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
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 238758-1	Application Number (if known): 13/046870	Filing date: 3-14-2011
First Named Inventor: Samuel DuPlessis		
Title: ENERGY MANAGEMENT SYSTEM WITH SOLAR WATER HEATER		

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 11-23-2011
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.

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.

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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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.
13/046,870	03/14/2011	Samuel Vincent DuPlessis	238758/GECA-38	5793

99491 7590 12/07/2011

Dority and Manning, P.A and General
Electric-Appliance and Lighting
PO Box 1449
greenville, SC 29602

EXAMINER	
ART UNIT	PAPER NUMBER
3749	

MAIL DATE	DELIVERY MODE
12/07/2011	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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Dority and Manning, P.A and General
Electric-Appliance and Lighting
PO Box 1449
greenville SC 29602

:

In re Application of		
DUPLESSIS, SAMUEL VINCENT et. al.	:	DECISION ON PETITION
Application No. 13/046,870	:	TO MAKE SPECIAL UNDER
Filed: March 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 238758/GECA-38	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 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 **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 inquires 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 3749 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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Decision Date : May 12,2011

In re Application of :

Matias MANDAGARAN

Application No : 13046888

Filed: 14-Mar-2011

Attorney Docket No : 170.003-01

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 May 12,2011

The request is **APPROVED**

The request was signed by Jerome D. Jackson (registration no. 33186) 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	Matías MANDAGARAN
Name2	
Address 1	Francesc Macia, 67 At.
Address 2	E-08100 Mollet del Valles
City	BARCELONA
State	
Postal Code	
Country	ES

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 **Document Description: Petition automatically granted by EFS-Web**	PTO/SB/83 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	13046888
Filing Date	14-Mar-2011
First Named Inventor	Matias MANDAGARAN
Art Unit	2875
Examiner Name	
Attorney Docket Number	170.003-01
Title	MULTISIGNAL DEVICE FOR VEHICLE, COMPRISING A LIGHT-EMITTING CORE

◉ 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

☒ 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

☒ 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

☒ 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	Matías MANDAGARAN
Address	Francesc Macia, 67 At. E-08100 Mollet del Valles
City	BARCELONA
State	
Postal Code	
Country	ES

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Jerome D. Jackson/
Name	Jerome D. Jackson
Registration Number	33186

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LAW OFFICE OF ROBERT M. WALLACE
2112 EASTMAN AVENUE, SUITE 102
VENTURA CA 93003

MAILED
JUL 26 2011
OFFICE OF PETITIONS

In re Application of
Christopher T. Wray
Application No. 13/046,906
Filed: March 14, 2011
Attorney Docket Number: WRA/005-09

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 11, 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 M. Wallace on behalf of all attorneys of record who are associated with Customer Number 44843.

All attorneys/agents associated with the Customer Number 44843 have been withdrawn. Applicants are reminded that there is no attorney of record at this time.

All future correspondence will be directed to the named inventor at the address indicated below.

Currently, there is no outstanding Office action that requires a reply.

Telephone inquiries 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

cc: Christopher Wray
2146 Wilcox Street
Camarillo, CA 93010

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APR 22 2011

OFFICE OF PETITIONS

BANNER & WITCOFF, LTD.
1100 13th STREET, N.W.
SUITE 1200
WASHINGTON DC 20005-4051

In re Application of	:	
TINNEY, Joseph F.	:	
Application No. 13/046,908	:	DECISION ON PETITION
Filed: March 14, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 007831.00003	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 15, 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 the declaration of inventor Joseph Tinney, attesting to his 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 2834 for action on the merits commensurate with this decision.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

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GARDNER GROFF GREENWALD & VILLANUEVA. PC
2018 POWERS FERRY ROAD
SUITE 800
ATLANTA GA 30339

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JUL 05 2011

OFFICE OF PETITIONS

In re Application of	:	
Sancar YORUKOGLU	:	
Application No. 13/046,956	:	NOTICE UNDER 37 CFR. 1.28(c)
Filed: March 14, 2011	:	
Attorney Docket No. **29B06.1-030**	:	

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28.

The Office no longer investigates or rejects original or reissue patent 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**.

This patent is no longer entitled to small entity status. Accordingly, all future fees paid in this patent must be paid at the large entity rate.

Inquiries related to this communication should be directed to Michelle R. Eason at (571) 272-4231.

Thurman K. Page
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

In re Application of
Richard S. GAZALSKI

Application No. 13047028

Filed:

Attorney Docket No. A10524

: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 14-MAR-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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Paper No.

ROUND
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 SOUTH AVENUE WEST
WESTFIELD NJ 07090

MAILED

NOV 03 2011

OFFICE OF PETITIONS

In re Application of :
Jeddeloh et al. :
Application No. 13/047,066 : DECISION ON PETITION
Filed: March 14, 2011 : PURSUANT TO
Attorney Docket No.: ROUND 3.0-043 CCCC : 37 C.F.R. § 1.181(A)
Title: SYSTEM FOR CONTROLLING MEMORY ACCESSES TO MEMORY MODULES HAVING A MEMORY HUB ARCHITECTURE :

This is a decision on the petition filed October 18, 2011, pursuant to 37 C.F.R. § 1.181(a), requesting that the holding of abandonment in the above-identified application be withdrawn.

This petition pursuant to 37 C.F.R. § 1.181(a) is **DISMISSED.**

BACKGROUND

The above-identified application became abandoned for failure to submit the issue and publication fees in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed June 7, 2011, which set a shortened statutory period for reply of three months. No extensions of time are permitted for transmitting issue fees[1] or publication fees.[2] Accordingly, the above-identified application became abandoned on September 8, 2011. A Notice of Abandonment was mailed on September 20, 2011.

1 See MPEP § 710.02(e)(III).
2 See 37 C.F.R. § 1.211(e).

RELEVANT PORTIONS OF THE C.F.R.

35 U.S.C. § 133 sets forth, *in toto*:

> Upon failure of the applicant to prosecute the application within six months after any action therein, of which notice has been given or mailed to the applicant, or within such shorter time, not less than thirty days, as fixed by the Director in such action, the application shall be regarded as abandoned by the parties thereto, unless it be shown to the satisfaction of the Director that such delay was unavoidable.

35 U.S.C. § 151 sets forth, *in pertinent part*:

> If it appears that applicant is entitled to a patent under the law, a written notice of allowance of the application shall be given or mailed to the applicant. The notice shall specify a sum, constituting the issue fee or a portion thereof, which shall be paid within three months thereafter.
>
> Upon payment of this sum the patent shall issue, but if payment is not timely made, the application shall be regarded as abandoned.

37 C.F.R. § 1.2 sets forth, in toto:

> 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.

37 C.F.R. § 1.134 sets forth, *in toto*:

> An Office action will notify the applicant of any non-statutory or shortened statutory time period set for reply to an Office action. Unless the applicant is notified in writing that a reply is required in less than six months, a maximum period of six months is allowed.

37 C.F.R. § 1.135 sets forth, *in toto*:

> (a) If an applicant of a patent application fails to reply within the time period provided under § 1.134 and § 1.136, the application will become abandoned unless an Office action indicates otherwise.
> (b) Prosecution of an application to save it from abandonment pursuant to paragraph (a) of this section must include such complete and proper reply as the condition of the application may require. The admission of, or refusal to admit, any amendment after final rejection or any amendment not responsive to the last

> action, or any related proceedings, will not operate to save the application from abandonment.
> (c) When reply by the applicant is a bona fide attempt to advance the application to final action, and is substantially a complete reply to the non-final Office action, but consideration of some matter or compliance with some requirement has been inadvertently omitted, applicant may be given a new time period for reply under § 1.134 to supply the omission.

