed: December 20, 2010	:	FROM RECORD
Attorney Docket No. 011738.00338	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed April 13, 2011.

The request is **NOT APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others.

The request was signed by Robert H. Resis on behalf of all attorneys of record, but does not include a Customer Number. Accordingly, since the practitioners were appointed by a Customer Number, the Request must reflect withdrawal of practitioners associated with the same Customer Number.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Currently, there is no outstanding Office action that requires a reply.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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**BANNER & WITCOFF, LTD.
TEN SOUTH WACKER DRIVE
SUITE 3000
CHICAGO IL 60606**

MAILED

JUL 05 2011

OFFICE OF PETITIONS

In re Application of	:	
Nikitin et al.	:	
Application No. 12/973,306	:	DECISION ON PETITION
Filed: December 20, 2010	:	TO WITHDRAW
Attorney Docket No. 011738.00338	:	FROM RECORD

This is a decision on the renewed Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed June 24, 2011.

The request is **NOT APPROVED**.

The Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71*, or, if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.

According to a review of current USPTO records petitioner has not requested the address be changed to a properly recorded assignee or the first listed inventor. Current USPTO records do not list any recorded assignment concerning the above- identified application. As such, all future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Currently, there is no outstanding Office action that requires a reply.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **246612_1** Application Number (if known): **12/973,315** Filing date: **12-20-2010**

First Named Inventor: **Henk-Jan KOOIJMAN**

Title: **APPARATUS AND METHOD FOR OPERATION OF AN OFF-SHORE WIND TURBINE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Douglas D. Zhang/**

Date **May 18, 2011**

Name (Print/Typed) **Douglas D. Zhang**

Registration Number **37,985**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,315	12/20/2010	Henk-Jan KOOLJMAN	246612_1	1654
52082	7590	06/17/2011	EXAMINER	
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			06/17/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.camaroli@ge.com

energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

MAILED

APR 12 2012

OFFICE OF PETITIONS

In re Application of:	: DECISION ON REQUEST TO
Nara et al.	: PARTICIPATE IN THE PATENT
Application No. 12/973,327	: PROSECUTION HIGHWAY
Filed: December 20, 2010	: PROGRAM AND PETITION
Attorney Docket No. 372824US8CIP	: TO MAKE SPECIAL UNDER
	: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 10, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,
 - or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the JPO, or
 - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or

- iii. contains no priority claim,
or
- c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the JPO, or
 - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
 - iii. contains no priority claim;
- 2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JP application(s);
 - b. An English translation of the allowable/patentable claim(s), and
 - c. A statement that the English translation is accurate (if the claims were published in a language other than English);
- 3. Applicant must:
 - a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JP application(s), and
 - b. Submit a claims correspondence table in English;
- 4. Examination of the U.S. application has not begun;
- 5. Applicant must submit:
 - a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the JP application(s) containing the allowable/patentable claim(s);
 - b. An English language translation of the JPO office action; and
 - c. A statement that the English translation is accurate (if the office actions are not in the English language);
- 6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already filed in this application); and
 - b. Copies of all the documents cited in the JPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

This request to participate in the PPH program and petition is assessed as follows:

Conditions (1-2) and (4-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition does not appear to meet condition (3).

Regarding the requirement of condition (3), applicant has failed to ensure that all the claims in the U.S. application (currently amended claims filed February 10, 2012) sufficiently correspond to the allowable/patentable claims in the JPO application. Petitioner asserts on the Claims Correspondence Table that US independent claim 1 and JPO independent claim 1 are "Substantially identical". It is unclear as to the meaning of this explanation. US claim 1 requires "a,b, and c are constants of values within a range of -2π to 2π in radians, and $1 \leq m \leq M$ ", while JPO claim 1 requires "a,b, and c are constants of values within a range of

-2π to 2π in radians". The scope of these claims is different. Further, this identical situation exists between US claim 3 and JPO claim 2. It is applicant's responsibility to ensure that all claims in the US application correspond to the allowed/patentable JPO claims.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Petitions Examiner Joan Olszewski at 571-272-7751.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/dab/
David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: O2-0692	Application Number (if known): 12/973,340	Filing date: 12/20/2010
--	--	--------------------------------

First Named Inventor: **Guoxing Li**

Title: **CIRCUIT AND METHOD FOR BALANCING BATTERY CELLS**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature **/Yue Li/**

Date **12/20/2010**

Name (Print/Typed) **Yue Li**

Registration Number **L0346**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

O2-0692

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Guoxing Li
Serial No.: 12/973,340
Filed: 12/20/2010
Confirmation No.: 1694

Examiner:
Group Art Unit:
Docket: O2-0692

Title: CIRCUIT AND METHOD FOR BALANCING BATTERY CELLS

**STATEMENT OF SPECIAL STATUS FOR PETITION TO MAKE
SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

BASIS FOR SPECIAL STATUS

Special status under the Green Technology Pilot program is sought because the claimed subject matter of this Application materially contributes to the more efficient utilization and conservation of energy resources. Further, the claimed subject matter of this Application materially enhances the quality of the environment through energy conservation.

HOW THE MATERIALITY STANDARD IS MET

The claimed subject matter of this Application is directed to cell balancing circuit and method for balancing battery cells. The cell balancing system and method for balancing battery cells materially improve energy efficiency by managing differences in battery cell characteristic within a battery pack to maximize power efficiency of the battery pack. Differences in battery cell characteristics within the battery pack degrade the power and reliability performance of the battery pack if these differences are not taken into account and addressed. Additionally, the claimed subject matter may be employed in industrial equipment, commercial equipment, and household appliances to materially contribute to the more efficient utilization and conservation of energy resources.

For example, the claimed subject matter may be employed in rechargeable battery pack applications to extend battery life and enhance battery safety. The claimed subject matter promotes development of increased applications for rechargeable battery packs because of power efficiency and safety improvements. Moreover, the rechargeable battery packs may be used to replace other inefficient power sources and non-electric power sources such as gas.

The Commissioner is hereby authorized to charge fees associated with this communication or credit any overpayment to Deposit Account No.: 50-4245.

Please direct all correspondence concerning the above-identified application to the following address:

O2Micro Inc.
3118 Patrick Henry Dr.
Santa Clara, California 95054
(408) 987-5920
71271

Respectfully submitted,

Date: 12/20/2010
By: Yue Li
Yue Li
Reg. No. L0346



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.
12/973,340	12/20/2010	Guoxing Li	0692	1694
71271	7590	02/08/2011	EXAMINER	
PATENT PROSECUTION O2MIRCO, INC. 3118 PATRICK HENRY DRIVE SANTA CLARA, CA 95054			ART UNIT	PAPER NUMBER
			2858	
			MAIL DATE	DELIVERY MODE
			02/08/2011	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.



PATENT PROSECUTION
O2MIRCO, INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA CA 95054

In re Application of	:	
Guoxing LI	:	DECISION ON PETITION
Application No. 12/973,340	:	TO MAKE SPECIAL UNDER
Filed: December 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0692	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 20, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

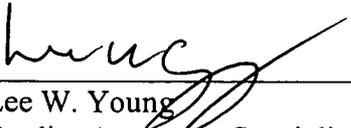
The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The instant petition includes a statement identifying the basis for the special status as contributing to more efficient utilization and conservation of energy. The claims are directed to a circuit and a method for cell balancing. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to the development of more efficient utilization and conservation of energy. Any argument that the claimed invention involves energy conservation is considered speculate as to how a hypothetical end-user might specially apply the claimed invention.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2858 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED
DEC 09 2011
OFFICE OF PETITIONS

JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 TOWER BLVD.
SUITE 1200
DURHAM, NC 27707

In re Application of :
Yogesh Chunilal Rathod :
Application No. 12/973,351 : **DECISION ON PETITION**
Filed: December 20, 2010 :
Attorney Docket No. 1731/5/10 DIV :

This is a decision on the petition under 37 CFR 1.182, filed November 10, 2011, to change the name of the sole inventor from "Rathod Yogesh Chunilal" to – Yogesh Chunilal Rathod --.

The petition is **GRANTED**.

Office records have been updated to correct the inventor's name. A corrected Filing Receipt, which reflects the inventor's name, accompanies this decision on petition.

As authorized, the \$400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to Technology Center AU 3622.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

Attachment



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
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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY.DOCKET.NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/973,351, 12/20/2010, 3622, 675, 1731/5/10 DIV, 23, 3

CONFIRMATION NO. 1716

CORRECTED FILING RECEIPT



25297
JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
DURHAM, NC 27707

Date Mailed: 12/08/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

YOGESH CHUNILAL RATHOD, MUMBAI, INDIA;

Power of Attorney: The patent practitioners associated with Customer Number 25297

Domestic Priority data as claimed by applicant

This application is a DIV of 11/995,343 01/11/2008 PAT 7,991,764
which is a 371 of PCT/IN2006/000260 07/18/2006

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

INDIA 878/MUM/2005 07/22/2005

If Required, Foreign Filing License Granted: 01/05/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/973,351

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Method and System for Intelligent Targeting of Advertisements

Preliminary Class

705

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage, facilitate, and accelerate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.



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Intellectual Property Department
P.O. BOX 231
1600 TECHNOLOGY WAY
LATROBE PA 15650

MAILED
JUN 10 2011
OFFICE OF PETITIONS

In re Application of :
Volokh : DECISION REFUSING STATUS
Application No. 12/973,369 : UNDER 37 CFR 1.47(b)
Filed: December 20, 2010 :
Attorney Docket No. K-2836-US/0687-103741 :

This is in response to the petition under 37 CFR 1.47(b), filed May 19, 2011.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(b)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(b) requires:

- (1) proof that the non-signing inventor cannot be reached after diligent effort or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;
- (3) the petition fee;
- (4) a statement of the last known address of the non-signing inventor.
- (5) proof of proprietary interest; and
- (6) proof of irreparable damage.

Pursuant to petitioner's request, deposit account 23-0650 will be charged the \$200 petition fee.

Applicant lacks item(s) (2) and (5) set forth above.

As to item (2), a signed declaration in compliance with 37 CFR 1.63 and 1.64 must be made by the 37 CFR 1.47(b) applicant. Where a corporation is the 37 CFR 1.47(b) applicant, an officer (President, Vice-President, Secretary or Treasurer) may sign the oath or declaration. Where an oath or declaration is being signed on behalf of an assignee, note MPEP Section 324. Where an

application is executed by one other than the inventor, the declaration required by 37 CFR 1.63 must state the full name, residence, post office address, and citizenship of the nonsigning inventor. Also, the title or position of the person signing must be stated if signing on behalf of a corporation under 37 CFR 1.47(b). The signature block of the non-signing inventor should be left blank.

As to item (5), when an application is deposited pursuant to 37 CFR 1.47(b), the 37 CFR 1.47(b) applicant must prove that (A) the invention has been assigned to the applicant, or (B) the inventor has agreed in writing to assign the invention to the applicant, or (C) the applicant otherwise has sufficient proprietary interest in the subject matter to justify the filing of the application. If the application has been assigned, a copy of the assignment (in the English language) must be submitted. The assignment must clearly indicate that the invention described in the 37 CFR 1.47(b) application was assigned to the 37 CFR 1.47(b) applicant. A statement under 37 CFR 3.73(b) by the assignee must also be submitted (see MPEP § 324).

When an inventor has agreed in writing to assign an invention described in an application deposited pursuant to 37 CFR 1.47(b), a copy of that agreement should be submitted. If an agreement to assign is dependent on certain specified conditions being met, it must be established by a statement of facts by someone with first hand knowledge of the circumstances in which those conditions have been met. A typical agreement to assign is an employment agreement where an employee (non-signing inventor) agrees to assign to his or her employer (37 CFR 1.47(b) applicant) all inventions made during employment. **When such an agreement is relied on, it must be established by a statement of a person having firsthand knowledge of the facts that the invention was made by the employee while employed by the 37 CFR 1.47(b) applicants.**

If the invention has not been assigned, or if there is no written agreement to assign, the 37 CFR 1.47(b) applicant must demonstrate that he or she otherwise has a sufficient proprietary interest in the matter. A proprietary interest obtained other than by assignment or agreement to assign may be demonstrated by an appropriate legal memorandum to the effect that a court of competent jurisdiction (federal, state, or foreign) would by the weight of authority in that jurisdiction award title of the invention to the 37 CFR 1.47(b) applicant. The facts in support of any conclusion that a court would award title to the 37 CFR 1.47(b) applicant should be made of record by way of an affidavit or declaration of the person having firsthand knowledge of same. The legal memorandum should be prepared and signed by an attorney at law familiar with the law of the jurisdiction involved. A copy (in the English language) of a statute (if other than the United States statute) or a court decision (if other than a reported decision of a federal court or a decision reported in the United States Patents Quarterly) relied on to demonstrate a proprietary interest should be made of record.

The evidence presented does not include a statement of a person having firsthand knowledge.

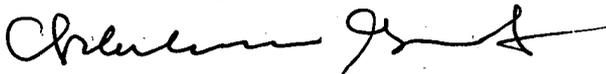
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries should be directed to the undersigned at (571) 272-3215.



Charlema Grant
Petitions Attorney
Office of Petitions



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KENNAMETAL INC.
Intellectual Property Department
P.O. BOX 231
1600 TECHNOLOGY WAY
LATROBE PA 15650

MAILED
SEP 06 2011
OFFICE OF PETITIONS

In re Application of	:	
Vladimir David Volokh	:	DECISION GRANTING STATUS
Application No. 12/973,369	:	UNDER 37 CFR 1.47(b)
Filed: December 20, 2010	:	
Attorney Dkt No. K-2836-US/0687-103741	:	
Title: COUPLER FOR A QUICK CHANGE	:	
INSERT ROTARY CUTTING TOOL	:	
	:	

This is in response to the renewed petition under 37 CFR 1.47(b), filed July 20, 2011.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor Volokh has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3215.

Charlema Grant
Petitions Attorney
Office of Petitions



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
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Vladimir David Volokh
21 Havazelet
Maalot
24952 Israel

MAILED
SEP 06 2011
OFFICE OF PETITIONS

In re Application of
Vladimir David Volokh
Application No. 12/973,369
Filed: December 20, 2010
Attorney Dkt No. K-2836-US/0687-103741
Title: COUPLER FOR A QUICK CHANGE INSERT ROTARY CUTTING TOOL

Dear Inventor:

You are named as a co-inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3215. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Charlema Grant
Petitions Attorney
Office of Petitions

Cc: KENNAMETAL INC.
Intellectual Property Department
P.O. BOX 231
1600 TECHNOLOGY WAY
LATROBE PA 15650



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JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 TOWER BLVD.
SUITE 1200
DURHAM, NC 27707

MAILED
DEC 09 2011
OFFICE OF PETITIONS

In re Application of :
Yogesh Chunilal Rathod :
Application No. 12/973,370 : DECISION ON PETITION
Filed: December 20, 2010 :
Attorney Docket No. 1731/5/11 DIV :

This is a decision on the petition under 37 CFR 1.182, filed November 10, 2011, to change the name of the sole inventor from "Rathod Yogesh Chunilal" to – Yogesh Chunilal Rathod --.

The petition is **GRANTED**.

Office records have been updated to correct the inventor's name. A corrected Filing Receipt, which reflects the inventor's name, accompanies this decision on petition.

As authorized, the \$400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to Technology Center AU 3622.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

Attachment



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/973,370, 12/20/2010, 3622, 4628, 1731/5/11 DIV, 106, 14

CONFIRMATION NO. 1743

CORRECTED FILING RECEIPT



25297
JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
DURHAM, NC 27707

Date Mailed: 12/08/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

YOGESH CHUNILAL RATHOD, Mumbai, INDIA;

Power of Attorney: The patent practitioners associated with Customer Number 25297

Domestic Priority data as claimed by applicant

This application is a DIV of 11/995,343 01/11/2008 PAT 7,991,764
which is a 371 of PCT/IN2006/000260 07/18/2006

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

INDIA 878/MUM/2005 07/22/2005

If Required, Foreign Filing License Granted: 01/05/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/973,370

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Method and system for dynamically providing a journal feed and searching, sharing and advertising

Preliminary Class

705

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage, facilitate, and accelerate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.



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JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 TOWER BLVD.
SUITE 1200
DURHAM, NC 27707

MAILED
DEC 09 2011
OFFICE OF PETITIONS

In re Application of :
Yogesh Chunilal Rathod :
Application No. 12/973,387 : **DECISION ON PETITION**
Filed: December 20, 2010 :
Attorney Docket No. 1731/5/12 DIV :

This is a decision on the petition under 37 CFR 1.182, filed November 10, 2011, to change the name of the sole inventor from "Rathod Yogesh Chunilal" to – Yogesh Chunilal Rathod --.

The petition is **GRANTED**.

Office records have been updated to correct the inventor's name. A corrected Filing Receipt, which reflects the inventor's name, accompanies this decision on petition.

As authorized, the \$400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to Technology Center AU 2162.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

Attachment



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
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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/973,387, 12/20/2010, 2162, 1143, 1731/5/12 DIV, 41, 3

CONFIRMATION NO. 1774

CORRECTED FILING RECEIPT



25297
JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
DURHAM, NC 27707

Date Mailed: 12/08/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

YOGESH CHUNILAL RATHOD, MUMBAI, INDIA;

Power of Attorney: The patent practitioners associated with Customer Number 25297

Domestic Priority data as claimed by applicant

This application is a DIV of 11/995,343 01/11/2008 PAT 7,991,764 which is a 371 of PCT/IN2006/000260 07/18/2006

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

INDIA 878/MUM/2005 07/22/2005

If Required, Foreign Filing License Granted: 01/05/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/973,387

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

METHOD AND SYSTEM FOR PUBLISHING AND SUBSCRIBING IN SOCIAL NETWORK

Preliminary Class

707

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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NEW YORK NY 10151

MAILED

AUG 18 2011

OFFICE OF PETITIONS

In re Application of :
Gush, et al. : DECISION ON PETITION
Application No. 12/973,405 :
Filed/Deposited: 20 December, 2010 :
Attorney Docket No. 930092-2068.1 :

This is a decision on the petition filed on 9 August, 2011, pursuant to 37 C.F.R. §1.47.

The petition as considered pursuant to 37 C.F.R. §1.47(a) is **DISMISSED**.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Pursuant to 37 C.F.R. §1.47(a)," and should address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 C.F.R. §1.136(a).

This is **not** a final agency action within the meaning of 5 U.S.C. §704.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioner does not seem to have worked through the requirements of the petition, as set forth above, in satisfaction of those requirements. (*See, generally:* MPEP §409.03, and §409.03(a)—the applicable statute (35 U.S.C. § 116).

In particular, Petitioner has not as of this writing satisfied the requirement(s) of the petition as listed above and discussed below.

Application No. 12/973,405

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 20 December, 2010.

On 10 January, 2011, the Office mailed a Notice of Missing Parts, indicating therein the requirement, *inter alia*, for a fully executed oath/declaration.

On 9 August, 2011, Petitioner Ronald Santucci (Reg. No. 28,988) and Howard C. Lee (Reg. No. 48,104) filed, *inter alia*, a request and fee for extension of time with a petition and fee pursuant to the regulations at 37 C.F.R. §1.47, an oath/declaration executed by co-inventors Gush, Munday and Kelly for themselves and on behalf of non-signing inventor Peter Schmock (Mr. Schmock), and with a statement by John Crawford McKnight, averred to be foreign Counsel, but no showing that a copy of the entire instant application was sent to the non-signing inventor's valid/current/reasonably believed to be last-known address, but only that a copy of a forerunner application was sent, and no showing of receipt delivery such that there is no indication of diligence in determining a valid/current/reasonably believed to be last-known address for the non-signing inventor. It is noted that the papers refer to Email transmissions, and Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided. Thus, at this writing there is no showing of:

- diligence in determining such an address to which to transmit the entire application (description, claims, abstract and drawings) with the oath declaration to the non-signing inventor; and
- having done so; and
- thereafter he failed/refused to sign.

Thus, the showing of record at this writing is insufficient. In view of the incompleteness of the showing, it does not appear as of this writing that Petitioner has satisfied the burden under the Rule. Thus Petitioner failed to make the showing as required under the Rule (37 C.F.R. §1.47(a)) and consistent with the guidance in the Commentary at MPEP §409.03, and §409.03(a).

Petitioners always are reminded:

Application No. 12/973,405

- *for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided; and*
- *of the duties of candor to—with requirement for diligent inquiry before—the Office and to satisfy the Rules of Practice and the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq.*

Petitioner will find it beneficial to step through the requirements of a grantable petition under 37 C.F.R. §1.47(a) (i.e., (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address) and satisfy himself that he has complied with these requirements on submission of any renewed petition. (*See also*: the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq.)

Again, Petitioner has not worked through the requirements of the petition.

Thus, the present incompleteness of the record makes granting of the instant petition inappropriate.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application. Thus, now if one wishes to know the progress in and/or status of an application or the accuracy of the data therein, one need only look at the file online.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice *and* all others who make representations before the Office must inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.¹

The instant petition pursuant to 37 C.F.R. §1.47(a) is **dismissed**.

Further correspondence with respect to this matter should be addressed as follows:

¹ See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See *Changes to Patent Practice and Procedure*, 62 *Fed. Reg.* at 53160 and 53178, 1203 *Off. Gaz. Pat. Office* at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office). See specifically, the regulations at 37 C.F.R. §10.18.

Application No. 12/973,405

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By FAX: (571) 273-8300
 ATTN: Office of Petitions

While telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2²) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).


/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

² The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.



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NEW YORK NY 10151

MAILED

DEC 09 2011

OFFICE OF PETITIONS

In re Application of :
Gush, et al. : DECISION ON PETITION
Application No. 12/973,405 :
Filed/Deposited: 20 December, 2010 :
Attorney Docket No. 930092-2068.1 :

This is a decision on the petition filed on 17 October, 2011, pursuant to 37 C.F.R. §1.47.

The petition as considered pursuant to 37 C.F.R. §1.47(a) is **DISMISSED**.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 20 December, 2010.

On 10 January, 2011, the Office mailed a Notice of Missing Parts, indicating therein the requirement, *inter alia*, for a fully executed oath/declaration.

On 9 August, 2011, Petitioner Ronald Santucci (Reg. No. 28,988) and Howard C. Lee (Reg. No. 48,104) filed, *inter alia*, a request and fee for extension of time with a petition and fee pursuant

to the regulations at 37 C.F.R. §1.47, an oath/declaration executed by co-inventors Gush, Munday and Kelly for themselves and on behalf of non-signing inventor Peter Schmock (Mr. Schmock), and with a statement by John Crawford McKnight, averred to be foreign Counsel, but no showing that a copy of the entire instant application was sent to the non-signing inventor's valid/current/reasonably believed to be last-known address, but only that a copy of a forerunner application was sent, and no showing of receipt delivery such that there is no indication of diligence in determining a valid/current/reasonably believed to be last-known address for the non-signing inventor. It is noted that the papers refer to Email transmissions, and Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided. On 18 August, 2011, the petition was dismissed for lack of a showing of: diligence in determining such an address to which to transmit the entire application (description, claims, abstract and drawings) with the oath declaration to the non-signing inventor, and—Petitioner having done so, the inventor thereafter he failed/refused to sign.

On 17 October, 2011, Petitioner re-advanced the petition, this time asserting that the previously non-signing inventor had signed/joined. In support of that, Petitioner submitted a copy of the executed oath/declaration in compliance with 37 C.F.R. §1.63—and so evidencing his joinder.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application. Thus, now if one wishes to know the progress in and/or status of an application or the accuracy of the data therein, one need only look at the file online.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice *and* all others who make representations before the Office must inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.¹

CONCLUSION

The instant petition under 37 C.F.R. §1.47 is **dismissed as moot for joinder**.

In view of the joinder of the inventor, further consideration under 37 C.F.R. §1.47 is not necessary. This application does not have any Rule 1.47 status and no such status should appear

¹ See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office). See specifically, the regulations at 37 C.F.R. §10.18.

Application No. 12/973,405

on the record for this file. This application should not be returned to this Office for any further consideration under 37 C.F.R. §1.47.

The instant application is released to the Office of Patent Application Processing (OPAP) for further processing in due course.

While telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2²) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).



/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

² The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: O2-0673	Application Number (if known): 12/973,460	Filing date: 12/20/2010
--	--	--------------------------------

First Named Inventor: **Da Liu**

Title: **DC/DC CONVERTER WITH MULTIPLE OUTPUTS**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature **/Yue Li/**

Date **12/20/2010**

Name (Print/Typed) **Yue Li**

Registration Number **L0346**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,460	12/20/2010	Da LIU	0673	1902

71271 7590 02/08/2011
PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA, CA 95054

EXAMINER

ART UNIT	PAPER NUMBER
2838	

MAIL DATE	DELIVERY MODE
02/08/2011	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.



PATENT PROSECUTION
O2MIRCO, INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA CA 95054

In re Application of	:	
Da LIU	:	DECISION ON PETITION
Application No. 12/973,460	:	TO MAKE SPECIAL UNDER
Filed: December 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0673	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 20, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

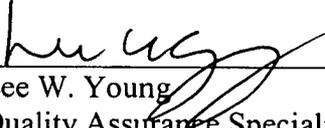
The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The instant petition includes a statement identifying the basis for the special status as contributing to more efficient utilization and conservation of energy. The claims are directed to a DC/DC converter, system, and method. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to the development of more efficient utilization and conservation of energy. The arguments directed to an LCD display using LEDs is not understood and do not appear relevant to the claimed invention.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2838 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Friedrich LOH)
Confirmation No.: 1912)
Serial No.: 12/973,466)
Filing Date: 12-20-2010)
Atty Docket No.: 245586-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: July 13, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **245586-1** Application Number (if known): **12/973,466** Filing date: **12-20-2010**

First Named Inventor: **Friedrich LOH**

Title: **METHOD FOR CONTROLLING A WIND TURBINE, AND WIND TURBINE ARRANGEMENT**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **July 13, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,466	12/20/2010	Friedrich LOH	245586_1	1912

52082 7590 07/25/2011
General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
07/25/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.camaroli@ge.com



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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

In re Application of :
LOH, FRIEDRICH, et al. : DECISION ON PETITION
Application No. 12/973,466 : TO MAKE SPECIAL UNDER
Filed: December 20, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 245586_1 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 13, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made

by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technology. This is not convincing. For example, it is not clear how the claimed wind turbine control method will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry Yuen at 571-272-4856.

The application is being forwarded to the Technology Center Art Unit 3745 or action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Friedrich LOH)
Confirmation No.: 1912)
Serial No.: 12/973,466)
Filing Date: 12-20-2010)
Atty Docket No.: 245586-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 25 July 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Application's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special under the Green Technology Pilot Program (hereinafter "the Decision") alleges that it is not clear how the claimed wind turbine control method will provide and enhance the quality of the environment of contribute to the development of renewable energy resources or energy conservation or greenhouse gas reduction. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that the present invention relates to methods and systems for operating a wind turbine and a wind turbine arrangement, and more

particularly, to methods and systems for determining at least one position of at least one movable portion of the wind turbine. (see at least paragraph [0001]).

Operational parameters like rotor speed, rotor position, blade bending or deflection and tower bending or deflection are used to control a wind turbine. Usually, all of these parameters are provided by customized sensors. Examples of sensors include: strain gauges, incremental encoders, absolute encoders, and acceleration sensors, and are used to measure the rotor speed, rotor position, blade bending or deflection, tower bending or deflection, tower acceleration, main shaft bending and blade angle. Some of these sensors are sensitive, cost intensive or unreliable. Many different sensors are used to provide certain operational parameters for the wind turbine control system, for example rotational speed, tower bending, shaft bending, and blade pitch. This increases the costs of each single sensor, and for different sensors different failure detection algorithms or devices may be used. Extensive engineering effort is required to specify, design and implement these sensors. It is desirable to provide a more reliable and cheaper method or arrangement to determine the operational parameters of the wind turbine. (see at least paragraphs [0003]-[0004]).

While wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, the availability of wind energy as a viable power generating option heavily depends on the cost/benefit economics of wind energy. As such, it is important that the cost of producing the energy, including the maintenance costs of the wind turbines, cannot outweigh the benefits.

The embodiments described herein include a wind turbine system in which the operational parameters may be determined reliably. More specifically, only one type of

device may be used to determine the operational parameters. (see at least paragraph [0017]).

Embodiments described herein facilitate the design of a wind turbine. More specifically, reliability is enhanced. Thus, only one type of sender or transmitter may be used to provide several different parameters. These senders or transmitters may send their positions to a receiver. The wind turbine is simplified, and the costs are reduced by incorporating only one transmitter type and one receiver type instead of several different sensor types. Further, effort required to maintain the arrangement is reduced, or in some cases, removed completely. Instead of using several different sensors, only one type of transmitter/receiver could be used to send their position to a controller using several different signals. (see at least paragraphs [0053]-[0054]).

The embodiments disclosed herein provide a simplified wind turbine arrangement and system and method for controlling a wind turbine. The simplification of the wind turbine components results in reduced costs. By reducing the costs of wind turbines, embodiments of the present invention increase the availability of wind energy as a viable power generating option. Embodiments of the present invention further enhance the operational reliability of a wind turbine. By using only one type of sender or transmitter to provide several different parameters, embodiments of the present invention reduce or eliminate errors caused by the need to process multiple variables associated with systems and methods that use multiple sensors. in turn enhances the efficiency with which a wind turbine converts the kinetic energy of wind in mechanical energy, which in turn promotes increased production of renewable energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: August 24, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,466	12/20/2010	Friedrich LOH	245586_1	1912
52082	7590	09/29/2011	EXAMINER	
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			09/29/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.carnaroli@ge.com



9/29/11

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
Loh et al.	:	DECISION ON PETITION
Application No. 12/973,466	:	TO MAKE SPECIAL UNDER
Filed: 12/20/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 245586_1	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 8/24/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,473	12/20/2010	Akira Imamura	SUTOSH.750AUS	1925
20995	7590	08/24/2011	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			ART UNIT	PAPER NUMBER
			2629	
			NOTIFICATION DATE	DELIVERY MODE
			08/24/2011	ELECTRONIC

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.

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

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com



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**KNOBBE MARTENS OLSON & BEAR
LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614**

In re Application of IMAMURA et al. Application No.: 12/973,473 Filed: 20 December 2010 Attorney Docket No.: SUTOSH.750AUS For: ELECTRONIC DEVICE	: DECISION ON REQUEST TO : PARTICIPATE IN THE PATENT : PROSECUTION HIGHWAY : PROGRAM AND PETITION : TO MAKE SPECIAL UNDER : 37 CFR 1.102(a)
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This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 16 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim, or
 - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority to an application filed in the JPO, or

- ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim;
2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s);
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
3. Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
 - a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.



Lee W. Young
TQAS, Technology Center 2600

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM			
Attorney Docket Number:	110029-293718	Application Number (if known):	12/973,478-Conf. #1934
Filing date:		December 20, 2010	
First Named Inventor:	Daniel Cheifetz		
Title:	THERMAL RESPONSE GEOTHERMAL TESTING UNIT		
APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.			
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.			
1. By filing this petition:			
<u>Applicant is requesting early publication:</u> Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.			
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.			
3. This request is accompanied by statements of special status for the eligibility requirement.			
4. The application contains no more than three (3) independent claims and twenty (20) total claims.			
5. The application does not contain any multiple dependent claims.			
6. Other attachments: Transmittal Letter			
Signature		Date	1/31/2011
Name (Print/Typed)	Michael A. Gollin	Registration Number	31,957
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below*.			
<input type="checkbox"/>	*Total of <u>1</u> forms are submitted.		



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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12/973,478	12/20/2010	Daniel CHEIFETZ	110029-293718	1934
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26694 7590 02/24/2011

VENABLE LLP
P.O. BOX 34385
WASHINGTON, DC 20043-9998

EXAMINER

ART UNIT	PAPER NUMBER
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3748

MAIL DATE	DELIVERY MODE
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02/24/2011

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.



VENABLE LLP
P.O. BOX 34385
WASHINGTON DC 20043-9998

In re Application of	:	
CHEIFETZ, DANIEL et al	:	DECISION ON PETITION
Application No. 12/973,478	:	TO MAKE SPECIAL UNDER
Filed: Dec. 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 110029-293718	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Jan. 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technologies. This is not convincing. For example, it is not clear how the claimed thermal response test will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. Claims 1 and 19 merely recite a computer disk with a set of computer instructions which has nothing to do with contribution to development of renewable energy sources or recovery of geo-thermal energy.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

The application will be forwarded to the Technology Center Art Unit 3748 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Cheifetz et al.

Art Unit: 3748

Application No: 12/973,478

Examiner: Not Yet Assigned

Confirmation No: 1934

Filed: December 20, 2010

Atty. Docket No: 110029-293718

For: THERMAL RESPONSE GEOTHERMAL
TESTING UNIT

Customer No:

26694

PATENT & TRADEMARK OFFICE

**PETITION FOR RECONSIDERATION OF DECISION ON PETITION TO MAKE
SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Decision on Petition to Make Special under the Green Technology Pilot Program dated February 24, 2011, the Petitioner respectfully requests reconsideration of the dismissal of the Petitioner's Petition to Make Special for at least the following reasons.

As previously noted, the claims of the present invention are directed to performing a thermal response test to measure data that is predictive of the thermo-physical properties of a geothermal heat exchange resource. The Petitioner requests special status because the claimed invention materially contributes to 1) the development of renewable energy resources and 2) the more efficient utilization and conservation of energy resources.

First, the claimed invention materially contributes to the development of renewable energy resources, namely geothermal energy. The present application claims an apparatus, method and non-transitory computer readable medium for performing a thermal response test to determine thermo-physical properties of *a geothermal heat exchange system*. (See the preamble of claims 1, 11 and 19). Specifically, the claimed invention enables the accurate and cost-effective measurement of actual, site-specific thermo-physical properties, thereby allowing geothermal-based HVAC installers to install more efficient and less expensive geothermal systems. (See Specification, Paragraph [0004]). Geothermal energy, defined as the thermal energy generated and stored in the Earth, is a renewable energy resource according to the U.S. Department of Energy, the White House and the Internal Revenue Service (IRS). (See <http://www1.eere.energy.gov/geothermal/>, <http://www.whitehouse.gov/omb/expectmore/summary/10000102.2003.html>, and <http://www.irs.gov/newsroom/article/0,,id=206871,00.html>).

Second, the claimed invention materially contributes to the more efficient utilization and conservation of energy resources. Specifically, the claims of the present application relate to the efficient utilization of geothermal energy because they enable a user to correctly size a geothermal heat exchange system, maximizing efficiency and the user's long-term financial performance for a facility. The thermal response test provides engineers and designers with accurate thermo-physical information about a specific on-site geological formation. Such thermo-physical information allows a user to 1) measure and validate the geothermal ground resource for heating and cooling, 2) accurately size a geothermal HVAC system and 3) determine accurate geothermal energy savings. (See Specification, paragraphs 0003, 0009, 0021, 0026 and 0053).

For at least these reasons, the Petitioner respectfully requests reconsideration of the Decision on Petition to Make Special under the Green Technology Pilot Program.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm), and to credit any excess payment, to our Deposit Account No. 22-0261, under Order No. 110029-293718.

Dated: March 24, 2011

Respectfully submitted,

By /Leigh D. Thelen/
Michael A. Gollin
Registration No.: 31,957
Leigh D. Thelen
Registration No.: 64,582
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
(202) 344-4000
(202) 344-8300 (Fax)
Attorney/Agent For Petitioner

#1161688



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,478	12/20/2010	Daniel CHEIFETZ	110029-293718	1934
26694	7590	03/29/2011	EXAMINER	
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			ART UNIT	PAPER NUMBER
			2857	
			MAIL DATE	DELIVERY MODE
			03/29/2011	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.



VENABLE LLP
P.O. BOX 34385
WASHINGTON DC 20043-9998

In re Application of :
CHEIFETZ et al. : DECISION ON PETITION
Application No. 12/973,478 : TO MAKE SPECIAL UNDER
Filed: December 20, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 110029-293718 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on January 31, 2011 and renewed on March 24, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

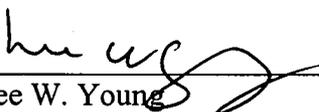
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2857 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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BRINKS, HOFER, GILSON & LIONE
P.O. BOX 110285
RESEARCH TRIANGLE PARK NC 27709

MAILED

APR 08 2011

OFFICE OF PETITIONS

In re Application of	:	
Herbert E. Kaufman	:	
Application No. 12/973,479	:	DECISION ON PETITION
Filed: December 20, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 13952-9	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed February 3, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by the inventor. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 1627 for action on the merits commensurate with this decision.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
 Approved for use through 01/31/2011. OMB 0651-0062
 U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: O2-0685	Application Number (if known): 12/973,574	Filing date: 12/20/2010
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First Named Inventor: **GuoXing Li**

Title: **CIRCUITS AND METHODS FOR CONTROLLING A CHARGE PUMP SYSTEM**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature **/Yue. Li/**

Date **12/20/2010**

Name (Print/Typed) **Yue. Li**

Registration Number **L0346**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,574	12/20/2010	Guoxing LI	0685	2102

71271 7590 02/08/2011
PATENT PROSECUTION
O2MIRCO, INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA, CA 95054

EXAMINER

ART UNIT	PAPER NUMBER
2816	

MAIL DATE	DELIVERY MODE
02/08/2011	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.



PATENT PROSECUTION
O2MIRCO, INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA CA 95054

In re Application of	:	
Guoxing LI	:	DECISION ON PETITION
Application No. 12/973,574	:	TO MAKE SPECIAL UNDER
Filed: December 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0685	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 20, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

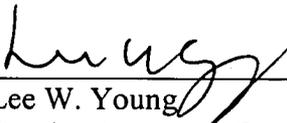
The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The instant petition includes a statement identifying the basis for the special status as contributing to more efficient utilization and conservation of energy. The claims are directed to a circuit, system, and method. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to the development of more efficient utilization and conservation of energy. Any argument that the claimed invention can be used to conserve energy is considered speculate as to how a hypothetical end-user might specially apply the claimed invention. .

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2816 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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SEP 16 2011

In re Application of : **OFFICE OF PETITIONS**
Li :
Application No. 12/973,574 : **DECISION ON PETITION**
Filed: December 20, 2010 : **UNDER 37 CFR 1.78(a)(6)**
Attorney Docket No. 0685 :

This is a decision on the petition under 37 CFR 1.78(a)(6), filed February 8, 2011, to accept an unintentionally delayed claim under 35 U.S.C. §119(e) for the benefit of the prior-filed provisional application set forth in the concurrently filed amendment.

The petition is **GRANTED**.

A petition under 37 CFR 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after expiration of the period specified in 37 CFR 1.78(a)(5)(ii) and must be filed during the pendency of the nonprovisional application. In addition, the petition must be accompanied by:

- (1) the reference required by 35 U.S.C. § 119(e) and 37 CFR 1.78(a)(5)(i) to the prior-filed application, unless previously submitted;
- (2) the surcharge set forth in § 1.17(t); and
- (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

Additionally, the instant nonprovisional application must be pending at the time of filing of the reference to the prior-filed provisional application as required by 37 CFR 1.78(a)(5)(ii). Further, the nonprovisional application claiming the benefit of the prior-filed provisional application must have been filed within twelve months of the filing date of the prior-filed provisional application.

All of the above requirements having been satisfied, the late claim for priority under 35 U.S.C. § 119(e) is accepted as being unintentionally delayed.

The granting of the petition to accept the delayed benefit claim to the prior-filed application under 37 CFR 1.78(a)(6) should not be construed as meaning that this application is entitled to the benefit of the filing date of the prior-filed application. In order for this application to be entitled to the benefit of the prior-filed application, all other requirements under 35 U.S.C. §119(e) and 37 CFR 1.78(a)(4) and (a)(5) must be met. Similarly, the fact that the corrected Filing Receipt accompanying this decision on petition includes the prior-filed application should not be construed as meaning that applicant is entitled to the claim for benefit of priority to the prior-filed application noted thereon. Accordingly, the examiner will, in due course, consider this benefit claim and determine whether the application is entitled to the benefit of the earlier filing date.