ANALYSIS

Petitioner argues that the Notice of Allowance and Issue Fee Due was issued in error, since it indicated that claim 11 was allowed, and the preceding day, on June 6, 2011, Petitioner had filed an amendment, adding claims 2-10 to the application. Petitioner alleges that on August 22, 2011, the Examiner indicated to Petitioner's assistant that the Notice of Allowance would be withdrawn. Petitioner further alleges that on September 6 and 7, he received a similar assurance from the Examiner, who "advised Applicant's attorney not to pay the issue fee and assured Applicant's attorney that the application would not go abandoned."[3]

On September 8, 2011, a Supplemental Notice of Allowance was mailed, which indicated that claims 1-10 are allowed.

Petitioner failed to respond to the Notice of Allowance, due to the fact that he disagreed with the indication that claim 11 was allowed, and he alleges that the Examiner instructed him to disregard the requirement for the issue fee.

Regarding the alleged oral instruction to ignore the requirement for the issue fee, Petitioner is not in a position to rely on this alleged oral understanding, pursuant to 37 C.F.R. § 1.2, reproduced above.

Petitioner's contention regarding the propriety of the indication of the allowability of claim 11 is not well taken. **The propriety of a rejection, objection, or other requirement set forth in an Office action is not relevant to an applicant's burden to timely prosecute the application to avoid abandonment.**[4] Put another way, this application went abandoned due to Petitioner's failure to respond to the notice, and the propriety of the indication that claim 11 is allowable is not relevant to the abandonment of this application.

If Petitioner believed that the indication that claim 11 is allowable had been made in error, the proper course of action

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3 Petition, page 2.
4 See 35 U.S.C. § 133 and 37 C.F.R. §§ 1.134 and 1.135(a) and (b), reproduced above.

would have been to either submit the issue and publication fees in order to fully reply to said notice, or contact the Examiner in writing and attempt to secure the mailing of a corrected Notice of Allowance and Issue Fee Due which expressly rescinds the language concerning claim 11 and withdraws the requirement that the issue and publication fees be submitted by September 7, 2011. However, it does not appear that Petitioner attempted either of these actions, and instead failed to fully respond to the Notice of Allowance and Issue Fee Due.

While the Office is not unmindful of Petitioner's situation, the fact remains that Petitioner failed to submit the issue and publication fees in a timely manner, and as such, this application went abandoned by operation of law, pursuant to 35 U.S.C. § 151 and 37 C.F.R. § 1.135, reproduced above.

It follows that the record does not support a finding that the holding of abandonment should be withdrawn.

CONCLUSION

Pursuant to the above discussion, the record does not support a finding that the holding of abandonment should be withdrawn. As such, this petition pursuant to 37 C.F.R. § 1.181(a) must be dismissed.

The time period for filing a renewed petition is governed by 37 C.F.R. § 1.181(f). Therefore, if reconsideration of this decision is desired, any response to this decision must be submitted within **TWO MONTHS** from the mail date of this decision, and **extensions of time under 37 C.F.R. § 1.136(a) are not permitted.** The reply should include a cover letter entitled "Renewed Petition pursuant to 37 C.F.R. § 1.181(a)". This is not a final agency action within the meaning of 5 U.S.C § 704.

Since it does not appear that Petitioner will be able to secure the withdrawal of the holding of abandonment, **Petitioner may wish to instead seek the revival of this application, by filing a petition pursuant to 37 C.F.R. §§ 1.137(a) and/or (b).**

Any response to this decision should indicate in a prominent manner that the attorney handling this matter is Paul Shanoski, and may be submitted by mail,[5] hand-delivery,[6] or facsimile.[7]

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5 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.
6 Customer Window, Randolph Building, 401 Dulaney Street, Alexandria, VA, 22314.
7 (571) 273-8300: please note this is a central facsimile number.

Registered users of EFS-Web may alternatively submit a response to this decision via EFS-Web.[8]

If responding by mail, Petitioner is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything else to the address will delay the delivery of the response to the undersigned.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.[9]

Paul Shanoski
Senior Attorney
Office of Petitions

8 https://sportal.uspto.gov/auth/enticate/authenticateuserlocalepf.html
9 Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any of Petitioner's further action(s).

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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Paper No.

ROUND
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 SOUTH AVENUE WEST
WESTFIELD NJ 07090

MAILED

NOV 18 2011

OFFICE OF PETITIONS

In re Application of	:	
Jeddeloh et al.	:	
Application No. 13/047,066	:	DECISION ON PETITION
Filed: March 14, 2011	:	PURSUANT TO
Attorney Docket No.: ROUND 3.0-043 CCCC	:	37 C.F.R. § 1.137(B)
Title: SYSTEM FOR CONTROLLING MEMORY ACCESSES TO MEMORY MODULES HAVING A MEMORY HUB ARCHITECTURE	:	

This is a decision on the petition pursuant to 37 C.F.R. § 1.137(b), filed November 9, 2011, to revive the above-identified application.

This petition pursuant to 37 C.F.R. § 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to submit the issue and publication fees in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed June 7, 2011, which set a shortened statutory period for reply of three months. No extensions of time are permitted for transmitting issue fees[1] or publication fees.[2] Accordingly, the above-identified application became abandoned on September 8, 2011. A Notice of Abandonment was mailed on September 20, 2011.

On September 24, 2011, both the issue and publication fees were received.

A petition pursuant to 37 C.F.R. § 1.181(a) was filed on October 18, 2011, and was dismissed via the mailing of a decision on November 3, 2011.

1 See MPEP § 710.02(e)(III).
2 See 37 C.F.R. § 1.211(e).

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

(1) The reply required to the outstanding Office action or notice, unless previously filed;
(2) The petition fee as set forth in 37 C.F.R. § 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 this paragraph was unintentional. The Commissioner 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 C.F.R. § 1.20(d)) required pursuant to paragraph (d) of this section.

With this petition, Petitioner has submitted the petition fee and the proper statement of unintentional delay. As such, requirements one through three of Rule 1.137(b) have been met. The fourth requirement of Rule 1.137(b) is not applicable, as a terminal disclaimer is not required.[3]

The Office of Patent Publication will be notified of this decision so that the present application can be processed into a patent.

Petitioner may find it beneficial to view Private PAIR within a fortnight of the present decision to ensure that the revival has been acknowledged by the Office of Patent Publication in response to this decision. It is noted that all inquiries with regard to any failure of that change in status should be directed to the Office of Patent Publication where that change of status must be effected - **the Office of Petitions cannot effectuate a change of status.**

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.[4] All other inquiries

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3 See Rule 1.137(d).
4 Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.

concerning the status of the application should be directed to the Office of Patent Publication at 571-272-4200.

Paul Shanoski
Senior Attorney
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: 83183221	Application Number (if known): 13/047074	Filing date: 3/14/2011
First Named Inventor: Mahmoud Y. Ghannam		
Title: Sun Protection System for Automotive Vehicle		

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 /Mark L. Mollon/	Date 3/14/2011
Name (Print/Typed) Mark L. Mollon	Registration Number 31123

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.

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.

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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/047,074	03/14/2011	Mahmoud Y. Ghannam	83183221	6158

28866 7590 04/20/2011

MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA - FIFTH FLOOR
720 WATER STREET
TOLEDO, OH 43604

EXAMINER	
ART UNIT	PAPER NUMBER
2612	

MAIL DATE	DELIVERY MODE
04/20/2011	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.

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MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA - FIFTH FLOOR
720 WATER STREET
TOLEDO OH 43604

In re Application of	:	
GHANNAM, MAHMOUD Y.et al	:	DECISION ON PETITION
Application No. 13/047,074	:	TO MAKE SPECIAL UNDER
Filed: March 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83183221	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March. 14, 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 navigation system and liquid crystal zones 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 3749 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mahmoud Y. Ghannam	)	Group Art Unit: tbd
	)	
Serial No.: 13/047074	)	Confirmation No.: 6158
	)	
Filed: 3/14/2011	)	Examiner: tbd
	)	
For: Sun Protection System for Automotive Vehicle	)	Atty. Docket: 83183221
	)	

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

REQUEST FOR RECONSIDERATION

Honorable Sir:

In the Decision mailed April 20, 2011, the petition was dismissed as lacking a sufficient statement as to how the invention materially contributes to greenhouse gas reduction. Applicant hereby supplements the petition with the following explanation of how the materiality standard is met.

According to the U.S. Energy Information Administration of the Department of Energy, twenty three percent of total U.S. greenhouse gas emission is generated by burning gasoline and diesel fuel in the transportation sector. Total CO_2 generation in 2009 was 1542.2 million metric tons (http://www.eia.gov/tools/faqs/faq.cfm?id=307&t=10).

The Environmental Protection Agency issued fact sheet EPA420-F-05-004 (February 2005) analyzing greenhouse gas emissions associated with a passenger vehicle. Their analysis shows that fuel economy directly determines CO_2 production. Thus, any increase in fuel economy mpg creates a proportional drop in greenhouse gas emission.

In a test conducted by Consumers Reports, use of air conditioning while driving at 65 mph resulted in a fuel economy decrease of 3 miles per gallon (http://www.consumerreports.org/cro/cars/tires-auto-parts/car-maintenance/fuel-economy-

save-money-on-gas/overview/index.htm). The air conditioning compressor represents a significant load to the engine when being used to cool the passenger cabin. The less work being done by the compressor during driving, the less fuel that is consumed. Therefore, a reduction in the work to be done by the compressor results in a direct decrease in the greenhouse gas being generated by burning of fuel by the vehicle's combustion engine.

As stated in the specification, the shining of direct sunlight into the passenger compartment of a transportation vehicle through any of its window glazings can give rise to heating of the passenger compartment. The heating results in an increased use of the vehicle air conditioning system, and in turn increases fuel consumption in an internal combustion vehicle.

The present invention reduces the overall heat load from the sun that enters the vehicle, thereby decreasing any corresponding rise in cabin temperature. Furthermore, by automatically adapting the shading to block direct sunlight on the passengers, the passengers can remain comfortable with even less reliance on air conditioning. By removing potential increases in cabin temperature and by avoiding direct heating of a passenger's skin, lower settings will be made on the vehicle air conditioner in order to maintain passenger comfort. Additionally, a smaller, more efficient compressor can be built into the vehicle since expected air conditioning loads are reduced. By boosting fuel economy, less fuel is combusted and less greenhouse gas is emitted.

The present application is eligible for special status because it materially enhances the quality of the environment by materially contributing to reductions in green house gas emissions. Granting of this petition to make special under the Green Technology Pilot Program is respectfully solicited.

Respectfully submitted,

/Mark L. Mollon/
Mark L. Mollon
Attorney for Applicant(s)
Reg. No. 31,123

Dated: May 19, 2011

MacMillan, Sobanski & Todd, LLC
One Maritime Plaza, Fifth Floor
720 Water Street
Toledo, Ohio 43604
(734) 542-0900
(734) 542-9569 (fax)

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.
13/047,074	03/14/2011	Mahmoud Y. Ghannam	83183221	6158

28866 7590 06/15/2011

MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA - FIFTH FLOOR
720 WATER STREET
TOLEDO, OH 43604

EXAMINER	
ART UNIT	PAPER NUMBER
2612	

MAIL DATE	DELIVERY MODE
06/15/2011	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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MACMILLAN, SOBANSKI & TODD, LLC
ONE MARITIME PLAZA - FIFTH FLOOR
720 WATER STREET
TOLEDO OH 43604

In re Application of	:	
GHANNAM, MAHMOUD Y. et al	:	DECISION ON PETITION
Application No. 13/047,074	:	TO MAKE SPECIAL UNDER
Filed: March 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83183221	:	PILOT PROGRAM

This is a decision on the renewed 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 **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 Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 2612 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

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.
13/047,160	03/14/2011	Liang-Yu Chi	10-1300	6307

98929 7590 03/29/2011

McDonnell Boehnen Hulbert & Berghoff LLP/Google Inc.
300 South Wacker Drive, Suite 3100
Chicago, IL 60606

EXAMINER	
ART UNIT	PAPER NUMBER
2628	

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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McDonnell Boehnen Hulbert & Berghoff
LLP/Google Inc.
300 South Wacker Drive, Suite 3100
Chicago IL 60606

In re Application of: CHI, LIANG-YU et al. Serial No.: 13/047,160 Filed: March 14, 2011 Docket: **10-1300** Title: **SEEING WITH YOUR HAND**	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 March 14, 2011 requesting 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 Wellington Chin, Quality Assurance Specialist, at (571) 272-7629.

/ Wellington Chin /

Wellington Chin
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: 246239_1	Application Number (if known): 13/047,189	Filing date: 03-14-2011

First Named Inventor: Russell Weldon Black

Title: SYSTEMS AND METHODS FOR HIGH-RATE DEPOSITION OF THIN FILM LAYERS ON PHOTOVOLTAIC MODULE SUBSTRATES

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: Russell Weldon Black)

Confirmation No.: 6366)
)

Serial No.: 13/047,189)
)

Filing Date: March 14, 2011)
)

Atty Docket No.: 246239_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 systems and methods for deposition of thin films on a substrate, and more particularly to a high throughput system for deposition of multiple thin film layers on photovoltaic module substrates. (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.
13/047,189	03/14/2011	Russell Weldon Black	246239_1	6366

93081 7590 11/09/2011

Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER	
ART UNIT	PAPER NUMBER
1724	

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.

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

11/9/11

Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
Black	:	DECISION ON PETITION
Application No. 13/047,189	:	TO MAKE SPECIAL UNDER
Filed: 3/14/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **246239_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 1724 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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:	13/047,273	Filing date:	March 13, 2011
First Named Inventor:	Puneesh Chaudhry		
Title of the Invention:	DISTRIBUTED CATALOG, DATA STORE, AND INDEXING		

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

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:

US 11/28318

The international date of the corresponding PCT application(s) is/are:

03/14/2011

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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	12/642,033
First Named Inventor:	Sanjay Jain

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 12/22/2011

(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 n/a

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-19	1-19	identical claims

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

Signature /Michael A. Diener/	Date December 22, 2011
Name (Print/Typed) Michael A. Diener	Registration Number 37,122

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

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

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

MAILED
FEB 23 2012
OFFICE OF PETITIONS

In re Application of
Puneesh CHAUDHRY et al.
Application No. 13/047,273
Filed: March 14, 2011
Attorney Docket No.:2203299.00123US2
For: Distributed Catalog, Data Store...

: 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 December 22, 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, 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.

(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 Joanne Hama at (571) 272-2911 or in her absence, the undersigned at (571) 272-7099.