A corrected Filing Receipt, which includes the priority claim to the prior-filed provisional application, accompanies this decision on petition.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3205. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

The application is being forwarded to Technology Center AU 2816 for consideration by the examiner of the claim under 35 U.S.C. §119(e) for the benefit of priority to the prior-filed provisional application.

/ALEZIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

ATTACHMENT: Corrected Filing Receipt



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

Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Values: 12/973,574, 12/20/2010, 2816, 1520, 0685, 20, 3

CONFIRMATION NO. 2102

CORRECTED FILING RECEIPT



71271
PATENT PROSECUTION
O2MIRCO, INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA, CA 95054

Date Mailed: 09/16/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Guoxing LI, Sunnyvale, CA;

Power of Attorney: The patent practitioners associated with Customer Number 71271

Domestic Priority data as claimed by applicant

This application is a CIP of 12/313,114 11/17/2008
which claims benefit of 61/003,998 11/21/2007

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

If Required, Foreign Filing License Granted: 01/05/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/973,574

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: Yes

Title

CIRCUITS AND METHODS FOR CONTROLLING A CHARGE PUMP SYSTEM

Preliminary Class

327

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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OFFICE OF PETITIONS

KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

In re Application of Deckman et al. :
Application No. 12/973,587 : Decision on Petition
Filing Date: December 20, 2010 :
Attorney Docket No. 025676-000740US :

This is a decision in response to the "Petition for Date of Deposit" filed March 2, 2011.

The petition is **dismissed**.

Applicants are hereby given TWO (2) MONTHS from the mail date of this decision to file a response to this decision. Extensions of the time period may be obtained under 37 CFR 1.136(a). **Failure to timely respond to this decision will result in abandonment of the application.**

As will be more fully discussed later in this decision, the response to this decision must take the form of a request for reconsideration of this decision or papers that would have been a proper response to the January 7, 2011 notice if the papers had been timely filed in response to the notice.

Background

Application papers were filed December 20, 2010.

The Office of Patent Application Processing mailed a Notice of Omitted Item(s) in a Nonprovisional Application on January 7, 2011. The notice stated Figures 1D-E, 4D-E, 5D-E, and 7A-10C described in the specification did not appear to be part of the application as filed.

The January 7, 2011 notice required Applicants to choose one of the following options:

- (1) Petition for the date of deposit,
- (2) Petition for a later filing date, or
- (3) Accept the application as deposited

The January 7, 2011 notice includes the following language pertaining to the first option set forth in the notice, with emphasis in the original:

I. Petition for date of deposit: Should applicant contend that the above-noted omitted item(s) was in fact deposited in the [USPTO] with the nonprovisional application papers, a copy of this Notice and a petition ... with evidence of such deposit must be filed.

Discussion

The title of the instant petition is "Petition for Date of Deposit." Therefore, Applicants appear to have chosen the first option set forth in the January 7, 2011 notice.

The petition does not include evidence sufficient to establish the missing items were deposited with the application papers filed December 20, 2010. Instead, the petition asserts "the drawings ... were inadvertently left out of the original application papers." Therefore, the petition is dismissed.

A Response to This Decision is Necessary to Avoid Abandonment

The application will become abandoned unless a response to the instant decision is filed with the Office. The response should take one of the following three forms:

1. A request for reconsideration of the instant decision; or
2. Papers satisfying the following criteria:
 - A. The papers choose the second or the third option in the January 7, 2011 notice, and
 - B. The papers would have been a proper reply to the January 7, 2011 notice if the papers had been filed on March 2, 2011 instead of the instant petition.

The petition asserts each of the missing items is "found in parent application 11/564,164 or 11/409,496, both of which were incorporated by reference in the present continuation application." In view of the assertion, Applicants may wish to file a response to the instant decision in the form of papers choosing the third option set forth in the January 7, 2011 notice, along with an amendment to add the missing drawings. *See* January 7, 2011 Notice, § III(B).

Further correspondence with respect to this matter may be submitted as follows:

By Internet: A request for reconsideration may be filed electronically using EFS Web.¹ Document Code "PET.OP" should be used if the request is filed electronically.

By mail: Mail Stop [See Below]
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

¹ General Information concerning EFS Web can be found at <http://www.uspto.gov/patents/process/file/efs/index.jsp>.

By facsimile: (571) 273-8300
Attn: Office of Petitions

By hand: U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

If the response to this decision is mailed and the response is a request for reconsideration, the first line of the mailing address should be Mail Stop Petition. If the response to this decision is mailed and the response is not a request for reconsideration, the first line of the mailing address should be Mail Stop Missing Parts.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.



Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions



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OFFICE OF PETITIONS

WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO CA 94304-1050

In re Application of Deckman et al. :
Application No. 12/973,587 : Letter
Filing Date: December 20, 2010 :
Attorney Docket No. 025676-000740US :

This is a letter issued in response to papers submitted June 28, 2011.

The Office of Patent Application Processing mailed a Notice of Omitted Item(s) in a Nonprovisional Application on January 7, 2011. The notice stated Figures 1D-E, 4D-E, 5D-E, and 7A-10C described in the specification did not appear to be part of the application as filed.

The January 7, 2011 notice required Applicants to choose one of the following options:

- (1) Petition for the date of deposit,
- (2) Petition for a later filing date, or
- (3) Accept the application as deposited

Applicants chose option (1) set forth above via the submission of a petition on March 2, 2011.

A decision dismissing the March 2, 2011 petition was mailed May 9, 2011. The decision stated,

The application will become abandoned unless a response to the instant decision is filed with the Office. The response should take one of the following three forms:

1. A request for reconsideration of the instant decision; or
2. Papers satisfying the following criteria:
 - A. The papers choose the second or the third option in the January 7, 2011 notice, and
 - B. The papers would have been a proper reply to the January 7, 2011 notice if the papers had been filed on March 2, 2011 instead of the instant petition.

The petition asserts each of the missing items is "found in parent application 11/564,164 or 11/409,496, both of which were incorporated by reference in the present continuation application." In view of the assertion, Applicants may wish to file a response to the

instant decision in the form of papers choosing the third option set forth in the January 7, 2011 notice, along with an amendment to add the missing drawings. *See* January 7, 2011 Notice, § III(B).

The papers filed June 28, 2011 indicate Applicants are choosing the third option set forth in the January 7, 2011 notice. Specifically, the papers state “applicants choose to accept the application as deposited.”

The application will be forwarded to the Office of Patent Application Processing for processing of the June 28, 2011 reply to the January 7, 2011 notice.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.



Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)					
Application Information					
Application Number	12973679	Confirmation Number	2290	Filing Date	2020-12-20
Attorney Docket Number (optional)	AW01-04U	Art Unit	3742	Examiner	MATHEW, HEMANT MA
First Named Inventor	AKIO WAKABAYASHI				
Title of Invention	Plastic , Re-sealable Elongate Check Valve Application to a Square, cylindrical or flat bag type of a Vacuum Food Package				
<p>Attention: Office of Petitions An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.</p> <p>A grantable petition requires one of the following items: (1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or (2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.</p>					
Name of Inventor who is 65 years of age, or older					
Given Name	Middle Name	Family Name		Suffix	
AKIO		AKIO WAKABAYASHI			
<p>A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.</p>					
Signature	/Kirk A. Buhler/		Date (YYYY-MM-DD)	2011-12-28	
Name	Kirk A. Buhler		Registration Number	52,67	

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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P.O. Box 1450
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In re Application of
AKIO WAKABAYASHI

Application No. 12973679

Filed: December 20, 2010

Attorney Docket No. AW01-04U

:

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 28-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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MAY 31 2011

OFFICE OF PETITIONS

BROWN IP LAW LC
PO BOX 446
DRAPER UT 84020

In re Application of :
Corbalis, et al. :
Application No. 12/973,691 : DECISION REFUSING STATUS
Filed: December 20, 2010 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 1005.2.083 :

This is in response to the petition under 37 CFR 1.47(a), filed May 9, 2011.

The petition under 37 CFR 1.47(a) is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventors. **Failure to respond will result in abandonment of the application.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor(s) cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 37 CFR 1.63; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor(s). The instant petition does not satisfy item (1).

With respect to item (1), the petition does not establish that the non-signing inventor was presented with a copy of the application papers (specification, claims, drawings). Rather, the petition only establishes that attempts were made to contact non-signing inventor Meeks via cell phone and e-mail. Petitioner is directed to the Manual of Patent Examining Procedure § 409.03(d), which states:

It is reasonable to require that the inventor be presented with the application papers before a petition under 37 CFR 1.47 is granted since such a procedure ensures that the inventor is apprised of the application to which the oath or declaration is directed. In re Gray, 115 U.S.P.Q. 80 (Comm'r Pat. 1956).

On renewed petition, petitioner must establish that a copy of the application papers was forwarded to the non-signing inventor. If no response is received from the non-signing inventor, this will be construed as a refusal to sign. However, if the application papers are returned as undeliverable, then petitioner must undertake a search for the non-signing inventor. Any petition under Rule 47 must set forth the steps that were taken to locate the non-signing inventor, and not merely the conclusion that he could not be located.

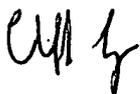
Receipt of the \$200 petition fee is acknowledged. No further petition fee is due on renewed petition.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

By FAX: (571)273-8300
 Attn: Office of Petitions

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions



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BROWN IP LAW LC
PO BOX 446
DRAPER UT 84020

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AUG 08 2011

OFFICE OF PETITIONS

In re Application of Corbalis, et al. : DECISION NOTING JOINDER
Application No. 12/973,691 : OF INVENTOR
Filed: December 20, 2010 : AND PETITION UNDER
Attorney Docket No. 1005.2.083 : 37 CFR 1.47(a)
: DISMISSED AS MOOT

This is in response to the renewed petition under 37 CFR 1.47(a), filed July 29, 2011.

The petition under 37 CFR 1.47(a) is **DISMISSED** as moot.

In view of the **joinder** of the previously non-signing inventor, further consideration under 37 CFR 1.47(a) is not necessary and the petition is considered to be **moot**. This application does not have any Rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this Office for further consideration under 37 CFR 1.47(a).

The application is being forwarded to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

Cliff Congo
Petitions Attorney
Office of Petitions



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WILLIAM K. BUCHER
TEKTRONIX, INC.
14150 S.W. KARL BRAUN DRIVE
P.O. BOX 500, MS 50-LAW
BEAVERTON OR 97077

MAILED
JUN 13 2011
OFFICE OF PETITIONS

In re Application of	:	
Ransom Stephens, Muralidharan Karapattu,	:	DECISION GRANTING STATUS
Sampathkumar Desai and John Calvin	:	UNDER 37 CFR 1.47(a)
Application No. 12/973,709	:	
Filed: December 20, 2010	:	
Attorney Docket No. 8694-US0	:	
For: APPARATUS AND METHOD FOR	:	
GENERATING A WAVEFORM TEST	:	
SIGNAL HAVING CREST FACTOR	:	
EMULATION OF RANDOM JITTER	:	

This is in response to the petition under 37 CFR 1.47(a), filed May 27, 2011.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor Stephens has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3215.

Charlema Grant
Petitions Attorney
Office of Petitions



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

Ransom W. Stephens
508 Keller Street
Petaluma, CA 94952

MAILED
JUN 13 2011
OFFICE OF PETITIONS

In re Application of
Ransom Stephens, Muralidharan Karapattu, Sampathkumar Desai and John Calvin
Application No. 12/973,709
Filed: December 20, 2010
Attorney Docket No. 8694-USO
For: APPARATUS AND METHOD FOR GENERATING A WAVEFORM TEST SIGNAL HAVING
CREST FACTOR EMULATION OF RANDOM JITTER

Dear Sir:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a co-inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3215. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Charlema Grant
Petitions Attorney
Office of Petitions

cc: WILLIAM K. BUCHER
TEKTRONIX, INC.
14150 S.W. KARL BRAUN DRIVE
P.O. BOX 500, MS 50-LAW
BEAVERTON OR 97077

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 20781-002US1	Application Number (if known):	Filing date: 2010-12-20
--------------------------------------	--------------------------------	-------------------------

First Named Inventor: Paul Anthony Polizzotto

Title: APPARATUSES, METHODS AND SYSTEMS FOR AN ENVIRONMENTAL ADVERTISING, FINANCING AND MANAGEI

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: _____

Signature /Walter G. Hanchuk/	Date 2010-12-20
-------------------------------	-----------------

Name (Print/Typed) Walter Hanchuk	Registration Number 35179
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Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,760	12/20/2010	Paul Anthony Polizzotto	21089-010US1	2416
54205	7590	04/20/2011	EXAMINER	
CHADBOURNE & PARKE LLP			STAMBER, ERIC W	
30 ROCKEFELLER PLAZA			ART UNIT	PAPER NUMBER
NEW YORK, NY 10112			3622	
			NOTIFICATION DATE	DELIVERY MODE
			04/20/2011	ELECTRONIC

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.

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

Patents@chadbourne.com



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APR 19 2011

CHADBOURNE & PARKE LLP
30 ROCKEFELLER PLAZA
NEW YORK NY 10112

In re Application of	:	
Paul POLIZZOTTO	:	DECISION ON PETITION
Application No. 12/973,760	:	TO MAKE SPECIAL UNDER
Filed: December 20, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 21089-010US1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 20, 2010 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks items 3 and 4.

In regard to item 3, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.

In regard to item 4, since the effectiveness of the eco ads is not known, one cannot estimate how many people will make a donation, and the (dollar) amount. As a large portion of a donation go to the advertisers and the media networks, only a fraction of said donation (10 percent or less as disclosed in pp0030) is typically used to fund environmental projects; therefore, the effectiveness of a donation is questionable. In addition, it is unclear if an environmental project has been credited by the UNFCCC (the United Nations Framework Convention on Climate Change) as a carbon offset project and how it was selected to receive funding from the eco ads donations. Once an environmental project was selected to receive the funding, it is unclear if there is any mechanism in place to evaluate the effectiveness of the project and to ensure proper uses of the donations by the project. Furthermore, as the disclosure of the instant application specifies that the claimed environmental credit can be money, notes, commodities or securities (pp0024 or 0034), which is different from carbon credit generated from legally mandated cap-and-trade programs or legal emissions trading schemes, the donation resulted from a pollution offset request would not necessarily transform into carbon credit resulted from a reduction in carbon dioxide or greenhouse gas emissions. In other words, it is not clear if the generated environmental credit is actually achieving real emissions reductions if it is in the form of money, notes, commodities or securities. Therefore, petitioner appears to speculate on the effectiveness of the claimed method to transform a pollution offset request to an environmental credit to "reduce pollution or to improve the environment". As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI)*. Accordingly, it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3622 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

In the United States Patent and Trademark Office

Serial No.:	12/973,760	Docket No.:	21089-010US1
Filed:	12-20-2010	Conf.No.:	2416 Art Unit: 3622
Applicant(s):	Paul Anthony Polizzotto	Examiner:	Stamber, Eric W.
For:	APPARATUSES, METHODS AND SYSTEMS FOR AN ENVIRONMENTAL ADVERTISING, FINANCING AND MANAGEMENT PLATFORM		

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition for Reconsideration of Decision On Petition to Make Special Under the Green Technology Pilot Program

Sir:

Applicant respectfully requests reconsideration of the Decision On Petition to Make Special Under the Green Technology Pilot Program dated April 20, 2011 (hereinafter, "Decision"), for the above identified application. Contrary to the conclusions reached in the Decision, Applicant asserts that the inventions disclosed and claimed in the instant application (hereinafter, "Platform") is precisely the type of application deserving special status under the Green Technology Pilot Program. Moreover, Applicant asserts (and the attached documentation proves) that the Platform does in fact materially enhance the quality of the environment and materially contribute to at least energy conservation and greenhouse gas reduction.

I. Basis for special status

The Decision alleges that "The petition lacks items 3 and 4. In regard to item 3, petitioner should note that the instant petition fails to state the basis for the special status," (Decision, p. 2). Applicant submits that the STATEMENT OF SPECIAL STATUS FOR THE

ELIGIBILITY REQUIREMENT submitted by the Applicant provides the basis that the Quality Assurance Specialist (hereinafter "Specialist") contends is lacking, when it states: "Applicant submits that aspects of the disclosure and claimed innovations materially contribute to the reduction of pollution, improvement of the environment, and financing of environmental improvement projects." To remove any doubt, Applicant asserts that the instant invention materially enhances the quality of the environment and materially contributes to at least energy conservation and greenhouse gas reduction as described in more detail below.

II. Effectiveness of the Platform

The Decision further alleges that "In regard to item 4 ... the effectiveness of the eco ads is not known," (Decision, p. 2). Applicant respectfully disagrees with the Decision's supposition regarding the effectiveness of EcoAds and submits the following information regarding Platform-based and implemented EcoAd funded projects across the nation (see Appendix 1 for additional description of the projects):

- **Arlington, Texas - Randol Mill Park "Greening" Initiative** - The Platform-based Chevrolet EcoAd grant funds improvements at Randol Mill Park, including sustainable landscaping, energy efficiency, water conservation measures and solar panels on the building rooftop. The estimated benefits of these upgrades include a 30% reduction in the park's energy consumption, and a 20% reduction in water consumption. "EcoMedia is partnering with the City of Arlington, the Texas Rangers Baseball Foundation and Chevrolet to make Randol Mill a greener park." (Appendix 2 - **CBS LOCAL TV Coverage link:**

<http://cbsloc.al/IR4ldG>). The Applicant invites the Specialist to view the videos at the provided link for additional information regarding this project.

- **San Francisco, California - Telegraph Hill (Tel-Hi) Community Center** - The Platform-based SunPower EcoAd grant provided gap funding to support a 28kW rooftop solar PV system at Tel-Hi Community Center. This solar project is estimated to reduce the Center's energy usage by 42,567 kWh per year (a reduction in energy usage of 85%), resulting in a reduction of 835 metric tonnes of CO₂ over the lifetime of the system.
- **Shrewsbury, MA - Floral Street Elementary School Solar Installation** - The Platform-based Avidia Bank EcoAd grant will support a 1kW "demonstration" solar PV installation in an "outdoor classroom" area of the school. This system will reduce the school's annual grid-distributed electricity usage by approximately 1,900 kWh.
- **Cambridge, MA - Putnam Avenue Housing Project** - The Platform-based International Brotherhood of Electrical Workers EcoAd grant will support energy and water conservation retrofits to the structure, which are estimated to result in a 38% reduction in energy usage, \$28,000 in annual electricity and gas savings, as well as 58 metric tonnes of CO₂ reduction.
- **Worcester, MA - University Park Campus School** - The Platform-based Fallon Healthcare EcoAd grant will support a 1kW "demonstration" solar PV installation for the school. This system will reduce the school's annual grid-distributed electricity usage by approximately 1,900 kWh.

- **Minneapolis, MN - Edison Public High School** - The Platform-based Boston Scientific EcoAd grant will support a 1kW solar PV installation for the school. This system will reduce the school's annual grid-distributed electricity usage by approximately 1,900 kWh.

Accordingly, Applicant submits that the above projects amply demonstrate that EcoAds using the Platform materially enhance the quality of the environment and materially contribute to at least energy conservation and greenhouse gas reduction by creating sustainable landscaping and producing specific, measureable and meaningful energy usage and CO₂ reductions. Since it cannot logically be the case that special status under the pilot program is reserved for only those few inventions which are 100% certain to be 100% effective when the patent application is filed (which would, for example, hardly meet the stated goals of the pilot program or even "promote the progress...of the useful arts"), Applicant submits a more than adequate showing has been made and the petition for special status should be granted.

III. Platform-based EcoAd grants are significant

The Decision further alleges that "a large portion of a donation go [*sic.*] to the advertisers and the media networks, only a fraction of said donation (10 percent or less as disclosed in pp0030) is typically used to fund environmental projects," (Decision, p. 2). Applicant respectfully disagrees with the Decision's interpretation of the specification and submits that it is based on a misunderstanding of the Platform. As described in paragraph [0030] of the specification, an advertiser may purchase advertising services from a publisher with an understanding that a defined part of the payment will be used to support identified and agreed environmental initiatives. Accordingly, for example, an advertiser paying

\$1,000,000 purchases \$900,000 worth of EcoAd advertising and donates \$100,000 to support related, identified environmental initiatives - without EcoAds, the advertiser would simply pay \$900,000 for standard advertising and none of the identified benefits of the Platform and the transactions it facilitates would be achieved. Thus, substantially the entire donation amount is used to fund environmental projects. Similarly, if one is created in an implementation of the Platform, substantially the entire carbon offset payment is in fact used to offset the environmental impact of a consumer's activity (e.g., payment received as a result of the consumer viewing an EcoAd) and donated to support environmental initiatives (see Figure 11 and corresponding description in the specification). In fact, the following companies and organization have already contracted for EcoAds utilizing the Platform: Avidia Bank, Boston Properties, Byers Leafguard, Chevrolet, Custom Comfort, Fallon Healthcare, Ford Dealers in Northern California, IBEW Local 103, LIPA – Long Island Power, Office of Problem Gambling, Pacific Coast Termite, Port of Los Angeles, Sacramento County, Shop Smart, Solar City, and SunPower Corporation. Thus the demonstrated and reasonably foreseeable provision of new, otherwise unavailable, funds to significant environmental initiatives through the use of the Platform compels granting the petition, Applicant respectfully submits.

IV. Platform-based EcoAd grants and results are verified

The Decision further alleges that "it is unclear if there is any mechanism in place to evaluate the effectiveness of the project and to ensure proper uses of the donations by the project," (Decision, p. 2). Applicant respectfully disagrees with the Decision's assertion and submits that the effectiveness of projects is evaluated and verified by the EcoFacilitator. For example, Applicant directs the Specialist's attention to paragraph [0027] of the specification,

which clearly explains that "The EcoFacilitator may oversee the environmental project, measure the impact produced by the environmental project, and verify that the environmental project is producing a positive environmental impact." This is, of course, only logical (once the Platform is disclosed) given the role the Platform is intended to play (and has already begun to play) in facilitating transactions in the real world -- "trust but verify" is understood as well in the environmental community as in the arms control community. Applicant further directs the Specialist's attention to figures 12 and 13 and the corresponding descriptions of these figures in the specification. These figures and descriptions discuss obtaining information regarding expected benefits of a project using the ProjectApplication data structure, disclosed at paragraph [0095] of the specification, which exists to facilitate tracking and verification. For example, "The project carbon reduction value may be determined at 1320. The Carbon field of the ProjectApplication data structure may be examined to make this determination." (Specification, paragraph [0097]). Accordingly, the EcoFacilitator has specific values that may be verified and used to evaluate projects.

Finally, Applicant submits that a "mechanism ... to evaluate the effectiveness of the project," (Decision, p. 2) is not a requirement of either 74 Federal Register Notice 64666 (December 8, 2009), 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010), or MPEP § 708.02 (VI), and therefore is not a proper basis for denying the Petition to Make Special Under the Green Technology Pilot Program.

V. The materiality of the Platform-based results is not speculative

The Decision further alleges that "the petitioner appears to speculate on the effectiveness of the claimed method," (Decision, p. 2). The Specialist is correct that in accordance with MPEP § 708.02 (VI) "The materiality standard does not permit an applicant

to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could materially contribute to category (A) or (B)." (emphasis added). However, as demonstrated by the listed **actual** projects and **real** end-users of the Platform, the Applicant is not speculating, and real end-users are applying the Platform to achieve material results. And these **real** users are **not** "specially apply[ing]" the Platform -- they are using it as described and intended. In fact, as discussed above and shown in appendices, implementation of the Platform has already, within approximately the last 10 months, achieved significant, substantial, and material results both locally and nationally. Rather than speculating, Applicant's Platform provides a unique solution to the long felt need of how to get material environmental benefits, including greenhouse gas reduction and energy conservation, from activities that would normally otherwise occur. Because lack of initial and gap funding is known to be one of the important problems impeding many environmental projects throughout the country, and because the Platform provides unique and innovative solutions to these problems, the instant application and the Platform described and claimed is entirely appropriate for special status under the Green Technology Pilot Program.

Authorization

Applicant hereby authorizes and requests that the Commissioner charge any additional fees that may be required for consideration of this and/or any accompanying and/or necessary papers to Deposit Account No. 03-1240, Order No. 21089-010US1. In the event that an extension of time is required (or which may be required in addition to that requested in a petition for an extension of time), Applicant requests that the Commissioner grant a petition for an extension of time required to make this response timely, and, Applicant hereby authorizes and requests that the Commissioner charge any fee or credit any overpayment for such an extension of time to Deposit Account No. 03-1240, Order No. 21089-010US1.

Respectfully submitted,
Attorney(s) for Applicant,
CHADBOURNE & PARKE LLP

Dated: May 19, 2011

By: John A. Squires/
John A. Squires
Registration No.: 37,451

Correspondence Address:

CHADBOURNE & PARKE LLP
30 Rockefeller Plaza
New York, NY 10112

212-408-5100 (Telephone)
212-541-5369 (Facsimile)
patents@chadbourne.com (E-mail)



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,760	12/20/2010	Paul Anthony Polizzotto	21089-010US1	2416
54205	7590	07/01/2011	EXAMINER	
CHADBOURNE & PARKE LLP			STAMBER, ERIC W	
30 ROCKEFELLER PLAZA			ART UNIT	PAPER NUMBER
NEW YORK, NY 10112			3622	
			NOTIFICATION DATE	DELIVERY MODE
			07/01/2011	ELECTRONIC

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.

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

Patents@chadbourne.com



CHADBOURNE & PARKE LLP
30 ROCKEFELLER PLAZA
NEW YORK NY 10112

7/1/11

In re Application of	:	
Polizzotto	:	DECISION ON PETITION
Application No. 12/973,760	:	TO MAKE SPECIAL UNDER
Filed: 12/20/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 21089-010US1	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 5/19/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3622 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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WASHINGTON DC 20007

MAILED
JAN 19 2011
OFFICE OF PETITIONS

In re Application of	:	
CRAIN, Steven et al.	:	
Application No. 12/973,839	:	
Filed: December 20, 2010	:	DECISION ON PETITION
Attorney Docket No. 097986-0104	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 20, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by William E. Crain attesting that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing to await a reply to the Notice to File Missing Parts mailed January 13, 2011. This application will be accorded "special" status when pre-examination processing is done.

Michelle R. Eason
Michelle R. Eason
Paralegal Specialist
Office of Petitions

Doc Code: PPH.PCT.652

Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)

Approved for use through 01/31/2012. OMB 0651-0058

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	12/973,844	Filing date:	20 December 2010
First Named Inventor:	Dirk Heinrich Ehm		

Title of the Invention: **PARTICLE CLEANING OF OPTICAL ELEMENTS FOR MICROLITHOGRAPHY**

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML](http://www.uspto.gov/ebc/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/EP2009/001581

The international filing date of the corresponding PCT application(s) is/are: 06 March 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

Is attached

Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

Is attached.

Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM
BETWEEN THE EPO AND THE USPTO**

(continued)

Application No.: 12/973,844

First Named Inventor: Dirk Heinrich Ehm

d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.

 Is attached Has already been filed in the above-identified U.S. application on 05 April 2011

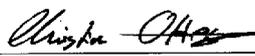
(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

 Are attached. Have already been filed in the above-identified U.S. application on 05 April 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
34	14	US claim 34 combines the features of claims 1 and 14 of the international application
35	14	US claim 35 corresponds to claim 2 of the PCT application and is dependent from claim 34
36	14	US claim 36 corresponds to claim 3 of the PCT application and is dependent from claim 34
37	14	US claim 37 corresponds to claims 4 of the PCT application and is dependent from claim 36
38	14	US claim 38 corresponds to claim 5 of the PCT application and is dependent from claim 34
39	14	US claim 39 corresponds to claim 6 of the PCT application and is dependent from claim 34
40	14	US claim 40 corresponds to claim 7 of the PCT application and is dependent from claim 36
41	14	US claim 41 corresponds to claim 8 of the PCT application and is dependent from claim 36
42	14	US claim 42 corresponds to claim 9 of the PCT application and is dependent from claim 34
43	14	US claim 43 corresponds to claim 10 of the PCT application and is dependent from claim 34
44	14	US claim 44 corresponds to claim 13 of the PCT application and is dependent from claim 34
45	14	US claim 45 corresponds to claim 16 of the PCT application and is dependent from claim 34
46	14	US claim 46 combines the features of claims 11 and 14 of the international application
47	14	US claim 47 corresponds to claim 12 of the PCT application and is dependent from claim 46
48	14	US claim 48 corresponds to claims 11 and 13 of the PCT application and is dependent from claim 46
49	14	US claim 49 corresponds to claim 15 of the PCT application and is dependent from claim 46
50	14	US claim 50 corresponds to claim 16 of the PCT application and is dependent from claim 46
51	30	US claim 51 combines the features of claims 20, 28, 29 and 30 of the international application
52	30	US claim 52 corresponds to claim 21 of the PCT application and is dependent from claim 51

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature 	Date <u>10/16/2011</u>
Name (Print/Typed) Christian Ottesen	Registration Number 64408

II. Claims Correspondence Table Continued

Claims in US Application	Patentable Claims in DE Application	Explanation regarding the correspondence
53	30	US claim 53 corresponds to claim 22 of the PCT application and is dependent from claim 51
54	30	US claim 54 corresponds to claim 23 of the PCT application and is dependent from claim 51
55	30	US claim 55 corresponds to claim 24 of the PCT application and is dependent from claim 54
56	30	US claim 56 corresponds to claim 25 of the PCT application and is dependent from claim 51
57	30	US claim 57 combines the features of claims 26, 29, and 30 of the international application
58	30	US claim 58 corresponds to claim 27 of the PCT application and is dependent from claim 57
59	30	US claim 59 corresponds to claim 28 of the PCT application and is dependent from claim 57
60	30	US claim 60 corresponds to claim 31 of the PCT application and is dependent from claim 57
61	30	US claim 61 corresponds to claim 32 of the PCT application and is dependent from claim 57

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Claims

1. Optical assembly to be mounted in a projection exposure apparatus (101) for EUV lithography, comprising:
5 at least one vacuum chamber (70, 71, 68a),
at least one optical element (6, 7; 65, 66; 63) arranged in the vacuum chamber (70, 71, 68a), the optical element (6, 7; 65, 66; 63) having an optical surface (18) which may be impinged upon by a useful beam bundle (3) of the projection exposure apparatus (101), and a cleaning
10 device (72) for cleaning the optical surface (18), wherein
the cleaning device (72) is configured to perform particle cleaning of the optical surface (18) at a gas pressure (p_c) within the vacuum chamber (70, 71, 68a) which is higher than a vacuum pressure (p_o) for performing an exposure operation with the projection exposure
15 apparatus (101).
2. Optical assembly according to claim 1, wherein during the particle cleaning, the gas pressure (p_c) in the vacuum chamber (70, 71, 68a) is above 10^{-9} mbar, preferably above 10^{-3} mbar, in particular above 10^{-1}
20 mbar.
3. Optical assembly according to claim 1 or 2, further comprising a particle monitoring device (102) for monitoring the particle coverage on the optical surface (18).
25
4. Optical assembly according to claim 3, further comprising a control device (36) for controlling the cleaning of the particle cleaning device (72) in dependence of the particle coverage monitored by the particle monitoring device (102), preferably in a feedback loop.

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- 5 5. Optical assembly according to any one of the preceding claims, wherein the particle cleaning device (72) comprises at least one cleaning head (72a, 72b) which is directed to the optical surface (18) of the optical element (6, 7).
- 10 6. Optical assembly according to any one of the preceding claims, wherein the particle cleaning device (72) is configured to perform the particle cleaning by at least one cleaning method selected from the group consisting of: snow cleaning, in particular using carbon dioxide (CO₂), laser shockwave cleaning, air knife cleaning, magnetic field cleaning, high voltage cleaning, plasma assisted cleaning, temperature assisted cleaning, and the use of an adhesion foil or a polymeric peel-off layer.
- 15 7. Optical assembly according to any one of claims 3 to 6, wherein the particle monitoring device (102) comprises at least one monitoring head (102a, 102b) directed to the optical surface (18) of the optical element (6, 7).
- 20 8. Optical assembly according to any one of claims 3 to 7, wherein the particle monitoring device (102) is configured to perform the particle monitoring by at least one monitoring method selected from the group consisting of: light scattering methods, holographic methods, thermal differential imaging methods, and optical or electron optical methods.
- 25 9. Optical assembly according to any one of the preceding claims, wherein the vacuum chamber (70, 71, 68a) further comprises a particle trapping device (76, 103) for trapping particles having been cleaned away from the optical surface (18), the particle trapping device (103) preferably

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comprising at least one of a cold trap and an electrostatic or an electromagnetic trap.

- 5 10. Optical assembly according to any one of the preceding claims, wherein at least part of the walls (104) of the vacuum chamber (70, 71, 68a) are made of a material which adsorbs particles having been cleaned away from the optical surface (18).
- 10 11. Optical assembly to be mounted in a projection exposure apparatus (1; 61) for microlithography, comprising:
- at least one optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13, 65, 66) having an optical surface (18) which may be impinged upon by a useful beam bundle (3) of the projection exposure apparatus (1; 61),
 - a deposition device (37; 76) for depositing a carbon containing layer (38) onto the optical surface (18), and
 - 15 - a cleaning device (23; 72) for cleaning the optical surface (18).
- 20 12. Optical assembly according to claim 11, characterized in that the cleaning device (23; 72) is configured for cleaning the optical surface (18) with atomic hydrogen.
- 25 13. Optical assembly according to any one of the preceding claims, characterized by a vacuum pump (74) for sucking off gases and/or debris from the optical surface (18).
14. Optical assembly according to any one of the preceding claims, characterized by a pressure sensor (78) for detecting a gas pressure in a vacuum chamber (68 to 71), accommodating the optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13, 65, 66).

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15. Optical assembly according to claim 14, characterized in that the pressure sensor (78) is in signal communication with a controller (44) of the deposition device (37; 76).
- 5
16. Optical assembly according to any one of the preceding claims, characterized by at least one access opening (79) to the vacuum chamber (68 to 71) lockable by a door (80), with a door signal device (81) being provided which is configured to provide a door signal
- 10 depending on the present position of the door (80).
17. Illumination optics (14; 62) comprising at least one optical assembly (43) according to any one of the preceding claims.
- 15 18. Projection optics (15; 64) comprising at least one optical assembly (43) according to any one of the preceding claims.
19. Projection exposure apparatus (1; 61, 101), comprising:
- a radiation source (2) for generating a useful beam bundle (3),
 - 20 - an illumination optics (14; 62) for illuminating an object field (11) in an object plane (12),
 - a projection optics (15; 64) for imaging an object field (11) onto an image field in an image plane (16),
- 25 characterized by an optical assembly (42) according to any one of claims 1 to 16.
20. Method for cleaning of an optical surface (18) of an optical element (4, 63, 6, 7, 65, 66) arranged in a vacuum chamber (68a, 70, 71) of a projection exposure apparatus (101) for EUV lithography, comprising:

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performing particle cleaning of the optical surface (18) at a gas pressure (p_c) within the vacuum chamber (68a, 70, 71) which is higher than a vacuum pressure (p_o) for performing an exposure operation with the projection exposure apparatus (101).

5

21. Method according to claim 20, wherein during the vacuum cleaning, the gas pressure (p_c) in the vacuum chamber (68a, 70, 71) is chosen to be above 10^{-9} mbar, preferably above 10^{-3} mbar, in particular above 10^{-1} mbar.

10

22. Method according to claim 20 or 21, wherein the particle cleaning is performed by at least one particle cleaning method chosen from the group consisting of: snow cleaning, in particular using carbon dioxide (CO_2), argon (Ar), or nitrogen (N_2), laser shockwave cleaning, air knife cleaning, magnetic field cleaning, high voltage cleaning, plasma assisted cleaning, temperature assisted cleaning, and the use of an adhesion foil or a polymeric peel-off layer.

15

23. Method according to any one of claims 20 to 22, further comprising monitoring the particle coverage on the optical surface (18), the particle cleaning preferably being controlled in dependence of the monitored particle coverage, in particular using a feedback loop.

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24. Method according to claim 23, wherein the particle monitoring is performed by at least one monitoring method selected from the group consisting of: light scattering methods, holographic methods, thermal differential imaging methods, and optical or electron optical methods.

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25. Method according to any one of claims 20 to 24, further comprising at least one of pumping off and trapping, in particular adsorbing, particles having been cleaned away from the optical surface (18).
- 5 26. Method for cleaning an optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13, 65, 66), comprising of the steps of:
- Providing the optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13, 65, 66) with a carbon containing layer (38) on an optical surface (18) of the optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13, 65, 66),
 - 10 - cleaning the optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13, 65, 66).
27. Method according to claim 26, characterized by the cleaning of the optical element with atomic hydrogen, nitrogen or oxygen or other
- 15 reducing or oxidizing compounds.
28. Method according to any one of claims 20 to 27, characterized in that during or after the cleaning a vacuum chamber (68 to 71) accommodating the optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13,
- 20 65, 66) is pumped off.
29. Method according to any one of claims 26 to 28, characterized in that prior to the cleaning a carbon containing layer (38) is deposited onto the optical layer (18) of the optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7,
- 25 13, 65, 66) in a targeted manner.
30. Method according to claim 29, characterized in that the deposition is made in dependence of the gas pressure value being measured in a

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vacuum chamber (68 to 71) accommodating the optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13, 65, 66).

31. Method according to any one of claims 26 to 30, characterized in that
5 the deposition is made as soon as it is detected that a vacuum chamber (68 to 71) accommodating the optical element (4, 6 to 10, 12, 17; 4, 63, 6, 7, 13, 65, 66) is open.

32. Method according to any one of claims 26 to 31, characterized in that
10 the deposition is made prior to an exchange of a radiation source (2) of the projection exposure apparatus (1; 61).

33. Method for manufacturing structured components, comprising the steps
of:
15 - Providing a wafer (67), onto which a layer of light sensitive material is at least partially deposited,
- providing a reticle (13), having structures to be imaged,
- providing a projection exposure apparatus (1; 61) according to claim 19,
20 - projecting at least part of the reticle (13) onto a region of the layer of wafer (67) with the aid of the projection exposure apparatus (1; 61).



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Chicago IL 60690-0810

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SEP 21 2011

In re Application of	:	OFFICE OF PETITIONS
MICHAEL T. PLOKE	:	
Application No. 12/973,855	:	DECISION ON PETITION
Filed: December 20, 2010	:	
Attorney Docket No. PLOKE-1	:	

This is a decision on the "PETITION TO INCORPORATE PROVISIONAL PATENT APPLICATION BY REFERENCE PURSUANT TO 37 C.F.R. 1.57(a)(3)" filed August 17, 2011.

On December 20, 2010, applicants filed the above-identified application. On January 12, 2011, the Office of Patent Application Processing mailed a Notice of Omitted Item(s) in a Nonprovisional Application, stating that the application had been accorded a filing date of December 20, 2010, and advising applicants that Figure(s) 4-6 described in the specification appeared to have been omitted. The Notice of Omitted Item(s) set an extendable period of two months from the date of the Notice to reply to avoid abandonment.

On August 17, 2011, applicants submitted the present petition, a \$400.00 petition fee, a request for an extension of time for response within the fifth month (and fee), a copy of Figures 1-6 filed in provisional Application No. 61/288,265, and 4 sheets of replacement drawings (Figures 1-6).

Applicants state that Figures 4-6 were inadvertently omitted from the present application as originally filed. Applicants request that Figures 4-6 be added to the present application. Applicants submit that the present application, as originally filed, contains a claim under 37 CFR 1.78 for the benefit of prior-filed provisional Application No. 61/288,265. Further, applicants assert that the omitted drawing sheet containing Figures 4-6 was a formal version of the informal drawings contained in the prior-filed provisional application.

As stated in MPEP 201.17(I):

37 CFR 1.57(a) provides that, if all or a portion of the specification or drawing(s) is inadvertently omitted from an application, but the application

contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application, that was present on the filing date of the application, and the inadvertently omitted portion of the specification or drawing(s) is completely contained in the prior-filed application, the claim for priority or benefit shall be considered an incorporation by reference of the prior-filed application as to the inadvertently omitted portion of the specification or drawings.

Therefore, if a continuation, divisional, or continuation-in-part application, as originally filed on or after September 21, 2004, does not include an explicit incorporation by reference statement in the specification, and is entitled to a filing date despite the inadvertent omission of a portion of the prior application(s), an applicant may be permitted to add the omitted material by filing an amendment under 37 CFR 1.57(a) within the time period set by the Office. See 37 CFR 1.57(a)(1) and MPEP 201.06(c)(IV).