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.

/David Bucci/
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
JUL 19 2011
OFFICE OF PETITIONS

MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON DC 20006

In re Application of	:	
John Lam LEE	:	ON PETITION
Application No. 13/047,371	:	
Filed: March 14, 2011	:	
Atty. Docket No.: 10401.00011.US2A	:	

This is in response to the petition under 37 CFR 1.47(b), filed March 14, 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. 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 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 instant petition lacks items (1), (5), and (6).

Item (1) requires that if a forwarding address is provided for the nonsigning inventor, petitioner should then mail a complete copy of the application papers (specification, claims, drawings, oath, etc.) to the unsigning inventor's address, return receipt requested, along with a cover letter of instructions which includes a deadline. In the present

petition, petitioner has not asserted nor provided evidence that a copy of the application papers were mailed to unsigning inventors' In-Kwon Jeung and Jong Lam Lee. Furthermore, whereas petitioner asserts that a copy of the application papers were asserted to have been mailed to unsigning inventor, Myong C. Yoo, petitioner has not supplied evidence that the application papers were in fact mailed to inventor, Myong C. Yoo's address stated in the petition.

Note that statements of facts must be signed by a person having firsthand knowledge of the facts recited therein and should be accompanied by documentary evidence in support of the statements of facts. Throughout the declaration of Mark R. Kresloff, submitted with the petition, Mr. Kresloff makes reference to evidentiary documents (Tabs A-M) supporting his assertions, however a copy of the evidentiary documents has not been included with the declaration.

Regarding item (5), Rule 47 applicant has failed to show or provide proof that L.G. Electronics, Inc. has sufficient proprietary interest in the subject matter to justify the filing of the application (*see,* MPEP 409.03(f)). Acceptable proof would include a copy of the employment agreement between the non-signing inventor and the Rule 47 (b) applicant (company), a copy of an assignment agreement showing that the invention disclosed in the application is assigned to the Rule 47(b) applicant, or a legal memorandum signed by an attorney familiar with the law of the jurisdiction stating that a court of competent jurisdiction would by the weight of authority in that jurisdiction award the title of the invention to the Rule 47(b) applicant.

Regarding item (6), Rule 47 applicant failed to provide proof of irreparable damage (*see*, MPEP 409.03(g)). A statement of Rule 47 applicant that the filing is necessary to preserve the rights of the parties would be sufficient.

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 hand:
U. S. Patent and Trademark Office
Customer Service Window, Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

The centralized facsimile number is **(571) 273-8300.**

Telephone inquiries relating to this decision should be directed to Robert DeWitty (571-272-8427).

for 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

MAILED

OCT 14 2011

OFFICE OF PETITIONS

MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON DC 20006

In re Application of :
John Lam LEE : ON PETITION
Application No. 13/047,371 :
Filed: March 14, 2011 :
Atty. Docket No.: 10401.00011.US2A :

This is in response to the renewed petition under 37 CFR 1.47(b), filed September 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. 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 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 instant petition lacks item (2).

Regarding item (2), petitioner's request that the instant petition be granted on the basis that "a similar petition has been granted in Application No. 11/002,413," is not persuasive. According to MPEP § 602.05(a)

> "A continuation or divisional application of a prior application accorded status under 37 CFR 1.47 will be accorded status under 37 CFR 1.47 if a copy of the decision according 37 CFR 1.47 status in the prior application is filed in the continuation or divisional application."

A review of the petition in Application No. 11/002,413 reveals that that application was not accorded status under 37 CFR 1.47. Also, a copy of such a decision granting status under 37 CFR 1.47 was not filed in the instant application. *See* 37 CFR 1.63(d)(3).

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 hand:
U. S. Patent and Trademark Office
Customer Service Window, Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

The centralized facsimile number is **(571) 273-8300.**

Telephone inquiries relating to this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427).

for Anthony Knight
Director
Office of Petitions

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:	13/047,463	Filing date:	March 14, 2011
First Named Inventor:	Jack W. Allen		
Title of the Invention:	HEAT TRANSFER PROCESSES AND EQUIPMENT FOR INDUSTRIAL APPLICATIONS		

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

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/US2011/028351

The international filing date of the corresponding PCT application(s) is/are: March 14, 2011

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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/047,463
First Named Inventor:	Jack W. Allen

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
1-37	1-37	Claims 1-37 in the US application are identical to claims 1-37 in the PCT application.

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

Signature /Thomas R. Hipkins/	Date 2011-12-12
Name (Print/Typed) Thomas R. Hipkins	Registration Number 57659

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

22859
Customer Number

Attorney Docket No.: 63503.1.4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Jack W. Allen		
Application No.:	13/047,463	Group Art Unit:	3744
Filed:	March 14, 2011	Examiner:	
Title:	Heat Transfer Processes And Equipment For Industrial Applications		

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

COPY OF CLAIMS FROM PCT APPLICATION NO. PCT /US2011/028351 INDICATED AS HAVIGN NOVELTY, INVENTIVE STEP, AND INDUSTRIAL APPLICABILITY

1. A method of heating and cooling fluids for use in an industrial process, the method comprising:

(a) providing a first heat transfer module that includes a first condenser heat exchanger and a first evaporator heat exchanger;

(b) circulating a first refrigerant through the first heat transfer module;

(c) circulating a first cooling fluid through the first evaporator heat exchanger, thereby removing heat from the first cooling fluid and preparing the first cooling fluid for a first cooling industrial sub-process;

(d) circulating a first warming fluid through the first condenser heat exchanger, thereby adding heat from the first refrigerant to the first warming fluid and preparing the first warming fluid for a first warming industrial sub-process;

(e) supplying the first cooling fluid from an outlet of the first evaporator heat exchanger to equipment for performing the first cooling industrial sub-process; and

(f) supplying the first warming fluid from an outlet of the first condenser heat exchanger to equipment for performing the first warming industrial sub-process.

2. The method of claim 1, further comprising:

(g) providing a second heat transfer module that includes a second condenser heat exchanger and a second evaporator heat exchanger;

(h) circulating a second refrigerant through the second heat transfer module;

(i) circulating a second cooling fluid through the second evaporator heat exchanger, thereby removing heat from the second cooling fluid and preparing the second cooling fluid for the first cooling industrial sub-process; and

(j) supplying the second cooling fluid from an outlet of the second evaporator heat exchanger to the equipment for performing the first cooling industrial sub-process.

3. The method of claim 2, further comprising:

(k) circulating a second warming fluid through the second condenser heat exchanger, thereby adding heat from the second refrigerant to the second warming fluid and preparing the second warming fluid for the first warming industrial sub-process; and

(l) supplying the second warming fluid from an outlet of the second condenser heat exchanger to the equipment for performing the first warming industrial sub-process.

4. The method of claim 2, further comprising:

(k) circulating a second warming fluid through the second condenser heat exchanger, thereby adding heat from the second refrigerant to the second warming fluid and preparing the second warming fluid for a second warming industrial sub-process; and

(l) supplying the second warming fluid from an outlet of the second condenser heat exchanger to the equipment for performing the second warming industrial sub-process.

5. The method of claim 4, wherein the first warming fluid is a liquid and the second warming fluid is a gas/vapor.

6. The method of claim 1, further comprising:

(g) providing a second heat transfer module that includes a second condenser heat exchanger and a second evaporator heat exchanger;

(h) circulating a second refrigerant through the second heat transfer module;

(i) circulating a second cooling fluid through the second evaporator heat exchanger, thereby removing heat from the second cooling fluid and preparing the second cooling fluid for a second cooling industrial sub-process; and

(j) supplying the second cooling fluid from an outlet of the second evaporator heat exchanger to equipment for performing the second cooling industrial sub-process.

7. The method of claim 6, further comprising:

(k) circulating a second warming fluid through the second condenser heat exchanger, thereby adding heat from the second refrigerant to the second warming fluid and preparing the second warming fluid for a second warming industrial sub-process; and

(l) supplying the second warming fluid from an outlet of the second condenser heat exchanger to the equipment for performing the second warming industrial sub-process.

8. The method of claim 6, further comprising:

(k) circulating a second warming fluid through the second condenser heat exchanger, thereby adding heat from the second refrigerant to the second warming fluid and preparing the second warming fluid for the first warming industrial sub-process; and

(l) supplying the second warming fluid from an outlet of the second condenser heat exchanger to the equipment for performing the first warming industrial sub-process.

9. The method of claim 6, wherein the first cooling fluid is a liquid and the second cooling fluid is a gas/vapor.

10. The method of claim 1, wherein the first cooling fluid and the first warming fluid are both liquid.

11. The method of claim 10, wherein the first cooling fluid and the first warming fluid are both water.

12. The method of claim 1, wherein the first cooling fluid is a liquid and the first warming fluid is a gas/vapor.

13. The method of claim 12, wherein the first cooling fluid is water and the first warming fluid is air.

14. The method of claim 1, wherein (i) the first heat transfer module includes a compressor and (ii) circulating the first refrigerant through the first heat transfer module includes maintaining an operational pressure differential across the compressor within a predetermined range.

15. The method of claim 14, wherein maintaining the operational pressure differential across the compressor within the predetermined range includes controlling one or more of the following:

the temperature and/or pressure and/or flow rate of the first cooling fluid entering the first evaporator heat exchanger,

the temperature and/or pressure and/or flow rate of the first warming fluid entering the first condenser heat exchanger.

16. The method of claim 14, wherein maintaining the operational pressure differential across the compressor within the predetermined range includes controlling one or more of the following:

the pressure and/or flow rate of the first cooling fluid entering the first evaporator heat exchanger,

the pressure and/or flow rate of the first warming fluid entering the first condenser heat exchanger.

17. A method of transferring energy from one process fluid to another in an industrial process, the method comprising:

(a) providing a first heat transfer module that includes a first condenser heat exchanger and a first evaporator heat exchanger;

(b) circulating a first refrigerant through the first heat transfer module; and

(c) transferring energy (i) from a first cooling fluid flowing toward a first cooling industrial sub-process (ii) through the first refrigerant via the first evaporator heat

exchanger and the first condenser heat exchanger (iii) to a first warming fluid flowing toward a first warming industrial sub-process.

18. The method of claim 17, further comprising:

(d) providing a second heat transfer module that includes a second condenser heat exchanger and a second evaporator heat exchanger;

(e) circulating a second refrigerant through the second heat transfer module; and

(f) transferring energy (i) from a second cooling fluid flowing toward the first cooling industrial sub-process (ii) through the second refrigerant via the second evaporator heat exchanger and the second condenser heat exchanger (iii) to a second warming fluid flowing toward the first warming industrial sub-process.

19. The method of claim 17, further comprising:

(d) providing a second heat transfer module that includes a second condenser heat exchanger and a second evaporator heat exchanger;

(e) circulating a second refrigerant through the second heat transfer module; and

(f) transferring energy (i) from a second cooling fluid flowing toward the first cooling industrial sub-process (ii) through the second refrigerant via the second evaporator heat exchanger and the second condenser heat exchanger (iii) to a second warming fluid flowing toward a second warming industrial sub-process.

20. The method of claim 19, wherein the first warming fluid is a liquid and the second warming fluid is a gas/vapor.

21. The method of claim 17, further comprising:

(d) providing a second heat transfer module that includes a second condenser heat exchanger and a second evaporator heat exchanger;

(e) circulating a second refrigerant through the second heat transfer module; and

(f) transferring energy (i) from a second cooling fluid flowing toward a second cooling industrial sub-process (ii) through the second refrigerant via the second evaporator heat exchanger and the second condenser heat exchanger (iii) to a second warming fluid flowing toward a second warming industrial sub-process.

22. The method of claim 17, further comprising:

(d) providing a second heat transfer module that includes a second condenser heat exchanger and a second evaporator heat exchanger;

(e) circulating a second refrigerant through the second heat transfer module; and

(f) transferring energy (i) from a second cooling fluid flowing toward a second cooling industrial sub-process (ii) through the second refrigerant via the second evaporator heat exchanger and the second condenser heat exchanger (iii) to a second warming fluid flowing toward the first warming industrial sub-process.

23. The method of claim 22, wherein the first cooling fluid is a liquid and the second cooling fluid is a gas/vapor.

24. The method of claim 17, wherein the first cooling fluid and the first warming fluid are both liquid.

25. The method of claim 24, wherein the first cooling fluid and the first warming fluid are both water.

26. The method of claim 17, wherein the first cooling fluid is a liquid and the first warming fluid is a gas/vapor.

27. The method of claim 26, wherein the first cooling fluid is water and the first warming fluid is air.

28. The method of claim 17, wherein (i) the first heat transfer module includes a compressor and (ii) circulating the first refrigerant through the first heat transfer module includes maintaining an operational pressure differential across the compressor within a predetermined range.

29. The method of claim 28, wherein maintaining the operational pressure differential across the compressor within the predetermined range includes controlling one or more of the following:

the temperature and/or pressure and/or flow rate of the first cooling fluid entering the first evaporator heat exchanger,

the temperature and/or pressure and/or flow rate of the first warming fluid entering the first condenser heat exchanger.

30. The method of claim 28, wherein maintaining the operational pressure differential across the compressor within the predetermined range includes controlling one or more of the following:

the pressure and/or flow rate of the first cooling fluid entering the first evaporator heat exchanger,

the pressure and/or flow rate of the first warming fluid entering the first condenser heat exchanger.

31. A system for transferring energy from one process fluid to another in an industrial process, comprising:

(a) a heat transfer module that includes a compressor, a condenser heat exchanger, and an evaporator heat exchanger;

(b) a refrigerant sensing mechanism configured to regularly measure a suction pressure value and a discharge pressure value for the compressor during operation of the heat transfer module; and

(c) a compressor controller configured to (i) receive the suction pressure value and the discharge pressure value from the refrigerant sensing mechanism, (ii) compare the suction pressure value to the discharge pressure value to determine an operational pressure differential, (iii) maintain the operational pressure differential within a predetermined range by causing one or more of the following to be adjusted:

the temperature and/or pressure and/or flow rate of a cooling fluid entering the evaporator heat exchanger,

the temperature and/or pressure and/or flow rate of a warming fluid entering the condenser heat exchanger.

32. The system of claim 31, further comprising (d) a cooling fluid controller, wherein the compressor controller is configured to cause the pressure and/or the flow rate of the cooling fluid to be adjusted by communicating instructions to the cooling fluid controller, which is configured to cause adjustment to a cooling fluid inlet pump.

33. The system of claim 31, further comprising (d) a warming fluid controller, wherein the compressor controller is configured to cause the pressure and/or the flow rate of the warming fluid to be adjusted by communicating instructions to the warming fluid controller, which is configured to cause adjustment to a warming fluid inlet pump.