A review of the record indicates that the above-identified application as originally filed on December 20, 2010, which was entitled to a filing date, did not include an explicit incorporation by reference statement in the specification. Nevertheless, the first line of the specification on filing states: "This application claims priority to provisional U.S. Provisional Application 61/288,265 filed December 18, 2009." As applicants submitted a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional application on the filing date of the present application, applicants may file an amendment in compliance with 37 CFR 1.57(a) with the examiner, prior to the first action on the merits, to include Figures 4-6 located in the provisional Application No. 61/288,265 without the need for a petition. Accordingly, the present petition is unnecessary to effectuate applicants' request, and therefore, is dismissed.

In view of the fact that the petition was not necessitated by an error on the part of this Office, the \$400.00 fee for filing the present petition will not be refunded.

Applicants should file an amendment to add the inadvertently omitted drawing figures for consideration by the examiner.

The application is being referred to the Office of Patent Application Processing for further processing of the application with a filing date of December 20, 2010, using only the drawings filed on that date. Thereafter, the matter will be referred to an examiner in the Technology Center to review any preliminary amendment.



Christopher Bottorff
Petitions Examiner
Office of Petitions



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/973,860	12/20/2010	William J. Roberts	BTL-000620US	2591
68514	7590	12/28/2010	EXAMINER	
Don D. Cha 225 Union Blvd Suite 150 Lakewood, CO 80228			ART UNIT	PAPER NUMBER
			1655	
			NOTIFICATION DATE	DELIVERY MODE
			12/28/2010	ELECTRONIC

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.

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

DCHA@HDCIPLAW.COM
DDCha@Comcast.net
Joshua@HDCIPLaw.com



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Don D. Cha
225 Union Blvd
Suite 150
Lakewood CO 80228

In re Application of:
William J. Roberts

Serial No.: 12/973,860

Filed: December 20, 2010

Docket No.: **BTL-000620US**

:
:
: DECISION ON REQUEST FOR
: CONSIDERATION TO MAKE
: SPECIAL FOR NEW
: APPLICATION UNDER 37
: C.F.R. § 1.102 & M.P.E.P. §
708.02

Title: **FORSKOLIN CARBONATES AND
USES THEREOF**

This is a decision on the request for reconsideration filed on December 20, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having been constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed to a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

7. Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

8. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

9. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

10. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

11. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/
Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600



UNITED STATES PATENT AND TRADEMARK OFFICE

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

**Timberline Patent Law Group
157 S. Howard St.
Suite 516
Spokane WA 99203**

MAILED

APR 06 2011

OFFICE OF PETITIONS

In re Application of	:	
Mary E. Lavigne	:	
Application No. 12/973,870	:	DECISION ON PETITION
Filed: December 20, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. ML 1-0101US	:	37-CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed January 29, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by inventor Mary E. Lavigne attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3772 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions



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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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Paper No.

Paul Steffes
James Judge
Daido-Semei Esaka Bldg.
13th Fl.
1-23-101 Esaka-cho
Suita-shi 564-0-063
JAPAN

MAILED
FEB 28 2011
OFFICE OF PETITIONS

In re Application of :
Yusuke Tochigi, Kae Tochigi : ON PETITION
and Takahiro Morinaga :
Application No. 12/973,923 :
Filed: December 21, 2010 :
Atty Docket No. 1010.0001.US. :
P01C :

This is in response to the "PETITION UNDER 37 CFR 1.182 TO ACCEPT DECLARATION WITH CHANGED NAME," filed December 21, 2010.

For the reasons stated herein, the petition is **dismissed as unnecessary.**

Petitioner requests that the declaration submitted on filing of this application be accepted with inventor Kae Tochigi's changed name. Petitioner states that the name changed between the filing of this application and the filing of the international application from which this application claims benefit.

This petition is not necessary to change the name of the inventor in the above-identified application. The first submission of the executed declaration on filing of this application set the names of the inventors, including inventor Kae Tochigi, who was identified as such on the declaration (as reflected in the application filing receipt mailed January 6, 2011).

Application No. 12/973,923

Page 2

No further action is required by the Office of Petitions. This application will be examined in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with a large initial "N" and "J".

Nancy Johnson
Senior Petitions Attorney
Office of Petitions



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
Elberto Berdud Teruel

:
:

Application No. 12974015

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed:

:

Attorney Docket No. LF10-MTDC-30

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 29-DEC-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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APR 05 2011
OFFICE OF PETITIONS

Nicholas Mesiti, Esq.
Heslin Rothenberg Farley & Mesiti P.C.
5 Columbia Circle
Albany NY 12203

In re Application of :
John Earl Rode :
Application No. 12/974,040 :
Filed: December 21, 2010 :
Attorney Docket No. 0545.069A :
: DECISION ON PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed February 23, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement from the attorney of record declaring that he/she is in possession of evidence that proves the applicant is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 2855 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

TITLE OF THE INVENTION

SEMICONDUCTOR MEMORY DEVICE

CROSS-REFERENCE TO RELATED APPLICATIONS

TL
5 This application is a continuation of and claims
the benefit of priority under 35 U.S.C. §120 from U.S.
Serial No. 12/493,680 filed June 29, 2009, and claims
now U.S. Patent No. 7,872,919
the benefit of priority under 35 U.S.C. §119 from
Japanese Patent Application No. 2008-170968 filed June
30, 2008, the entire contents of each of which are
10 incorporated herein by reference.

BACKGROUND OF THE INVENTION

1. Field of the Invention

15 The present invention relates to a semiconductor
memory device. The invention relates more particularly
to the control of bit lines at a time of a read
operation in a NAND flash memory.

2. Description of the Related Art

20 A NAND flash memory is composed of, for example, a
memory cell array, a sense amplifier, and bit lines
which electrically connect the memory cell array and
the sense amplifier. A plurality of memory cells, each
including a charge accumulation layer and a control
gate electrode, are disposed in the memory cell array.

25 In recent years, with an increase in information
amount, there has been an increasing demand for the
expansion of memory capacity.

This demand has conventionally been met by

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/ISB/N30 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **243886-1** Application Number (if known): **12/974104** Filing date: **12-21-2010**

First Named Inventor: **Robert William Delmerico**

Title: **Power Conversion Control with Energy Storage**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **May 31, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Robert William Delmerico)
Confirmation No.: 3088)
Serial No.: 12/974104)
Filing Date: 12-21-2010)
Atty Docket No.: 243886-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: May 31, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,104	12/21/2010	Robert William Delmerico	243886-1	3088

6147	7590	06/14/2011
GENERAL ELECTRIC COMPANY		
GLOBAL RESEARCH		
ONE RESEARCH CIRCLE		
BLDG. K1-3A59		
NISKAYUNA, NY 12309		

EXAMINER	
LAXTON, GARY L	

ART UNIT	PAPER NUMBER
2838	

NOTIFICATION DATE	DELIVERY MODE
06/14/2011	ELECTRONIC

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.

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

ldocket@crd.ge.com
rosssr@ge.com
wahld@ge.com



GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of	:	
DELMERICO et al	:	DECISION ON PETITION
Application No. 12/974,104	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 243886-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on June 03, 2011 and renewed June 01, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

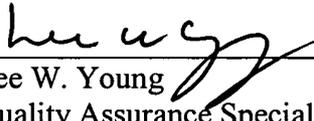
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2838 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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FEB 24 2011

OFFICE OF PETITIONS

MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO IL 60661

In re Application of :
PITTENGER et al. :
Application No. 12/974,125 : DECISION ON PETITION
Filed: 12/21/2010 :
Attorney Docket No. 02715-19231US10 :

This is in response to the petition filed January 20, 2011, requesting that the above-referenced application be accorded a filing date of December 21, 2010, which is being treated as a petition under 37 CFR 1.53(e)(2).

The application papers in the above-identified application were deposited on December 21, 2010. However, on January 12, 2011, the Office of Patent Application Processing mailed applicants a "Notice of Incomplete Nonprovisional Application," notifying applicants that the application papers had not been accorded a filing date because the application was deposited without drawings.

As stated in MPEP § 601.01(f), it is the practice of the Office to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

MPEP § 601.01(f) also states that:

A nonprovisional application having at least one claim, or a provisional application having at least some disclosure, directed to the subject matter discussed above for which a drawing is usually not considered essential for a filing date, describing drawing figure(s) in the specification, but filed without drawings will be treated as an application filed without all of the drawing figures referred to in the specification as discussed in MPEP § 601.01(g), so long as the application contains something that can be construed as a written description.

This application contains method claims. Therefore, the application should have been treated as an application filed without all of the drawing figures referred to in the specification as discussed in MPEP § 601.01(g).

MPEP § 601.01(g) states that if an application is filed without all of the drawing figure(s) referred to in the specification, a "Notice of Omitted Item(s)" is mailed indicating that the application has been accorded a filing date, but is lacking some of the figures of drawings described in the specification.

Any amendment to include the inadvertently omitted drawing(s) must comply with 37 CFR 1.57(a) and 37 CFR 1.121 and will be considered by the examiner.

To the extent the instant petition requests a filing date of December 21, 2010, with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, no petition fee is necessary and will not be charged.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to December 21, 2010;**
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing, and;**
- **for issuance of a filing receipt.**

Entry of any amendment will be determined by the examiner.

Any inquiries related to this decision should be directed to the undersigned at (571) 272- 3211.



Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions



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Evans & Dixon, LLC
Metropolitan Square
211 N. Broadway, Suite 2500
St. Louis MO 63102

MAILED

DEC 22 2011

In re Application of :
Joseph F. Ouellette et al. :
Application No. 12/974,193 :
Filed: December 21, 2010 :
Attorney Docket No. 52027-92788 :
: OFFICE OF PETITIONS
: DECISION ON PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 7, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by an attorney on behalf of inventor Joseph F. Ouellette, attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

The application is being forwarded to Technology Center 3651 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jacob Johannes NIES)
Confirmation No.: 3282)
Serial No.: 12/974,207)
Filing Date: 12-21-2010)
Atty Docket No.: 246613-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: May 20, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 246613-1	Application Number (if known): 12/974,207	Filing date: 12-21-2010
---	--	--------------------------------

First Named Inventor: **Jacob Johannes NIES**

Title: **BEARINGS HAVING RADIAL HALF CAGE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:
Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date May 20, 2011
-------------------------------------	--------------------------

Name (Print/Typed) Allison W. Mages	Registration Number 57,275
--	-----------------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,207	12/21/2010	Jacob Johannes Nies	246613-1	3282

7788 7590 06/07/2011
GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY, NY 12345

EXAMINER

ART UNIT	PAPER NUMBER
3656	

MAIL DATE	DELIVERY MODE
06/07/2011	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.



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JUN 07 2011

GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY NY 12345

In re Application of	:	
JACOB NIES	:	DECISION ON PETITION
Application No. 12/974,207	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246613-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 23, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4.

In regard to item 4, the claims are directed to a bearing that support the nacelle on the tower. As a support element, the claimed bearing appears to make a wind turbine assembly safer to operate and reliably withstand the forces and motions of the winds. The bearing, in and by itself, would not ordinarily contribute to the development of renewable energy resources -- the bearing cannot generate energy or convert the mechanical energy into electrical energy. Even though the preamble of claims 12-20 recite a wind turbine, a combination of a tower, a nacelle, a rotor and a bearing do not constitute a wind turbine since this combination of elements cannot generate energy or convert the mechanical energy into electrical energy. There is no evidence in the present application that the claimed bearing materially contributes to the development of renewable energy resources. Because the bearing serves as a support element for the nacelle, petitioner's assertion of the claimed invention's contribution to the development of renewable energy resources or energy conservation is mostly speculative. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI)*. Accordingly, it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3656 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jacob Johannes Nies)
Confirmation No.: 3282)
Serial No.: 12/974,207)
Filing Date: 12-21-2010)
Atty Docket No.: 246613-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

MADAM:

This is responsive to the Decision on Petition, dated as mailed 7 June 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that it is not clear how the claimed bearing with a half radial cage will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. Applicant respectfully does not agree with the comments made in the Decision.

Applicant respectfully submits that the present invention is generally directed to wind turbines and, more particularly, to bearings in a wind turbine having a half radial cage.

In at least some known wind turbines, rotor bearings, pitch bearings, generator bearings and other bearings may prematurely fail. Because the bearings can be difficult to access and replace, failure of bearings can result in a lengthy and expensive repair process. To facilitate reducing costs while optimizing turbine availability, bearing replacement and/or repair should be performed rapidly at the wind turbine site with a minimal infrastructure and skill set required. However, known bearings used in wind turbines generally require change-out at the factory or labor intensive and costly on-site repair. (see at least paragraphs [0004] and [0005]).

Rolling elements in bearings, and especially in ball bearings, need to be kept apart in order to provide a low and even friction torque when turning. Spacers and cages are two examples of solutions. Spacers have the advantage in that they do not impact the raceways and thus such bearings have the highest load carrying capacity with respect to bending moments. However, spacers also have limited capacity to prevent congestion of rolling elements. A cage may be put between the two rings in order to be able to mount it. However, the cage does take away the area of the raceway that is most effective in load carrying in case of a bending moment. (see at least paragraph [0022])

Embodiments disclosed herein are directed at a bearing system. The bearing includes one or more sets of rolling elements located between an inner ring and an outer ring. The inner ring may comprise a portion of the tower and the outer ring may

comprise part of the nacelle or bedplate, or the inner ring may comprise a portion of the nacelle or bedplate and the outer ring may comprise part of the tower. The inner ring includes one or more inner raceways, and the outer ring includes one or more outer raceways that are aligned with the inner raceways. (see at least paragraph [0023]).

The rolling elements can be a ball bearing, a sphere, a roller bearing, a tapered roller bearing, a barrel shaped roller bearing and a cylindrical element ball bearing, or any other suitable bearing device. The rolling elements are each paired with a cage that partially surrounds the rolling element in a radial plane. By putting the cage in the radial plane, the least load contributing area of the raceways and is utilized to make room for a cage. (see at least paragraph [0024]).

Embodiments of the present invention provide a bearing system that keeps rolling elements apart in order to provide a low and even friction torque when turning. The systems and methods disclosed herein provide both an increased load carrying capacity with respect to bending moments and a reduction in bearing congestion. The low, even friction torque reduces bearing system failure, which limits the need for change-out of the bearing system at the factory or labor intensive and costly on-site repair. As a result, the availability of the wind turbine for producing wind energy is increased, which in turn promotes increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: June 29, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,207	12/21/2010	Jacob Johannes Nies	246613-1	3282
7788	7590	07/06/2011	EXAMINER	
GE ENERGY GENERAL ELECTRIC			PONOMARENKO, NICHOLAS	
C/O ERNEST G. CUSICK			ART UNIT	PAPER NUMBER
ONE RIVER ROAD, BLD. 43, ROOM 225			2839	
SCHENECTADY, NY 12345			MAIL DATE	DELIVERY MODE
			07/06/2011	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.



GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY NY 12345

In re Application of	:	
Jacob NIES	:	DECISION ON PETITION
Application No. 12/974,207	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246613-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 23, 2011 and renewed June 30, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

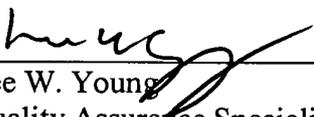
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2839 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,240	12/21/2010	Jimmi Andersen	2009P21448US	3335
22116	7590	02/16/2011	EXAMINER	
SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPARTMENT 170 WOOD AVENUE SOUTH ISELIN, NJ 08830			ART UNIT	PAPER NUMBER
			3745	
			MAIL DATE	DELIVERY MODE
			02/16/2011	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.



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Alexandria, VA 22313-1450
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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of :
ANDERSEN, JIMMI et al : DECISION ON REQUEST TO
Application No. 12/974,240 : PARTICIPATE IN PATENT
Filed: Dec. 21, 2010 : PROSECUTION HIGHWAY
Attorney Docket No 2009P21448US : PILOT PROGRAM AND PETITION
For: BLADE DEFLECTION MEASUREMENT : TO MAKE SPECIAL UNDER
WITH MAGNETOSTRICTIVE SENSOR : 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed Feb. 15, 2011 to make the above-identified application special.

The request and petition are Granted.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must disclose an eligible relationship to one or more PCT applications filed in the JPO, EPO, KIPO or USPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

All other inquiries concerning the examination or status of the application should be directed to Edward Look, the SPE of Art Unit 3745 and (571)272-4820 for Class 416/61 and also accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

All other inquiries concerning the examination or status of the application should be directed to the Patent Application Information Retrieval (PAIR) system.

This application will be forwarded and docketed to an examiner for action on the merits commensurate with this decision.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

The petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**ACUSHNET COMPANY
333 BRIDGE STREET
P.O. BOX 965
FAIRHAVEN MA 02719**

**MAILED
JAN 25 2011
OFFICE OF PETITIONS**

In re Application of :
Mark L. Binette et al :
Application No. 12/974,260 : **DECISION ON REQUEST FOR REFUND**
Filed: December 21, 2010 :
Attorney Docket No. B09-59 :

This is a decision on the Request For Refund filed January 6, 2011.

The request is **DISMISSED**.

The request for refund is dismissed because USPTO regulations require that papers filed in the application be signed by a registered attorney or agent, by the applicants (inventors) or by the assignee of the entire interest who has taken action in the application in accordance with 37 CFR 3.71. The request for refund is signed JoAnn Fernandes. Note 37 CFR 1.33(b) which states:

(b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

- (1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b);
- (2) A registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34;
- (3) An assignee as provided for under § 3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

Counsel is encouraged to note the below regarding an unintended duplicate filing via EFS-Web:

37 CFR 1.26(a) states, in part: "The Director may refund any fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee, such as when a party desires to withdraw a patent filing for which the fee was paid, including an application, an appeal, or a request for an oral hearing, will not entitle a party to a refund of such fee."

However, the Office may find a mistake pursuant to 37 CFR 1.26, waive the presumption in 37 CFR 1.26 that applications are not entitled to filing fee refunds, and refund the filing fees associated with unintended duplicate application filings via EFS-Web when the following conditions have been met:

- (1) Applicant must certify that they had filed the duplicate application(s) prior to receiving appropriate confirmation from the Office that the initial application filing via EFS-Web was received by the Office;
- (2) the request for a refund must be filed within three months from the filing date of the first application receiving an appropriate acknowledgement;
- (3) the request must include a statement which attests on a personal knowledge basis or to the satisfaction of the Director that the duplicate application was intended to be the original application;
- (4) the duplicate application must have been filed via EFS-Web on or after March 16, 2006;
- (5) the request must list the other application(s) of which the instant application is deemed to be a "duplicate"; and
- (6) the request should include a statement of express abandonment of the instant application as it was filed in error.

When the above conditions have been met, the Office will generally accept the statement as an assertion that the duplicate application was filed by mistake without requiring further information.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

By facsimile: **(571) 273-8300**
 Attn: Office of Petitions

By hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Application No. 12/974,260

-3-

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions



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

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NOV 03 2011

OFFICE OF PETITIONS

CAPITOL CITY TECHLAW, PLLC
113 S. COLUMBUS ST.
SUITE 302
ALEXANDRIA, VA 22314

Applicants: Hosoe, et al.

Appl. No.: 12/974,264

Filing Date: December 21, 2010

Title: HYDROGEN STORAGE MATERIAL AND METHOD FOR PRODUCING THE SAME

Attorney Docket: 079-0002R

Pub. No.: US 2011/0160051 A1

Pub. Date: June 30, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on July 19, 2011, for the above-identified application.

The request is granted

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **HI-0502** Application Number (if known): **12/974,360** Filing date: **December 21, 2010**

First Named Inventor: **Sang Youl LEE**

Title: **LIGHT EMITTING DEVICE AND METHOD OF MANUFACTURE**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature 	Date May 18, 2011
Name (Print/Typed) Samuel W. Ntiros	Registration Number 39,318

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of 2 forms are submitted.

Docket No.: **HI-0502**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Confirmation No.: **3572**

**Sang Youl LEE; So Jung KIM; June O SONG,
Kwang Ki CHOI**

Group Art Unit: **1725**

Serial No.: **12/974,360**

Examiner:

Filed: **December 21, 2010**

Customer No.: **34610**

For: **LIGHT EMITTING DEVICE AND METHOD OF MANUFACTURE**

**STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

U.S. Patent and Trademark Office
Customer Service Window, **MAIL STOP PETITIONS**
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Special status is sought under 37 CFR §1.102 because the invention materially contributes to the more efficient utilization and conservation of energy resources.

Respectfully submitted,
KED & ASSOCIATES, LLP



Daniel Y.J. Kim
Registration No. 36,186
Samuel W. Ntiros
Registration No. 39,318

Correspondence Address:
P.O. Box 8638
Reston, VA 20195
703 766-3777 DYK/SWN/krf

Date: May 18, 2011

Please direct all correspondence to Customer Number 34610

\\Fk4\Documents\2019\2019-1061\280241.doc



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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.
12/974,360	12/21/2010	Sang-Youl Lee	HI-0502	3572
34610	7590	05/25/2011	EXAMINER	
KED & ASSOCIATES, LLP P.O. Box 8638 Reston, VA 20195			DOAN, JENNIFER	
			ART UNIT	PAPER NUMBER
			2874	
			MAIL DATE	DELIVERY MODE
			05/25/2011	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.



KED & ASSOCIATES, LLP
P.O. Box 8638
Reston VA 20195

In re Application of	:	
LEE et al.	:	DECISION ON PETITION
Application No. 12/974,360	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. HI-0502	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

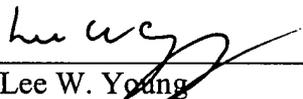
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 - 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2874 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



VERTEX PHARMACEUTICALS INC.
SUSAN BATTY-GUNN
130 WAVERLY STREET
CAMBRIDGE MA 02139-4242

MAILED

OCT 13 2011

OFFICE OF PETITIONS

In re Application of :
Alex Aronov et al. :
Application No. 12/974,388 :
Filed: December 21, 2010 :
Attorney Docket No: VPI/09-151 US :

ON PETITION

This is a decision on the petition filed October 6, 2011 under 37 CFR 1.137(b)¹, to revive the above-identified application.

The petition is **GRANTED**.

The instant application became abandoned on March 11, 2011, for failure to timely reply to the Notice to File Missing Parts, mailed January 10, 2011, which set a two (2) month shortened statutory period for reply. No extensions of the time for reply in accordance with 37 CFR 1.136(a) were obtained. Accordingly, a Notice of Abandonment was mailed September 23, 2011.

The filing of the response to the Notice to File Missing Parts mailed January 10, 2011 is acknowledged.

All other requirements having been met, this matter is being referred to the Office of Patent Application Processing for further pre-examination processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

¹ A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional utility or plant application filed on or after June 8, 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Director may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c)).



UNITED STATES PATENT AND TRADEMARK OFFICE

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P. O. BOX 1539
KING OF PRUSSIA PA 19406-0939

MAILED
AUG 19 2011
OFFICE OF PETITIONS

In re Application of: :
Aldersont et al. : DECISION GRANTING
Application No. 12/974428 : PETITION UNDER
Filing or 371(c) Date: 12/21/2010 : 37 CFR 1.47(a)
Title of Invention: :
VACCINES AGAINST :
CHLAMYDIAL INFECTION :

This Decision is in response to the "Petition Under 37 CFR §§ 1.42 and 1.47," filed July 12, 2011, to allow the other inventor(s) to proceed with the application on behalf of himself or herself and the nonsigning inventor(s). See, MPEP 409.03. The petition is properly treated under 37 CFR 1.47(a).

The petition is **granted**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

Petitioner has shown that the legal representative of the non-signing inventor Yasir A. Skeiky, refuses to join in the application.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the Petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being referred to the Office of Patent Application Processing for continued processing in the normal course of business.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions



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

MS. SAMIRA H. SKEIKY
13632 COLGATE WAY
APT. 728
SILVER SPRING, MD. 20904-7254

MAILED
AUG 19 2011
OFFICE OF PETITIONS

In re Application of: :
Aldersont et al. : LETTER
Application No. 12/974428 :
Filing or 371(c) Date: 12/21/2010 :
Title of Invention: :
VACCINES AGAINST :
CHLAMYDIAL INFECTION :

Dear Ms. Skeiky:

You are named as the legal representative of a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the legal representative of a joint inventor.

As the legal representative of a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3232. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

/DLW/

Derek L. Woods
Attorney
Office of Petitions

CC: GlaxoSmithKline
GLOBAL PATENTS -US, UW2220
P. O. BOX 1539
KING OF PRUSSIA PA 19406-0939

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	12/974,439	Filing date:	December 21, 2010
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First Named Inventor:	William Howard Henstock
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Title of the Invention:	METHOD OF CONTROLLING THE PRODUCTION OF SILVER CHLORIDE ON A SILVER CATALYST IN THE PRODUCTION OF ALKYLENE OXIDES
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THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML](http://www.uspto.gov/ebc/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US10/61549

The international date of the corresponding PCT application(s) is/are: December 21, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

- Is attached
- Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- Is attached.
- Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

- Is attached
- Has already been filed in the above-identified U.S. application on 6/15/2011, 09/09/2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

- Are attached.
- Have already been filed in the above-identified U.S. application on 6/15/2011, 09/09/2011

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM
BETWEEN THE EPO AND THE USPTO**

(continued)

Application No.: 12/974,439

First Named Inventor: William Howard Henstock

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical Correspondence
2	2	" "
3	3	" "
4	4	" "
5	5	" "
6	6	" "
7	7	" "
8	8	" "
9	9	" "
10	10	" "
11	11	" "
12	12	" "
13	13	" "
14	14	" "
15	15	" "
16	16	" "
17	17	" "
18	18	" "
19	19	" "
20	20	" "

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.**IV. Payment of Fees:**

The petition fee under 37 CFR 1.17(h) as required by 37 CFR 1.102(d) must be paid via EFS-Web (using credit card, authorization to charge a deposit account, or electronic funds transfer).

Signature /Steven R. Hansen/

Date 09/09/2011

Name (Print/Typed) Steven R. Hansen

Registration Number 39, 214

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 246065-1	Application Number (if known): 12/974444	Filing date: 2010-12-21
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First Named Inventor: Robert Wagoner

Title: METHODS AND SYSTEMS FOR OPERATING A TWO-STAGE POWER CONVERTER

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 2011-11-16
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Name (Print/Typed) Allison W .Mages	Registration Number 57,275
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Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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.
12/974,444	12/21/2010	Robert Gregory Wagoner	246065 (22402-246)	3726
45432	7590	12/14/2011	EXAMINER	
PATRICK W. RASCHE (22402)			LAXTON, GARY L	
ARMSTRONG TEASDALE LLP			ART UNIT	
7700 Forsyth Boulevard			PAPER NUMBER	
Suite 1800			2838	
St. Louis, MO 63105			NOTIFICATION DATE	
			DELIVERY MODE	
			12/14/2011	
			ELECTRONIC	

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.

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

uspatents@armstrongteasdale.com



PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

DEC 14 2011

In re Application of	:	
WAGONER et al.	:	DECISION ON PETITION
Application No. 12/974,444	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246065 (22402-246)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 16, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800



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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,447	12/21/2010	Teiji KIMURA	0152-0746PUS2	3739
2292	7590	11/23/2011	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			MABRY, JOHN	
			ART UNIT	PAPER NUMBER
			1625	
			NOTIFICATION DATE	DELIVERY MODE
			11/23/2011	ELECTRONIC

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.

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

mailroom@bskb.com



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

NOV 23 2011

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of: :
Kimura et al. :
Serial No.: 12/974,447 :
Filed: December 21, 2010 :
Attorney Docket No.: **0152-0746PUS2** : **PETITION DECISION**

This is in response to the petition under 37 CFR § 1.59(b), filed November 16, 2011, to expunge information from the above identified application. This application has not been allowed.

Petitioner requests that the submission/information which is cite number "1" with the Information Disclosure Statement (IDS) filed on October 19, 2011, be expunged. Also, the PTO/SB/08 Form of the IDS is also requested to be expunged and replaced with the attached PTO/SB/08 Form.

Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR § 1.17(g) has been paid.

The reasons set forth in this petition establishes to the satisfaction of the Director that expungement of the information is appropriate. The file entry for this document has been closed and as such the document is no longer publicly available, which is the IFW equivalent to removal of a paper document from a paper file wrapper.

Therefore, petitioner's petition is GRANTED.

Should there be any questions about this decision please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile sent to the general Office facsimile number, 571-273-8300.

/MC Seidel/
Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 243018-1	Application Number (if known): 12/974469	Filing date: 2010-12-21
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First Named Inventor: Ralph Teichmann

Title: METHODS AND SYSTEMS FOR OPERATING A POWER GENERATION SYSTEM

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 2011-11-15
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Name Allison W .Mages (Print/Typed)	Registration Number 57,275
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Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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.
12/974,469	12/21/2010	Ralph Teichmann	243018 (22402-243)	3778
45432	7590	12/14/2011	EXAMINER	
PATRICK W. RASCHE (22402)			FUREMAN, JARED	
ARMSTRONG TEASDALE LLP			ART UNIT	
7700 Forsyth Boulevard			PAPER NUMBER	
Suite 1800			2836	
St. Louis, MO 63105			NOTIFICATION DATE	
			DELIVERY MODE	
			12/14/2011	
			ELECTRONIC	

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.

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

uspatents@armstrongteasdale.com



PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

DEC 14 2011

In re Application of	:	
TEICHMANN et al.	:	DECISION ON PETITION
Application No. 12/974,469	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 243018 (22402-243)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 15, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800



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
D1W Jan-12

GEORGIA-PACIFIC LLC
133 PEACHTREE STREET NE - GA030-41
ATLANTA GA 30303

MAILED

JAN 09 2012

OFFICE OF PETITIONS

In re Application of :
Andrzej A. Przybysz : DECISION REFUSING STATUS
Application Number: 12/974,483 : UNDER 37 CFR 1.47(b)
Filed: 12/21/2010 :
Attorney Docket Number: 20600- :
USA :

This is a decision in response to the petition under 37 CFR 1.47(b) filed on September 29, 2011.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(b)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor.

FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION. Extensions of time may be obtained in accordance with 37 CFR 1.136(a).

The above-identified application was filed on December 21, 2010, without an executed oath or declaration. Accordingly, on April 29, 2011, the Office of Patent Application Processing mailed a Notice to File Missing Parts of Nonprovisional Application requiring, *inter alia*, an executed oath or declaration and a surcharge for its late filing. A two (2) month period for reply was set.

In response, on September 29, 2011, petitioner filed, *inter alia*, the present petition, surcharge, and a three (3) month extension of time fee.

Petitioner asserts that sole inventor Andrzej A. Przybysz was sent a copy of the declaration and application, on at least two occasions, but refused, during a telephone call with petitioner's counsel, to sign the declaration. In support, petitioners have

provided a copy of the cover letter showing that a copy of the application and Declaration was sent to the non-signing inventor at his last known address on two occasions. Additionally, the declaration itself states that the undersigned attorney spoke to the non-signing inventor, who refused orally to sign the declaration. Further, petitioners have provided a copy of the Employee Confidential Information, Nonsolicitation, and Business Ideas Assignment Agreement between petitioner and Rule 1.47(b) applicant Georgia-Pacific Equity Holdings LLC, as well as a statement that the filing of petition is necessary to avoid irreparable damage.

A grantable petition under 37 CFR 1.47(b) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;
- (3) the petition fee;
- (4) a statement of the last known address of the non-signing inventor;
- (5) proof of proprietary interest, and
- (6) proof of irreparable damage.

The petition lacks item (2).

In regards to item (2), an oath or declaration in compliance with 37 CFR 1.63, signed on behalf of the non-signing inventor by an officer of the corporation, must be supplied. The Declaration must be signed by an officer of the corporation (president, vice president, secretary, treasurer, or chief executive officer) on behalf of and as agent for the non-signing inventor. The officer must identify his or her title in the Declaration. If the Declaration is not signed by an officer of the corporation, then proof of authority of the person signing on behalf of the corporation must be submitted.

The declaration submitted with the petition does not include the name, citizenship, residence, and mailing address of the non-signing inventor.

Any renewed petition must be accompanied by a proper oath or declaration in accordance with 37 CFR 1.63.

In completing the declaration, it is recommended that petitioner utilize the attached form.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Mail Stop Petition
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22134

A reply may also be filed using the EFS-Web system of the USPTO.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3231.


Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Encl: PTO/SB/01



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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D1W Mar-12

GEORGIA-PACIFIC LLC
133 PEACHTREE STREET NE - GA030-41
ATLANTA GA 30303

MAILED

APR 03 2012

In re Application of :
Andrzej A. Przybysz :
Application No. 12/974,483 :
Filed: 12/21/2010 :
Attorney Docket No. 20600-USA :

OFFICE OF PETITIONS
DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(b)

This is in response to the renewed petition under 37 CFR 1.47(b) filed on March 7, 2012.

The petition is **GRANTED**.

An oath or declaration in compliance with 37 CFR 1.63, signed on behalf of the non-signing inventor by Charles R. Harrison, VP Technology & Product Innovation, has been provided with the renewed petition. Previously, petitioner provided evidence that the application was sent to the non-signing inventor, but that the non-signing inventor orally refused to sign and return the declaration. Furthermore, petitioner provided evidence of sufficient proprietary interest on the part of Rule 1.47(b) Georgia-Pacific Gypsum LLC, a subsidiary of Georgia-Pacific Equity Holdings, LLC, via the Confidentiality Agreement with Georgia-Pacific Equity Holdings, LLC, signed by the non-signing inventor. Lastly, petitioner has provided a statement that the filing is necessary to prevent irreparable damage.

Accordingly, the showing of record is that the inventor refused by conduct to sign the declaration.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the *Official Gazette*.

The application is being referred to Technology Center Art Unit 1787 for examination in due course.

Application No. 12/974,483

2

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3231.

D Wood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/ISB/N20 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **245786_1** Application Number (if known): **12/974494** Filing date: **12-21-2010**

First Named Inventor: **Alexander Felix Fiseni**

Title: **ELECTRICAL ASSEMBLY AND METHOD FOR MAKING THE SAME**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **May 31, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Alexander Felix Fiseni)
Confirmation No.: 3826)
Serial No.: 12/974494)
Filing Date: 12-21-2010)
Atty Docket No.: 245786_1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: May 31, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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
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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/974,494 12/21/2010 Alexander Felix Fiseni 245786-1 (12764-258) 3826

6147 7590 06/14/2011
GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA, NY 12309

Table with 1 column: EXAMINER

ENAD, ELVIN GENARGUE

Table with 2 columns: ART UNIT, PAPER NUMBER

2832

Table with 2 columns: NOTIFICATION DATE, DELIVERY MODE

06/14/2011

ELECTRONIC

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.

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

ldocket@crd.ge.com
rosssr@ge.com
wahld@ge.com



GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of :
FISENI et al. : DECISION ON PETITION
Application No. 12/974,494 : TO MAKE SPECIAL UNDER
Filed December 21, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 245786-1 (12764-258) : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on June 03, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within **ONE (1) MONTH OR THIRTY (30) DAYS** from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

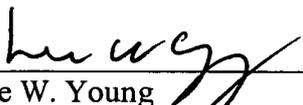
The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The petition alleges that the claimed invention contributes to the discovery or development of renewable energy resources and to more efficient utilization and conservation of energy. The claims are not directed to renewable energy resources. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to the discovery or development of renewable energy resources. Any argument that the claimed invention can be used with renewable energy resourced is considered speculate as to how a hypothetical end-user might specially apply the claimed invention. Further, it is not readily apparent how the claimed invention contributes to more efficient utilization and conservation of energy.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2832 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Eugenio Yegro SEGOVIA)
Confirmation No.: 3842)
Serial No.: 12/974,506)
Filing Date: 12/21/2010)
Atty Docket No.: 241797-1 (22402-241))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 4, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 241797-1 (22402-241) Application Number (if known): 12/974,506 Filing date: 12/21/2010

First Named Inventor: Eugenio Yegro SEGOVIA

Title: PRE-STRESSED STIFFENING SYSTEM FOR A WIND TURBINE GENERATOR FRAME

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/

Date May 4, 2011

Name (Print/Typed) Douglas D. Zhang

Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,506	12/21/2010	EUGENIO YEGRO SEGOVIA	241797 (22402-241)	3842

45432 7590 05/11/2011
PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

EXAMINER

PONOMARENKO, NICHOLAS

ART UNIT	PAPER NUMBER
2839	

NOTIFICATION DATE	DELIVERY MODE
05/11/2011	ELECTRONIC

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.

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

USpatents@armstrongteasdale.com



PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of	:	
SEGOVIA et al.	:	DECISION ON PETITION
Application No. 12/974,506	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 241797 (22402-241)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 06, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The petition alleges that the claimed invention contributes to the development of renewable energy resources or energy conservation. The claims are generally directed to a stiffening system. The recitation of the wind turbine in the claims is considered intended use. It is not readily apparent how the stiffening system contributes to more efficient utilization and conservation of energy. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to the development of renewable energy resources. Any argument that the claimed invention can be used a wind turbine is considered speculate as to how a hypothetical end-user might specially apply the claimed invention.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2839 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Eugenio Yegro SEGOVIA)
Confirmation No.: 3842)
Serial No.: 12/974,506)
Filing Date: 12-21-2010)
Atty Docket No.: 241797-1 (22402-241))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 11 May 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

Applicant respectfully submits that the subject matter described herein relates generally to wind turbines and, more particularly, to a pre-stressed stiffening system for a wind turbine generator frame.

Known wind turbines convert the kinetic energy of wind into electrical energy. Wind turbines include one or more blades that rotate when oncoming wind strikes the blades. The flow of wind over the wind turbine blades generates lift, induces rotation, and provides torque to generate power. The torque generated by the rotation of the wind turbine blades is used to turn a shaft of a generator, that in turn generates electricity. The generator is supported by a frame disposed at or near the top of a tower. As the blades are struck by winds of variable speed and direction, forces of varying magnitudes are transmitted

from the blades to the generator, and in turn the generator frame. Over time, these forces may lead to fatigue failure of the generator frame in the form of cracks or other similar defects. Since the generator frame is disposed at or near the top of the tower, the weight of the generator frame is a primary concern. As such, merely increasing the thickness of the generator frame (and correspondingly increasing the mass of the generator frame) is not an efficient solution to the fatigue failure of the generator frame. (see at least paragraphs [0002] and [0003])

Embodiments described here provide stiffening systems for use in a generator frame of a wind turbine. Stress-inducing members impart a predetermined amount of stress on the generator frame. The stress-inducing members may themselves be pre-stressed as well. The stress-inducing members are relatively light weight structures that permit the generator frame to be a pre-stressed structure and reduce the effects of repeated loading of the generator frame. The reduction in the effects of repeated loading of the generator frame results in a reduced likelihood of failure of the generator frame due to fatigue. (see at least paragraph [0013]).

Thus the present invention materially contributes to the development of renewable energy by providing a stiffening system for use in a generator frame of a wind turbine that prevents fatigue failure of the generator frame and that does not significantly increase the mass of the generator frame. Prevention of fatigue failure of a generator frame prevents disruptions of wind turbine operation, which in turn promotes increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: June 1, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,506	12/21/2010	EUGENIO YEGRO SEGOVIA	241797-1 (22402-241)	3842
45432	7590	07/01/2011	EXAMINER	
PATRICK W. RASCHE (22402)			PONOMARENKO, NICHOLAS	
ARMSTRONG TEASDALE LLP			ART UNIT	PAPER NUMBER
7700 Forsyth Boulevard			2839	
Suite 1800			NOTIFICATION DATE	DELIVERY MODE
St. Louis, MO 63105			07/01/2011	ELECTRONIC

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.