34. The system of claim 33, further comprising (e) a cooling fluid controller, wherein the compressor controller is configured to cause the pressure and/or the flow rate of the cooling fluid to be adjusted by communicating instructions to the cooling fluid controller, which is configured to cause adjustment to a cooling fluid inlet pump.

35. The system of claim 34, wherein

one of the warming fluid controller or the cooling fluid controller is configured to cause adjustment to the warming fluid inlet pump or the cooling fluid inlet pump, respectively, at a first rate of speed;

the other of the warming fluid controller or the cooling fluid controller is configured to cause adjustment to the warming fluid inlet pump or the cooling fluid inlet pump, respectively, at a second rate of speed, which is slower than the first rate of speed; and

the compressor controller is configured to communicate instructions to the warming fluid controller and/or the cooling fluid controller at a third rate of speed, which is slower than the second regular interval.

36. The system of claim 31, wherein the compressor controller is configured to cause the temperature of the cooling fluid and/or the temperature of the warming fluid to be adjusted by communicating instructions to a system controller, which is configured to cause adjustment to one or more portions of the industrial process.

37. The system of claim 31, wherein the heat transfer module further includes an expansion valve.

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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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FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
200 SOUTH SIXTH STREET, SUITE 4000
MINNEAPOLIS MN 55402

MAILED
FEB 29 2012
OFFICE OF PETITIONS

In re Application of
Jack W. ALLEN et al.
Application No.: 13/047,463
Filed: March 14, 2011
Attorney Docket No.: 63503.1.4

: 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 December 12, 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 Australia, Austria, China, EPO, Finland, JPO, Korea, Nordic Patent Institute, Russia, Spain, Sweden, 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 Michelle R. Eason at 571-272-4231.

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.

Thurman K. Page
Petitions Examiner
Office of Petitions

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CITY PLACE TOWER
WEST PALM BEACH FL 33401

MAILED

MAR 29 2011

OFFICE OF PETITIONS

In re Application of :

HAWIGER, Jack J. et al. :
Application No. 13/047,495 : DECISION ON PETITION
Filed: March 14, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **20004.0050** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 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 Jack Hawiger, attesting to his age. Accordingly, the above-identified application will be 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.

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.

/Tredelle D. Jackson/
Paralegal Specialist
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
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13047515	Confirmation Number	6990	Filing Date	2011-03-14
Attorney Docket Number (optional)	IMM171US7	Art Unit	1644	Examiner	Schwadron, Ronald B
First Named Inventor	Hans J. Hansen				
Title of Invention	Internalizing Anti-CD74 Antibodies and Methods of Use				

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
David	M.	Goldenberg	

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) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (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	/Richard A. Nakashima/	Date (YYYY-MM-DD)	2011-06-14
Name	Richard A. Nakashima	Registration Number	42023

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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In re Application of
Hans J. Hansen

Application No. 13047515

Filed: March 14,2011

Attorney Docket No. IMM171US7

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:
:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)
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This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 14-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
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13047531	Confirmation Number	7022	Filing Date	2011-03-14
Attorney Docket Number (optional)	2084P3488	Art Unit		Examiner	
First Named Inventor	Sara Sprague				
Title of Invention	APPARATUS, SYSTEM AND METHOD FOR ACCURATE DISPENSING OF PRESCRIPTION MEDICATIONS				

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
George	T	Simmons	

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) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (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	/Jeffrey D. Moy/	Date (YYYY-MM-DD)	2011-03-30
Name	Jeffrey D. Moy	Registration Number	39307

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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
Sara Sprague

Application No. 13047531

Filed: March 14,2011

Attorney Docket No. 2084P3488

:
:
: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 30-MAR-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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.usplo.gov

Hanley, Flight & Zimmerman, LLC
150 S. Wacker Dr. Suite 2100
Chicago, IL 60606

MAILED

JUL 18 2011

OFFICE OF PETITIONS

In re Application of :
Jerome Shimizu, et. al. : DECISION REFUSING STATUS
Application No. 13/047,541 : UNDER 37 CFR 1.47(a)
Filed: March 14, 2011 :
Attorney Docket No. 20004/52463US02 :

This is in response to the petition under 37 CFR 1.47(a), filed June 29, 2011.

The petition is **DISMISSED**.

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. Applicant lack items (1) and (3) set forth above.

As to item (1), the evidence presented on June 29, 2011, shows that the FedEx Shipment Delivery Receipt, Tracking number 797076615245, delivered on May 11, 2011, was intercepted by someone other than non-signing inventor Shimizu. However, it is noted that petitioner asserts "On June 22, 2011, I spoke with Shimizu via telephone, and Shimizu indicated that he refused to sign the declaration unless the Assignee were to pay a significant sum of money for his signature. Shimizu has not replied since via any form of communication and has not returned a signed copy of the declaration." Unfortunately, a review of the record fails to show an affidavit or declaration of facts from attorney Felipe Hernandez which outlines the phone conversation of June 22, 2011, with non-signing inventor Jerome Shimizu.

Petitioner should note that where there is an express or oral refusal, that fact, along with the time and place of the refusal, must be stated in an affidavit or declaration by the party to whom the refusal was made. Where there is a written refusal, a copy of the document(s) evidencing that refusal must be made part of the affidavit or declaration.

When it is concluded by the rule 47 applicant that an omitted inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in an affidavit or declaration. If there is documentary evidence to support facts alleged in the affidavit or declaration, such evidence must be submitted. Whenever an omitted inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the affidavit or declaration.

As to item (3) above, a review of the record shows that petitioner submitted a petition fee of $130 on June 29, 2011. However, since a petition under 37 CFR 1.47 requires a $200 petition fee, the fee deficiency in the amount of $70 must be submitted upon any renewed petition.

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(a)," 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).

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

By Mail:
Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By Hand:
U. S. Patent and Trademark Office
Customer Window, Mail Stop PETITIONS
401 Dulany Street
Alexandria, VA 22314

By Internet:
EFS-Web
www.uspto.gov/ebc/efs_help.html
(For help using EFS-Web call the
Patent Electronic Business Center
at (866) 217-9197)

The centralized facsimile number is (571) 273-8300.

Telephone inquiries 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

Hanley, Flight & Zimmerman, LLC
150 S. Wacker Dr. Suite 2100
Chicago, IL 60606

MAILED

NOV 07 2011

OFFICE OF PETITIONS

In re Application of	:	
Jerome Shimizu, et. al.	:	DECISION GRANTING STATUS
Application No. 13/047,541	:	UNDER 37 CFR 1.47(a)
Filed: March 14, 2011	:	
Attorney Docket No. 20004/52463US02	:	

This is in response to the renewed petition under 37 CFR 1.47(a), filed October 18, 2011.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor refuses 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

Jerome Shimizu
225 Grand Street
#1407
Jersey City, NJ 07302

MAILED
NOV 07 2011
OFFICE OF PETITIONS

In re Application of
Jerome Shimizu, et. al.
Application No. 13/047,541
Filed: March 14, 2011
For: METHODS AND APPARATUS FOR INTEGRATING VOLUME METRIC SALES DATA, MEDIA CONSUMPTION INFORMATION, AND GEOGRAPHIC-DEMOGRAPHIC DATA TO TARGET ADVERTISMENTS

Dear Mr. Shimizu:

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: Hanley, Flight & Zimmerman, LLC
150 S. Wacker Dr. Suite 2100
Chicago, IL 60606

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2015. 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.:	13/047,541	First Named Inventor:	Jerome Shimizu
Filing Date:	March 14, 2011	Attorney Docket No.:	20004/52463US02
Title of the Invention:	Methods and Apparatus for Integrating Volumetric Sales Data, Media Consumption Information, and Geographic-Demographic Data to Target Advertisements		

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.