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

uspatents@armstrongteasdale.com



PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

7/1/11

In re Application of	:	
Segovia et al.	:	DECISION ON PETITION
Application No. 12/974,506	:	TO MAKE SPECIAL UNDER
Filed: 12/21/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 241797-1 (22402-241)	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/2/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 2839 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Nicholas Wright MILLER)
Confirmation No.: 3879)
Serial No.: 12/974,525)
Filing Date: December 21, 2010)
Atty Docket No.: 233777-1 (22402-256))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 3, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 233777-1 (22402-256) Application Number (if known): 12/974,525 Filing date: December 21, 2010

First Named Inventor: Nicholas Wright MILLER

Title: SYSTEM AND METHOD FOR CONTROLLING WIND TURBINE POWER OUTPUT

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/

Date May 3, 2011

Name (Print/Typed) Douglas D. Zhang

Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,525	12/21/2010	Nicholas Wright Miller	233777-1 (22402-256)	3879
45432	7590	05/11/2011	EXAMINER	
PATRICK W. RASCHE (22402)			CUEVAS, PEDRO J	
ARMSTRONG TEASDALE LLP			ART UNIT	
7700 Forsyth Boulevard			PAPER NUMBER	
Suite 1800			2839	
St. Louis, MO 63105			NOTIFICATION DATE	
			DELIVERY MODE	
			05/11/2011	
			ELECTRONIC	

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.

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

USpatents@armstrongteasdale.com



PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of	:	
Nicholas Miller	:	DECISION ON PETITION
Application No. 12/974,525	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 233777-1 (22402-256)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 05, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

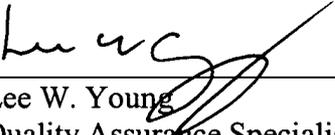
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2839 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/974,539 12/21/2010 Scott Rollins 7149.004 3899

7590 08/11/2011
DUNLAP CODDING, P.C.
PO BOX 16370
OKLAHOMA CITY, OK 73113

EXAMINER

ART UNIT PAPER NUMBER
1644

MAIL DATE DELIVERY MODE
08/11/2011 PAPER

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(c)
The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(c), for express abandonment to avoid publication of the above-identified application.

The petition is dismissed.

The express abandonment will not be recognized for the reason(s) indicated below:

- 1. [X] The petition under 37 CFR 1.138(c) was not filed in sufficient time to permit the appropriate officials to recognize the abandonment and remove the application from the publication process.
2. [] The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. [] The Application was published in compliance with 35 U.S.C. 122(b), and it is available on the USPTO web site at http://www.uspto.gov/patft/index.html.
4. [] Petition fee was not paid.

The application has/will be published as scheduled.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Handwritten signature: Mione
Patent Publication Branch
Office of Data Management



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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,539	12/21/2010	Scott Rollins	7149.004	3899

7590 08/11/2011
DUNLAP CODDING, P.C.
PO BOX 16370
OKLAHOMA CITY, OK 73113

EXAMINER

ART UNIT	PAPER NUMBER
1644	

MAIL DATE	DELIVERY MODE
08/11/2011	PAPER

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)
The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

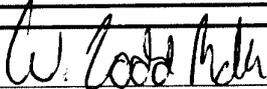
Patent Publication Branch
Office of Data Management

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office, U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM		
Attorney Docket Number: 372060US71	Application Number (if known):	Filing date: December 21, 2010
First Named Inventor: James Vance KENNEDY		
Title: MOBILE WATER TREATMENT		
APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition: <u>Applicant is requesting early publication:</u> Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.		
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.		
3. This request is accompanied by statements of special status for the eligibility requirement.		
4. The application contains no more than three (3) independent claims and twenty (20) total claims.		
5. The application does not contain any multiple dependent claims.		
6. Other attachments: _____		
Signature 	Date 12/21/10	
Name (Print/Typed) W. Todd Baker	Registration Number 45,265	
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.		
<input type="checkbox"/> *Total of _____ forms are submitted.		

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No. 372060US71

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: James Vance KENNEDY, et al.

SERIAL NO: NEW APPLICATION

EXAMINER:

FILED: HEREWITH

GROUP ART UNIT:

FOR: MOBILE WATER TREATMENT

PETITION TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY PILOT PROGRAM

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The undersigned Petitioners hereby respectfully request that the above-identified patent application be accorded special status and given expedited examination under the green technology pilot program, pursuant to 37 C.F.R. § 1.102, MPEP § 708.02, the Notice in the Federal Register, Vol. 74, No. 234, pp. 64666-64669 (December 8, 2009), and the Notice in the Federal Register, Vol. 75, No. 217, pp. 69049-69050 (November 10, 2010).

The undersigned Petitioners respectfully submit that pursuant to the Notice in the Federal Register dated May 21, 2010, the classification requirement has been *sua sponte* eliminated for any petition to make special under the green technology pilot program that is decided on or after the May 21, 2010 publication date of the Notice. Accordingly, Applicants respectfully submit that no classification must be identified in the present petition.

The undersigned Petitioners respectfully submit that special status is sought for the above-identified patent application because the present invention materially enhances the quality of the environment by contributing to the restoration and maintenance of the basic life-sustaining natural element water. In particular, the technology of the claimed invention

enhances the quality of the environment by removing contaminants such as hydrocarbons, suspended solids, heavy metals, and bacteria from water recovered from oil and gas well sites.

In addition, the technology of the claimed invention helps to reduce greenhouse gases by reducing the volume of traffic on roads that would otherwise burn fossil fuels to transport contaminated water to and from water filtration facilities.

The above-identified patent application contains **three** independent and **seventeen** total claims.

Applicants hereby request early publication of the above-identified patent application under 37 C.F.R. § 1.219 and MPEP § 1129, and include the requisite publication fee set forth in 37 C.F.R. § 1.18(d).

Since the Notice indicates that the fee for the Petition to make special under the green technology pilot program is *sua sponte* waived, it is believed that no additional fees are required.

Consequently, it is respectfully requested that this Petition be GRANTED, and early notification to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



W. Todd Baker

Registration No. 45,265

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 08/10)

Graham C. Phero

Registration No. 64,228



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

In re Application of
Larry Nouvel

:
:

Application No. 12974565

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed: December 21, 2010

:

Attorney Docket No. 027146-403938

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 16-AUG-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
 Approved for use through 07/31/2012. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)					
Application Information					
Application Number	12974565	Confirmation Number	3948	Filing Date	2010-12-21
Attorney Docket Number (optional)	027146-403938	Art Unit	1616	Examiner	TBD
First Named Inventor	Larry Nouvel				
Title of Invention	Pheromone Compositions and Methods of Use				
<p>Attention: Office of Petitions An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.</p> <p>A grantable petition requires one of the following items: (1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or (2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.</p>					
<p>Name of Inventor who is 65 years of age, or older</p>					
Given Name	Middle Name	Family Name	Suffix		
Larry	Mearns	Nouvel			
<p>A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.</p>					
Signature	/Andrea M. Porterfield/		Date (YYYY-MM-DD)	2011-08-16	
Name	Andrea M. Porterfield		Registration Number	55311	

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/ISB/N20 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **243693__1** Application Number (if known): **12/974567** Filing date: **12-21-2010**

First Named Inventor: **Prashant Srinivasan**

Title: CONTROL SYSTEM, WIND FARM, AND METHODS OF OPTIMIZING THE OPERATION OF A WIND TURBINE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **May 31, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Prashant Srinivasan)
Confirmation No.: 3954)
Serial No.: 12/974567)
Filing Date: 12-21-2010)
Atty Docket No.: 243693_1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: May 31, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,567	12/21/2010	Prashant Srinivasan	243693	3954
6147	7590	07/07/2011	EXAMINER	
GENERAL ELECTRIC COMPANY GLOBAL RESEARCH ONE RESEARCH CIRCLE BLDG. K1-3A59 NISKAYUNA, NY 12309			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			07/07/2011	ELECTRONIC

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.

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

ldocket@crd.ge.com
rosssr@ge.com
wahld@ge.com

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The petition lacks item #4. In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. Petitioner indicates that the basis for Special Status is that the claimed invention contributes to the development of renewable energy source and energy conservation. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. It is not clear how the claimed control system will contribute to the development of renewable energy resources or to energy conservation. The claims have nothing to do with the green technologies.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application is currently undergoing preexamination proceedings. When completed, the application will be forwarded to the Technology Center Art Unit 3745 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Prashant SRINIVASAN)
Confirmation No.: 3954)
Serial No.: 12/974,567)
Filing Date: 12-21-2010)
Atty Docket No.: 243693-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed July 7, 2011, in the above referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that it is not clear how the claimed control system will contribute to the development of renewable energy resources or to energy conservation. The decision further alleges that the claims have nothing to do with the green technologies. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that the present subject matter relates generally to wind turbines and, more particularly, to a control system, a wind

farm, and methods of optimizing the operation of a wind turbine. (see at least paragraph [0001]).

Wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, and wind turbines have gained increased attention in this regard. While wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, the availability of wind energy as a viable power generating option heavily depends upon finding suitable locations to install wind turbines. Installation of wind turbines often is prohibited or delayed by local regulatory or zoning concerns, particularly in relation to the noise generated from wind turbines. As such, it is important that aspects of wind turbine technology make installation in certain areas with regulatory and zoning concerns more feasible.

At least some known wind turbines are arranged in logical or geographical groups, known as wind farms. Moreover, at least some wind turbines within such wind farms generate acoustic emissions, or noise, during operation. Such acoustic emissions may be increased, for example, as a wind speed increases and/or as a rotational speed of the rotor increases. As each wind turbine within a wind farm operates, the combined acoustic emissions from the wind turbines may undesirably impact surrounding areas, such as population centers. (see at least paragraph [0003]).

To account for the impact of such emissions, at least some known wind farms include at least one acoustic sensor. Generally, known acoustic sensors measure acoustic emissions and assess an economic penalty or another suitable

penalty if the measured acoustic emissions exceed a threshold. Such penalties may be communicated to, and assessed against, a wind farm operator or to another entity that operates or owns the wind farm. Accordingly, an economic benefit of the wind turbines and the wind farm may be undesirably reduced as a result of such acoustic emission penalties. (see at least paragraph [0004]).

The embodiments described herein provide an efficient and robust method of optimizing the operation of a wind turbine. An acoustic receptor measures acoustic emissions received from one or more wind turbines and compares the acoustic emissions to a threshold. If the threshold is exceeded, a penalty is assessed and transmitted to the wind turbines within a detection zone of the acoustic receptor. Each wind turbine within the detection zone receives the penalty and calculates an optimal acoustic emission level to be generated by the wind turbine to maximize a net utility of the wind turbine. Moreover, additional loading induced to downstream wind turbines may be factored into the optimal acoustic emission level calculation to account for loading penalties associated with wake effects. Accordingly, the methods described herein enable the wind turbines within a wind farm to operate at an optimal economic output with respect to acoustic emission and/or loading penalties. (see at least paragraph [0053]).

Embodiments of the present invention materially contribute to the development of renewable energy by facilitating the installation of wind turbines in areas with strict regulatory or zoning concerns, particularly in relation to the noise generated from wind turbines, while enabling the wind turbines within a wind farm to operate at an optimal economic output. As such, embodiments of

the present invention provide an efficient and robust method of optimizing the operation of a wind turbine while complying with local and zoning regulations, which in turn promotes increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company
By: /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: August 8, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,567	12/21/2010	Prashant Srinivasan	243693	3954

6147	7590	08/18/2011	EXAMINER	
GENERAL ELECTRIC COMPANY GLOBAL RESEARCH ONE RESEARCH CIRCLE BLDG. K1-3A59 NISKAYUNA, NY 12309			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			08/18/2011	ELECTRONIC

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.

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

ldocket@crd.ge.com
wahld@ge.com
haeckl@ge.com



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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

AUG 18 2011

In re Application of
Prashant Srinivasan et al.
Application No. 12/974,567
Filed: December 21, 2010
Attorney Docket No. 243693

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 08, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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

R. WILLIAM GRAHAM
22 S. ST. CLAIR ST.
DAYTON OH 45402

MAILED

FEB 10 2011

OFFICE OF PETITIONS

In re Application of :
Streetman, Foy :
Application No. 12/974,618 : **ON PETITION**
Filed: December 21, 2010 :
Attorney Docket No. S-00019-022CIP :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed January 6, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a copy of the applicant's birth certificate. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 3622 for action on the merits commensurate with this decision.

Liana Walsh
Petitions Examiner
Office of Petitions



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

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

MAILED

JAN 04 2011

In re Application of
BITTNER, Norman Douglas
Application No. 12/974,721
Filed: December 21, 2010
Attorney Docket No. **AMK-5661-3**

OFFICE OF PETITIONS

**DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)**

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 21, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement attesting that Norman Douglas Bittner is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing. This application will be accorded "special" status when pre-examination processing is done.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

DATE : 5/31/11

TO SPE OF : ART UNIT 2824

SUBJECT : Request for Certificate of Correction for Appl. No.: 12974737 Patent No.: 7940557

CofC mailroom date: 5/25/11

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

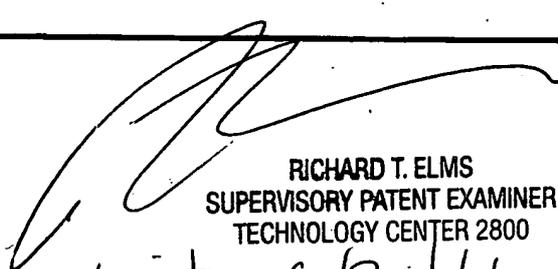
Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

**Certificates of Correction Branch (CofC)
Randolph Square – 9D10-A
Palm Location 7580**

You can fax the Director's SPE response to 571-272-9999

Note:

OK to enter


Lamonte Newsome

RICHARD T. ELMS
SUPERVISORY PATENT EXAMINER Certificates of Correction Branch
TECHNOLOGY CENTER 2800 571-272-3421

Art unit 2824 6/21/11

Thank You For Your Assistance

The request for issuing the above-identified correction(s) is hereby:

Note your decision on the appropriate box.

- Approved**
- Approved in Part**
- Denied**

- All changes apply.
- Specify below which changes **do not** apply.
- State the reasons for denial below.

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,940,557

APPLICATION NO.: 12/974,737

ISSUE DATE : December 21, 2010

INVENTOR(S) : David Richard Trossen and Malcolm John Wing

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Column 7, line 59, please delete "in" and insert therein "is".

In Column 14, line 6, please delete "the".

In Column 15, line 38, please delete "the".

MAILING ADDRESS OF SENDER (Please do not use customer number below):

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

DATE : 5/31/11

TO SPE OF : ART UNIT 2824

SUBJECT : Request for Certificate of Correction for Appl. No.: 12974737 Patent No.: 7940557

CofC mailroom date: 5/25/11

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

**Certificates of Correction Branch (CofC)
Randolph Square – 9D10-A
Palm Location 7580**

You can fax the Director's SPE response to 571-272-9390

Note:

Lamonte Newsome

Certificates of Correction Branch

571-272-3421

Thank You For Your Assistance

The request for issuing the above-identified correction(s) is hereby:

Note your decision on the appropriate box.

Approved

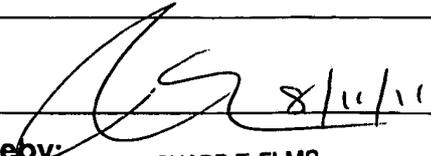
Approved in Part

Denied

All changes apply.

Specify below which changes **do not** apply.

State the reasons for denial below.


RICHARD T. ELMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800
Art Unit 2824



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,889	12/21/2010	Graham Alan March	018268-000500US	4488
20350	7590	05/05/2011	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			ART UNIT	PAPER NUMBER
			3767	
			NOTIFICATION DATE	DELIVERY MODE
			05/05/2011	ELECTRONIC

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.

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com



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KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

In re Application of	:	
MARCH, GRAHAM ALAN	:	DECISION ON REQUEST TO
Application No. 12/974,889	:	PARTICIPATE IN PATENT
Filed: Dec. 21, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. 018268-000500US	:	PILOT PROGRAM AND PETITION
For: DROPPER DEVICE	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(a), filed May 3, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the UKIPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the UKIPO application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UKIPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the UKIPO application(s) containing the allowable/patentable claim(s); and
- (6) Applicant must submit an IDS listing the documents cited by the UKIPO examiner in the UKIPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition comply with the above requirements. Receipt of the IDS and copied of cited references is acknowledged. Accordingly, the above-identified application has been accorded "special" status.

Applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

This application will be forwarded and docketed to an examiner for an Office action.

All other inquiries concerning the examination or status of the application should be directed to Ted Stigell, the Acting SPE of Art Unit 3767, and 571-272-8759. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

The petition is Granted.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,889	12/21/2010	Graham Alan March	018268-000500US	4488
20350	7590	05/19/2011	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			SCHMIDT, EMILY LOUISE	
			ART UNIT	PAPER NUMBER
			3767	
			NOTIFICATION DATE	DELIVERY MODE
			05/19/2011	ELECTRONIC

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.

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com



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KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

In re Application of :
MARCH, GRAHAM ALAN : DECISION ON REQUEST TO
Application No. 12/974,889 : PARTICIPATE IN PATENT
Filed: Dec. 21, 2010 : PROSECUTION HIGHWAY
Attorney Docket No. 018268-000500US : PILOT PROGRAM AND PETITION
For: DROPPER DEVICE : TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the supplemental request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(a), filed May 13, 2011 to make the above-identified application special.

The request and petition are **dismissed**.

In view of the fact the newly added claims 9-23 were not allowed by the UKIPO examiner, the special status in the application is hereby rescinded.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the UKIPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the UKIPO application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UKIPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the UKIPO application(s) containing the allowable/patentable claim(s); and

(6) Applicant must submit an IDS listing the documents cited by the UKIPO examiner in the UKIPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition do not comply with the above requirements. The request to participate in the PPH program and petition fail to include Items #2 and 5.

With regard to Item #2, the applicant is requested to submit a copy of allowable claims 10, 11, 13-15 examined and allowed by the UKPIO examiner.

With regard to Item #5, the applicant needs to submit a complete copy of the office action showing claims 1-11 and 13-15 are allowed by the UKIPO. There is no indication that the claims 10-11 and 13-15 were allowed and patentable over any prior art references cited in the Office actions of UKIPO.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Currently, the application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action in its regular turn.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

Petition is **dismissed**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/974,889	12/21/2010	Graham Alan March	018268-000500US	4488
20350	7590	07/12/2011	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP			SCHMIDT, EMILY LOUISE	
TWO EMBARCADERO CENTER			ART UNIT	PAPER NUMBER
EIGHTH FLOOR			3767	
SAN FRANCISCO, CA 94111-3834			NOTIFICATION DATE	DELIVERY MODE
			07/12/2011	ELECTRONIC

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.

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com



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KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

In re Application of:
MARCH, GRAHAM ALAN
Serial No.: 12/974889
Filed: December 21, 2010
Attorney Docket No. : 018268-000500US
Title: DROPPER DEVICE

:
: DECISION ON A REQUEST TO
: PARTICIPATE IN PATENT
: PCT/PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 17, 2011 to make the above-identified application special.

The request and petition are dismissed as moot.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more corresponding application(s) filed in the UKIPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the UKIPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UKIPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the UKIPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit IDS listing the documents cited by the UKIPO examiner in the UKIPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition failed to meet condition Item #4 above.

Examination of this application has already begun. A non-final rejection was mailed on July 5, 2011. Applicant has the set statutory period to reply to the office action. In light of this, the other issues on petition for participation in the PPH program are considered moot.

Applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **dismissed as moot.**

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856



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RABIN & Berdo, PC
1101 14TH STREET, NW
SUITE 500
WASHINGTON DC 20005

MAILED

FEB 13 2012

OFFICE OF PETITIONS

In re Application of :
Cho et al. :
Application No. 12/974,901 : **ON PETITION**
Filed: 12/21/2010 :
Attorney Docket No. SHIN 350 :

This is in response to the petition under 37 CFR §1.84(A)(2) AND §1.84(B)(2) FOR ACCEPTANCE OF COLOR DRAWINGS, filed in the United States Patent and Trademark Office (USPTO) on February 17, 2011, which is treated as a petition under 37 CFR 1.84(a)(2).

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

- (i) The fee set forth in 1.17(h);
- (ii) Three (3) sets of color drawings;¹
- (iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

¹ The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners state that color drawings are necessary because they include graphical illustrations that show continuous changes in two dimensions, which, as should be apparent from the drawings themselves, would be very difficult if not impossible using black and white.

The Office has determined, however, that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. In this regard, proposed color drawing Figures 2A-2B, 7B-7D, 8B-8D, 10D, 12B-12D, 13C, 14B, 16C-16D, and 17C-17D are graphs showing simulation results. The claims, however, are to an apparatus and a method.

As such, color drawings or photographs are not necessary for an understanding of the invention sought to be patented. The petition is therefore dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 PO Box 1450
 Alexandria VA 22313-1450

By FAX: 571-273-8300
 Attn: Office of Petitions

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2835.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3231.


Douglas I. Wood
Senior Petitions Attorney
Office of Petitions



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

JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 TOWER BLVD.
SUITE 1200
DURHAM, NC 27707

MAILED
DEC 09 2011
OFFICE OF PETITIONS

In re Application of :
Yogesh Chunilal Rathod :
Application No. 12/974,998 : **DECISION ON PETITION**
Filed: December 20, 2010 :
Attorney Docket No. 1731/5/13 DIV :

This is a decision on the petition under 37 CFR 1.182, filed November 10, 2011, to change the name of the sole inventor from "Rathod Yogesh Chunilal" to -- Yogesh Chunilal Rathod --.

The petition is **GRANTED**.

Office records have been updated to correct the inventor's name. A corrected Filing Receipt, which reflects the inventor's name, accompanies this decision on petition.

As authorized, the \$400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to Technology Center AU 2162.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

Attachment



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/974,998, 12/21/2010, 2162, 766, 1731/5/13 DIV, 24, 2

CONFIRMATION NO. 4667

CORRECTED FILING RECEIPT



25297
JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
DURHAM, NC 27707

Date Mailed: 12/08/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt-Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Yogesh Chunilal Rathod, Mumbai, INDIA;

Power of Attorney: The patent practitioners associated with Customer Number 25297

Domestic Priority data as claimed by applicant

This application is a DIV of 11/995,343 01/11/2008 PAT 7,991,764
which is a 371 of PCT/IN2006/000260 07/18/2006

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

INDIA 878/MUM/2005 07/22/2005

If Required, Foreign Filing License Granted: 01/11/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/974,998

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

METHOD AND SYSTEM FOR MANAGING RESOURCES FOR PROVIDERS

Preliminary Class

707

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jacob Johannes NIES)
Confirmation No.: 4699)
Serial No.: 12/975,014)
Filing Date: December 21, 2010)
Atty Docket No.: 238222-1 (22402-234))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 3, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 238222-1 (22402-234) Application Number (if known): 12/975,014 Filing date: December 21, 2010

First Named Inventor: Jacob Johannes NIES

Title: SYSTEM AND METHOD OF OPERATING AN ACTIVE FLOW CONTROL SYSTEM TO MANIPULATE A BOUNDARY LAYER ACROSS A ROTOR BLADE OF A WIND TURBINE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Douglas D. Zhang/

Date May 4, 2011

Name (Print/Typed) Douglas D. Zhang

Registration Number 37,985

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,014	12/21/2010	JACOB JOHANNES NIES	238222-1 (22402-234)	4699
45432	7590	05/19/2011	EXAMINER	
PATRICK W. RASCHE (22402) ARMSTRONG TEASDALE LLP 7700 Forsyth Boulevard Suite 1800 St. Louis, MO 63105			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			05/19/2011	ELECTRONIC

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.

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

USpatents@armstrongteasdale.com



Patrick W. Rasche
Armstrong Teasdale LLP
Suite 2600
One Metropolitan Square
St. Louis MO 63102

In re Application of	:	
NIES, JACOB JOHANNES et al	:	DECISION ON PETITION
Application No. 12/975,014	:	TO MAKE SPECIAL UNDER
Filed: Dec. 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 238222-1 (22402-234)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable

energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived. The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to the green technologies. This is not convincing. It is not clear how the claimed manipulation of a boundary layer across a rotor blade will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. The application is currently undergoing pre-examination processing. Upon completion, the application will be forwarded to the Technology Center Art Unit 3726 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jacob Johannes NIES)
Confirmation No.: 4699)
Serial No.: 12/975,014)
Filing Date: 12-21-2010)
Atty Docket No.: 238222-1 (22402-234))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 19 May 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that it is not clear how the claimed manipulation of a boundary layer across a rotor blade will provide and enhance the quality of the environment or contribute to the development of renewable energy resources or energy conservation or greenhouse gas reduction. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate generally to methods and systems for operating an active flow control system to manipulate a boundary layer across a rotor blade of a wind turbine.

At least some known wind turbines include a nacelle fixed atop a tower, wherein the nacelle includes a rotor coupled to a generator through a shaft. In

known rotor assemblies, a plurality of blades extend from the rotor. The blades are oriented such that wind passing over the blades turns the rotor and rotates the shaft, thereby driving the generator to generate electricity. As wind flows over an outer surface of the rotor blade, a boundary layer is formed over the outer surface that facilitates generating lift across the rotor blade. At least some known wind turbine rotor blades include an active flow control system. Active Flow Control (AFC) is a general term for technologies and/or systems that actively attempt to influence an aerodynamic response of an object in reaction to given in-flow conditions. More specifically, at least some known AFC systems are used to manipulate the boundary layer across a wind turbine rotor blade. At least some known AFC systems use air distribution systems to discharge air from the rotor blade and into the boundary layer. Known AFC systems require air to be channeled from the nacelle and/or the hub to the rotor blade. By channeling air from the nacelle and/or the hub, known AFC systems increase the energy requirements of wind turbine components, which results in a reduction in annual energy production of the wind turbine. (see at least paragraphs [0002] and [0003]).

The embodiments described herein facilitate assembling a rotor blade that increases an annual energy production of a wind turbine. More specifically, the rotor blade described herein includes an active flow control system that selectively discharges air into a boundary layer flowing across a rotor blade outer surface. Moreover, the active flow control assembly described herein is configured to draw air from the boundary layer and to selectively discharge air into the boundary layer. By drawing air from the boundary layer and discharging air into the boundary layer, the active flow control system reduces a power requirement to manipulate the boundary layer to enable reattachment of the

boundary layer and development of a laminar flow is developed adjacent the rotor blade outer surface. In addition the active flow control assembly selectively discharges air into the boundary layer to enhance aerodynamic properties of the rotor blade. (see at least paragraph [0014]).

By increasing aerodynamic efficiency of the rotor blade, reducing the power requirements of wind turbine components and increasing an annual energy production of a wind turbine, the embodiments described herein promote increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: June 16, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,014	12/21/2010	JACOB JOHANNES NIES	238222-1 (22402-234)	4699

45432 7590 07/01/2011
PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
07/01/2011	ELECTRONIC

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.

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

uspatents@armstrongteasdale.com



PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

7/1/11

In re Application of	:	
Nies et al.	:	
Application No. 12/975,014	:	DECISION ON PETITION
Filed: 12/21/2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 238222-1 (22402-234)	:	THE GREEN TECHNOLOGY
	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/17/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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MAILED
DEC 09 2011

OFFICE OF PETITIONS

JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 TOWER BLVD.
SUITE 1200
DURHAM, NC 27707

In re Application of :
Yogesh Chunilal Rathod :
Application No. 12/975,016 : **DECISION ON PETITION**
Filed: December 21, 2010 :
Attorney Docket No. 1731/5/14 DIV :

This is a decision on the petition under 37 CFR 1.182, filed November 11, 2011, to change the name of the sole inventor from "Rathod Yogesh Chunilal" to – Yogesh Chunilal Rathod --.

The petition is **GRANTED**.

Office records have been updated to correct the inventor's name. A corrected Filing Receipt, which reflects the inventor's name, accompanies this decision on petition.

As authorized, the \$400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to Technology Center AU 2162.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

Attachment



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/975,016, 12/21/2010, 2162, 857, 1731/5/14 DIV, 30, 2

CONFIRMATION NO. 4702

CORRECTED FILING RECEIPT



25297
JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
DURHAM, NC 27707

Date Mailed: 12/08/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Rathod Yogesh Chunilal, Mumbai, INDIA;

Power of Attorney: The patent practitioners associated with Customer Number 25297

Domestic Priority data as claimed by applicant

This application is a DIV of 11/995,343 01/11/2008 PAT 7,991,764 which is a 371 of PCT/IN2006/000260 07/18/2006

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

INDIA 878/MUM/2005 07/22/2005

If Required, Foreign Filing License Granted: 01/11/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/975,016

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

METHOD AND SYSTEM FOR REQUESTING SOCIAL SERVICES FROM GROUP OF USERS

Preliminary Class

707

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,032	12/21/2010	Tomoyuki Shimaya	6639P1098	4725
8791	7590	07/08/2011	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP			VU, KIEU D	
1279 OAKMEAD PARKWAY			ART UNIT	PAPER NUMBER
SUNNYVALE, CA 94085-4040			2173	
			MAIL DATE	DELIVERY MODE
			07/08/2011	PAPER

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

In re Application of: SHIMAYA et al.
Application No. 12/975,032
Attorney Docket #: **6639P1098**
Filed: December 21, 2010
For: **INFORMATION PROCESSING
APPARATUS AND INFORMATION
PROCESSING METHOD**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(a)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 18, 2011 to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application is
 - (a) a Paris Convention application which either
 - (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims,
 - Or
 - (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - (i) validly claims priority to an application filed in the JPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim,
 - Or
 - (c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - (i) validly claims priority to an application filed in the JPO, or
 - (ii) validly claims priority to a PCT application that contains no priority claims, or
 - (iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:

- a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
- b. An English translation of the allowable/patentable claim(s) and
- c. A statement that the English translation is accurate;

Effective January 29, 2010, for a period of two years ending on January 28, 2012, the USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the allowable/patentable claims in the Japanese application.

(3) Applicant must:

- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
- b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

a. Documentation of prior office action:

- i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
- ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
- iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

Further, if a copy of the documents from a above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above

c. A statement that the English translation is accurate;

Effective January 29, 2010, Applicants may submit a machine translation into the English language of the copy of the latest JPO office action just prior to the

“Decision to Grant a Patent” (e.g., the latest “Notification of Reasons for Refusal”) from each of the JPO application(s) containing the allowable/patentable claims that are the basis for the PPH request. The machine translation into the English language must be one that is provided by the JPO. That is, the machine translation into the English language cannot be one that is provided by a commercial service. Where a machine translation into the English language of the copy of the latest JPO office action (obtained from the JPO) is submitted, it will not be necessary to include a statement that the English translation is accurate.

- (6) Applicant must submit:
- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The petition is **GRANTED**.

The request to participate in the PPH pilot program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210



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JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 TOWER BLVD.
SUITE 1200
DURHAM, NC 27707

MAILED

DEC 09 2011

OFFICE OF PETITIONS

In re Application of :
Yogesh Chunilal Rathod :
Application No. 12/975,036 : **DECISION ON PETITION**
Filed: December 21, 2010 :
Attorney Docket No. 1731/5/15 DIV :

This is a decision on the petition under 37 CFR 1.182, filed November 10, 2011, to change the name of the sole inventor from "Rathod Yogesh Chunilal" to – Yogesh Chunilal Rathod --.

The petition is **DISMISSED AS MOOT**.

A review of the record indicates that a change in the inventor's name is not necessary, as shown by the name reflected on the original filing receipt.

This application is being referred to Technology Center Au 2162.

Any questions concerning this decision may be directed to the undersigned at (571) 272-3204. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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MAILED

NOV 22 2011

OFFICE OF PETITIONS

JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
DURHAM NC 27707

In re Application of :
Yogesh Chunilal Rathod :
Application No. 12/975,046 : **ON PETITION**
Filed: December 21, 2010 :
Attorney Docket No. 1731/5/16 DIV :

This is a decision on the petition under 37 CFR 1.182, filed November 5, 2011, to change the name of one the inventors.

The petition is **GRANTED**.

The name of the inventor has been changed from **Rathod Yogesh Chunilal** to **Yogesh Chunilal Rathod**.

Our records have been updated and a corrected Filing Receipt, which sets forth the changes as requested. A copy will be attached to this decision.

The petition fee under 37 CFR 1.182 of \$400 will be charged petitioner's deposit account.

This application is being forwarded to Technology Center 2162.

Telephone inquiries regarding this decision may be directed to Kimberly Inabinet (571) 272-4618.

/Carl Friedman/
Carl Friedman
Petitions Examiner
Office of Petitions



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 12/975,046, 12/21/2010, 2162, 1544, 1731/5/16 DIV, 37, 7

CONFIRMATION NO. 4745

CORRECTED FILING RECEIPT



25297
JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
DURHAM, NC 27707

Date Mailed: 11/21/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Yogesh Chunilal Rathod, Mumbai, INDIA;

Power of Attorney: The patent practitioners associated with Customer Number 25297

Domestic Priority data as claimed by applicant

This application is a DIV of 11/995,343 01/11/2008 PAT 7,991,764
which is a 371 of PCT/IN2006/000260 07/18/2006

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)
INDIA 878/MUM/2005 07/22/2005

If Required, Foreign Filing License Granted: 01/12/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 12/975,046

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

METHOD AND SYSTEM FOR SHARING USER AND CONNECTED USERS' DATA WITH EXTERNAL DOMAINS, APPLICATIONS AND SERVICES AND RELATED OR CONNECTED USERS OF THE SOCIAL NETWORK

Preliminary Class

707

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage, facilitate, and accelerate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: PE0037Z.0011 DIV	Application Number (if known):	Filing date:
--	--------------------------------	--------------

First Named Inventor: Ray-Hua Horng

Title: LIGHT-EMITTING-DIODE ARRAY AND METHOD FOR MANUFACTURING THE SAME

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Petition to Make Special Under 37 CFR 1.102

Signature <i>Peigen Jiang</i>	Date 12/20/2010
-------------------------------	-----------------

Name (Print/Typed) Peigen Jiang	Registration Number 57,042
---------------------------------	----------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,068	12/21/2010	Ray-Hua Horng	PE0037Z.0011DIV	4785
68374	7590	01/18/2011	EXAMINER	
K&L Gates LLP IP Docketing 630 Hansen Way Palo Alto, CA 94304			ART UNIT	PAPER NUMBER
			2812	
			MAIL DATE	DELIVERY MODE
			01/18/2011	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.



K&L Gates LLP
IP Docketing
630 Hansen Way
Palo Alto CA 94304

In re Application of	:	
HORNG et al.	:	
Application No. 12/975,068	:	DECISION ON PETITION
Filed: December 21, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. PE0037Z.0011DIV	:	THE GREEN TECHNOLOGY
	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 21, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

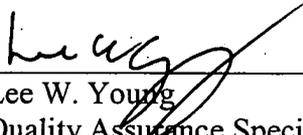
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2812 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,146	12/21/2010	Nobuto Fujiwara	6639P1096	4925
8791	7590	11/15/2011	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP			THOMPSON, TIMOTHY J	
1279 OAKMEAD PARKWAY			ART UNIT	PAPER NUMBER
SUNNYVALE, CA 94085-4040			2835	
			MAIL DATE	DELIVERY MODE
			11/15/2011	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.



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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

In re Application of : **DECISION ON REQUEST TO**
Nobuto FUJIWARA : **PARTICIPATE IN THE PATENT**
Application No.: 12/975,146 : **PROSECUTION HIGHWAY**
Filed: 21 December 2010 : **PROGRAM AND PETITION**
Attorney Docket No.: 12577/139 : **TO MAKE SPECIAL UNDER**
For: IMAGING DEVICE : **37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 23 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim, or
 - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority to an application filed in the JPO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim;
2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s);

- b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
3. Applicant must:
- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
- a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the “Decision to Grant a Patent” from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a “Notification of Reasons for Refusal” then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
6. Applicant must submit:
- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded “special” status.

Inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application’s formality reviews have been completed.

/Colleen Dunn/
Colleen Dunn
Quality Assurance Specialist
Technology Center 2800



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,181	12/21/2010	Yoshihiro Kawauchi	6639P1097	4980
8791	7590	10/20/2011	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP			CHENG, JOE H	
1279 OAKMEAD PARKWAY			ART UNIT	PAPER NUMBER
SUNNYVALE, CA 94085-4040			2468	
			MAIL DATE	DELIVERY MODE
			10/20/2011	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 PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Blakely Sokoloff Taylor & Zafman LLP
In re Application of: Kawauchi
Application No. 12975181
Filed: December 21, 2010
For: Communication System and Telephone
Exchange Apparatus

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 13, 2011, to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application for which participation in the PPH program is requested and the corresponding JPO application must have the same priority/filing date;
2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s);
 - b. An English translation of the allowable/patentable claim(s); and
 - c. A statement that the English translation is accurate;
3. Applicant must
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as allowable/patentable claim(s) in the JPO application(s);
 - b. Note that claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the JPO, or the claims in the USPTO are narrower in scope than the claims in the JPO. In this regard, a claim that is narrower in scope occurs when a JPO claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the JPO is not considered to sufficiently correspond. For example, if the JPO claims only contain claims to a process of manufacturing a product, then the claims in the USPTO are not considered to sufficiently correspond if the USPTO claims introduce product claims that are dependent on the corresponding process claims; and

- c. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
 5. Applicant must submit:
 - a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate (if the translation is not a machine translation provided by the JPO);
 6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Tod Swann at 571-272-3612.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Tod Swann/
Tod Swann
Quality Assurance Specialist
Technology Center 2400



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

GANZ LAW, P.C.
P O BOX 2200
HILLSBORO OR 97123

MAILED

MAY 10 2011

OFFICE OF PETITIONS

In re Application of
IRVING, Gary W.
Application No. 12/975,188
Filed: December 21, 2010
Attorney Docket No. **0059US-AEC**

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 12, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

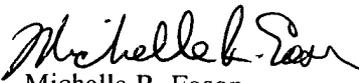
A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by Gary W. Irving attesting that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing. This application will be accorded "special" status when pre-examination processing is done.


Michelle R. Eason
Paralegal Specialist
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 030348-00135	Application Number (if known): Not Yet Known	Filing date: December 21, 2010
--------------------------------------	--	--------------------------------

First Named Inventor: Keith Scott

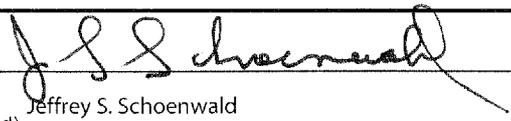
Title: AUTOMATIC ELECTRICAL CONNECTION ASSEMBLY FOR LIGHT MODULES

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
3. This request is accompanied by statements of special status for the eligibility requirement.
4. The application contains no more than three (3) independent claims and twenty (20) total claims.
5. The application does not contain any multiple dependent claims.
6. Other attachments: As stated in Utility Patent Application Transmittal (PTO/SB/05)

Signature 	Date December 21, 2010
---	------------------------

Name (Print/Typed) Jeffrey S. Schoenwald	Registration Number 60,602
--	----------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	Docket No. 030348.00135
Keith Scott et al.	Confirmation No.: Not Yet Known
Serial No.: New Utility Patent Application	Art Unit: Not Yet Known
Filed: December 21, 2010	Examiner: Not Yet Known
For:	AUTOMATIC ELECTRICAL CONNECTION ASSEMBLY FOR LIGHT MODULES

STATEMENT OF SPECIAL STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

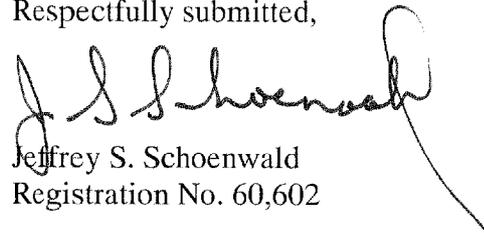
December 21, 2010

Sir:

Applicant is entitled to special status because the (i) the application is classified in one of the U.S. classifications required by the Green Technology Pilot Program, specifically class 257/099, and (ii) the claims are directed to a single invention that materially contributes to the more efficient utilization and conservation of energy resources. In particular, the invention is directed to various light emitting diode (LED) configurations for replacing conventional light sources, such as incandescent lamps. LEDs have substantially higher light conversion efficiencies than incandescent lamps, and therefore, can dramatically reduce energy consumption.

In the event that any fees are due with respect to this paper, please charge Deposit Account No. 01-2300, referencing Atty. Docket No. 030348-00135.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. S. Schoenwald", with a long, sweeping flourish extending downwards and to the right.

Jeffrey S. Schoenwald
Registration No. 60,602

Customer No.: 68543
ARENT FOX LLP
555 West Fifth Street
48th Floor
Los Angeles, California 90013
Tel: (213) 629-7400
Fax: (202) 629-7401

JSS:lss



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.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,209	12/21/2010	Keith Scott	030348.00135	5034
68543	7590	01/19/2011	EXAMINER	
Arent Fox LLP 555 West Fifth Street 48th Floor Los Angeles, CA 90013			ART UNIT	PAPER NUMBER
			2878	
			NOTIFICATION DATE	DELIVERY MODE
			01/19/2011	ELECTRONIC

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.

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

LAIPDocket@arentfox.com
Patent_Mail@arentfox.com



Arent Fox LLP
555 West Fifth Street
48th Floor
Los Angeles CA 90013

In re Application of	:	
SCOTT et al.	:	DECISION ON PETITION
Application No. 12/975,209	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 030348.00135	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 21, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

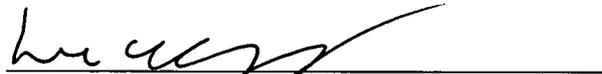
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2878 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 030348-00132	Application Number (if known):	Filing date: December 21, 2010
--------------------------------------	--------------------------------	--------------------------------

First Named Inventor: Keith Scott

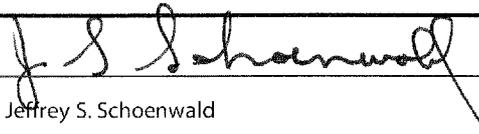
Title: UNIVERSAL MOUNTING CARRIER FOR SOLID STATE LIGHT EMITTING DEVICE ARRAYS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: As stated in Utility Patent Application Transmittal (PTO/SB/05)

Signature 	Date December 21, 2010
---	------------------------

Name Jeffrey S. Schoenwald (Print/Typed)	Registration Number 60,602
--	----------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	Docket No. 030348.00132
Keith Scott et al.	Confirmation No.: Not Yet Known
Serial No.: New Utility Patent Application	Art Unit: Not Yet Known
Filed: December 21, 2010	Examiner: Not Yet Known
For: UNIVERSAL MOUNTING CARRIER FOR SOLID STATE LIGHT EMITTING DEVICE ARRAYS	

STATEMENT OF SPECIAL STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

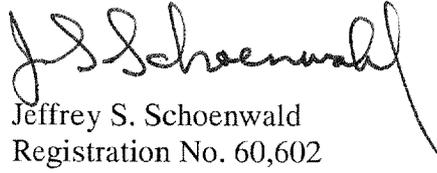
December 21, 2010

Sir:

Applicant is entitled to special status because the (i) the application is classified in one of the U.S. classifications required by the Green Technology Pilot Program, specifically class 257/099, and (ii) the claims are directed to a single invention that materially contributes to the more efficient utilization and conservation of energy resources. In particular, the invention is directed to various light emitting diode (LED) configurations for replacing conventional light sources, such as incandescent lamps. LEDs have substantially higher light conversion efficiencies than incandescent lamps, and therefore, can dramatically reduce energy consumption.

In the event that any fees are due with respect to this paper, please charge Deposit Account No. 01-2300, referencing Atty. Docket No. 030348-00132.

Respectfully submitted,



Jeffrey S. Schoenwald
Registration No. 60,602

Customer No.: 68543
ARENT FOX LLP
555 West Fifth Street
48th Floor
Los Angeles, California 90013
Tel: (213) 629-7400
Fax: (202) 629-7401

JSS:lss



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.
12/975,241	12/21/2010	Keith Scott	030348-00132	5097
68543	7590	01/19/2011	EXAMINER	
Arent Fox LLP 555 West Fifth Street 48th Floor Los Angeles, CA 90013			ART UNIT	PAPER NUMBER
			2875	
			NOTIFICATION DATE	DELIVERY MODE
			01/19/2011	ELECTRONIC

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.

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

LAIPDocket@arentfox.com
Patent_Mail@arentfox.com



Arent Fox LLP
555 West Fifth Street
48th Floor
Los Angeles CA 90013

In re Application of	:	
SCOTT et al.	:	DECISION ON PETITION
Application No. 12/975,241	:	TO MAKE SPECIAL UNDER
Filed: December 21, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 030348.00132	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 21, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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.
12/975,272	12/21/2010	Joon-Ho WON	0201-0291	5146

68103 7590 03/11/2011
Jefferson IP Law, LLP
1130 Connecticut Ave., NW
Suite 420
Washington, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
2172	

MAIL DATE	DELIVERY MODE
03/11/2011	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 PATENT AND TRADEMARK OFFICE

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

JEFFERSON IP LAW, LLP
1130 Connecticut Ave., NW
Suite 420
Washington DC 20036

In re Application of:
WON, Joon-Ho et al.
Application No. 12/975,272
Filed: December 21, 2010
For: **METHOD FOR SEARCHING CONTENT**

**DECISION ON PETITION
UNDER 37 C.F.R. § 1.84(a)(2)
TO ACCEPT COLOR
DRAWINGS**

This is a decision on the petition under 37 C.F.R. § 1.84(a)(2), filed on December 21, 2010, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 3A-3E and 4A-4F be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawings will be provided by the U.S. Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed with the required fee and was filed with three (3) sets of color drawing Figures 3A-3E and 4A-4F. Paragraph [0010] of the specification contains the required notification described above.

Accordingly, the petition is **GRANTED**.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

Eddie C. Lee

Eddie C. Lee
Quality Assurance Specialist, TC 2100



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
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MORGAN LEWIS & BOCKIUS LLP/RAMBUS INC.
2 PALO ALTO SQUARE
3000 EL CAMINO REAL, SUITE 700
PALO ALTO, CA 94306

MAILED
JAN 17 2012
OFFICE OF PETITIONS
ON PETITION

In re Application of :
Haw-Jyh Liaw, et al. :
Application No.: 12/975,313 :
Filed: December 21, 2010 :
Attorney Docket No.: 060809-5256-US :

This is a decision on the petition, filed January 13, 2012, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on January 5, 2012, cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries relating to this decision should be directed to the undersigned at (571) 272-3204.

The application is being referred to Technology Center AU 2111 for further processing of the request for continued examination in accordance with 37 CFR 1.114.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **247401_1** Application Number (if known): **12/975,422** Filing date: **12-22-2010**

First Named Inventor: **Scott Daniel Feldman-Peabody**

Title: VAPOR DEPOSITION APPARATUS AND PROCESS FOR CONTINUOUS DEPOSITION OF A THIN FILM LAYER ON A SUBSTRATE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **10/10/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor Scott Daniel Feldman-)
Peabody)
Confirmation No.: 5464)
Serial No.: 12/975,422)
Filing Date: December 22, 2010)
Atty Docket No.: 247401__1)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates generally to the field of thin film deposition processes wherein a thin film layer, such as a semiconductor material layer, is deposited on a substrate. More particularly, the subject matter is related to a vapor deposition apparatus and associated process for depositing a thin film layer of a photo-reactive material on a glass substrate in the formation of photovoltaic (PV) modules. (See [0001])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 10, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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.
12/975,422	12/22/2010	Scott Daniel Feldman-Peabody	247401_1	5464

93081 7590 11/10/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

LIN, JAMES

ART UNIT	PAPER NUMBER
1715	

MAIL DATE	DELIVERY MODE
11/10/2011	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.



11/16/11

Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
Feldman-Peabody et al.	:	DECISION ON PETITION
Application No. 12/975,422	:	TO MAKE SPECIAL UNDER
Filed: 12/22/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247401_1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 10/10/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1715 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **247436_1** Application Number (if known): **12/975,435** Filing date: **12-22-2010**

First Named Inventor: **Mark Jeffrey Pavol**

Title: TEMPORALLY VARIABLE DEPOSITION RATE OF CdTe IN APPARATUS AND PROCESS FOR CONTINUOUS DEPOSITION

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **10/10/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor Mark Jeffrey Pavol)
Confirmation No.: 5485)
Serial No.: 12/975,435)
Filing Date: December 22, 2010)
Atty Docket No.: 247436__1)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates to the field of thin film deposition processes wherein a thin film layer, such as a semiconductor material layer, is deposited on a substrate. More particularly, the subject matter is related to a vapor deposition apparatus and associated process for depositing a thin film layer of a photo-reactive material (e.g., CdTe) on a glass substrate in the formation of photovoltaic (PV) modules. (See [0001])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 10, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,435	12/22/2010	Mark Jeffrey Pavol	247436_1	5485

93081 7590 11/09/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

LIN, JAMES

ART UNIT PAPER NUMBER

1715

MAIL DATE DELIVERY MODE

11/09/2011

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.



11/9/11

Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
Pavol	:	DECISION ON PETITION
Application No. 12/975,435	:	TO MAKE SPECIAL UNDER
Filed: 12/22/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247436_1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 10/10/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1715 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM		
Attorney Docket Number: 244725 -1	Application Number (if known): 12/975493	Filing date: December 22, 2010
First Named Inventor: Max Reed		
Title: CONVEYOR ASSEMBLY WITH RELEASABLE DRIVE COUPLING		
APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:		
<p style="margin-left: 40px;"><u>Applicant is requesting early publication:</u> Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.</p>		
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.		
3. This request is accompanied by statements of special status for the eligibility requirement.		
4. The application contains no more than three (3) independent claims and twenty (20) total claims.		
5. The application does not contain any multiple dependent claims.		
6. Other attachments: <u>Statement Concerning the Basis for the Special Status</u>		
Signature /Allison W. Mages/		Date 9/26/11
Name (Print/Typed) Allison W. Mages		Registration Number 57,275
Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.		
<input type="checkbox"/> *Total of _____ forms are submitted.		

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Max Reed)
Confirmation No.: 5595)
Serial No.: 12/975493)
Filing Date: December 22, 2010)
Atty Docket No.: 244725-1)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present invention relates generally to production of thin film photovoltaic (PV) modules (also referred to as "solar panels") are gaining wide acceptance and interest in the industry, particularly modules based on cadmium telluride (CdTe) paired with cadmium sulfide (CdS) as the photoreactive components. Solar energy systems using CdTe PV modules are generally recognized as the most cost efficient of the commercially available systems in terms of cost per watt of power generated. However, the advantages of CdTe notwithstanding, sustainable commercial exploitation and acceptance of solar power as a supplemental or primary source of industrial or residential power depends on the ability to produce efficient PV modules on a large scale and in a cost effective manner. (See [0002])

The ability to process relatively large substrates on an economically sensible commercial scale is thus a crucial consideration and, in this regard,

down time of the deposition modules for maintenance and repair should be minimized. Maintenance on the module conveyor typically requires disconnecting the drives from the conveyors, which can be a tedious and timely exercise. Subsequent alignment of the drives with the conveyor components can also be problematic. Diagnosing problems with the module drives while the units are under operating temperature and vacuum conditions can also be difficult. In addition, the life of the conveyor drives can be significantly shortened by transmission of the tremendous heat generated in the deposition module to the externally mounted drive components, which also results in down time of the system to replace the components.. (See [0003])

Accordingly, there exists an ongoing need for deposition modules with improved drive systems that reduce maintenance/repair down time, as well as address other disadvantages noted above. (See [0004])

The present subject matter relates generally to the field of conveyors, and more particularly to an improved conveyor drive system for use in thin film deposition systems wherein a thin film layer, such as a semiconductor material layer, is deposited on a substrate conveyed through the module. (See [0001])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: September 26, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,493	12/22/2010	Max William Reed	244725/PRSS-58	5595

93081 7590 11/03/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

NUCKOLS, TIFFANY Z

ART UNIT	PAPER NUMBER
1716	

MAIL DATE	DELIVERY MODE
11/03/2011	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.



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Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

NOV 03 2011

In re Application of :
Reed : DECISION ON PETITION
Application No. 12/975,493 : TO MAKE SPECIAL UNDER
Filed: 12/22/2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 244725/PRSS-58 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 9/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4.

Applicants argue that the instant invention is directed to the manufacture of solar panels. The instant claims however are merely directed to a deposition system. There is no mention of solar panels in the instant claimed invention. The materiality standard does not permit an applicant to speculate how an end user might specifically apply the invention in a manner that could materially contribute to (1) materially enhancing the quality of the environment or materially contributing to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1716 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Max REED)
Confirmation No.: 5595)
Serial No.: 10/975,493)
Filing Date: 12-22-2010)
Atty Docket No.: 244725-1 (PRSS-58)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 3 November 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that the instant claims are merely directed to a deposition system. The Decision states that there is no mention of solar panels in the instant claimed invention. The Decision also implies that Applicant speculates as to how a hypothetical end-user might specifically apply the invention in a manner that could materially contribute to (1) materially enhancing the quality of the environment, or materially contribute to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate generally to the field of conveyors, and more particularly to an improved conveyor drive system for use in thin film deposition systems wherein a thin film layer, such as a semiconductor material layer, is deposited on a substrate conveyed through the module. (see at least paragraph [0001]). As noted in the present application, embodiments of the present invention are particularly associated with the production of thin film photovoltaic (PV) modules, also referred to as "solar panels". (see at least paragraph [0002]).

The ability to process relatively large substrates on an economically sensible commercial scale is thus a crucial consideration and, in this regard, downtime of the deposition modules for maintenance and repair should be minimized. Maintenance on the module conveyor typically requires disconnecting the drives from the conveyors, which can be a tedious and timely exercise. Subsequent alignment of the drives with the conveyor components can also be problematic. Diagnosing problems with the module drives while the units are under operating temperature and vacuum conditions can also be difficult. In addition, the life of the conveyor drives can be significantly shortened by transmission of the tremendous heat generated in the deposition module to the externally mounted drive components, which also results in downtime of the system to replace the components. (see at least paragraph [0003]).

The success of solar panels becoming an accepted source of primary or secondary power on a large commercial or residential scale is dependent upon, among other things, the cost of producing the solar panels, which inevitably

affects the final cost per kilowatt of solar energy to consumers. Any benefit in the manufacturing process of the solar panels that can reduce the cost of production is important.

Embodiments of the present invention provide a module for a system wherein a sublimated source material is deposited as a thin film on a substrate conveyed through one or more of the modules. The module is a vapor deposition module configured for deposition of a thin film of photo-reactive material on a PV substrate. The module may also be one or more of the modules in the system that conveys the substrate to and from the deposition module. The module includes a drive unit mounted on an exterior wall of the module, with the drive unit having a drive shaft that extends into the module. A conveyor is operably disposed within the module and is configured to be driven in a conveying path by the drive unit. For example, in a particular embodiment, the conveyor is driven in an endless loop path between opposite sprockets within the module. A releasable drive coupling is configured between the drive unit and a drive member of the conveyor, which may be a sprocket shaft. The drive coupling has a first end that releasably engages the drive shaft and a second end that releasably engages the conveyor drive member. The drive coupling includes a torque member and at least one thermal shield spaced concentrically around the torque and extending axially between the first and second ends. (see at least paragraph [0006]).

Embodiments of the present invention provide a drive system that reduces maintenance and repair downtime. In particular, assembly and disassembly of

the system is a relatively easy process. Additionally, when maintenance of a component is required, a spare component can be used in the system. In this way, delays of the vapor deposition line caused by maintenance and repairs can be reduced and the vapor deposition line can be more quickly returned to service. Reductions in downtime caused by maintenance and repair result in reductions in the overall costs associated with the fabrication of solar cells. By reducing costs associated with the fabrication of solar cells, embodiments of the present invention reduce costs associated with producing solar energy. As such, embodiments of the present invention incentivize the creation and adoption of solar energy resources, and contribute to the development of renewable energy resources.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: November 30, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,493	12/22/2010	Max William Reed	244725/PRSS-58	5595
93081	7590	12/16/2011	EXAMINER	
Dority & Manning, P.A. and Primestar Solar Inc. Post Office Box 1449 Greenville, SC 29602			NUCKOLS, TIFFANY Z	
			ART UNIT	PAPER NUMBER
			1716	
			MAIL DATE	DELIVERY MODE
			12/16/2011	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.



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Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

12/16/11

In re Application of	:	
Reed	:	DECISION ON PETITION
Application No. 12/975,493	:	TO MAKE SPECIAL UNDER
Filed: 12/22/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 244725/PRSS-58	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 11/30/2011; to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009).

The petition is **DENIED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. It is not agreed that the application on its face meets that materiality standard.

Applicants argue that embodiments of the present invention are particularly associated with the production of thin film photovoltaic modules. As stated in the previous petition decision, the instant claims however are merely directed to a deposition system. There is no mention or requirement in the instant claims that the system be used in the manufacture of photovoltaic modules. The materiality standard does not permit an applicant to speculate how an end user might specifically apply the invention in a manner that could materially contribute to (1) materially enhancing the quality of the environment or materially contributing to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1716 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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LUCAS & MERCANTI, LLP
475 PARK AVENUE SOUTH
15TH FLOOR
NEW YORK NY 10016

MAILED
MAY 23 2011
OFFICE OF PETITIONS

In re Application of :
Cerea :
Deposited: December 22, 2010 : ON PETITION
Application No. 12/975,506 :
Atty. Dkt. No.: 405-1007-DIV :

The above-identified application has been referred to the Office of Petitions for consideration of the petition under 37 CFR 1.57(a) filed February 15, 2011, to accord the above-identified application a filing date of December 22, 2010.

The application was deposited December 22, 2010. The Notice of Incomplete Nonprovisional Application (Notice) mailed January 21, 2011 indicated that the application had not been accorded a filing date because the application appeared to have been submitted without drawings as required per 35 USC 113.

The Notice indicated that the filing date would be the date of receipt of all items indicated as omitted, unless otherwise indicated in the Notice. The Notice required that any assertions that the item(s) were submitted or were not necessary for a filing date, must be by way of petition (accompanied by required petition fee).

The Notice further indicated that if the application contained a priority claim under 37 CFR 1.55 or benefit claim under 37 CFR 1.78 of a prior-filed application that was present on the filing date of the application and applicants want to rely on 37 CFR 1.57(a) to add inadvertently omitted material to the above-identified application, applicants must file a petition under 37 CFR 1.57(a) accompanied by the \$400.00 petition fee (37 CFR 1.17(f)) within TWO MONTHS of the date of this Notice.

Petitioner asserts that the drawing was inadvertently omitted upon submission of the application papers. However, petitioner indicates that the instant application claims the benefit of the prior U.S. Application No. 11/862,454, filed September 27, 2007, as set forth in the specification accompanying the application papers submitted December 22, 2010, specifically. Petitioner further asserts that the omitted drawing can be found in the referenced prior application.

In accordance with 37 CFR 1.57 and MPEP 201.17, the following conditions and requirements need to be met for an applicant to add omitted material to an application pursuant to 37 CFR 1.57(a):

- (A) the application must have been filed on or after September 21, 2004;
- (B) all or a portion of the specification or drawing(s) must have been inadvertently omitted from the application;
- (C) a claim under 37 CFR 1.55 for priority of a prior filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application, must have been present on the filing date of the application;
- (D) the inadvertently omitted portion of the specification or drawing(s) must be completely contained in the prior-filed application;
- (E) applicant must file an amendment to include the inadvertently omitted portion of the specification or drawing(s) within any time period set by the Office, but in no case later than the close of prosecution as defined by 37 CFR 1.114(b), or abandonment of the application, whichever occurs earlier;
- (F) if the application is not otherwise entitled to a filing date, applicant must also file a petition and the amendment under 37 CFR 1.57(a)(3) accompanied by the petition fee set forth in 37 CFR 1.17(f);
- (G) applicant must supply a copy of the prior-filed application, except where the prior-filed application is an application filed under 35 U.S.C. 111;
- (H) applicant must supply an English language translation of any prior-filed application that is in a language other than English; and
- (I) applicant must identify where the inadvertently omitted portion of the specification or drawing(s) can be found in the prior-filed application.

The instant petition has been carefully reviewed and found in compliance with the requirements set forth herein.

In view thereof, the petition under 37 CFR 1.57(a) is hereby GRANTED.

Receipt is acknowledged of the required petition fee of \$400.00. As submission of the petition was not necessitated due to PTO error and is required per 37 CFR 1.57(a)(3), the petition fee WILL NOT be refunded.

This application is being forwarded to the Office of Patent Application Processing for further processing with a filing date of **December 22, 2010**.

Telephone inquiries related to this decision may be directed to the Attorney Advisor Alesia M. Brown at (571) 272-3205.



Chris Bottorff
Petitions Examiner
Office of Petitions



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AKC PATENTS
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NEWTON, MA 02466

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NOV 04 2011
OFFICE OF PETITIONS

APPLICANT: JAMES HERMANOWSKI
Appl. No.: 12/975,521
Filing Date: December 22, 2010
Title: AUTOMATED THERMAL SLIDE DEBONDER
Attorney Docket No.: SU-110
Pub. No.: US 2011/0146901 A1
Pub. Date: June 23, 2011

This is a decision on the request for correction of patent application publication under 37 CFR 1.221(b), received on June 30, 2011, for the above-identified application.

The request is granted

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions



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ANDRUS, SCEALES, STARKE & SAWALL, LLP
100 EAST WISCONSIN AVENUE, SUITE 11000
MILWAUKEE WI 53202

MAILED

SEP 12 2011

OFFICE OF PETITIONS

In re Application of :
Darius K. DEAK et al. : DECISION GRANTING STATUS
Application No. 12/975,645 : UNDER 37 CFR 1.47(b)
Filed: December 22, 2010 :
Attorney Docket No. 5125-00129 :

This is in response to the petition under 37 CFR 1.47(b), filed July 06, 2011.

The petition is **GRANTED**.

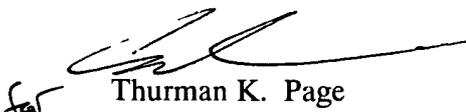
Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Technology Center Art Unit 1783.

Telephone inquiries regarding this decision should be directed to Michelle R. Eason at (571) 272-4231.


Thurman K. Page
Petitions Examiner
Office of Petitions



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

**HERVE PHILIPPE BURRIEZ
11, CHEMIN DE LALEU
VAU LALEU
41150 CHOUZY SUR CISSE
FRANCE**

**MAILED
SEP 12 2011
OFFICE OF PETITIONS**

In re Application of
Darius K. DEAK et al.
Application No. 12/975,645
Filed: December 22, 2010
For: PROCESS FOR PACKAGING TACKY POLYESTER RESINS

Dear Mr. Burriez:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Michelle R. Eason at (571) 272-4231. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

for 
Thurman K. Page
Petitions Examiner
Office of Petitions

**cc: ANDRUS, SCEALES, STARKE & SAWALL, LLP
100 EAST WISCONSIN AVENUE, SUITE 1100
MILWAUKEE WI 53202**

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)

Approved for use through 01/31/2011. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 09-281	Application Number (if known):	Filing date: December 22, 2010
--------------------------------	--------------------------------	--------------------------------

First Named Inventor: Timm A. Vanderelli

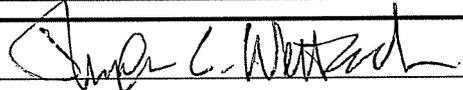
Title: DIPOLAR AXIAL COMPRESSION PERMANENT MAGNET MOTOR

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: _____

Signature 	Date 12-22-2010
---	-----------------

Name (Print/Typed) Thomas C. Wettach	Registration Number 24,455
--------------------------------------	----------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
TIMM A. VANDERELLI)	
)	
Serial No.: Not yet assigned)	
)	
Filed: December 22, 2010)	DIPOLAR AXIAL COMPRESSION
)	PERMANENT MAGNET MOTOR
Art Unit: Not yet assigned)	
)	
Patent Examiner: Not yet assigned)	
)	
Customer No. 30058)	
)	
Our Ref: 09-281)	

December 22, 2010

**STATEMENT REGARDING PETITION TO MAKE SPECIAL
UNDER GREEN TECHNOLOGY PROGRAM**

Applicants hereby state the application submitted herewith is eligible for the Green Technology Program for the following reasons:

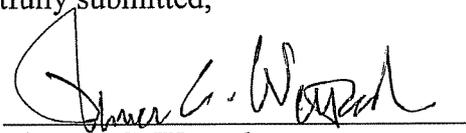
- Increased energy efficiency achieved by introducing CEMF as a secondary process.
- Lower operating temperatures which extend bearing and coil life.
- A secondary circuit utilizes induced current spikes to provide time to use the current generated rather than produce heat. For example a 12 volt direct current input results in an induced voltage of about 200 volts, which is reduced to 12 volts under load.
- These motors of the present invention can be made of non-metallic component parts which can reduce weight and electrical shock hazard. In one preferred embodiment of the invention, ultra high molecular weight (UHMW) plastics are used for the stators and rotor parts.

The present application can reduce energy use as shown in Figure 13 of the present application.

Applicants hereby authorize the U.S. Patent and Trademark Office to charge Applicants' Deposit Account Number 03-2026 for any fees incurred with respect to this Statement.

Respectfully submitted,

By



Thomas C. Wettach
PTO Registration No. 24,455
Cohen & Grigsby, P.C.
625 Liberty Avenue, 5th Floor
Pittsburgh, PA 15222-3152
(412) 297-4900



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,652	12/22/2010	Timm A. Vanderelli	09-281	5932
30058	7590	02/09/2011	EXAMINER	
COHEN & GRIGSBY, P.C. 625 LIBERTY AVENUE PITTSBURGH, PA 15222-3152			ART UNIT	PAPER NUMBER
			2837	
			NOTIFICATION DATE	DELIVERY MODE
			02/09/2011	ELECTRONIC

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.

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

IPPatent@CohenLaw.com
LPainePfister@CohenLaw.com



COHEN & GRIGSBY, P.C.
625 LIBERTY AVENUE
PITTSBURGH PA 15222-3152

In re Application of	:	
VANDERELLI et al.	:	DECISION ON PETITION
Application No. 12/975,652	:	TO MAKE SPECIAL UNDER
Filed: December 22, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 09-281	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 22, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to

make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The instant petition includes a statement identifying the basis for the special status as increased energy efficiency. The claims are directed to a dipolar magnetic compression motor. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to the development of more efficient utilization and conservation of energy. The arguments presented are considered speculate as to how a hypothetical end-user might specially apply the claimed invention.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2837 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
TIMM A. VANDERELLI)	
)	
Serial No.: 12/975,652)	
)	
Filed: December 22, 2010)	DIPOLAR AXIAL COMPRESSION
)	PERMANENT MAGNET MOTOR
Art Unit: 2837)	
)	
Patent Examiner: Not yet assigned)	
)	
Confirmation No.: 5932)	
)	
Our Ref: 09-281)	

March 9, 2011

**RESPONSE TO DECISION ON PETITION TO MAKE SPECIAL
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

The Petitioner is applying for reconsideration for special status under 37 CFR 1.102 VI. Energy (B) and claims that the invention will materially contribute to the more efficient utilization and conservation of energy resources.

The majority of all electrical energy produced goes through electric motors. The intelligent and economical use of electric motors enables the more efficient utilization and conservation of energy resources. All electric motors currently on the market today have a standard “bipolar” or push/pull alternating field arrangement. The claimed invention uses a different approach with two unique features: 1) a “dipolar” magnetic configuration; and 2) a secondary process which redirects and utilizes the counter electromotive force (“CEMF”) that is normally not used in standard electric motors.

Pulsed electromagnetic fields of the claimed invention motor are arranged such that their north and south poles are actuated simultaneously (“dipolar” operation)

resulting in a more efficient continuous rotation than a push/pull or alternating field arrangement of conventional bipolar electric motors. All motors utilizing rotating field technology, including the induction models, are "bipolar" and alternate the electromagnetic fields.

In the claimed invention motor, the north pole of the magnet moves into the north electromagnetic field of the coil's core and simultaneously, the south pole of the magnet moves into the south electromagnetic field of the coil core. By use of a Hall device to control pulse timing, the primary coil is actuated at a pre-determined time as a magnet is positioned within a coil core. An electromagnetic field is induced into each coil as each successive rotor magnet accelerates toward each coil's core. Energy stored within each field is added to primary input power, essentially compressing the magnetic field lines, thus intensifying the applied electromagnetic field. The rotor in the claimed invention motor spins from a force generated due to magnetic repulsion in this dipolar operation. The dipolar operation of the claimed invention motor more efficiently uses input currents than typical motors with bipolar operations.

Commonly known to one skilled in the art, counter-electromotive force (CEMF) is a voltage produced by a changing electromagnetic field. Lenz's Law defines counter-emf: "an induced current is always in such a direction as to oppose the motion or change causing it", whereby such circuits obey Newton's third law: "For every action there is an equal and opposite reaction".

A common approach to preventing this CEMF phenomenon from degrading a typical electromagnetic circuit's efficiency is to utilize a semiconductor diode connected in such a manner as to shunt the counter-emf spike; thus providing another path for the

reverse currents to flow. A consequence of this action in a standard “bipolar” motor is the conversion of current flow into heat, which is safely dissipated by a semiconductor diode.

The claimed invention motor utilizes a variation of the semiconductor diode shunt by directing the CEMF currents along another path into a transient secondary electromagnetic function; and as a consequence, converted into a usable electromotive force, instead of heat.

In the claimed invention motor, a resonant, transient circuit directs the CEMF through a secondary process into the secondary coil thereby utilizing the CEMF to increase the efficiency by 18%. The secondary coil is not activated by input power, only by redirecting CEMF. In a test where the secondary process was not employed, the claimed invention motor had an efficiency of 47% and the CEMF energy was wasted as heat. When the claimed invention directed the CEMF into a secondary coil the efficiency increased to 67%. Figure 14a of the application shows test data of the claimed invention motor on a certified and calibrated dynamometer and it was proven that the efficiency increased from 47% to 65 % as a direct result of the reinsertion of the CEMF.

No other electric motor in use today has ever successfully utilized CEMF along with dipolar operation. The claimed invention motor utilizes CEMF, rather than wasting CEMF as dissipated heat, verifying our claimed invention motor will enable a more efficient utilization and conservation of energy resources.

Further improvements to the claimed invention motor, such as grain oriented electrical steel or ferro-composites as stator material will increase overall efficiency.

A new technology requires continuing development in order to achieve maximum performance, and our dipolar configuration utilizing CEMF is no exception.

Conventional motors didn't achieve efficiencies above 70% for almost a century after their introduction.

Fractional motors are prevalent in industrial machinery and consumer products (like appliances, heating/cooling units, etc.); the claimed invention motor's potential applications include all fractional horsepower motor uses and its projected that within 24 months prototypes of the claimed invention will exceed 2 horsepower, with much higher efficiencies and will have even broader industrial and consumer applications. At the time of filing the patent application, prototypes of the claimed invention motor operated a 4 inch fan producing a 25 mile an hour wind using 14 watts and in a separate test operated a pump at the rate of 9 gallon a minute using only 18 watts.

Less input power is needed to produce continuous rotational torque of the claimed invention as compared to motors utilizing similar construction materials and power ratings. The claimed invention motor and a comparable commercial bipolar Dayton motor were both tested on a state of the art certified calibrated dynamometer for speed, torque, horsepower, watts and efficiency. The claimed invention motor was proven to be 86% more efficient than the conventional Dayton motor in testing which applied the same amount of torque or load. The test results are shown below and also in Figures 11, 12, 13 and 14b in the application. The claimed invention had a higher speed and used substantially less input wattage to produce the same amount of torque as the Dayton motor. It is acknowledged that the speed and horsepower should also be an exact match to truly compare efficiencies between motors, however an exact match was not obtainable without an unwanted change in the torque measurement.

	Claimed Invention Motor	Dayton Motor
Torque (oz.in.)	2.7	2.7
Horsepower	0.008	0.007
Speed (RPM)	3050	2420
Watts In	8.4	13.5
Efficiency (%)	67	36

It is a unique combination of dipolar operation of the electromagnetic and magnetic fields along with the transient redirection of CEMF by the claimed invention which materially contribute to a more efficient utilization of input energy.

Excessive heat causes typical motor degeneration and failure of parts; the claimed invention motor generates less heat and therefore will have a longer operating life when compared to standard bipolar motors. Over a 48 hour test period the coil core temperature of claimed invention utilizing the CEMF in a secondary process increased only 10 degrees Fahrenheit. The claimed invention motor has the advantage of not needing the protection of metal casing and parts; this use of non-ferrous composites for most of the claimed inventions motor parts and casing substantially reduces total weight and manufacturing costs.

The design of the claimed invention motor is substantially simpler than a typical electric motor; the stators used in the claimed invention motor uses less steel and copper, which will be easier and cheaper to manufacture.

Extended operating life, lighter, cheaper manufacturing costs, cooler more efficient operation are all factors of the claimed invention which materially contribute to the more efficient utilization and conservation of energy resources. When motors utilizing the claimed invention are prevalent in products such as pumps and blenders and

applications such as ceiling fans and heaters the end user's electric consumption will decrease without any decrease in performance.

The claimed invention can also be powered from a solar panel or wind generator for off the grid efficient electric usage and can function with magnets other than Neodymium Iron Boron (NdFeB).

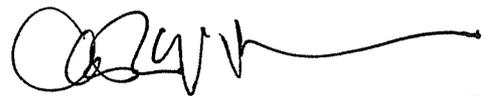
Energy efficiency of the claimed invention motor has been proven with prototypes that have been tested on a NIST certified Dynamometer. The claimed invention motor is cheaper, lighter, cooler and more efficient than a standard electric motor. Widespread use of the claimed invention motor in the United States market place in fans, pumps, industrial machinery and consumer products will contribute to the more efficient utilization and conservation of energy resources and, as such, the petition of the claimed invention should be granted made special status under the Green Technology Pilot Program to assure rapid development and deployment into the marketplace.

Conclusion

The Commissioner is hereby authorized to charge Deposit Account No. 03-2026 for any fees associated with this Response to Decision on Petition to Make Special Under the green Technology Program.

Respectfully submitted,

By



Christine W. Trebilcock, Esq.
PTO Registration No. 40,120
Cohen & Grigsby, P.C.
625 Liberty Avenue, 5th Floor
Pittsburgh, PA 15222-3152
(412) 297-4900



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,652	12/22/2010	Timm A. Vanderelli	09-281	5932
30058	7590	03/30/2011	EXAMINER	
COHEN & GRIGSBY, P.C. 625 LIBERTY AVENUE PITTSBURGH, PA 15222-3152			BENSON, WALTER	
			ART UNIT	PAPER NUMBER
			2837	
			NOTIFICATION DATE	DELIVERY MODE
			03/30/2011	ELECTRONIC

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.

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

IPPatent@CohenLaw.com
LPainePfister@CohenLaw.com



COHEN & GRIGSBY, P.C.
625 LIBERTY AVENUE
PITTSBURGH PA 15222-3152

In re Application of	:	
VANDERELLI et al.	:	DECISION ON PETITION
Application No. 12/975,652	:	TO MAKE SPECIAL UNDER
Filed: December 22, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 09-281	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 22, 2010 and renewed on March 09, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

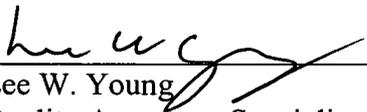
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2837 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800



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JONDLE & ASSOCIATES P.C.
858 HAPPY CANYON ROAD SUITE 230
CASTLE ROCK CO 80108

MAILED

JAN 04 2011

OFFICE OF PETITIONS

In re Application of	:	
SPYROU, Georgios SP.	:	
Application No. 12/975,766	:	DECISION ON PETITION
Filed: December 22, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 1602-002	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 22, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by Georgios SP. Spyrou attesting that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing. This application will be accorded "special" status when pre-examination processing is done.


Michelle R. Eason
Paralegal Specialist
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Decision Date : July 11,2011

In re Application of :

Georgios Spyrou

Application No : 12975766

Filed : 22-Dec-2010

Attorney Docket No : 1602-002

DECISION ON REQUEST TO WITHDRAW AS
ATTORNEY/AGENT OF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed July 11,2011

The request is **APPROVED**.

The request was signed by Robert J. Jondle (registration no. 33915) on behalf of all attorneys/agents associated with Customer Number 32905 . All attorneys/agents associated with Customer Number 32905 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name Georgious Sp. Spyrou
Name2
Address 1 5, MARKONI STR.
Address 2
City Athens
State
Postal Code 122 42
Country GR

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

Doc Code: PET.AUTO		PTO/SB/83
Document Description: Petition automatically granted by EFS-Web		U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS	
Application Number	12975766	
Filing Date	22-Dec-2010	
First Named Inventor	Georgios Spyrou	
Art Unit	1638	
Examiner Name	KEITH ROBINSON	
Attorney Docket Number	1602-002	
Title	Cotton Cultivar 856-1	
<input checked="" type="radio"/> Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number:		32905
The reason(s) for this request are those described in 37 CFR: 10.40(c)(1)(iv) 10.40(c)(1)(vi)		
Certifications		
<input checked="" type="checkbox"/> I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment		
<input checked="" type="checkbox"/> I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled		
<input checked="" type="checkbox"/> I/We have notified the client of any responses that may be due and the time frame within which the client must respond		
Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:		
Name	Georgious Sp. Spyrou	
Address	5, MARKONI STR.	
City	Athens	
State		
Postal Code	122 42	

Country	GR
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Robert J. Jondle/
Name	Robert J. Jondle
Registration Number	33915

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **DP-319007** Application Number (if known): **12/975,814** Filing date: **December 22, 2010**

First Named Inventor: **Paul E. Jankowski**

Title: **MULTI-TUBE CHEMICAL REACTOR WITH TESSELLATED HEAT TRANSFER FINS**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Accompanying Petition to Make Special Under Green-Technology Pilot Program

Signature **/Patrick M. Griffin/**

Date **July 13, 2011**

Name (Print/Typed) **Patrick M. Griffin**

Registration Number **29716**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of 2 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,814	12/22/2010	Paul E. Jankowski	DP-319007	6230
22851	7590	08/22/2011	EXAMINER	
Delphi Technologies, Inc. M/C 480-410-202 P.O. Box 5052 Troy, MI 48007			ART UNIT	PAPER NUMBER
			1773	
			MAIL DATE	DELIVERY MODE
			08/22/2011	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.



Delphi Technologies, Inc.
M/C 480-410-202
P.O. Box 5052
Troy MI 48007

AUG 22 2011

In re Application of :
Paul E. Jankowski :
Application No. 12/975,814 :
Filed: December 22, 2010 :
Attorney Docket No. DP-319007 :

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 13, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O.BOX 398
AUSTIN TX 78767-0398

MAILED
MAR 23 2011
OFFICE OF PETITIONS

In re Application of :
Jefferson L. Gokingco et al : DECISION GRANTING STATUS
Application No. 12/975,819 : UNDER 37 CFR 1.47(a)
Filed: December 22, 2010 :
Attorney Docket No. 5797-03800 :

This is in response to the petition under 37 CFR 1.47(a), filed December 22, 2010.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions



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

**MR. ROBERT G. FARMER
504 KING RICHARD LANE
MODESTO, CA 95350**

**MAILED
MAR 23 2011
OFFICE OF PETITIONS**

In re Application of
Jefferson L. Gokingco et al
Application No. 12/975,819
Filed: December 22, 2010
For: SYSTEMS AND METHODS FOR A DIGITAL-TO-CHARGE CONVERTER (DQC)

Dear Mr. Farmer:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3208. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

cc:

**MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN TX 78767-0398**

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **DP-319166** Application Number (if known): **12/975,836** Filing date: **December 22, 2010**

First Named Inventor: **Subhasish Mukerjee**

Title: **METHOD OF MAKING A SOLID OXIDE FUEL CELL STACK**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Accompanying Petition to Make Special Under Green-Technology Pilot Program

Signature **/Patrick M. Griffin/**

Date **July 13, 2011**

Name (Print/Typed) **Patrick M. Griffin**

Registration Number **29716**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.



*Total of 2 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/975,836	12/22/2010	SUBHASISH MUKERJEE	DP-319166	6291
22851	7590	08/22/2011	EXAMINER	
Delphi Technologies, Inc. M/C 480-410-202 P.O. Box 5052 Troy, MI 48007			ENIN-OKUT, EDU E	
			ART UNIT	PAPER NUMBER
			1727	
			MAIL DATE	DELIVERY MODE
			08/22/2011	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.