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: PCT/US2011/028364

The international filing date of the corresponding PCT application(s) is/are: March 14, 2011

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 November 9, 2011 and March 22, 2012

(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 November 9, 2011 and March 22, 2012

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.

PTO/SB/20PCT-KR (06-10)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/047,541	First Named Inventor:	Jerome Shimizu

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
5	5	US claim 5 written in independent form including recitations of claim 1
13	13	US claim 13 written in independent form including recitations of claim 9
21	21	US claim 21 written in independent form including recitations of claim 17

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

Signature /Felipe Hernandez/	Date 2012-03-23
Name (Print/Typed) Felipe Hernandez	Registration Number 61,971

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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Alexandria, VA 22313-1450
www.uspto.gov

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

MAILED

MAR 29 2011

OFFICE OF PETITIONS

In re Application of :
BURRIS, Michael V. et al. :
Application No. 13/047,595 : DECISION ON PETITION
Filed: March 14, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **BURRI.034C1** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), March 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 copy of Michael Burris driver's license attesting to his age. Accordingly, the above-identified application will be 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.

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

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
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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:	13047612	Filing date:	2011-03-14
First Named Inventor:	Roger D. Dewey		
Title of the Invention:	CONTROL SYSTEMS HAVING A SIM FOR CONTROLLING A COMPUTING 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

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/US2011/028404

The international filing date of the corresponding PCT application(s) is/are: March 14, 2011

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.**

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.

PTO/SB/20PCT-KR (06-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13047612
First Named Inventor:	Roger D. Dewey

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	6	Substantially same claim language
2-5	2-5	More narrow due to dependency from claim 1
7-17	7-17	More narrow due to dependency from claim 1
18	21	Substantially same claim language
19-20	19-20	More narrow due to dependency from claim 18
22-26	22-26	More narrow due to dependency from claim 18
27	12	Substantially same claim language

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

Signature /Justin R. Nifong/	Date 12/5/2011
Name (Print/Typed) Justin R. Nifong	Registration Number 59389

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

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

MAILED

FEB 01 2012

OFFICE OF PETITIONS

OLIVE LAW GROUP, PLLC
125 EDINBURGH SOUTH DRIVE,
SUITE 100
CARY NC 27511

In re Application of
DEWEY, et al
Application No.: 13/047,612
Filed: March 14, 2011
Attorney Docket No.: 181/2 UTIL
For: CONTROL SYSTEMS HAVING A SIM FOR CONTROLLING A COMPUTING DEVICE

: 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 December 5, 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, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, 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 fail to meet requirement (7).

Regarding the requirement of condition (7), applicant has failed to submit a listing of the documents cited by the PCT examiner in the international work product.

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.

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.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

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:	13047612	Filing date:	2011-03-14
First Named Inventor:	Roger D. Dewey		
Title of the Invention:	CONTROL SYSTEMS HAVING A SIM FOR CONTROLLING A COMPUTING 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

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/US2011/028404

The international filing date of the corresponding PCT application(s) is/are: March 14, 2011

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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13047612
First Named Inventor:	Roger D. Dewey

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 12/5/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	6	Substantially same claim language
2-5	2-5	More narrow due to dependency from claim 1
7-17	7-17	More narrow due to dependency from claim 1
18	21	Substantially same claim language
19-20	19-20	More narrow due to dependency from claim 18
22-26	22-26	More narrow due to dependency from claim 18
27	12	Substantially same claim language

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

Signature /Justin R. Nifong/	Date 2/8/2012
Name (Print/Typed) Justin R. Nifong	Registration Number 59389

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Dewey, Roger D.**	**Confirmation No.: 7181**
Application No.: 13/047,612	**Group Art Unit: 2617**
Filing Date: 3/14/2011	**Examiner: PATEL, Ajit**

For: CONTROL SYSTEMS HAVING A SIM FOR CONTROLLING A COMPUTING DEVICE

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

Examiner:

General Transmittal Accompanying Petition for

Entry into Patent Prosecution Highway

Amendments to the Claims are reflected in the listing of the claims which begins on page 2 of this paper.

Remarks begin on page 2 of this paper.

REMARKS

Applicant submits an Information Disclosure Statement herewith in response to the PCT-PPH decision of February 1, 2012. In that decision, Applicants' request and petition of December 5, 2011 was dismissed for failing to submit an Information Disclosure Statement 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.

It appears that the petition decision was denied because Applicants only listed the PCT search report of November 23, 2011 for corresponding PCT Application No. PCT/US2011/028404, and did not list the documents cited therein by the PCT Examiner. Accordingly, Applicant is submitting herewith an Information Disclosure Statement listing the following references:

US Patent Publication Number 2010-0057485 A1 (Achim Luft);
US Patent Publication Number 2007-0169107 (Sampo Huttunen); and
US Patent Publication Number 2004-0030761 (Yasuo Takeuchi).

Applicant submits that the application is now in condition to participate in the PPH program and the deficiencies called out in the petition decision mailed on February 1, 2012 have been corrected. The Request Form for Participation in the Patent Prosecution Highway is being filed herewith.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that the application is now in condition for entry into the PPH program.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. **50-5046**.

Respectfully submitted,

Date: 2/8/2012

/ Justin R. Nifong/
Justin R. Nifong
Registration No. 59,389

Olive Law Group, PLLC
130 Edinburgh South Drive, Suite 107
Cary, NC 27511
Telephone: (919) 342-6220
Facsimile: (888) 737-1649

Customer No. 79683

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

OLIVE LAW GROUP, PLLC
125 EDINBURGH SOUTH DRIVE,
SUITE 100
CARY NC 27511

MAILED
MAR 01 2012
OFFICE OF PETITIONS

In re Application of
DEWEY, et al
Application No.: 13/047,612
Filed: March 14, 2011
Attorney Docket No.: 181/2 UTIL
For: CONTROL SYSTEMS HAVING A SIM FOR CONTROLLING A COMPUTING DEVICE

: 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 December 5, 2011 and renewed on February 8, 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, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, 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.

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 2617 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
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

MAILED

JUL 29 2011

OFFICE OF PETITIONS

FOLEY & LARDNER LLP
P.O. BOX 80278
SAN DIEGO, CA 92138-0278

In re Application of.
Kevin Qu, Ke Zhang and Maher Albitar
Application No. 13/047,659
Filed: March 14, 2011
Attorney Docket No.: 034827-9982

DECISION ACCORDING STATUS UNDER 37 CFR 1.47(a)

This is a decision in response to the petition under 37 CFR 1.47(b)) filed June 28, 2011, which is appropriately being treated as a petition to allow the available inventors to proceed with the application on behalf of the themselves and the non-signing inventor under the provisions of 37 CFR 1.47(a).

The petition is **GRANTED**.

Petitioner has shown that joint inventor Maher Albitar 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) 272-3204.

/SDB/

Sherry D. Brinkley
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

DR. MAHER ALBITAR
3 RIVER ROCK RD.
COTO DE CAZA, CA 92679

MAILED

JUL 29 2011

OFFICE OF PETITIONS

In re Application of.
Kevin Qu, Ke Zhang and Maher Albitar
Application No. 13/047,659
Filed: March 14, 2011
For: CIRCULATING MICRORNA AS A MARKER FOR HEPATOCELLULAR CARCINOMA

LETTER

Dear Dr. Albitar:

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 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) 272-3204. 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).