Delphi Technologies, Inc.
M/C 480-410-202
P.O. Box 5052
Troy MI 48007

AUG 22 2011

In re Application of	:	
Subhasish Mukerjee	:	DECISION ON PETITION
Application No. 12/975,836	:	TO MAKE SPECIAL UNDER
Filed: December 22, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. DP-319166	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 13, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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

JONDLE & ASSOCIATES P.C.
858 HAPPY CANYON ROAD SUITE 230
CASTLE ROCK CO 80108

MAILED
JAN 10 2011
OFFICE OF PETITIONS

In re Application of :
Spyrou, Georgios Sp. :
Application No. 12/975,845 :
Filed: December 22, 2010 :
Attorney Docket No. 1602-003 :

ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 22, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a Statement from the applicant, Georgios Sp. Spyrou. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Office of Patent Application Processing for further pre-examination processing. Thereafter, the application will be referred to Technology Center Art Unit 1638 for action on the merits commensurate with this decision.


Liana Walsh
Petitions Examiner
Office of Petitions

Doc Code: PET.AUTO		PTO/SB/83
Document Description: Petition automatically granted by EFS-Web		U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS	
Application Number	12975845	
Filing Date	22-Dec-2010	
First Named Inventor	Georgios Spyrou	
Art Unit	1638	
Examiner Name	KEITH ROBINSON	
Attorney Docket Number	1602-003	
Title	Cotton Cultivar L-403	
<input checked="" type="radio"/> Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number:		32905
The reason(s) for this request are those described in 37 CFR: 10.40(c)(1)(iv) 10.40(c)(1)(vi)		
Certifications		
<input checked="" type="checkbox"/> I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment		
<input checked="" type="checkbox"/> I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled		
<input checked="" type="checkbox"/> I/We have notified the client of any responses that may be due and the time frame within which the client must respond		
Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:		
Name	Georgios Sp. Spyrou	
Address	5, MARKONI STR.	
City	Athens	
State		
Postal Code	122 42	

Country	GR
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Robert J. Jondle/
Name	Robert J. Jondle
Registration Number	33915



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

Decision Date : July 11,2011

In re Application of :

Georgios Spyrou

Application No : 12975845

Filed : 22-Dec-2010

Attorney Docket No : 1602-003

DECISION ON REQUEST TO WITHDRAW AS
ATTORNEY/AGENT OF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed July 11,2011

The request is **APPROVED**.

The request was signed by Robert J. Jondle (registration no. 33915) on behalf of all attorneys/agents associated with Customer Number 32905 . All attorneys/agents associated with Customer Number 32905 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name Georgios Sp. Spyrou
Name2
Address 1 5, MARKONI STR.
Address 2
City Athens
State
Postal Code 122 42
Country GR

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions



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FOLEY & LARDNER LLP
P.O. BOX 80278
SAN DIEGO CA 92138-0278

MAILED

JUL 20 2011

OFFICE OF PETITIONS

In re Application of :
Sanders, et al. : DECISION ON PETITION
Application No. 12/975,908 :
Filed/Deposited: 22 December,200 :
Attorney Docket No. 034827-1031 :

This is a decision on the petition filed on 1 July, 2011, pursuant to 37 C.F.R. §1.47.

NOTE:

The petition states that then entire application was transmitted to the non-signing inventor, however, the transmittal letter clearly evidences that only the oath/declaration (with assignment) was sent, and not the entire application—description, claims, abstract, drawings—as required.

Petitioner may benefit from stepping through the requirements herein. (*See, generally:* MPEP §409.03, and §409.03(a)—the applicable statute (35 U.S.C. § 116).

The petition as considered pursuant to 37 C.F.R. §1.47(a) is **DISMISSED**.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled “Request for Reconsideration of Petition Pursuant to 37 C.F.R. §1.47(a),” and should address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 C.F.R. §1.136(a).

This is **not** a final agency action within the meaning of 5 U.S.C. §704.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a

Application No. 12/975,908

statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioner does not seem to have worked through the requirements of the petition, as set forth above, in satisfaction of those requirements. (*See, generally:* MPEP §409.03, and §409.03(a)—the applicable statute (35 U.S.C. § 116).

In particular, Petitioner has not as of this writing satisfied the requirement(s) of the petition as listed above and discussed below.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 22 December, 2010.

On 7 January, 2011, the Office mailed a Notice of Missing Parts, indicating therein the requirement, *inter alia*, for a fully executed oath/declaration.

On 1 July, 2011, Petitioner Anthony C. Kuhlmann (Reg. No. 57,147) filed, *inter alia*, a request and fee for extension of time with a petition (with fee authorization—now charged) pursuant to the regulations at 37 C.F.R. §1.47, an oath/declaration executed by co-inventor Mr. Sanders for himself and on behalf of non-signing inventor Maher Albitar (Mr. Albitar) and an averment of transmittal of the entire application (description, claims, abstract, drawings) to the non-signing inventor, however, the transmittal letter clearly evidences that only the oath/declaration and assignment were sent. Thus Petitioner failed to make the showing as required under the Rule (37 C.F.R. §1.47(a)) and consistent with the guidance in the Commentary at MPEP §409.03, and §409.03(a).

Petitioners always are reminded:

- *for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided; and*

Application No. 12/975,908

- *of the duties of candor to—with requirement for diligent inquiry before—the Office and to satisfy the Rules of Practice and the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq.*

Petitioner will find it beneficial to step through the requirements of a grantable petition under 37 C.F.R. §1.47(a) (i.e., (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address) and satisfy himself that he has complied with these requirements on submission of any renewed petition. (*See also*: the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq.)

Again, Petitioner has not worked through the requirements of the petition.

Thus, the present incompleteness of the record makes granting of the instant petition inappropriate.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application. Thus, now if one wishes to know the progress in and/or status of an application or the accuracy of the data therein, one need only look at the file online.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice *and* all others who make representations before the Office must inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.¹

The instant petition pursuant to 37 C.F.R. §1.47(a) is **dismissed**.

Further correspondence with respect to this matter should be addressed as follows:

¹ See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office). See specifically, the regulations at 37 C.F.R. §10.18.

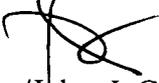
Application No. 12/975,908

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By FAX: (571) 273-8300
 ATTN: Office of Petitions

While telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2²) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).


/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

² The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.



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P.O. BOX 80278
SAN DIEGO CA 92138-0278

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SEP 26 2011

OFFICE OF PETITIONS

In re Application of :
Sanders, et al. : DECISION ON PETITION
Application No. 12/975,908 :
Filed/Deposited: 22 December, 2010 :
Attorney Docket No. 034827-1031 :

This is a decision on the petition filed on 20 September, 2011, pursuant to 37 C.F.R. §1.47.

The petition as considered pursuant to 37 C.F.R. §1.47(a) is **GRANTED**.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 22 December, 2010.

On 7 January, 2011, the Office mailed a Notice of Missing Parts, indicating therein the requirement, *inter alia*, for a fully executed oath/declaration.

On 1 July, 2011, Petitioner Anthony C. Kuhlmann (Reg. No. 57,147) filed, *inter alia*, a request and fee for extension of time with a petition (with fee authorization—now charged) pursuant to

Application No. 12/975,908

the regulations at 37 C.F.R. §1.47, an oath/declaration executed by co-inventor Mr. Sanders for himself and on behalf of non-signing inventor Maher Albitar (Mr. Albitar) and an averment of transmittal of the entire application (description, claims, abstract, drawings) to the non-signing inventor, however, the transmittal letter clearly evidences that only the oath/declaration and assignment were sent. Thus Petitioner failed to make the showing as required under the Rule (37 C.F.R. §1.47(a)) and consistent with the guidance in the Commentary at MPEP §409.03, and §409.03(a). The petition was dismissed on 20 July, 2011.

On 20 September, 2011, Petitioner re-advanced his petition with a showing consistent with the regulations at 37 C.F.R. §1.47 and the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq., including a showing of transmittal of the entire application (description, claims, abstract, drawings) to the non-signing inventor by Petitioner with a copy of transmittal correspondence and a written response averred to be from the non-signing inventor, who expressly refused to sign/join and appears to have set forth his current mailing address—the Office construes this submission as Petitioner's statement of the reasonably believed to be current/valid/last known address—if this was not Petitioner's intent Petitioner must immediately so Notice the Office. Therefore, it appears that Petitioner provided a showing satisfying the requirements under the Rule to wit: showing/proof that the non-signing inventor actually and/or constructively refused to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address. Thus, Petitioner sought to satisfy the requirements pursuant to the Rule and the guidance in the Commentary at MPEP §409.03, and §409.03(a) et seq.), and provide a showing that the non-signing inventors could not be found/refused to sign after diligent effort.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice and all others who make representations before the Office **must** inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.¹

¹ See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §11.18, formerly §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office).

Application No. 12/975,908

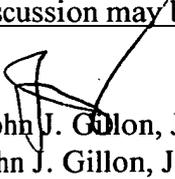
CONCLUSION

The instant petition under 37 C.F.R. §1.47(a) is **granted** (status is accorded pursuant to 37 C.F.R. §1.47(a).)

As provided in 37 C.F.R. §1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The instant application is released to the Office of Patent Application Processing (OPAP) for such processing as required in due course.

Telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2²) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).


/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

² The regulations at 37 C.F.R. §1.2 provide:
§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt



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MAHER ALBITAR MD
27165 KIAVO DR.
VALLEY CENTER, CA 92082

MAILED

SEP 26 2011

OFFICE OF PETITIONS

In re Application of :
Sanders, et al. : **COMMUNICATION**
Application No. 12/975,908 :
Filed/Deposited: 22 December,2010 :
Attorney Docket No. 034827-1031 :

Dear Maheer Albitar, MD:

You are named as an inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. §116 (United States Code), and 37 C.F.R. §1.47 (Code of Federal Regulations), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as an inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 C.F.R. §1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. §1.63.

Should you elect to join in the application, the contact information for Counsel of Record is set forth at the end of this Communication.

Should you seek to identify independent Counsel, you may find the Patent Attorneys/Agents Search engine of assistance (<https://oedci.uspto.gov/OEDCI/>).

Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Application No. 12/975,908

Telephone inquiries regarding this communication may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2¹) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's/your action(s) and/or inactions. Moreover, the Office can neither advise you nor recommend Counsel in this matter.



/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

Counsel of Record:
FOLEY & LARDNER LLP
P.O. BOX 80278
SAN DIEGO CA 92138-0278

¹ The regulations at 37 C.F.R. §1.2 provide:
§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,007	12/22/2010	Young-Min JEONG	678-4092 (P17929)	6615
66547	7590	03/31/2011	EXAMINER	
THE FARRELL LAW FIRM, P.C. 290 Broadhollow Road Suite 210E Melville, NY 11747			WU, XIAO MIN	
			ART UNIT	PAPER NUMBER
			2628	
			MAIL DATE	DELIVERY MODE
			03/31/2011	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.



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THE FARRELL LAW FIRM, LLP
290 Broadhollow Road, Suite 210 E
Melville, New York 11747

MAIL

MAR 31 2011
DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600

In re Application of :
Jeong, Young-Min *et al.* :
Serial No.: 12/976,007 :
Filed: December 22, 2010 :
For: **DATA DISPLAY METHOD AND DEVICE** : **DECISION ON PETITION**
: **ACCEPTANCE OF COLOR DRAWINGS**

This is a decision on the petition under 37 C.F.R. § 1.84(a)(2) filed December 22, 2010, requesting acceptance of colored drawings.

The petition requests that the color drawings identified in Figures 2, 7A, 7B, 7C, 7D, 7E and 9 be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee."

The petition is **GRANTED**.

Kenneth Wieder
Special Program Examiner
Technology Center 2600
Communications



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P.O. Box 1450
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BAKER & DANIELS LLP
202 South Michigan Street
Suite 1400
South Bend IN 46601

MAILED

AUG 01 2011

In re Application of
John I. Glass et al.
Application No. 12/976,186
Filed: December 22, 2010
Attorney Docket No. UNW0001.02

OFFICE OF PETITIONS

**DECISION ON PETITION
TO WITHDRAW
FROM RECORD**

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed July 5, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Daniel Tychonievich on behalf of all attorneys/agents associated with customer number 27187. All attorneys/agents associated with customer number 27187 have been withdrawn.

The correspondence address has been changed and is copied below.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

cc: James Mark Underwood
527 West Porter Avenue
Chesterton, IN 46304



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/976,186	12/22/2010	James Mark Underwood	UNW0001.02

CONFIRMATION NO. 6973

POWER OF ATTORNEY NOTICE



27187
BAKER & DANIELS LLP
202 South Michigan Street
Suite 1400
South Bend, IN 46601

Date Mailed: 07/26/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/05/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/kainabinet/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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JONDLE & ASSOCIATES P.C.
858 HAPPY CANYON ROAD SUITE 230
CASTLE ROCK CO 80108

MAILED

JAN 04 2011

OFFICE OF PETITIONS

In re Application of
SPYROU, Georgios SP.
Application No. 12/976,227
Filed: December 22, 2010
Attorney Docket No. **1602-004**

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 22, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by Georgios SP. Spyrou attesting that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing. This application will be accorded "special" status when pre-examination processing is done.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

Doc Code: PET.AUTO		PTO/SB/83
Document Description: Petition automatically granted by EFS-Web		U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS	
Application Number	12976227	
Filing Date	22-Dec-2010	
First Named Inventor	Georgios Spyrou	
Art Unit	1638	
Examiner Name	KEITH ROBINSON	
Attorney Docket Number	1602-004	
Title	Cotton Cultivar L-1000	
<input checked="" type="radio"/> Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number:		32905
The reason(s) for this request are those described in 37 CFR: 10.40(c)(1)(iv) 10.40(c)(1)(vi)		
Certifications		
<input checked="" type="checkbox"/> I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment		
<input checked="" type="checkbox"/> I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled		
<input checked="" type="checkbox"/> I/We have notified the client of any responses that may be due and the time frame within which the client must respond		
Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:		
Name	Georgios Sp. Spyrou	
Address	5, MARKONI STR.	
City	ATHENS	
State		
Postal Code	122 42	

Country	GR
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Robert J. Jondle/
Name	Robert J. Jondle
Registration Number	33915



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

Decision Date : July 11,2011

In re Application of :

Georgios Spyrou

Application No : 12976227

Filed : 22-Dec-2010

Attorney Docket No : 1602-004

DECISION ON REQUEST TO WITHDRAW AS
ATTORNEY/AGENT OF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed July 11,2011

The request is **APPROVED**.

The request was signed by Robert J. Jondle (registration no. 33915) on behalf of all attorneys/agents associated with Customer Number 32905 . All attorneys/agents associated with Customer Number 32905 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name Georgios Sp. Spyrou
Name2
Address 1 5, MARKONI STR.
Address 2
City ATHENS
State
Postal Code 122 42
Country GR

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,246	12/22/2010	John T. Williams	1016UR	7093
27353	7590	02/11/2011	EXAMINER	
MELVIN K. SILVERMAN AND ASSOCS PC 500 WEST CYPRESS CREEK ROAD SUITE 350 FT. LAUDERDALE, FL 33309			ART UNIT	PAPER NUMBER
			3617	
			MAIL DATE	DELIVERY MODE
			02/11/2011	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.



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FEB 11 2011

MELVIN K. SILVERMAN AND ASSOCS PC
500 WEST CYPRESS CREEK ROAD
SUITE 350
FT. LAUDERDALE, FL 33309

In re application of
John T. Williams
Application No. 12/976,246
Filed: December 22, 2010
For: SELF-CONTAINED HYDRAULIC
THRUSTER FOR VESSEL

:
: **DECISION ON PETITION**
: **TO MAKE SPECIAL FOR**
: **NEW APPLICATION**
: **UNDER 37 CFR 1.102**
:

This is a decision on the petition filed on December 22, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
- 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
- 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims is patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support

under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The petition in this case fails to comply with condition II.5.2, II.6.1 and II.6.3.

As to condition II.5.2, the petition lacks an indication of a preexamination search that encompasses all of the features of the claims. Specifically, with respect to the classification search, in addition to the areas already searched, the search needs to include a search of 114/150; 440/5, 6, 61A and 61R.

As to condition II.6.1, it is noted that the parent applications 11/999,531 and 12/381,245, which matured into U.S. Patent No. 7,654,875 and 7,883,384, respectively, disclosed a related invention and had art cited by the examiner, and thus deemed to be relevant to the invention. However, much of the art cited by the examiner is not included here. There absence needs to be explained.

As to condition II.6.3, there is not a satisfactory detailed explanation of claim patentability over each of the references. The explanation needs to specify how each of the claims are patentable over each of the cited references, which includes a need to specify whether each of the dependent claims are separately patentable beyond the limitations contained in the independent claims, and if so how, or a statement made that the dependent claims are not separately patentable. The statements "claims 3-4 define over Bekker because of their dependency from Claim 2 discussed above" and "claims 10-13 define over Bekker for the reasons set forth above" does not satisfy this requirement. Accordingly, applicant is required to specify whether each of the dependent claims are separately patentable beyond the limitations contained in the independent claims, and if so how, or a statement made that the dependent claims are not separately patentable. This needs to be done for each of the references.

Accordingly, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DECISION

For the above stated reasons, the petition is **DISMISSED**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within one (1) month or thirty (30) days, whichever is longer, from the date of this decision. No extensions of time will be

granted under 37 CFR 1.136(a) if the request is to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Teri Luu at (571) 272-7045.

 /Teri P. Luu/
Teri P. Luu
Quality Assurance Specialist
Technology Center 3600

tl: 02/10/11



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,246	12/22/2010	John T. Williams	1016UR	7093
27353	7590	04/13/2011	EXAMINER	
MELVIN K. SILVERMAN AND ASSOCS PC 500 WEST CYPRESS CREEK ROAD SUITE 350 FT. LAUDERDALE, FL 33309			ART UNIT	PAPER NUMBER
			3617	
			MAIL DATE	DELIVERY MODE
			04/13/2011	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.



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APR 13 2011

MELVIN K. SILVERMAN AND ASSOCS PC
500 WEST CYPRESS CREEK ROAD
SUITE 350
FT. LAUDERDALE, FL 33309

In re application of
 John T. Williams
Application No. 12/976,246
Filed: December 22, 2010
For: SELF-CONTAINED HYDRAULIC
 THRUSTER FOR VESSEL

:
:
: **DECISION ON PETITION**
:
: **TO MAKE SPECIAL FOR**
:
: **NEW APPLICATION**
:
: **UNDER 37 CFR 1.102**
:

This is a decision on the renewed petition filed on March 10, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance; or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed to a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist Teri P. Luu, at (571) 272-7045.

/Teri P. Luu/

Teri P. Luu
Special Program Examiner
Technology Center 3600



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,262	12/22/2010	Ken Mashitani	065933-0512	7130
20277	7590	01/19/2011	EXAMINER	
MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			ART UNIT	PAPER NUMBER
			2624	
			MAIL DATE	DELIVERY MODE
			01/19/2011	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.



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MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON DC 20005-3096

MAIL

JAN 19 2011

**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600**

In re Application of	:	
MASHITANI, KEN et al.	:	DECISION ON REQUEST TO
Application No. 12/976,262	:	PARTICIPATE IN PATENT
Filed: December 22, 2010	:	PROSECUTION HIGHWAY
Attorney Docket No. 065933-0512	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 23, 2010 to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
- (6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michael Horabik at 571-272-3068.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

The application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Michael Horabik/

Michael Horabik
Quality Assurance Specialist
Technology Center 2600
Communications



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,292	12/22/2010	Amit Kumar Gupta	VWS-220US	7179
26875	7590	01/25/2011	EXAMINER	
WOOD, HERRON & EVANS, LLP 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202			ART UNIT	PAPER NUMBER
			2839	
			MAIL DATE	DELIVERY MODE
			01/25/2011	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.



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WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI OH 45202

In re Application of
GUPTA et al.
Application No.: 12/976,292
Filed: 22 December 2010
Attorney Docket No.: VWS-220US
For: METHOD FOR OPERATING A
POWER DISSIPATING UNIT IN A
WIND TURBINE

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 23 December 2010, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
 - a. a Paris Convention application which either
 - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the DKPTO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
 - i. validly claims priority to an application filed in the DKPTO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or
 - iii. contains no priority claim, or
 - c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
 - i. validly claims priority to an application filed in the DKPTO, or
 - ii. validly claims priority to a PCT application that contains no priority claims, or

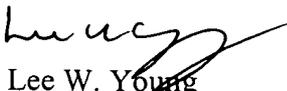
- iii. contains no priority claim;
2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the DKPTO application(s);
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
3. Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DKPTO application(s) and
 - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
 - a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the DKPTO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the DKPTO application is a first action allowance then no office action from the DKPTO is necessary should be indicated on the request/petition form;
 - b. An English language translation of the DKPTO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
6. Applicant must submit:
 - a. An IDS listing the documents cited by the DKPTO examiner in the DKPTO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.



Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components



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COZEN O'CONNOR
277 PARK AVENUE, 20TH FLOOR
NEW YORK, NY 10172

MAILED

OCT 03 2011

OFFICE OF PETITIONS

In re Application of
Elena Aseeva et al
Application No. 12/976,333
Filed: December 22, 2010
Attorney Docket No. 5710-6

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc.** 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Telephone inquiries related to this communication should be directed to Irvin Dingle at (571) 272-3210.


Irvin Dingle
Petitions Examiner
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
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MICHAEL BEST & FRIEDRICH LLP
100 E WISCONSIN AVENUE
Suite 3300
MILWAUKEE WI 53202

MAILED
JUN 20 2011
OFFICE OF PETITIONS

In re Application of :
Zhang, et al. : DECISION REFUSING STATUS
Application No. 12/976,378 : UNDER 37 CFR 1.47(a)
Filed: December 22, 2010 :
Atty. Dkt. No.: 010121-8378-US00 :

This decision is in response to the petition under 37 CFR 1.47(a) filed June 10, 2011.

The petition under 37 CFR 1.47(a) is **DISMISSED**.

Petitioners are given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted herein. The reply under 37 CFR 1.47(a) may include an oath or declaration executed by the non-signing inventors. Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The instant petition fails to satisfy requirement (1) set forth above.

Petitioners assert that the non-signing inventor agreed to sign the declaration for the instant application on several occasions. Petitioners further assert that the declaration and application papers were sent to the non-signing inventor via email.

Petitioners have failed to establish that the non-signing inventor received a complete copy of the instant application papers (specification, including claims, drawings, and oath or declaration) and thereafter refused to execute an oath or declaration.

Petitioners are required to establish that the non-signing inventor received a complete copy of the instant application before a refusal to sign an oath or declaration can be alleged. It must be demonstrated that a *bona fide* effort has been made to present a complete copy of the instant application papers (specification, including claims, drawings, and oath or declaration) to the non-signing inventor at the non-signing inventor's last known address, typically a residential address.



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MICHAEL BEST & FRIEDRICH LLP
100 E WISCONSIN AVENUE
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MILWAUKEE WI 53202

MAILED
SEP 13 2011
OFFICE OF PETITIONS

In re Application of :
Zhang, et al. : DECISION REFUSING STATUS
Application No. 12/976,378 : UNDER 37 CFR 1.47(a)
Filed: December 22, 2010 :
Atty. Dkt. No.: 010121-8378-US00 :

This decision is in response to the renewed petition under 37 CFR 1.47(a) filed August 16, 2011.

The petition under 37 CFR 1.47(a) is **DISMISSED**.

Petitioners are given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted herein. The reply under 37 CFR 1.47(a) may include an oath or declaration executed by the non-signing inventors. Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The instant petition fails to satisfy requirement (1) set forth above.

Petitioners continue to attempt to rely on an email directed to the non-signing inventor as effort to demonstrate that the non-signing inventor received a complete copy of the application papers and thereafter refused requests to execute the declaration for the above-identified application.

Petitioners have failed to establish that the non-signing inventor received a complete copy of the instant application papers (specification, including claims, drawings, and oath or declaration) and thereafter refused to execute an oath or declaration.

The supporting documents included with the petition do not establish that the inventor received a complete copy of the application papers via email. Typically a non-signing inventor would indicate receipt of the email and referenced attachments via return email in a 37 CFR 1.47(a) scenario.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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MAILED
NOV 22 2011
OFFICE OF PETITIONS

In re Application of
Zhang, et al. :
Application No. 12/976,378 : DECISION NOTING JOINDER OF
Filed: December 22, 2010 : INVENTOR and DECISION UNDER
Atty. Dkt. No.: 010121-8378-US00 : 37 CFR 1.47(a)
:

Papers filed on November 12, 2011 in response to a "Decision Refusing Status Under 37 CFR 1.47(a)," mailed September 13, 2011, included a Declaration signed by a previously non-signing inventor in compliance with 37 CFR 1.63.

The petition is **DISMISSED AS MOOT**.

In view of the joinder of the inventors, further consideration under § 1.47(a) is not necessary. This application does not have any Rule 1.47 status and no such status should appear on the record for this file. This application need not be returned to this Office for any further consideration under 37 CFR 1.47(a).

This application is being referred to the Office of Patent Application Processing for further processing.

Telephone inquiries should be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	12/976,481	Filing Date:	December 22, 2010
First Named Inventor:	Masaki WASEKURA		
Attorney Docket No.:	147788		
Title of the Invention:	DRIVE UNIT FOR DRIVING VOLTAGE-DRIVEN ELEMENT		
<p>THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.</p>			
<p>APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.</p>			
<p>The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.</p>			
<p>The corresponding PCT application number(s) is/are: PCT/JP2010/062911</p>			
<p>The international date of the corresponding PCT application(s) is/are: July 30, 2010</p>			
<p>I. List of Required Documents:</p>			
<p>a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)</p>			
<p><input checked="" type="checkbox"/> Is attached.</p>			
<p><input type="checkbox"/> Is <u>not</u> attached because the document is already in the U.S. application.</p>			
<p>b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).</p>			
<p><input checked="" type="checkbox"/> Is attached.</p>			
<p><input type="checkbox"/> Is <u>not</u> attached because the document is already in the U.S. application.</p>			
<p>c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.</p>			

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM
BETWEEN THE JPO AND THE USPTO**
(continued)

Application No.: 12/976,481

First Named Inventor: Masaki WASEKURA

d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.

 Is attached. Has already been filed in the above-identified U.S. application on December 22, 2010

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

 Are attached. Have already been filed in the above-identified U.S. application on December 22, 2010**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 is substantially identical to PCT claim 1.
2	2	US Claim 2 is substantially identical to PCT claim 2.
3	3	US Claim 3 substantially corresponds to PCT claim 3.
4	4	US Claim 4 substantially corresponds to PCT claim 4.
5	5	US Claim 5 is substantially identical to PCT claim 5.
6	6	US Claim 6 substantially corresponds to PCT claim 6.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature



Date January 24, 2011

Name

(Print/Typed)

James A. Oliff

Registration Number 27,075

Name

(Print/Typed)

Adam Brooke

Registration Number 58,922

[Page 2 of 2]

OLIFF & BERRIDGE, PLC
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Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**
Please grant any extension
necessary for entry of this filing;
Charge any fee due to our
Deposit Account No. 15-0461

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

I. List of Required Documents

a. A copy of the latest International Work Product (WO/IDA, WO/IPEA or IPER) in the corresponding PCT application(s)

- Is attached

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)

- Is attached

特許協力条約

発行人 日本国特許庁 (国際調査機関)



代理人 特許業務法人 快友国際特許事務所 様
あて名 〒450-0002 日本国愛知県名古屋市中村区名駅二丁目4番14号 日石名駅ビル7階

PCT
 国際調査機関の見解書
 (法施行規則第40条の2)
 [PCT規則43の2.1]

発送日
 (日.月.年) 07.09.2010

出願人又は代理人 の書類記号 K10-232-PCT	今後の手続きについては、下記2を参照すること。	
国際出願番号 PCT/JP2010/062911	国際出願日 (日.月.年) 30.07.2010	優先日 (日.月.年)
国際特許分類 (IPC) IntCl. H02M1/08(2006.01)I, H01L21/822(2006.01)I, H01L27/04(2006.01)I, H03K17/687(2006.01)I		
出願人 (氏名又は名称) トヨタ自動車株式会社		

1. この見解書は次の内容を含む。

- 第I欄 見解の基礎
- 第II欄 優先権
- 第III欄 新規性、進歩性又は産業上の利用可能性についての見解の不作成
- 第IV欄 発明の単一性の欠如
- 第V欄 PCT規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- 第VI欄 ある種の引用文献
- 第VII欄 国際出願の不備
- 第VIII欄 国際出願に対する意見

2. 今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規則68.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT/ISA/220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択は、様式PCT/ISA/220を参照すること。

3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解書を作成した日 26.08.2010	
名称及びあて先 日本国特許庁 (ISA/JP) 郵便番号100-8915 東京都千代田区新大塚三丁目4番3号	特許庁審査官 (権限のある職員) 杉浦 貴之 電話番号 03-3581-1101 内線 3358

第1欄 請求の要旨

1. 言語に関し、この見解書は以下のものに基づき作成した。
- 出願時の言語による国際出願
- 出願時の言語から国際調査のための言語である _____ 語に翻訳された、この国際出願の翻訳文 (PCT規則12.3(a)及び23.1(b))
2. この見解書は、PCT規則 91 の規定により国際調査機関が認めたと又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した (PCT規則 43 の 2.1(b))。
3. この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。
- a. 提出手段
- 紙形式
- 電子形式
- b. 提出時期
- 出願時の国際出願に含まれていたもの
- この国際出願と共に電子形式により提出されたもの
- 出願後に、調査のために、この国際調査機関に提出されたもの
4. さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。
5. 補足意見:

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N)	請求項	1-6	有
	請求項		無
進歩性 (IS)	請求項	1-6	有
	請求項		無
産業上の利用可能性 (IA)	請求項	1-6	有
	請求項		無

2. 文献及び説明

- 文献1 : JP 2006-324963 A (トヨタ自動車株式会社) 2006. 11. 30
- 文献2 : JP 2009-141690 A (富士電機デバイステクノロジー株式会社) 2009. 06. 25
- 文献3 : JP 2006-222593 A (トヨタ自動車株式会社) 2006. 08. 24
- 文献4 : JP 2000-228868 A (株式会社日立製作所) 2000. 08. 15

請求項1に係る発明は、国際調査報告で引用された何れの文献にも開示されておらず、新規性、進歩性を有する。特に、電圧駆動型素子のゲート抵抗部に接続するように構成される第1接続部と、駆動電源に接続するように構成される第2接続部と、第1入出力端子が前記第1接続部に接続されており、第2入出力端子が前記第2接続部に接続されているスイッチング素子と、前記スイッチング素子の制御端子に接続されており、前記スイッチング素子の制御端子に入力する電圧を制御する制御部と、を備えた駆動装置において、前記制御部が、誤差増幅器と参照電源とスイッチを有しており、前記誤差増幅器は、一方の入力端子が前記参照電源に接続されており、他方の入力端子が前記第1接続部に接続されており、出力端子が前記スイッチング素子の制御端子に接続されており、前記スイッチは、一端が前記第2接続部に接続されており、他端が前記スイッチング素子の制御端子に接続されている点は、何れの文献にも開示されておらず、しかも、その点は当業者といえども容易に想到し得ないものである。

請求の範囲

- [請求項1] 電圧駆動型素子を駆動する駆動装置であって、
前記電圧駆動型素子のゲート抵抗部に接続するように構成される第1接続部と、
駆動電源に接続するように構成される第2接続部と、
第1入出力端子が前記第1接続部に接続されており、第2入出力端子が前記第2接続部に接続されているスイッチング素子と、
前記スイッチング素子の制御端子に接続されており、前記スイッチング素子の制御端子に入力する電圧を制御する制御部と、を備えており、
前記制御部は、誤差増幅器と参照電源とスイッチを有しており、
前記誤差増幅器は、一方の入力端子が前記参照電源に接続されており、他方の入力端子が前記第1接続部に接続されており、出力端子が前記スイッチング素子の制御端子に接続されており、
前記スイッチは、一端が前記第2接続部に接続されており、他端が前記スイッチング素子の制御端子に接続されている駆動装置。
- [請求項2] 前記スイッチは、前記電圧駆動型素子のターンオンに同期して開く請求項1に記載の駆動装置。
- [請求項3] 前記スイッチング素子の第1入出力端子から出力される出力電流を増幅して前記第1接続部に供給する電流増幅回路をさらに備える請求項1又は2に記載の駆動装置。
- [請求項4] 前記誤差増幅器がオペアンプであり、
そのオペアンプのテイル電流値を調整するテイル電流調整回路をさらに備えている請求項1～3のいずれか一項に記載の駆動装置。
- [請求項5] 前記テイル電流調整回路は、前記電圧駆動型素子がターンオンするときに、
(1) 前記第1接続部の電圧が定常状態に達する前にテイル電流値を増大させ、

(2) 前記第1接続部の電圧が定常状態から減少する前にテイル電流値を減少させる。

請求項4に記載の駆動装置。

[請求項6]

前記制御部は、前記第1接続部の電圧を異なる大きさの固定電圧に切換えるために、前記スイッチング素子の制御端子に入力する電圧を制御可能に構成されている請求項1～5のいずれか一項に記載の駆動装置。

- **I.List of Required Documents**

- c. **English translations of the documents in a. and b. along with a statement that the English translations are accurate**

- Translation of the latest International Work Product is attached
- Translation of all claims in the corresponding PCT application as originally filed and indicated as having novelty, inventive step and industrial applicability are attached
- Statement that the English Translation of all claims in the corresponding PCT application as originally filed and indicated as having novelty, inventive step and industrial applicability is accurate is attached

English translation of the Written Opinion of the International Searching Authority
(International application No. PCT/JP2010/062911)

The invention of claim 1 is not disclosed in any of the cited references which were cited in the International Search Report. Therefore, the invention of claim 1 has novelty and inventive step. Especially, in the drive unit comprising a first connector configured so as to be connected with a gate resistor of the voltage-driven element, a second connector configured so as to be connected with a driving power source, a switching element having a first input-output terminal connected to the first connector and a second input-output terminal connected to the second connector, a controller connected to a control terminal of the switching element, and controlling a voltage input to the control terminal of the switching element, the configuration of “the controller having an error amplifier, a reference power source, and a switch, wherein one input terminal of the error amplifier is connected to the reference power source, an other input terminal thereof is connected to the first connector, and an output terminal thereof is connected to the control terminal of the switching element, and one end of the switch is connected to the second connector, and an other end thereof is connected to the control terminal of the switching element” is not disclosed in any of the cited references, and a person skilled in the art can not easily make such configuration.

1. A drive unit for driving a voltage-driven element, comprising:
 - a first connector configured so as to be connected with a gate resistor of the voltage-driven element;
 - a second connector configured so as to be connected with a driving power source;
 - a switching element having a first input-output terminal connected to the first connector and a second input-output terminal connected to the second connector;
 - a controller connected to a control terminal of the switching element, and controlling a voltage input to the control terminal of the switching element, wherein
 - the controller has an error amplifier, a reference power source, and a switch,
 - one input terminal of the error amplifier is connected to the reference power source, an other input terminal thereof is connected to the first connector, and an output terminal thereof is connected to the control terminal of the switching element, and
 - one end of the switch is connected to the second connector, and an other end thereof is connected to the control terminal of the switching element.
2. The drive unit according to claim 1, wherein
 - the switch is configured so as to turn on in synchrony with turning on of the voltage-driven element.
3. The drive unit according to claims 1 or 2, further comprising:
 - a current amplifier circuit amplifying an output current output from the first input-output terminal of the switching element and supplying an amplified output current to the first connector.
4. The drive unit according to claims 1 to 3, wherein the error amplifier is an operational amplifier, and further comprises:

a tail current adjusting circuit configured to adjust a tail current value of the operational amplifier.

5. The drive unit according to claim 4, wherein when the voltage-driven element is turned on, the tail current adjusting circuit:

(1) increases the tail current value before the voltage of the first connector reaches a steady state, and

(2) reduces the tail current value before the voltage of the first connector reduces from the steady state.

6. The drive unit according to claims 1 to 5, wherein the controller is configured to be capable of controlling the voltage that is input to the control terminal of the switching element in order to switch the voltage of the first connector to a fixed voltage having a different size.

CERTIFICATION OF ENGLISH LANGUAGE TRANSLATION OF CLAIMS

I hereby declare and state that I am knowledgeable of each of the Japanese and English languages.

I hereby certify that the attached English language translation is a complete and accurate translation of the claims of the PCT/JP2010/062911 application which were indicated as having novelty, inventive step, and industrial applicability, also contained herein.

January 11, 2011

Date



Signature

Hiroaki Murase

Typed Name

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the International Work Product

- The references cited in the ISR and Written Opinion were submitted in an Information Disclosure Statement filed on December 22, 2010



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,481	12/22/2010	Masaki WASEKURA	147788	7537

25944 7590 03/02/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER

ART UNIT	PAPER NUMBER
2816	

NOTIFICATION DATE	DELIVERY MODE
03/02/2011	ELECTRONIC

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.

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

OfficeAction25944@oliff.com
jarmstrong@oliff.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re Application of
Masaki WASEKURA
Application No.: 12/976,481
Filed: 22 December 2010
Attorney Docket No.: 147788
For: DRIVE UNIT FOR DRIVING
VOLTAGE-DRIVEN ELEMENT

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed 24 January 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate

if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.



Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: O2-0691 CON	Application Number (if known): 12/976,501	Filing date: 12/22/2010
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First Named Inventor: **Wei ZHANG**

Title: **BATTERY PACK WITH BALANCING MANAGEMENT**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature **/James P. Hao/**

Date **12/22/2010**

Name (Print/Typed) **James P. Hao**

Registration Number **36398**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,501	12/22/2010	Wei ZHANG	02-0691CON	7571
74878	7590	01/18/2011	EXAMINER	
O2MICRO INC C/O MURABITO, HAO & BARNES LLP TWO NORTH MARKET STREET THIRD FLOOR SAN JOSE, CA 95113			ART UNIT	PAPER NUMBER
			2858	
			MAIL DATE	DELIVERY MODE
			01/18/2011	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.



O2MICRO INC
C/O MURABITO, HAO & BARNES LLP
TWO NORTH MARKET STREET
THIRD FLOOR
SAN JOSE CA 95113

In re Application of	:	
ZHANG et al.	:	DECISION ON PETITION
Application No. 12/976,501	:	TO MAKE SPECIAL UNDER
Filed: December 22, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. O2-0691CON	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 22, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2858 for action in its regular turn.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 02-0737	Application Number (if known): 12/976,509	Filing date: 12/22/2010
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First Named Inventor: **Guoxing LI**

Title: **SIGNAL MONITORING SYSTEMS**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature **/James P. Hao/**

Date **12/22/2010**

Name (Print/Typed) **James P. Hao**

Registration Number **36398**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,509	12/22/2010	Guoxing LI	O2-0737	7587
74878	7590	06/27/2011	EXAMINER	
O2MICRO INC C/O MURABITO, HAO & BARNES LLP TWO NORTH MARKET STREET THIRD FLOOR SAN JOSE, CA 95113			ART UNIT	PAPER NUMBER
			2121	
			MAIL DATE	DELIVERY MODE
			06/27/2011	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 PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
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O2MICRO INC
C/O MURABITO, HAO & BARNES LLP
TWO NORTH MARKET STREET
THIRD FLOOR
SAN JOSE CA 95113

In re Application of
LI, Guoxing
Application No. 12/976,509
Filed: December 22, 2010
For: **SIGNAL MONITORING SYSTEMS**

**DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM**

This is a decision on the petition under 37 CFR 1.102, filed December 22, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis

for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 3 and 4 above for the reasons explained in more detail below.

Item 3 clearly states the petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. Item 4 also states that if the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met.

The claims define a system and method for monitoring a monitored signal. The claims go on to define the structure and method steps for carry out the invention. It is not clear from the claims or the disclosure how “the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction.” So we must turn to the “STATEMETN OF SPECIAL STATUS FOR PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM,” filed concurrently with the petition for an explanation of how the materiality standard is met. Therein, petitioner states that the invention “materially improve energy efficiency by more accurately monitoring a status of batteries such as rechargeable battery packs to make the batteries more reliable and power efficient.” Additionally, petitioner states “the claimed subject matter promotes development of increased applications for rechargeable battery pack because of power efficiency and reliability improvements.”

Section II of the Pilot Program for Green Technologies as set forth in 74 Federal Register Notice 64666, specifies that “materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could materially enhance the quality of the environment. Nor does such standard permit an applicant to enjoy the benefit of advanced examination merely because some minor aspect of the claimed invention

may enhance the quality of the environment.” This exclusion applies to applicant’s claimed “signal monitoring system” since, as pointed out by the petitioner, is merely to “monitor[the] status of batteries.” Furthermore, any possible benefit of the “signal monitoring system” such as “promotes development of increased applications for rechargeable battery” merely “speculate[s] as to how a hypothetical end-user might specially apply the invention in a manner that could materially enhance the quality of the environment.” Moreover, it is not understood how the mere act of “monitoring” is capable of “contribut[ing] to the more efficient utilization and conservation of energy resources.” Finally, it should be pointed out that the claimed invention is not directed to monitoring a signal for “rechargeable battery pack.” Accordingly, the petition is properly dismissed.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of “Petition for Green Tech Pilot” on the EFS-Web screen.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272 - 1732.

Eddie C. Lee

Eddie C. Lee
Quality Assurance Specialist, TC 2100

O2-0737
12/976,509

The Commissioner is hereby authorized to charge fees associated with this communication or credit any overpayment to Deposit Account No.: 50-4160.

Please direct all correspondence concerning the above-identified application to the following address:

MURABITO HAO & BARNES LLP
Two North Market Street, Third Floor
San Jose, California 95113
(408) 938-9060
74878

Respectfully submitted,

Date: 07/22/2011

By: /James P. Hao/
James P. Hao
Reg. No. 36,398



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,509	12/22/2010	Guoxing LI	O2-0737	7587
74878	7590	09/29/2011	EXAMINER	
O2MICRO INC C/O MURABITO, HAO & BARNES LLP TWO NORTH MARKET STREET THIRD FLOOR SAN JOSE, CA 95113			ART UNIT	PAPER NUMBER
			2121	
			MAIL DATE	DELIVERY MODE
			09/29/2011	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.



O2MICRO INC
C/O MURABITO, HAO & BARNES LLP
TWO NORTH MARKET STREET
THIRD FLOOR
SAN JOSE CA 95113

9/29/11

In re Application of	:	
Li	:	DECISION ON PETITION
Application No. 12/976,509	:	TO MAKE SPECIAL UNDER
Filed: 12/22/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. O2-0737	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 7/22/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 2121 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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JONDLE & ASSOCIATES P.C.
858 HAPPY CANYON ROAD SUITE 230
CASTLE ROCK CO 80108

MAILED

JAN 04 2011

In re Application of : **OFFICE OF PETITIONS**
SPYROU, Georgios SP. :
Application No. 12/976,522 :
Filed: December 22, 2010 : **DECISION ON PETITION**
Attorney Docket No. 1602-005 : **TO MAKE SPECIAL UNDER**
: **37 CFR 1.102(c)(1)**
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 22, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by Georgios SP. Spyrou attesting that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing. This application will be accorded "special" status when pre-examination processing is done.


Michelle R. Eason
Paralegal Specialist
Office of Petitions



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

Decision Date : July 11,2011

In re Application of :

Georgios Spyrou

Application No : 12976522

Filed : 22-Dec-2010

Attorney Docket No : 1602-005

DECISION ON REQUEST TO WITHDRAW AS
ATTORNEY/AGENT OF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed July 11,2011

The request is **APPROVED**.

The request was signed by Robert J. Jondle (registration no. 33915) on behalf of all attorneys/agents associated with Customer Number 32905 . All attorneys/agents associated with Customer Number 32905 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name Georgios Sp. Spyrou
Name2
Address 1 5, MARKONI STR.
Address 2
City ATHENS
State
Postal Code 122 42
Country GR

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

Doc Code: PET.AUTO		PTO/SB/83
Document Description: Petition automatically granted by EFS-Web		U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS	
Application Number	12976522	
Filing Date	22-Dec-2010	
First Named Inventor	Georgios Spyrou	
Art Unit	1638	
Examiner Name	KEITH ROBINSON	
Attorney Docket Number	1602-005	
Title	Cotton Cultivar L-9009-6	
<input checked="" type="radio"/> Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number:		32905
The reason(s) for this request are those described in 37 CFR: 10.40(c)(1)(iv) 10.40(c)(1)(vi)		
Certifications		
<input checked="" type="checkbox"/> I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment		
<input checked="" type="checkbox"/> I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled		
<input checked="" type="checkbox"/> I/We have notified the client of any responses that may be due and the time frame within which the client must respond		
Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:		
Name	Georgios Sp. Spyrou	
Address	5, MARKONI STR.	
City	ATHENS	
State		
Postal Code	122 42	

Country	GR
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Robert J. Jondle/
Name	Robert J. Jondle
Registration Number	33915

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Hartmut SCHOLTE-)
WASSINK)
Confirmation No.: 7626)
Serial No.: 12/976,530)
Filing Date: December 22, 2010)
Atty Docket No.: 242627-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 4, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6755

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **242627-1** Application Number (if known): **12/976,530** Filing date: **December 22, 2010**

First Named Inventor: **Hartmut SCHOLTE-WASSINK**

Title: **WIND TURBINE AND OPERATING SAME**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Douglas D. Zhang/**

Date **May 4, 2011**

Name (Print/Typed) **Douglas D. Zhang**

Registration Number **37,985**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,530	12/22/2010	Hartmut SCHOLTE-WASSINK	242627-1	7626
52082	7590	05/11/2011	EXAMINER	
General Electric Company GE Global Patent Operation 2 Corporate Drive, Suite 648 Shelton, CT 06484			ART UNIT	PAPER NUMBER
			2839	
			NOTIFICATION DATE	DELIVERY MODE
			05/11/2011	ELECTRONIC

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.

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

gpo.mail@ge.com
allyson.camaroli@ge.com



General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
SCHOLTE-WASSINK et al.	:	DECISION ON PETITION
Application No. 12/976,530	:	TO MAKE SPECIAL UNDER
Filed: December 22, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 242627-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 06, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

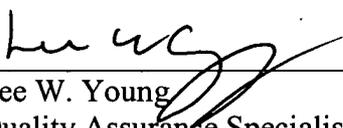
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2839 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **02-0745** Application Number (if known): **12/976,703** Filing date: **12/22/2010**

First Named Inventor: **Guoxing LI**

Title: **BATTERY MONITORING SYSTEMS**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature **/James P. Hao/**

Date **12/22/2010**

Name (Print/Typed) **James P. Hao**

Registration Number **36398**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,703	12/22/2010	Guoxing LI	O2-0745	7939
74878	7590	10/18/2011	EXAMINER	
O2MICRO INC C/O MURABITO, HAO & BARNES LLP TWO NORTH MARKET STREET THIRD FLOOR SAN JOSE, CA 95113			ART UNIT	PAPER NUMBER
			2612	
			MAIL DATE	DELIVERY MODE
			10/18/2011	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.



O2MICRO INC
C/O MURABITO, HAO & BARNES LLP
TWO NORTH MARKET STREET
THIRD FLOOR
SAN JOSE CA 95113

In re Application of :
Guoxing LI : DECISION ON PETITION
Application No. 12/976,703 : TO MAKE SPECIAL UNDER
Filed: December 22, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. O2-0745 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 22, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

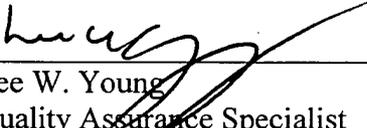
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2612 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2600

Doc Code: PPH.PCT.652

Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)

Approved for use through 01/31/2012. OMB 0651-0058

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	12/976,735	Filing date:	December 22, 2010
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First Named Inventor:	Jon C. R. Bennett
-----------------------	-------------------

Title of the Invention:	CONFIGURABLE INTERCONNECTION SYSTEM
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THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML](http://www.uspto.gov/ebc/efs_help.html)

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/062061

The international filing date of the corresponding PCT application(s) is/are:
December 23, 2010

I. List of Required Documents:

- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**
- Is attached.
- Is not attached because the document is already in the U.S. application.
- b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**
- Is attached.
- Is not attached because the document is already in the U.S. application.
- c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**



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**BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO IL 60610**

**In re Application of
Jon C.R. Bennett
Application No.: 12/976,735
Filed: December 22, 2010
Attorney Docket No.: 13016/96
For: CIFIGURABLE
INTERCONNECTION SYSTEM**

**: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on February 13, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

/SDB/

Sherry D. Brinkley
Petition Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2914-00100	Application Number (if known): TBD	Filing date: December 22, 2010
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First Named Inventor: Randy Blevins

Title: Director of Technology

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Timothy S. Westby/	Date 2010-12-22
-------------------------------	-----------------

Name (Print/Typed) Timothy S. Westby	Registration Number 52352
--------------------------------------	---------------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,739	12/22/2010	Randy BLEVINS	2914-00100	8017
12099	7590	05/05/2011	EXAMINER	
Timothy S. Westby Porter Hedges LLP P. O. Box 4078 Houston, TX 77210-4078			ART UNIT	PAPER NUMBER
			1621	
			NOTIFICATION DATE	DELIVERY MODE
			05/05/2011	ELECTRONIC

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.

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

patmail@porterhedges.com



MAY 04 2011

Timothy S. Westby
Porter Hedges LLP
P. O. Box 4078
Houston TX 77210-4078

In re Application of	:	
BLEVINS, Randy <i>et al.</i>	:	DECISION ON PETITION
Application No. 12/976739	:	TO MAKE SPECIAL UNDER
Filed: December 22, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2914-00100	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 22, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1621 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2914-00300	Application Number (if known): TBD	Filing date: December 22, 2010
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First Named Inventor: **Randy Blevins**

Title: **Director of Technology**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature **/Timothy S. Westby/**

Date **2010-12-22**

Name (Print/Typed) **Timothy S. Westby**

Registration Number **52352**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,763	12/22/2010	Randy BLEVINS	2914-00300	8058
12099	7590	04/29/2011	EXAMINER	
Timothy S. Westby Porter Hedges LLP P. O. Box 4078 Houston, TX 77210-4078			ART UNIT	PAPER NUMBER
			1771	
			NOTIFICATION DATE	DELIVERY MODE
			04/29/2011	ELECTRONIC

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.

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

patmail@porterhedges.com



Timothy S. Westby
Porter Hedges LLP
P. O. Box 4078
Houston TX 77210-4078

4/29/2011

In re Application of	:	
Blevins et al.	:	DECISION ON PETITION
Application No. 12/976,763	:	TO MAKE SPECIAL UNDER
Filed: 12/22/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2914-00300	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/22/2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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CHICAGO IL 60610

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MAY 19 2011

In re Application of	:	OFFICE OF PETITIONS
Krasinski et al.	:	
Application No. 12/976768	:	
Filing or 371(c) Date: 12/22/2010	:	
Attorney Docket Number:	:	DECISION
10709.399	:	ON PETITION

This is a decision on the "Petition Under 37 CFR §1.182", filed April 8, 2011, requesting the above-identified application be accorded a filing date of December 22, 2010, including a drawing filed with the present petition, based upon a benefit claim to prior-filed application no. 12/171,782. The petition is properly treated under 37 CFR 1.53(e).

The petition is **granted to the extent indicated below.**

Background

Application papers in the above-identified application were filed on December 22, 2010. On February 11, 2011, the Office of Patent Application Processing mailed a "Notice of Incomplete Nonprovisional Application," notifying Applicants that the application papers had NOT been accorded a filing date because the application was deposited without drawings.

The present petition

In response, Applicant timely filed the present petition. Applicant provides that the present application is filed as a continuation application of prior filed copending application no. 12/171,782, which claims priority to provisional application no. 60/949,328, the disclosure of the applications was incorporated by reference. Applicant requests that this Office accord the application the filing date of December 22, 2010, based upon the incorporation by reference of the entire contents of the prior-filed applications.

Applicant has filed an amendment to include the drawing figure with the present petition.

Incorporation by reference

The MPEP provides:

In an application containing an explicit incorporation by reference statement in the

specification or in a transmittal letter (if the transmittal letter was filed prior to September 21, 2004), a petition for the granting of a filing date may be made under 37 CFR 1.182. A petition under 37 CFR 1.182 and the required petition fee, including an amendment submitting the necessary omitted material, requesting that the necessary omitted material contained in the prior application and submitted in the amendment, be included in the continuation or divisional application based upon the incorporation by reference statement, is required in order to accord the application a filing date as of the date of deposit of the continuation or divisional application.

MPEP 201.06(c)(IV)(A).

Analysis

A review of the application file reveals that the application incorporated by reference the disclosure of prior application nos. 12/171,782, which claims priority to provisional application no. 60/949,328. A review of application no. 12/171,782, filed July 11, 2008, reveals that the application contains a drawing. Therefore, based upon applicant's incorporation by reference of the contents of the prior application on filing of the present application, a filing date of December 22, 2010 may be accorded the present application.

Receipt of the amendment to include the inadvertently omitted drawing(s) filed with the present petition is acknowledged. The Examiner will address any issues of new matter.

Petition under 37 CFR 1.57(a)

In view of the foregoing, the petition under 37 CFR 1.57(a) is considered moot.

No petition fee has been charged and none is due.

Conclusion

This application is being forwarded to the Office of Patent Application Processing, Customer Corrections, for further processing,

- with the filing date of December 22, 2010, using the application papers present on that date,
- and for continued processing in the normal course of business

Telephone inquiries concerning this matter should be directed to the undersigned at 571-272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/976,800 12/22/2010 Shigeru Kagawa TOSH/0192US 8129

7590 08/30/2011
PATTERSON & SHERIDAN, L.L.P.
3040 POST OAK BOULEVARD
SUITE 1500
HOUSTON, TX 77056

Table with 1 column: EXAMINER

MILAKOVICH, NATHAN J

Table with 2 columns: ART UNIT, PAPER NUMBER

2835

Table with 2 columns: MAIL DATE, DELIVERY MODE

08/30/2011

PAPER

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Handwritten signature of M. James

Patent Publication Branch
Office of Data Management



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1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY UT 84111

MAILED

MAR 09 2012

OFFICE OF PETITIONS

In re Application of :
Sorrells, et al. :
Application No.12/976,839 :
Filed: 22 December, 2010 :
Attorney Docket No 19200.1.1.1.2.2.1 :

ON PETITION

This is a decision on the petition filed on 3 February, 2012, under 37 C.F.R. §1.27(g)(2) requesting that status as a Small Entity be removed.

NOTE:

In view of their duty of candor to the Office to properly inquire to ascertain the accuracy of representations made before the Office (*see*: 37 C.F.R. §1.4, §10.18, MPEP §410), Petitioners always are reminded of the responsibility to review their records and submit accurate information to the Office.

Petitioners also are reminded to chart out the fees paid/fees due/balance due in their submission(s) to the Office. (*See, generally*: 37 C.F.R. §1.27, §1.28, MPEP §509.02 and 509-03.)

Petitioner's submission is **ACCEPTED**.

In accordance with the request, status as a Small Entity will be removed, and Petitioner is required to pay fees at the schedule set forth for not-small entities. **The additional fees were charged as authorized.**

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application.

Application No.12/976,839

Out of an abundance of caution, Petitioners always are reminded that those registered to practice and all others who make representations before the Office **must** inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation—since all owe to the Office the continuing duty to disclose.¹

The instant application is released to the Office of Patent Application Processing (OPAP) for further processing in due course as is necessary.

Telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2²) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).



/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

¹ See supplement of 17 June, 1999. The Patent and Trademark Office is relying on Petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office).

² The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
12/976,842 12/22/2010 Ritsuo YOSHIDA TOSH/0195US 8205

7590 01/04/2012
PATTERSON & SHERIDAN, L.L.P.
3040 POST OAK BOULEVARD
SUITE 1500
HOUSTON, TX 77056

Table with 1 column: EXAMINER

DOLLINGER, TONIA LYNN MEONSKE

Table with 2 columns: ART UNIT, PAPER NUMBER

2443

Table with 2 columns: MAIL DATE, DELIVERY MODE

01/04/2012 PAPER

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)
The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Handwritten signature of Tonia Lynn Meonske

Patent Publication Branch
Office of Data Management



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Alexandria, VA 22313-1450
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In re Application of
Arkadiy Lyakh

:
:

Application No. 12976856

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed:

:

Attorney Docket No. 10-24310

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 22-DEC-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.



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**KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614**

**MAILED
OCT 19 2011
OFFICE OF PETITIONS**

In re Application of :
Rogowski et al. :
Application No. 12/976,866 : ON PETITION
Filed: December 22, 2010 :
Attorney Docket No. SOMX.039C1 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed September 30, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the applicant, Neil B. Kavey, attesting to being over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 1627 for action on the merits commensurate with this decision.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,883	12/22/2010	Albert John McGowan	028406-001000US	8275
20350	7590	03/11/2011	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			ART UNIT	PAPER NUMBER
			2447	
			NOTIFICATION DATE	DELIVERY MODE
			03/11/2011	ELECTRONIC

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.

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com



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KILPATRICK TOWNSEND &
STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

In re Application of: McGowan et al.
Application No. 12/976,883
Filed: December 22, 2010
For: **DYNAMIC CHUNKING FOR
MEDIA STREAMING**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(d) **MAILED**

MAR 11 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed December 22, 2010, to make the above-identified application special.

The petition is **DISMISSED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application is

- (a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims, or
- (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application (i) validly claims priority under 35 U.S.C. 365(b) to an application filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or (iii) contains no priority claim, or
- (c) a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application (i) validly claims priority under 35 U.S.C. 365(b) to an application filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or (iii) contains no priority claim.

(2) The IPAU application(s) has at least one claim that was determined by IPAU to be allowable. Applicant must submit a copy of the allowable claims from the IPAU application(s). If the IPAU office action does not explicitly state that a particular claim is allowable, applicant must include a statement in the request for participation in the PPH pilot program that no rejection has been made in the IPAU office action regarding that claim and therefore, the claim is deemed allowable by IPAU.

(3) All the claims in each U.S. application for which a request for participation in the PPH pilot program is made must sufficiently correspond or be amended to sufficiently correspond to the allowable claims in the IPAU application(s). Claims will be considered to sufficiently correspond where, accounting for differences due to claim format requirements, the claims are of the same or similar scope. Applicant is also required to submit a claims correspondence table in English. The claims correspondence table must indicate how all the claims in the U.S. application correspond to the allowable claims in the IPAU application(s).

(4) Examination of the U.S. application for which participation in the PPH pilot program is requested has not begun.

(5) Applicant must submit a copy of all the office actions (which are relevant to patentability) from each of the IPAU application(s) containing the allowable claims that are the basis for the request. In addition, applicant must submit copies of any office actions (which are relevant to patentability) from the IPAU application(s) issued after the grant of the request for participation in the PPH pilot program in the USPTO (especially where IPAU might have reversed a prior holding of allowability).

(6) Applicant must submit an information disclosure statement (IDS) listing the documents cited by the IPAU examiner in the IPAU office action (unless such an IDS has already been filed in the U.S. application). Applicant must submit copies of all the documents cited in the IPAU office action (unless the copies have already been filed in the U.S. application) except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition failed item (6) above. With respect to item (6), foreign document CN 101282478 listed in the Information Disclosure Statement (filed December 22, 2010) is either illegible or it was not submitted.

Accordingly, the Petition is **DISMISSED**.

Applicant is given a time period of ONE MONTH or THIRTY DAYS, whichever is longer, to correct the deficiencies. NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.

If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Responses must be submitted by EFS-Web using the document description "Petition to make special under Pat Pros Hwy".

Telephone inquiries concerning this decision should be directed to Christopher Grant at 571-272-7294.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

Application SN 12/976,883
Decision on Petition

/Christopher Grant/

Christopher Grant
Quality Assurance Specialist
Technology Center 2400



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,883	12/22/2010	Albert John McGowan	028406-001000US	8275
20350	7590	06/09/2011	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			HWANG, JOON H	
			ART UNIT	PAPER NUMBER
			2447	
			NOTIFICATION DATE	DELIVERY MODE
			06/09/2011	ELECTRONIC

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.

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com



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KILPATRICK TOWNSEND &
STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

In re Application of: McGowan et al.
Application No. 12/976,883
Filed: December 22, 2010
For: **DYNAMIC CHUNKING FOR
MEDIA STREAMING**

DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(d)

MAILED

JUN 08 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed March 31, 2011, to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application is

- (a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims, or
- (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application (i) validly claims priority under 35 U.S.C. 365(b) to an application filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or (iii) contains no priority claim, or
- (c) a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application (i) validly claims priority under 35 U.S.C. 365(b) to an application filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or (iii) contains no priority claim.

(2) The IPAU application(s) has at least one claim that was determined by IPAU to be allowable. Applicant must submit a copy of the allowable claims from the IPAU application(s). If the IPAU office action does not explicitly state that a particular claim is allowable, applicant must include a statement in the request for participation in the PPH pilot program that no rejection has been made in the IPAU office action regarding that claim and therefore, the claim is deemed allowable by IPAU.

(3) All the claims in each U.S. application for which a request for participation in the PPH pilot program is made must sufficiently correspond or be amended to sufficiently correspond to the allowable claims in the IPAU application(s). Claims will be considered to sufficiently correspond where, accounting for differences due to claim format requirements, the claims are of the same or similar scope. Applicant is also required to submit a claims correspondence table in English. The claims correspondence table must indicate how all the claims in the U.S. application correspond to the allowable claims in the IPAU application(s).

(4) Examination of the U.S. application for which participation in the PPH pilot program is requested has not begun.

(5) Applicant must submit a copy of all the office actions (which are relevant to patentability) from each of the IPAU application(s) containing the allowable claims that are the basis for the request. In addition, applicant must submit copies of any office actions (which are relevant to patentability) from the IPAU application(s) issued after the grant of the request for participation in the PPH pilot program in the USPTO (especially where IPAU might have reversed a prior holding of allowability).

(6) Applicant must submit an information disclosure statement (IDS) listing the documents cited by the IPAU examiner in the IPAU office action (unless such an IDS has already been filed in the U.S. application). Applicant must submit copies of all the documents cited in the IPAU office action (unless the copies have already been filed in the U.S. application) except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition are found to comply with all the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Christopher Grant at 571-272-7294.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Christopher Grant/

Christopher Grant
Quality Assurance Specialist
Technology Center 2400



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/976,890	12/22/2010	Albert John McGowan	028406-001100US	8284
20350	7590	06/17/2011	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			HWANG, JOON H	
			ART UNIT	PAPER NUMBER
			2447	
			NOTIFICATION DATE	DELIVERY MODE
			06/17/2011	ELECTRONIC

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.

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com



UNITED STATES PATENT AND TRADEMARK OFFICE

KILPATRICK TOWNSEND &
STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

In re Application of: McGowan et al.
Application No. 12/976,890
Filed: December 22, 2010
For: **DYNAMIC INDEXING FOR AD
INSERTION IN MEDIA STREAMING**

MAILED

JUN 17 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

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DECISION ON REQUEST TO
PARTICIPATE IN PATENT
PROSECUTION HIGHWAY
PROGRAM AND PETITION TO
MAKE SPECIAL UNDER 37 CFR
1.102(d)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed December 22, 2010, to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application is
 - (a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims, or
 - (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application (i) validly claims priority under 35 U.S.C. 365(b) to an application filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or (iii) contains no priority claim, or
 - (c) a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application (i) validly claims priority under 35 U.S.C. 365(b) to an application filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or (iii) contains no priority claim.
- (2) The IPAU application(s) has at least one claim that was determined by IPAU to be allowable. Applicant must submit a copy of the allowable claims from the IPAU application(s). If the IPAU office action does not explicitly state that a particular claim is allowable, applicant must include a statement in the request for participation in the PPH pilot program that no rejection has been made in the IPAU office action regarding that claim and therefore, the claim is deemed allowable by IPAU.

(3) All the claims in each U.S. application for which a request for participation in the PPH pilot program is made must sufficiently correspond or be amended to sufficiently correspond to the allowable claims in the IPAU application(s). Claims will be considered to sufficiently correspond where, accounting for differences due to claim format requirements, the claims are of the same or similar scope. Applicant is also required to submit a claims correspondence table in English. The claims correspondence table must indicate how all the claims in the U.S. application correspond to the allowable claims in the IPAU application(s).

(4) Examination of the U.S. application for which participation in the PPH pilot program is requested has not begun.

(5) Applicant must submit a copy of all the office actions (which are relevant to patentability) from each of the IPAU application(s) containing the allowable claims that are the basis for the request. In addition, applicant must submit copies of any office actions (which are relevant to patentability) from the IPAU application(s) issued after the grant of the request for participation in the PPH pilot program in the USPTO (especially where IPAU might have reversed a prior holding of allowability).

(6) Applicant must submit an information disclosure statement (IDS) listing the documents cited by the IPAU examiner in the IPAU office action (unless such an IDS has already been filed in the U.S. application). Applicant must submit copies of all the documents cited in the IPAU office action (unless the copies have already been filed in the U.S. application) except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition are found to comply with all the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Christopher Grant at 571-272-7294.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Christopher Grant/

Christopher Grant
Quality Assurance Specialist
Technology Center 2400



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.
12/976,938	12/22/2010	Jong Hwa Chun	5038-103842	8376

28289 7590 04/19/2011

THE WEBB LAW FIRM, P.C.
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH, PA 15219

EXAMINER

ART UNIT	PAPER NUMBER
3671	

NOTIFICATION DATE	DELIVERY MODE
04/19/2011	ELECTRONIC

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.

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

patents@webblaw.com



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APR 18 2011

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United States Patent and Trademark Office
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THE WEBB LAW FIRM, P.C.
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH PA 15219

In re application of Chun et al.
Application No. 12/976,938
Filed: December 22, 2010
For: APPARATUS FOR COLLECTING MARINE DEPOSITS

: **DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed March 17, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO, or USPTO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the KIPO application(s);
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of the latest Office action from each of the KIPO application(s) containing the allowable/patentable claim(s);
- (6) Applicant must submit an IDS listing the documents cited by the KIPO examiner in the KIPO Office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the preliminary amendment filed March 17, 2011. The request to participate in the PPH pilot program complies with the above requirements. Therefore, the above-identified application has been accorded "special" status.

All other inquiries concerning the examination or status of the application should be directed to the Patent Application Information Retrieval (PAIR) system.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Mikado Buiz, Quality Assurance Specialist, at (571) 272-6578.

 / Mikado Buiz /
Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 4/15/11

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM		
Attorney Docket Number: B0R1.001U	Application Number (if known):	Filing date:
First Named Inventor: David Boren et al.		
Title: FLUIDKINETIC ENERGY CONVERTER		
APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:		
<p style="margin-left: 40px;"><u>Applicant is requesting early publication:</u> Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.</p>		
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.		
3. This request is accompanied by statements of special status for the eligibility requirement.		
4. The application contains no more than three (3) independent claims and twenty (20) total claims.		
5. The application does not contain any multiple dependent claims.		
6. Other attachments: _____		
Signature 	Date: 12-21-2010	
Name (Print/Typed): Dwayne Kreipl	Registration Number:	
<p><i>Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*</i></p>		
<input checked="" type="checkbox"/> Total of <u>three (3)</u> forms are submitted.		

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the PATENT application of:

David Boren et al.

Serial No.: NYA

Examiner: NYA

Confirmation No.: NYA

Art Unit: NYA

Filed: December 22, 2010

Attorney Docket No: BORJ.001U

For: FLUIDKINETIC ENERGY CONVERTER

Box Application

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

STATEMENT OF SPECIAL STATUS

Applicants hereby respectfully request approval to participate in the Green Technology Pilot Program based on qualifications listed on the accompanying Petition to Make Special and this Statement of Special Status. Applicants hereby state through their attorneys of record that:

1. The application in question contains no more than 3 independent claims, and no more than 20 total claims; and
2. The application pertains to the discovery or development of renewable energy resources.

Dated: December 22, 2010

Respectfully submitted:

ZARIAN MIDGLEY & JOHNSON PLLC

ZARIAN MIDGLEY & JOHNSON PLLC

CUSTOMER NO. 67559

960 Broadway Ave., Suite 250

Boise, Idaho 83706

(t) (208) 562-4900

(f) (208) 562-4901

By: /Benjamin E. Hoopes/

Benjamin E. Hoopes

Reg. No. 63493

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: BORJ.001U	Application Number (if known):	Filing date:
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First Named Inventor: David Boren et al.

Title: FLUIDKINETIC ENERGY CONVERTER

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: _____

Signature: 	Date: 12.21.2010
--	------------------

Name (Print/Typed): David Boren	Registration Number:
---------------------------------	----------------------

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.

*Total of three (3) forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: BORJ.001U	Application Number (if known):	Filing date:
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First Named Inventor: David Boren et al.

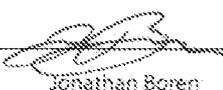
Title: FLUIDKINETIC ENERGY CONVERTER

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

- By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.
- By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: _____

Signature 	Date 12-21-2010
Name (Print/Typed) Jonathan Boren	Registration Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 1.118. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below.

*Total of three (3) forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,014	12/22/2010	David Boren	BORJ.001U	8505

67559 7590 01/19/2011
Zarian Midgley & Johnson PLLC
University Plaza, 960 Broadway Ave., Suite 250
Boise, ID 83706

EXAMINER

ART UNIT	PAPER NUMBER
3741	

MAIL DATE	DELIVERY MODE
01/19/2011	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.



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Zarian Midgley & Johnson PLLC
University Plaza, 960 Broadway Ave., Suite 250
Boise ID 83706

In re Application of :
BOREN, DAVID et al : DECISION ON PETITION
Application No. 12/977,014 : TO MAKE SPECIAL UNDER
Filed: Dec. 22, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. BORJ.001U : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Dec. 22, 2010, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications:

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application is currently undergoing pre-examination processing. Upon completion, the application will be forwarded to the Technology Center Art Unit 3741 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700



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STEPHEN CHRISTOPHER SWIFT
SWIFT LAW OFFICE
2121 EISENHOWER AVENUE
SUITE 200
ALEXANDRIA VA 22314-4688

MAILED

JAN 04 2011

In re Application of

WISOTZKI, Fritz Juergen
Application No. 12/977,061
Filed: December 23, 2010
Attorney Docket No. 310-4

: OFFICE OF PETITIONS
:
:
: DECISION ON PETITION
:
: TO MAKE SPECIAL UNDER
:
: 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July December 23, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a copy of the inventor's passport as evidence that Fritz Juergen Wisotzki is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4231
All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing. This application will be accorded "special" status when pre-examination processing is done.


Michelle R. Eason
Paralegal Specialist
Office of Petitions



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Alexandria, VA 22313-1450
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**SOROKER-AGMON ADVOCATE AND PATENT ATTORNEYS
NOLTON HOUSE, 14 SHENKAR STREET
HERZELIYA PITUACH 46725 IL ISRAEL**

MAILED

JAN 07 2011

OFFICE OF PETITIONS

In re Application of :
Tamari et al. :
Application No. 12/977,105 : **ON PETITION**
Filed: December 23, 2010 :
Attorney Docket No. 4373/1.3.1 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 23, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the applicant's attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Office of Patent Application Processing for further pre-examination processing. Thereafter, the application will be referred to Technology Center Art Unit 3764 for action on the merits commensurate with this decision.

Liana Walsh
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/ISB/R20 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **238816-2** Application Number (if known): **12/977149** Filing date: **12-23-2010**

First Named Inventor: **Pradip Radhakrishnan Subramaniam**

Title: **Lubrication of Fluid Turbine Gearbox During Idling or Loss of Electric Grid**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **May 31, 2011**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,149	12/23/2010	Pradip Radhakrishnan Subramaniam	238816-2	8777
6147	7590	06/10/2011	EXAMINER	
GENERAL ELECTRIC COMPANY			MANSEN, MICHAEL R	
GLOBAL RESEARCH			ART UNIT	PAPER NUMBER
ONE RESEARCH CIRCLE			3654	
BLDG. K1-3A59			NOTIFICATION DATE	DELIVERY MODE
NISKAYUNA, NY 12309			06/10/2011	ELECTRONIC

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.

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

- ldocket@crd.ge.com
- rosssr@ge.com
- wahld@ge.com



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JUN 09 2011

GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of :
PRADIP SUBRAMANIAM et al. : DECISION ON PETITION
Application No. 12/977,149 : TO MAKE SPECIAL UNDER
Filed: December 23, 2010 : THE GREEN TECHNOLOGY
Attorney Docket No. 238816-2 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed June 3 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement

by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. It is unclear how the claimed invention meets the materiality standard as there is no materiality statement provided in the petition. A lubrication system may reduce heating of the components of the gearbox and minimize failure of the gearbox. However, the claimed lubrication system/method for a gearbox in and by itself would not ordinarily contribute to the development of renewable energy resources -- the claimed lubrication system/method cannot generate energy or convert the mechanical energy into electrical energy. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI)*. Accordingly, it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3654 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

Applicant respectfully submits that the present invention is generally directed to a lubrication of a gearbox and more particularly, to a system of lubricating a fluid turbine gearbox during idling or loss of electric grid.

Generally, a wind turbine gearbox is supplied with oil for lubricating the bearings and meshing gears of the gearbox by a conventionally operated electrical pump. Such pumps may be efficiently operated for lubrication during on grid conditions, thereby, making use of the electric power generated from the turbine. But, during the time of no electric grid or idling, the conventional electrically operated pump cannot be used to supply the oil to the various components of the gearbox including the bearings and meshing gears unless a backup power source is available. The use of an auxiliary power source leads to additional costs and is not generally preferable in view of high cost of operation of the lubrication system. Some other typical wind turbine gearbox lubrication systems include a mechanically coupled geared pump for providing lubricating oil to the gearbox. Such pumps are attached to a gearbox shaft on the blade side of the wind turbine or generator side of the wind turbine. However, during emergency conditions such as failure of the mechanically coupled geared pump or maintenance of the electrically operated pump, supply of lubricating oil to the gearbox may not be available. Operation of the wind turbine in this condition causes increased friction which results in wind energy being wasted as heat and premature wear of various components of the gearbox, and thus in reduced efficiency of the wind turbine. The excessive heating of the components of the gearbox may also lead to failure due to increased stresses.

Embodiments disclosed herein are directed to an efficient lubrication system for lubricating a fluid turbine gearbox. Thus, the lubrication system may generally include a supply subsystem for providing oil to a gearbox of the fluid turbine for lubrication during loss of electric grid, idling, or any other emergency situation. In some embodiments, the supply subsystem may include a hydraulic accumulator for providing oil to a gearbox of the fluid turbine for splash lubrication. In other embodiments, the supply subsystem may include an oil tank for providing oil to a gearbox of the fluid turbine for splash lubrication. The lubrication system may also include a control subsystem for controlling the flow in the lubrication system. The control subsystem may include a plurality of direction control valves and a plurality of drain ports configured to control the flow of oil in the lubrication system. The lubrication system may further include a drain tank for collecting the oil flowing out of the gearbox and an auxiliary pump for pumping the oil from the drain tank to at least one of the hydraulic accumulator or the oil tank.

It should be appreciated that the disclosed lubrication system may generally provide numerous advantages for the wind turbine. Embodiments of the present invention ensure that the various components of the fluid turbine gearbox such as bearings and meshing gears are effectively lubricated. It is well known in the art that lack of effective lubrication may result in excessive friction between moving components of a mechanical assembly. In a wind turbine gearbox, this causes wind energy harnessed by the turbine to be dissipated and wasted as heat, thus reducing the efficiency of the turbine. Additionally, excessive friction can also cause premature wear of the various components of the gearbox. This can prematurely result in a gearbox that operates inefficiently even with adequate lubrication. Thus, maintaining effective

lubrication of the gearbox and preventing wasted energy improves the overall efficiency of the wind turbine system, and thus promotes energy conservation, greenhouse gas reduction and contributes to the development of renewable energy.

Embodiments of the present invention also eliminate the requirement of a battery backup for carrying out lubrication of the gearbox during loss of electric grid, idling, and emergency conditions such as failure or maintenance of the main electric pump used for supplying oil to the gearbox. It is well known in the art that batteries will produce only a fraction of the energy required for their manufacture. It is also well known that disposal of used batteries can pose significant environment challenges and further energy expenditures. Eliminating the use of battery backup thus promotes energy conservation and greenhouse gas reduction. In addition to battery backup, embodiments of the present invention also dispense with the requirement of any mechanical pump conventionally employed for supplying lubricating oil to the wind turbine gearbox. Such mechanical pumps are cumbersome and expensive. The significant cost reduction to wind turbines achieved by their conversion to embodiments of the present invention increases accessibility to such turbines, and promotes the development of renewable energy.

Embodiments of the present invention materially promote energy conservation, greenhouse gas reduction and contribute to the development of renewable energy by lubricating the wind turbine gearbox during off grid conditions, thereby reducing friction in the gearbox. This prevents excessive friction and heat in the gearbox, premature wear of its components, usage of energy-wasting and environmentally destructive batteries, and reduces the cost of the wind energy. These measures aid in more energy

efficient wind turbine performance, which in turn promotes the development of renewable energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: July 07, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,149	12/23/2010	Pradip Radhakrishnan Subramaniam	238816-2	8777
6147	7590	08/05/2011	EXAMINER	
GENERAL ELECTRIC COMPANY			MANSEN, MICHAEL R	
GLOBAL RESEARCH			ART UNIT	PAPER NUMBER
ONE RESEARCH CIRCLE			3654	
BLDG. K1-3A59			NOTIFICATION DATE	DELIVERY MODE
NISKAYUNA, NY 12309			08/05/2011	ELECTRONIC

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.

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

ldocket@crd.ge.com
wahld@ge.com
haeckl@ge.com



GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

8/5/11

In re Application of	:	
Subramaniam et al.	:	DECISION ON PETITION
Application No. 12/977,149	:	TO MAKE SPECIAL UNDER
Filed: 12/23/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 238816-2	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 7/11/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3654 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **246236_1** Application Number (if known): **12/977,161** Filing date: **12-23-2010**

First Named Inventor: **Scott Daniel Feldman-Peabody**

Title: **ANISOTROPIC CONDUCTIVE LAYER AS A BACK CONTACT IN THIN FILM PHOTOVOLTAIC DEVICES**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **10/10/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Scott Daniel Feldman-)
Peabody)
Confirmation No.: 8797)
Serial No.: 12/977,161)
Filing Date: December 23, 2010)
Atty Docket No.: 246236__1)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates generally to methods and systems for depositing thin films during manufacture of cadmium telluride photovoltaic devices. More particularly, the subject matter disclosed herein relates generally to integrated systems for the deposition of a cadmium telluride layer and subsequent cadmium chloride treatment during manufacture of cadmium telluride photovoltaic devices, and their methods of use. (See [0001])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 10, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
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203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,161	12/23/2010	Scott Daniel Feldman-Peabody	246236_1	8797

93081 7590 10/26/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

TRICE, KIMBERLY N

ART UNIT	PAPER NUMBER
2892	

MAIL DATE	DELIVERY MODE
10/26/2011	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.



Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
Scott FELDMAN-PEABOBY	:	DECISION ON PETITION
Application No. 12/977,161	:	TO MAKE SPECIAL UNDER
Filed: December 23, 010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246236_1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

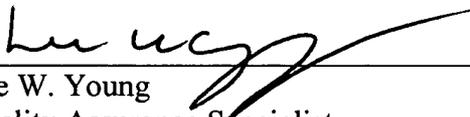
In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2892 for action on the merits commensurate with this decision.



Lee W. Young
Quality Assurance Specialist
Technology Center 2600



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,285	12/23/2010	Minoru ABE	133567.01	9056
25944	7590	06/17/2011	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850			JOHNSON, CHRISTINA ANN	
			ART UNIT	PAPER NUMBER
			1742	
			NOTIFICATION DATE	DELIVERY MODE
			06/17/2011	ELECTRONIC

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.

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

OfficeAction25944@oliff.com
jarmstrong@oliff.com



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BC

In re application of	:	DECISION ON REQUEST TO
ABE, MINORU_ et al.	:	PARTICIPATE IN PATENT
Serial No. 12/977,285	:	PROSECUTION HIGHWAY
Filed: December 23, 2010	:	PROGRAM AND
Attorney Docket No.: 133567.01	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed May 04, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
- (2) Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
 - b. An English translation of the allowable/ patentable claim(s), if applicable; and
 - c. A statement that the English translation is accurate, if applicable;
- (3) Applicant must:
 - a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
 - b. Submit a claims correspondence table in English;
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit:
 - a. Documentation of prior office action:

Application No. 12/977,285

- i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
 - ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
- Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and
- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
- b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,323	12/23/2010	Antoine Capel	33422-00019	9136
59582	7590	04/28/2011	EXAMINER	
DICKINSON WRIGHT PLLC 38525 WOODWARD AVENUE SUITE 2000 BLOOMFIELD HILLS, MI 48304-2970			ART UNIT	PAPER NUMBER
			2121	
			MAIL DATE	DELIVERY MODE
			04/28/2011	PAPER

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

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DICKINSON WRIGHT PLLC
38525 WOODWARD AVENUE
SUITE 2000
BLOOMFIELD HILLS MI 48304-2970

In re Application of:

CAPEL, Antoine

Serial No.: 12/977,323

Filed: December 23, 2010

Docket: 33422-00019

Title:

**PROCESS AND DEVICE TO OPERATE
CONTINUOUSLY A SOLAR ARRAY TO ITS
MAXIMUM POWER**

DECISION ON PETITION TO
MAKE SPECIAL FOR NEW
APPLICATION UNDER
37 C.F.R. § 1.102 &
M.P.E.P. § 708.02

This is a decision on the petition filed on December 23, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. §1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. §1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
- 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation;
- 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions II-14, II1-II4, II6.1- II6.4, and II6.6 above are considered to have been met.

However, the petition fails to comply with the conditions of items II5, II5.1-II5.3 and II6.5 above, for the reasons provided below. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

ANALYSIS

Item II5 requires “a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search” emphasis added. The Pre-Examination Search Document filed on December 23, 2010 only identifies a single international field of search, “G05F 1/67.” The document fails to identify any “field of search by United States class and subclass.” As a result, the preexamination search report fails to comply with the conditions of item II5. Likewise, item II5.1 states that the search “must [] involve U.S. patents and patent application publications.” Although the search document states that “Files Searched: [include] US Published Applications [and] US Patents,” the contents of the document suggests that the search was limited to the international classification, which contains a limited amount of “U.S. patents and patent application publications.” Accordingly, the search document fails to comply with item II5.1.

Item II5.2 requires that the search “be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation.” Upon carefully reviewing the preexamination search document, in particular the search logic, the claimed features which appear to have been searched are “maximum power point,” “temperature,” “solar array,” “open circuit voltage,” “.6,” “.7,” “.8” and “1.2,” all limited to “(G05F 1/67) <in> IC.” However, the claimed invention encompasses significantly more features than those searched. For instance, the claimed invention in just claim 1 recites features such as “thermal sensor,” “regulator,” “power conditioning unit,” “equivalent diode,” “power regulator,” numerous variables, constants and parameters. As a result, the search report does not “encompass all the features of the claims.”

Item II5.3 requires that the search “encompass the disclosed features that may be claimed.” It is unclear how or in what manner the “pre-examination search was directed to the disclosed features that may be claimed,” as stated in the search document.

Item II6.5 requires "a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification." On pages 8 and 9 of the Accelerated Examination Support Document, applicant merely identifies the claims and paragraph numbers corresponding to the claims. Such mapping is insufficient since item II6.5 requires "a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification" emphasis added. Applicant is required to map each limitation of the claims to the corresponding portions/paragraphs of the specification to meet the conditions of II6.5.

DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100



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MALLOY & MALLOY
2800 S.W. THIRD AVENUE
HISTORIC CORAL WAY
MIAMI, FL 33129

MAILED

AUG 02 2011

OFFICE OF PETITIONS

In re Application of
Russell Reed, et. al.
Application No. 12/977,327
Filed: December 23, 2010
Attorney Docket No. 1.754-A.10

DECISION GRANTING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47(a), filed July 11, 2011.

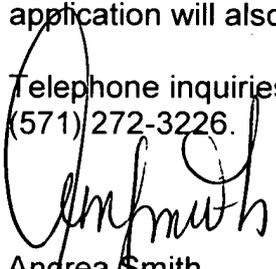
The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3226.


Andrea Smith
Petitions Examiner
Office of Petitions



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

Russell Reed
3033 Oak Rim Lane
Park City, UT 84060

MAILED

AUG 02 2011

OFFICE OF PETITIONS

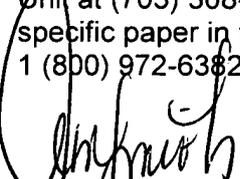
In re Application of
Russell Reed, et. al.
Application No. 12/977,327
Filed: December 23, 2010
For: GOGGLES WITH INTERCHANGEABLE LENS

Dear Mr. Reed:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3226. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).


Andrea Smith
Petitions Examiner
Office of Petitions

cc: MALLOY & MALLOY
2800 S.W. THIRD AVENUE
HISTORIC CORAL WAY
MIAMI FL, 33129

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (12-09)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **OLI-165** Application Number (if known): **12/977,339** Filing date: **December 23, 2010**

First Named Inventor: **Masahiro KAWAI et al.**

Title: **WIND TURBINE GENERATOR**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request. Applicant hereby rescinds under 37 CFR 1.213(b) any previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

If the application has been published, the petition must still be accompanied by the publication fee set forth in 37 CFR 1.18(d) and a statement that the application has been published.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that was published in the Federal Register if the Office determines that the claims are not obviously directed to a single invention.
3. This request is accompanied by statements of special status for the eligibility requirement.
4. The application contains no more than three (3) independent claims and twenty (20) total claims.
5. The application does not contain any multiple dependent claims.
6. Other attachments: _____

Signature **/Benjamin J. Hauptman/**

Date **March 1, 2011**

Name (Print/Typed) **Benjamin J. Hauptman**

Registration Number **29,310**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program**
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see notice "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" available on the USPTO web site at <http://www.uspto.gov/web/offices/pac/dapp/oqsheet.html>):

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.
- (2) The application must be classified in one of the U.S. classifications listed in section VI of the notice cited above at the time of examination.
- (3) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (4) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice cited above and is classified in one of the U.S. classifications listed in section VI of the notice cited above.
- (5) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which will be available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (6) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (7) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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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.
12/977,339	12/23/2010	Masahiro KAWAI	OLI-165	9168

32628	7590	03/07/2011
KANESAKA BERNER AND PARTNERS LLP		
1700 DIAGONAL RD		
SUITE 310		
ALEXANDRIA, VA 22314-2848		

EXAMINER	
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ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
03/07/2011	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.



KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA VA 22314-2848

In re Application of	:	
KAWAI, MASAHIRO et al	:	DECISION ON PETITION
Application No. 12/977,339	:	TO MAKE SPECIAL UNDER
Filed: Dec. 23, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. OLI/165	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 1, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within **ONE (1) MONTH OR THIRTY (30) DAYS** from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to the development of renewable energy. This is not convincing. It is not clear how the claimed pitch-angle control will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. The claimed pitch-angle control reads on an axial fan.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

The application is currently undergoing pre-examination processing. Upon completion, the application will be forwarded to the Technology Center Art Unit 3745 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

Docket No.: OLI-165

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Masahiro KAWAI et al. : Confirmation No. 9168
Serial No. 12/977,339 : Group Art Unit: 3745
Filed: December 23, 2010 :
For: WIND TURBINE GENERATOR :

**RENEWED PETITION TO MAKE SPECIAL
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

In response to the Decision on PETITION TO MAKE SPECIAL mailed March 7, 2011, enclosed is the missing Item 4. A statement explaining how the materiality standard is met.

STATEMENT OF SPECIAL STATUS

Special status is sought, because the invention materially contributes to the discovery or *development* of renewable energy resources.

The term “renewable energy resources” for purposes of the Green Technology Pilot Program includes hydroelectric, solar, wind, renewable biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, and municipal solid waste, as well as the transmission, distribution, or other services directly used in providing electrical energy from these sources. See 74 FR 64666, at 64667.

Since the claimed invention is directed to a wind power generator (see claim 1), the instant application meets the eligibility requirement.

Serial No. 12/977,339

Further, the claimed wind power generator directly contributes to generation of renewable energy. It is noted that the materiality standard does not permit a speculation as to how a hypothetical end-user might specially apply the invention in a manner that could materially contribute to development of renewable energy or energy conservation, or greenhouse gas emission reduction, nor does the standard permit enjoyment of the benefit of advanced examination merely because some minor aspect of the claimed invention may be directed to development of renewable energy or energy conservation, or greenhouse gas emission reduction. See 74 FR 64666, at 64668, also MPEP § 708.02 (item VI). However, in this case no special application by a hypothetical end-user would be required, since the claimed wind power generator on its face is already applicable to wind power generation. Therefore, Applicants respectfully submit that the instant application meets the materiality standard.

It should be noted that the claimed invention is not directed to a pitch-angle control *alone*. Rather, the pitch-angle control is only a part of the claimed wind power generator. In a wind power generator, a pitch-angle control has a function to control a rotational speed to set an output of generated electricity to a predetermined value, to efficiently convert wind energy to electric power. The pitch-angle control also has a function as a safety and braking device to safely stop a rotor by setting the pitch angle in parallel with the wind direction (feathering), when a strong wind, such as a hurricane wind, blows.

If the pitch-angle control mechanism fails, the wind turbine generator cannot be operated efficiently. In other words, in the case of a failure of the pitch-angle control mechanism, electric power cannot be efficiently generated from wind energy.

A length of a shutdown period of a wind turbine generator is desired to be minimal in order to effectively use wind energy. By employing a pitch-angle control device time for repairing failure, that is, the period of shutdown of the wind turbine generator can be shortened. Since time

Serial No. 12/977,339

for operating the wind turbine generator can be increased, a pitch-angle control can greatly contribute to improvement of utilization rate of wind energy resource.

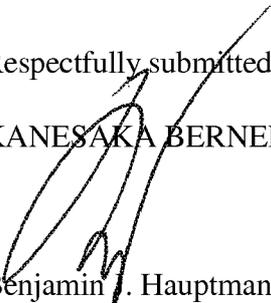
In addition, the Office has stated that the claimed pitch-angle control reads on an axial fan. However, the claimed invention relates to a pitch-control device that controls the pitch angles of wind turbine blades for a wind turbine generator, and totally differs from any axial fan which generates wind rather than using wind energy to generate electricity, contrary to the claimed wind turbine generator. Further, it is unclear as to why an axial fan would need a pitch angle-control.

Since the instant application clearly meets both the eligibility requirement and the materiality standard, the basis for special status is proper and the Petition should be granted.

Favorable consideration of this renewed PETITION TO MAKE SPECIAL is now believed appropriate and therefore respectfully requested.

Respectfully submitted,

KANESAKA BERNER & PARTNERS



Benjamin J. Hauptman
Registration No. 29,310

USPTO Customer No. 32628
1700 Diagonal Road, Suite 300
Alexandria, VA 22314
(703) 519-9785
(703) 519-7769 Facsimile
Date: April 6, 2011
BJH:KL/tal



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,339	12/23/2010	Masahiro KAWAI	OLI-165	9168
32628	7590	04/27/2011	EXAMINER	
KANESAKA BERNER AND PARTNERS LLP 1700 DIAGONAL RD SUITE 310 ALEXANDRIA, VA 22314-2848			ART UNIT	PAPER NUMBER
			3745	
			MAIL DATE	DELIVERY MODE
			04/27/2011	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.



KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA VA 22314-2848

In re Application of	:	
KAWAI, MASAHIRO et al	:	DECISION ON PETITION
Application No. 12/977,339	:	TO MAKE SPECIAL UNDER
Filed: Dec. 23, 2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. OLI/165	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is granted.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700



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United States Patent and Trademark Office
P.O. Box 1450
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ROBERT G. LEV
4766 MICHIGAN BLVD.
YOUNGSTOWN OH 44505

MAILED
JAN 19 2011
OFFICE OF PETITIONS

In re Application of	:	
KABISHCHER , Gennadi et al.	:	
Application No. 12/977,379	:	DECISION ON PETITION
Filed: December 23, 2010	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 0276-029(a)	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 23, 2010, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement attesting that Yuri Ass is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3676 for action on the merits commensurate with this decision.

Michelle R. Eason
Paralegal Specialist
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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APR 14 2011
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BUCHANAN INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA VA 22313-1404

In re
Yan, et al.
Application No. 12/977,437
Filed: December 23, 2010

DECISION

This is a decision on the fee deficiency submission under 37 CFR 1.28(c), filed January 14, 2011.

The fee deficiency submission under 37 CFR 1.28 of \$7654 is hereby accepted.

The change of status to large entity has been entered.

The application is being forwarded to the Office of Patent Application Processing for pre-examination.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3207.

Cliff Congo
Petitions Attorney
Office of Petitions



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WOOD HERRON & EVANS LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI OH 45202

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APR 03 2012
OFFICE OF PETITIONS

In re Application of : DECISION
Nathalie Le Galloudec : ON PETITION
Application No. 12/977,475 :
Filed: December 23, 2010 :
Attorney Docket Number: UNR-6US :

This is in response to the petition under 37 CFR 1.84(a)(2), filed December 23, 2010, for acceptance of color drawings.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

A grantable petition under 37 C.F.R. 1.84(a)(2) must be accompanied by the following:

- (1) The fee set forth in 37 C.F.R. 1.17(h);
- (2) Three (3) sets of color drawings, or one (1) set if filed via EFS, and
- (3) The specification contains appropriate language referring to the color drawings as the first paragraph in that portion of the specification relating to the brief description of the drawings.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted when the Office "has determined that a color drawing or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Here, the petition does not meet requirement (3) above. The petition is not accompanied by an amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings: The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.”

Furthermore, the Office has determined that color drawings are not necessary for an understanding of the invention. Color drawings are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. The petition is therefore dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 PO Box 1450
 Alexandria VA 22313-1450

By FAX: 571-273-8300
 Attn: Office of Petitions

The application is being forwarded to Group Art Unit 2881 for examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.



Jose Dees
Petitions Examiner
Office of Petitions



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.
12/977,486	12/23/2010	Robert Mahaffey	14572P-086612US	9420

EXAMINER	
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ART UNIT	PAPER NUMBER
20350 7590 01/13/2011	
KILPATRICK TOWNSEND & STOCKTON LLP	
TWO EMBARCADERO CENTER	
EIGHTH FLOOR	
SAN FRANCISCO, CA 94111-3834	

MAIL DATE	DELIVERY MODE
01/13/2011	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.



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JAN 13 2011

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Kilpatrick Townsend & Stockton LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

In re application of
Mahaffey et al.
Application No. 12/977,486
Filed: December 23, 2010
For: SECURITY APPARATUS INCLUDING
LOCKING HEAD

:
:
: **DECISION ON PETITION**
: **TO MAKE SPECIAL FOR**
: **NEW APPLICATION**
: **UNDER 37 CFR 1.102**
:

This is a decision on the petition filed on December 23, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
- 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
- 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims is patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support

under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The petition in this case fails to comply with condition II.5.2.

As to condition II.5.2, the petition lacks an indication of a preexamination search that encompasses all of the features of the claims. Specifically, with respect to the classification search, in addition to the areas already searched, the search needs to include a search of 70/34 and 229-232.

The prior art cited by the applicants are directed to a cable lock for an electronic component. However, it should be noted that claim 1 is directed to a security apparatus; the electronic component is not positively claimed. Accordingly, per condition II.5.2, the preexamination search is to be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation.

In order to provide an adequate search applicant is required to submit an accelerated examination support document (AESD) that includes an IDS in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims (whether in independent or dependent form). Specifically:

(1) Applicant **is not** required to cite the references that are only relevant to the general subject matter of the claims because there are references that are more closely related to the subject matter of the claims. Applicant is also not required to cite a reference that is cumulative to any other reference cited in the IDS.

(2) Applicant **is** required to cite any reference that establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim (see 37 CFR 1.56(b)) in the IDS of the AESD.

(3) Applicant **is** required to cite the reference that discloses the most limitations in the independent claim.

(4) Applicant **is** required to cite any reference that discloses a limitation of an independent claim that is not shown in the other references.

(5) Applicant **is** required to cite any reference that discloses a limitation of a dependent claim that is not shown in the other references.

Accordingly, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DECISION

For the above stated reasons, the petition is **DISMISSED**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within one (1) month or thirty (30) days, whichever is longer, from the date of this decision. No extensions of time will be granted under 37 CFR 1.136(a) if the request is to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Teri Luu at (571) 272-7045.

Teri P. Luu/
Teri P. Luu
Quality Assurance Specialist
Technology Center 3600

tl: 01/11/10



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,486	12/23/2010	Robert Mahaffey	14572P-086612US	9420
20350	7590	02/10/2011	EXAMINER	
KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			ART UNIT	PAPER NUMBER
			2835 •	
		NOTIFICATION DATE	DELIVERY MODE	
		02/10/2011	ELECTRONIC	

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.

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com



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FEB - 8 2011

Kilpatrick Townsend & Stockton LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

In re application of
Mahaffey et al.
Application No. 12/977,486
Filed: December 23, 2010
For: SECURITY APPARATUS INCLUDING
LOCKING HEAD

:
:
: **DECISION ON PETITION**
: **TO MAKE SPECIAL FOR**
: **NEW APPLICATION**
: **UNDER 37 CFR 1.102**
:

This is a decision on the petition filed on January 28, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed to a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist Teri P. Luu, at (571) 272-7045.

Teri P. Luu/

Teri P. Luu
Special Program Examiner
Technology Center 3600

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **246519** Application Number (if known): **12/977,543** Filing date: **12-23-2010**

First Named Inventor: **Christopher Rathweg**

Title: **ENTRANCE AND EXIT ROLL SEAL CONFIGURATION FOR A VAPOR DEPOSITION SYSTEM**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W. Mages/**

Date **11/16/11**

Name (Print/Typed) **Allison W. Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

*Total of _____ forms are submitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Christopher Rathweg)
Confirmation No.: 9533)
Serial No.: 12/977,543)
Filing Date: 12-23-2010)
Atty Docket No.: 246519)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The subject matter disclosed herein relates generally to the field of thin film deposition systems wherein a thin film layer, such as a semiconductor material layer, is deposited on a substrate. More particularly, the disclosed subject matter is related to a system for depositing a thin film layer of a photo-reactive material on a glass substrate in the formation of photovoltaic (PV) modules. (See [0001]).

Thin film photovoltaic (PV) modules (also referred to as "solar panels" or "solar modules") are gaining wide acceptance and interest in the industry as a viable source of alternate energy, particularly modules based on cadmium telluride (CdTe) paired with cadmium sulfide (CdS) as the photo-reactive components. Solar energy systems using CdTe PV modules are generally recognized as the most cost efficient of the commercially available systems in terms of cost per watt of power generated. However, the advantages of CdTe

notwithstanding, sustainable commercial exploitation and acceptance of solar power as a supplemental or primary source of industrial or residential power depends on the ability to produce efficient PV modules on a large scale and in a cost effective manner. In this regard, the high cost of the photo-reactive source materials used in the production of conventional solar panels is a limiting factor, and maximizing the utilization of these materials is of primary importance. (See [0002]).

In a continuous vapor deposition process, the individual glass sheets (substrates) are continuously conveyed through a deposition apparatus, as compared to a batch process wherein the substrates are indexed into and out of the deposition apparatus. The ingress (entrance) and egress (exit) seals through which the substrates enter and leave the deposition apparatus are, however, an inherent leakage source for the sublimated source material. Slit seals are typically provided having the smallest slit reasonably possible through which the substrates travel. However, variations in substrate thickness, size, flatness, and other dimensional anomalies, often results in the substrates rubbing against the slit seal members, resulting in scratches and other flaws in the film layer or even jamming of the substrates. (See [0003]).

Thus, there exists an ongoing need in the industry for a seal configuration that is particularly suited for large scale and efficient production of PV modules, particularly CdTe based modules, by continuous conveyance of a plurality of discrete substrates through a vapor deposition chamber. (See [0006]).

In accordance with an embodiment of the invention, an apparatus is provided for vapor deposition of a sublimated source material, such as CdTe, as a thin film on discrete photovoltaic (PV) module substrates that are conveyed in a continuous, non-stop manner through the apparatus. The apparatus includes a deposition head configured for receipt and sublimation of the source material. The deposition head distributes the source material onto an upper surface of the substrates conveyed through a deposition area within the apparatus. The substrates move into and out of the deposition area through entry and exit slots. At least one of the slots is defined by a transversely extending roll seal configuration. In a particular embodiment, the entry and exit slots include the roll seal configuration. The seal configuration includes a cylinder rotatably supported at a defined gap height above a conveyance plane of the substrates such that said cylinder is not in continuous rolling contact with the substrates in a defined finished window of active semiconductor material (the source material) of the PV module. The cylinder is floatable in a vertical direction relative to the conveyance plane of the substrates such that the cylinder rolls up and over surface variations in the substrates that exceed the gap height as the substrates are conveyed under the cylinder. (See [0008]).

The present invention also encompasses various method embodiments for providing a seal for at least one of an entry or an exit slot in a vapor deposition apparatus wherein a sublimated source material is deposited as a thin film on discrete photovoltaic (PV) module substrates conveyed in a continuous non-stop manner through the apparatus. The method includes disposing a

rotatably supported cylinder at a defined gap height above a conveyance plane of the substrates such that the cylinder is not in continuous rolling contact with the substrates in the finished window of active semiconductor material of the PV module. The cylinder is supported to be floatable in a vertical direction relative to the conveyance plane of the substrates such that the cylinder rolls up and over surface variations in the substrates that exceed the gap height as the substrates are conveyed under the cylinder. In a particular embodiment, the method is employed at each of the entry and exit slots of the vapor deposition apparatus. (See [0013]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources for at least the reasons that the claimed embodiments improve efficiency and reduce costs associated with the production of thin film CdTe based PV modules (solar panels) used in solar energy systems, which as noted above, are generally recognized as the most cost efficient of the commercially available solar systems in terms of cost per watt of power generated.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 16, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,543	12/23/2010	Christopher Rathweg	246519/PRSS-67	9533

93081 7590 12/16/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

FORD, NATHAN K

ART UNIT	PAPER NUMBER
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1716

MAIL DATE	DELIVERY MODE
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12/16/2011

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.



Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

12/16/11

In re Application of	:	
Rathweg	:	DECISION ON PETITION
Application No. 12/977,543	:	TO MAKE SPECIAL UNDER
Filed: 12/23/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246519/PRSS-67	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/17/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1716 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BARLOW JOSEPHS & HOLMES LTD
101 DYER STREET
5TH FLOOR
PROVIDENCE RI 02903

MAILED
MAY 23 2011
OFFICE OF PETITIONS

In re Application of :
Bamberg, et al. :
Application No. 12/977,555 : DECISION ACCORDING STATUS
Filed: December 23, 2010 : UNDER 37 CFR 1.47(b)
Attorney Docket No. A030 P00619-US1:

This is in response to the petition under 37 C.F.R. § 1.47(b),
filed May 6, 2011.

The petition under 37 C.F.R. § 1.47(b) is **GRANTED**.

The petition and declaration have been reviewed and determined to
be in compliance with 37 C.F.R. § 1.47(b). Specifically,
petitioner has included a copy of a decision according Rule 47
application from the parent application.

The application is hereby accorded Rule 47 status.

The application is being forwarded to the Office of Patent
Application Processing for pre-examination processing.

Telephone inquiries related to this decision may be directed to
the undersigned at (571)272-3207.

Cliff Congo
Petitions Attorney
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/ISB/R20 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **246309-1** Application Number (if known): **12/977,575** Filing date: **12/23/2010**

First Named Inventor: **Ernst Wolfgang Stautner**

Title: **System and Method for Magnetization of Rare-Earth Permanent Magnets**

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature **/Allison W Mages/**

Date **August 18, 2011**

Name (Print/Typed) **Allison Weiner Mages**

Registration Number **57,275**

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.

*Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Ernst Wolfgang Stautner)
Confirmation No.: 9600)
Serial No.: 12/977,575)
Filing Date: 12/23/2010)
Atty Docket No.: 246309-1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

Applicant respectfully submits that embodiments of the present invention relate generally to the magnetization of permanent magnets and, more specifically, to the magnetization of magnets disposed within rotors or other cylindrical structures using one or more superconducting materials. (see at least paragraph [01]).

Typically, wind turbines are used to convert the kinetic energy in the wind into mechanical power. This mechanical power may be used for specific tasks (such as grinding grain or pumping water) or a generator may convert this mechanical power into electricity. A majority of commercially available wind turbines utilize geared drive trains to connect the turbine blades to the wind generators. The wind turns the turbine blades, which spin a shaft, which feeds

into a gear-box and then connects to a wind generator and makes electricity. The wind turbine generators typically operate at a low to medium speed and are permanent-magnet (PM) machines. PM machines have advantages of high efficiency and reliability since there is no need of external excitation and conductor losses are removed from the rotor. PM machines are more compact and simpler and require less maintenance than electromagnetic machines by not requiring electromagnet windings. Modern Rare Earth magnets provide a much denser source of powerful magnetic flux than can windings, and have a high flux and are capable of withstanding reasonably high temperatures. The resulting compact machines find application in structures where size, weight and efficiency are important, such as generators within the nacelles of wind power generators located on the top of high towers, or as motors where space is a premium. (see at least paragraph [02]).

In PM machines, permanent magnets are mounted in the so-called surface mount configuration, on the surface of the rotor, where their poles are oriented radially and axially. Overheating of the permanent magnets is an issue that arises during ramp up, ramp down, and cooldown of the PM machine. (see at least paragraph [03]). Overheating of the permanent magnets is known to create risks of demagnetization, which negatively affects the efficient performance of PM machines and can even cause interruptions in the operation of the PM machine.

Embodiments of the present invention solve problems in the art by providing a method or system for cooling superconducting materials used for

magnetization of magnets disposed within rotors or other cylindrical structures. Thus, broadly speaking, a technical effect is to cool superconducting materials used for magnetization of magnets disposed within rotors or other cylindrical structures. (see at least paragraph [021]).

By providing the ability to maintain a uniform temperature of the magnets within a PM machine during all operational modes of the PM machine, embodiments of the present invention protect the PM machine from overheating and interruptions in operation. These measures improve the power generating capabilities of PM machines, such as generators in wind turbines, which are already characterized by their high efficiency and reliability. As such, embodiments of the present invention promote increased energy production.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,
General Electric Company
By: /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: August 18, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,575	12/23/2010	Ernst Wolfgang Stautner	246309-1	9600
6147	7590	09/20/2011	EXAMINER	
GENERAL ELECTRIC COMPANY GLOBAL RESEARCH ONE RESEARCH CIRCLE BLDG. K1-3A59 NISKAYUNA, NY 12309			ART UNIT	PAPER NUMBER
			1736	
			NOTIFICATION DATE	DELIVERY MODE
			09/20/2011	ELECTRONIC

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

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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

9/20/11

In re Application of	:	
Stautner et al.	:	DECISION ON PETITION
Application No. 12/977,575	:	TO MAKE SPECIAL UNDER
Filed: 12/23/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. 246309-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 8/22/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1736 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes sub-tables for EXAMINER, ART UNIT, PAPER NUMBER, NOTIFICATION DATE, and DELIVERY MODE.

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.

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

Chgpatent@leydig.com
uspatent@huawei.com



Leydig, Voit & Mayer, LTD
(for Huawei Technologies Co., LTD)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

In re Application of:
Yang et al.
Serial No.: 12/977617
Filed: December 23, 2010
Docket: HW707354
For: **Method and Apparatus for Updating a
Key in an Active State**

DECISION ON PETITION TO MAKE
SPECIAL FOR NEW APPLICATION
UNDER 37 C.F.R. § 1.102 & M.P.E.P. §
708.02

This is a decision on the petition filed on December 23, 2010 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
- 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
- 5.3. encompass the disclosed features that may be claimed.
6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;
- 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions I 1-4, II 1-4 and II 5.1, 5.3, II 6.1-6.6 above are considered to have been met. However, the petition fails to comply with conditions II 5.2 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirement of MPEP § 708.02(a)(I.)(H)¹ and items II.5.2 above, the preexamination search does not encompass all of the features of the claims, and does not appear to have given the claims the broadest reasonable interpretation.

In general the search strategy is overly limited to the terms refresh and update.

Specifically, the text search strategy should be modified to include a reasonable number of synonyms for refresh and update. Popular synonyms for refresh and update include upgrade\$, rekey\$, Change\$, Modify\$, re\$1new\$, re\$1set\$, re\$1negotiat\$, handover, changeover and re\$1iniitaliz\$.

The term air interface should be changed to mobile or wireless or cellular to pick up popular cell phone references.

This additional search area was confirmed with an examiner in the pertinent art area.

Petitioner should review all claim limitations, especially those asserted as patentable distinctions from the cited references to ensure that the search covers these concepts, and update the search and/or provide any clarifications if deemed necessary.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a))

from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Tod Swann, Quality Assurance Specialist, at (571) 272-3612. A second point of Contact is Kim Huynh at (571)-272-4147.



Tod R Swann, WQAS 2430
Technology Center 2400
Networking, Multiplex, Cable and Information Security



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,617	12/23/2010	Yanmei YANG	HW707354	9679
77399	7590	03/28/2011	EXAMINER	
Leydig, Voit & Mayer, Ltd (for Huawei Technologies Co., Ltd) Two Prudential Plaza Suite 4900 180 North Stetson Avenue Chicago, IL 60601			MOAZZAMI, NASSER G	
			ART UNIT	PAPER NUMBER
			2436	
			NOTIFICATION DATE	DELIVERY MODE
			03/28/2011	ELECTRONIC

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.

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

Chgpatent@leydig.com
uspatent@huawei.com



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WASHINGTON, DC 20231
www.uspto.gov

Leydig, Voit & Mayer, LTD
(for Huawei Technologies Co., LTD)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

In re Application of:
Yang et al.
Serial No.: 12/977617
Filed: December 23, 2010
Docket: HW707354
For: **Method and Apparatus for Updating a
Key in an Active State**

DECISION ON PETITION TO MAKE
SPECIAL FOR NEW APPLICATION
UNDER 37 C.F.R. § 1.102 & M.P.E.P. §
708.02

This is a decision on the petition re-filed on March 14, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d). The original petition was filed on December 23, 2010 and dismissed on February 14 2011.

The petition to make the application special is **GRANTED** as papers filed on March 14, 2011 including the Pre-Examination Search Document and the petition meet the requirements of 37 C.F.R. § 1.102(d) and MPEP 708.02(a)(1) as the search is now encompasses all claim scope.

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

1. Restriction Practice:

If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

2. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

3. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

4. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

5. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

6. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

7. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

8. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

9. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Tod Swann, Quality Assurance Specialist, at (571) 272-3612. A second point of Contact is Kim Huynh at (571)-272-4147.



Tod R. Swann, WQAS 2430
Technology Center 2400
Networking, Multiplex, Cable and Security



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In re Application of
Neill Hamilton Luebke

:
:

Application No. 12977625

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

Filed:

:

Attorney Docket No. 115207.00005

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 23-DEC-2010 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kyle E. Litz et al.

Examiner: Nguyen, Tam M.

Serial No.: 12/977,639

Group Art Unit: 1772 / Conf. No. 9716

Filed: 12/23/2010

Docket No.: AUTE.5861-NY

Title: **METHODS FOR UPGRADING OF CONTAMINATED HYDROCARBON
STREAMS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)

Dear Sir:

This is a *Petition to Make Special* to advance the above identified patent application out of turn for examination and expedite the prosecution thereof. The basis for this petition under 37 CFR § 1.102(c) is that the claimed invention will materially:

- (i) Enhance the quality of the environment; and/or
- (ii) Contribute to the development or conservation of energy resources.

Evidence for such petition includes inter alia that the present disclosure is directed to systems and methods for upgrading crude oil, refinery intermediate streams, and refinery products to substantially decrease the content of undesired heteroatom contaminants, including, but not limited to, sulfur, nitrogen, phosphorus, nickel, vanadium, iron, with the added benefit of decreasing the total acid number and increasing the API gravity. *Application 12/977,639* at ¶2. A heteroatom contaminated hydrocarbon feed stream is subjected to heteroatom oxidizing conditions to produce an oxidized-heteroatom-containing hydrocarbon intermediate stream and

then contacting said stream with a selectivity promoter and caustic thereby removing the heteroatom contaminants from the hydrocarbon stream and thereby increasing the API gravity and decreasing the total acid number relative to the initial contaminated hydrocarbon feed stream. *Id.*

Sulfur is widely recognized as the most egregious heteroatom contaminant as a result of the environmental hazard caused by its release into the environment after combustion. *Application 12/977,639* at ¶4. It is believed, sulfur oxides from combustion (known collectively as SO_x emissions) contribute to the formation of acid rain and also to the reduction of the efficiency of catalytic converters in automobiles. *Id.* Furthermore, sulfur compounds are thought to ultimately increase the particulate content of combustion products. *Id.* Nitrogen, phosphorus, and other heteroatom contaminants present similar environmental risks.

Because of these issues, reduction of contaminants and, in particular, of the sulfur content in hydrocarbon streams has become a major objective of environmental legislation worldwide. *Application 12/977,639* at ¶6. Sulfur is regulated in the United States for on-road diesel at a maximum concentration of 15 ppm. *Id.* By October 2012, sulfur specifications will be 15 ppm for non-road, locomotive, and marine diesel fuel. *Id.* In the European Union that specification is expected to tighten to 10 ppm in January 2011 for diesels intended for inland waterways and for on-road and off-road diesel operated equipment. *Id.* In China, the on-road diesel specification will be 10 ppm by 2012. *Id.* Currently the tightest specifications in the world are in Japan, where the on-road diesel specification is 10 ppm. *Id.*

As is currently known, HDS or hydrotreating may provide a treated product in compliance with the current strict sulfur level targets. *Application 12/977,639* at ¶8. However, due to the presence of sterically hindered refractory sulfur compounds such as substituted

dibenzothiophenes, the process is not without issues. *Id.* For example, it is particularly difficult to eliminate traces of sulfur using such catalytic processes when the sulfur is contained in molecules such as dibenzothiophene with alkyl substituents in position 4-, or 4- and 6-positions of the parent ring. *Id.* Attempts to completely convert these species, which are more prevalent in heavier stocks such as diesel fuel and fuel oil, have resulted in increased equipment costs, more frequent catalyst replacements, degradation of product quality due to side reactions, and continued inability to comply with the strictest sulfur requirements for some feeds. *Id.*

A considerable challenge presented to heteroatom removal remains the removal of the oxidized heteroatom fragment from the oxidized organic heteroatom compounds created by oxidation of the initial organic heteroatom species. *Application 12/977,639* at ¶12. Therefore, a need exists for methods and systems for upgrading heteroatom-contaminated hydrocarbon feed streams by removing heteroatom contaminants from hydrocarbon streams with the added benefit of decreasing the total acid number and increasing the API gravity of the resulting product relative to the contaminated hydrocarbon feed stream. *Id.*

In view of the above, applicant requests that this Petition to Make Special be granted and the examination of the application be advanced. It is believed that no fee is necessary for this *Petition to Make Special*.

Date: November 9, 2011

/Arlen L. Olsen/
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/977,639	12/23/2010	Jonathan P. Rankin	AUTE.5861-NY	9716
5409	7590	11/17/2011	EXAMINER	
SCHMEISER, OLSEN & WATTS			NGUYEN, TAM M	
22 CENTURY HILL DRIVE			ART UNIT	PAPER NUMBER
SUITE 302			1772	
LATHAM, NY 12110			MAIL DATE	DELIVERY MODE
			11/17/2011	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.



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SCHMEISER, OLSEN & WATTS
22 CENTURY HILL DRIVE
SUITE 302
LATHAM NY 12110

NOV 17 2011

In re Application of :
Rankin et al. : DECISION ON PETITION
Application No. 12/977,639 : TO MAKE SPECIAL UNDER
Filed: 12/23/2010 : THE GREEN TECHNOLOGY
Attorney Docket No. AUTE.5861-NY : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/9/2011, to make the above-identified application special. It is noted that as of August 25, 2006, the Office revised the procedures for requesting expedited examination based on environmental quality (See Federal register: June 26, 2006; volume 71, number 122; pages 36323-36327). Accordingly, the instant petition will be treated as a request to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable

energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 1, 5 and 8.

In regard to item 1, petitioner should note that a review of the application claims has been made for the purposes of determining the number of claims contained therein. This application contains more than 20 total claims. As set forth in the Notice, if the application contains more than 3 independent claims or more than 20 total claims, it will not be eligible to participate in the "Pilot Program for Green Technologies Including Greenhouse Gas Reduction."

In regard to item 5, petitioner should note that a statement has not been provided that states that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner as required by the Notice. Accordingly, the petition cannot be granted without such a statement.

In regard to item 8, petitioner should note that since no request in compliance with 37 CFR 1.219 has been made for the early publication of the present application and the publication fee as set forth in 37 CFR 1.18(d) has not been received, the petition is dismissed.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kyle E. Litz et al.

Examiner: Nguyen, Tam M.

Serial No.: 12/977,639

Group Art Unit: 1772 / Conf. No. 9716

Filed: 12/23/2010

Docket No.: AUTE.5861-NY

Title: **METHODS FOR UPGRADING OF CONTAMINATED HYDROCARBON
STREAMS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)-
REQUEST FOR RECONSIDERATION**

Dear Sir:

This is a request for reconsideration of the Decision of Dismissal (hereinafter the “Decision”) of the *Petition to Make Special* (hereinafter the “Petition”) mailed November 17, 2011. The Petition was filed on November 9, 2011, to advance the above identified patent application out of turn for examination and expedite the prosecution thereof. The Decision sets forth the requirement for qualifying for special status:

- 1) the application must have no more than 3 independent claims and no more than 20 total claims;
 - 2) the application must not contain any multiple dependent claims;
 - 3) the petition must state the basis for seeking special status; the claimed invention either
 - A) materially enhances the quality of the environment or
 - B) materially contributes to
 - i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction
- The basis for this petition under 37 CFR § 1.102(c) is that

the claimed invention will materially:

- (i) Enhance the quality of the environment; and/or
 - (ii) Contribute to the development or conservation of energy resources;
- 4) if the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met;
- 5) a statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the Examiner;
- 6) the petition to make special must be filed electronically;
- 7) the petition must be filed at least one day prior to the date a first Office Action appears in the PAIR system; and
- 8) the petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d),

The Decision indicates that Applicants lack items 1), 5), and 8); therefore, Applicants have satisfied items 2), 3), 4), 6), and 7). To satisfy items 1), Applicants attach/submit the following documents to the Office:

- 1) a copy of a preliminary amendment to be filed concurrently with this request, evidencing the that application contains no more than 3 independent claims, and a total of 20 or less claims; and
- 2) a copy of a request for early publication under 37 CFR 1.219 to be filed concurrently with this request, including the publication fee as set forth under 37 CFR 1.18(d).

Additionally, to satisfy item 5), Applicants hereby agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the Examiner.

CONCLUSION

Applicants believe that this request for reconsideration and the referenced attachments satisfy all criteria set forth by the Office. Therefore, Applicant respectfully requests reconsideration of the Decision, and that the Office should grant the Petition. Should the Office have any further questions, or requirements, Applicants encourage the personnel handling this matter to contact Applicants representatives listed below. Furthermore, should any fees arise in connection with this request for reconsideration, the Director is authorized to charge Deposit Account No. 19-0513.

Date: December 19, 2011

/Arlen L. Olsen/

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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.
12/977,639	12/23/2010	Jonathan P. Rankin	AUTE.5861-NY	9716
5409	7590	01/06/2012	EXAMINER	
SCHMEISER, OLSEN & WATTS			NGUYEN, TAM M	
22 CENTURY HILL DRIVE			ART UNIT	PAPER NUMBER
SUITE 302			1772	
LATHAM, NY 12110			MAIL DATE	DELIVERY MODE
			01/06/2012	* 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.



SCHMEISER, OLSEN & WATTS
22 CENTURY HILL DRIVE
SUITE 302
LATHAM NY 12110

1/6/12

In re Application of	:	
Rankin et al.	:	DECISION ON PETITION
Application No. 12/977,639	:	TO MAKE SPECIAL UNDER
Filed: 12/23/2010	:	THE GREEN TECHNOLOGY
Attorney Docket No. AUTE.5861-NY	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 12/19/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700