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

cc: FOLEY & LARDNER LLP
P.O. BOX 80278
SAN DIEGO, CA 92138-0278

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

KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

MAY 16 2011

In re Application of: Golden et al.
Application No.: 13/047688
Filed: March 14, 2011
Title: SHOULDER IMMOBILIZER AND FRACTURE STABILIZATION DEVICE

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 March 14, 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 **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, 5.3, 6, 6.1, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, 6.2, 6.3, 6.4 and 6.5 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 "pre-examination search document", the "accelerated examination support document", 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 128 subclass 877; class 602 subclasses 16, 21, and 61; class 5 subclasses 630, 632, 647, 922, and 937; class 224 subclasses 157, 158, 222, 660, 662, and 625; class 2 subclasses 459, 460, 461, 16, 44, and 45.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include 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. The policy statement does not caveat "the independent claims", nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on www.uspto.gov/web/patents/accelerated/ in "Guidelines for Applicants under the new accelerated examination procedures"):

> *For each reference cited, the accelerated examination support document must include 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. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.*

In the instant petition, every reference found in the IDS is not discussed. If applicant wishes to cite references that are not required in an AESD for the examiner to consider, applicant may submit such references in a separate IDS in compliance with 37 CFR §1.97 and §1.98. Applicant should clearly identify the IDS of the AESD that is in support of the petition to make special and, similarly, applicant should clearly identify the separate IDS that is not in support of the petition. Consistent with 37 CFR §10.18, any reference submitted in a separate IDS that is not part of an AESD will be treated as a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD.

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, all references cited on the IDS have not been discussed.

Regarding the requirements of section II element 6.4 outlined above, the petition fails to identify a concise statement of the utility of the invention as defined in each of the independent claims. A general statement directed to the overall concept of the invention is not specifically relating the utility to each of the independent claims as is required by the policy. Petitioner should reference the independent claims specifically when discussing the utility of the invention.

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 supports exists. In the instant petition, petitioner makes the statement that provisional application 61/297,001 does not have the same paragraph numbers as the present application and the PCT application through the entire specification. If the paragraph numbers do not match, then support for provisional application 61/297,001 must be shown separately with the correct paragraph numbers.

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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TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

JUL 14 2011

In re Application of: Golden et al.
Application No.: 13/047688
Filed: March 14, 2011
Title: SHOULDER IMMOBILIZER AND FRACTURE STABILIZATION DEVICE

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 renewed petition filed on June 14, 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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CARR & FERRELL LLP
120 CONSTITUTION DRIVE
MENLO PARK, CA 94025

MAILED

OCT 12 2011

OFFICE OF PETITIONS

In re Application of :
Raman K. Rao et al :
Application No. 13/047,718 : DECISION ON PETITION
Filed: March 14, 2011 : TO WITHDRAW
Attorney Docket No.: PA5505US : 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 September 27, 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 is filed by Breton G. Graham on behalf of the practitioners of record associated with Customer Number 22830.

The Office no longer accepts an address change to the new practitioner identified in the request, absent the filing of a power of attorney to the new representative. The Office will, however, change the correspondence address of record to the most current address provided for (1) the intervening assignee of the entire interest or (2) the first named inventor.

The request to withdraw from record cannot be approved at this time since the inventor listed, Sanjay K. Rao, for the change of correspondence address of record is not the first named inventor.

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 undersigned at 571-272-3210. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Sanjay K. Rao
IP Holdings, Inc.
514 Bryant Street, Suite #102
Palo Alto, CA 94301

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
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 21836-94084	Application Number (if known): 13/047,750	Filing date: 14 March 2011
First Named Inventor: Gary GENGENBACH		
Title: SUBSTANTIALLY BUMPLESS TRANSFER GRID SYNCHRONIZATION		

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 of Compliance with Green Technology Pilot Program Requirements

Signature	Date 23 March 2011
Name (Print/Typed) Gary GENGENBACH	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*.*

[X] *Total of 2 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.

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 21836-94084	Application Number (if known): 13/047,750	Filing date: 14 March 2011
First Named Inventor: Gary GENGENBACH		
Title: SUBSTANTIALLY BUMPLESS TRANSFER GRID SYNCHRONIZATION		

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.

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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 of Compliance with Green Technology Pilot Program Requirements

Signature R Anthony Sovern	Date 23 March 2011
Name (Print/Typed) R. Anthony SOVERNS	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*.*

[X] *Total of 2 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.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/047,750	03/14/2011	Gary A. Gengenbach	21836-94084	7446

35973 7590 06/01/2011

BINGHAM MCHALE LLP
2700 MARKET TOWER
10 WEST MARKET STREET
INDIANAPOLIS, IN 46204-4900

EXAMINER	
ART UNIT	PAPER NUMBER
2838	

NOTIFICATION DATE	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):

schantz@binghammchale.com
pbailey@binghammchale.com
djones@binghammchale.com

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BINGHAM MCHALE LLP
2700 MARKET TOWER
10 WEST MARKET STREET
INDIANAPOLIS IN 46204-4900

In re Application of	:	
GENGENBACH et al.	:	DECISION ON PETITION
Application No. 13/047,750	:	TO MAKE SPECIAL UNDER
Filed: March 14,2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 21836-94084	:	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 2838 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 (11-10)
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 21836-94120	Application Number (if known): not known	Filing date: 14 March 2011
First Named Inventor: Gary GENGENBACH		
Title: DC-TO-DC POWER CONVERSION		

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 of Compliance with Green Technology Pilot Program Requirements

Signature /Matthew R. Schantz/	Date 20 May 2011
Name (Print/Typed) Matthew R. Schantz	Registration Number 40800

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 1 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.**

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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.
13/047,754	03/14/2011	Gary A. Gengenbach	21836-94120	7454

35973 7590 06/09/2011

BINGHAM MCHALE LLP
2700 MARKET TOWER
10 WEST MARKET STREET
INDIANAPOLIS, IN 46204-4900

EXAMINER	
ART UNIT	PAPER NUMBER
2838	

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):

schantz@binghammchale.com
pbailey@binghammchale.com
djones@binghammchale.com

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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BINGHAM MCHALE LLP
2700 MARKET TOWER
10 WEST MARKET STREET
INDIANAPOLIS IN 46204-4900

In re Application of	:	
Gary GENGENBACH	:	DECISION ON PETITION
Application No. 13/047,754	:	TO MAKE SPECIAL UNDER
Filed: March 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 21836-94120	:	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 2838 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 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: FSP0600	Application Number (if known): 13/047,761	Filing date: 03/14/2011

First Named Inventor: James A. Billmaier

Title: Automatic and Dynamic Home Electricity Load Balancing for the Purpose of EV Charging

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 /Charles A. Mirho/	Date 06/07/2011
Name (Print/Typed) Charles Mirho	Registration Number 41 199

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.

LETTER

for

Attorney Docket Number: FSP0600
Title: Automatic and Dynamic Home Electricity Load Balancing for the Purpose of EV Charging
Application Number: 13/047,761
Filing Date: Monday, March 14, 2011
First Named Inventor: Billmaier, James A.

The Applicant hereby states that to the best of his understanding, the claims are 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.

If the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), the Applicant hereby agrees to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements for a Petition to Make Special under the Green Technology Pilot Program.

Submitted by:

Signature: /Charles A. Mirho/
Charles A. Mirho

on 6/7/2011.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/047,761	03/14/2011	James A. Billmaier	FSP0600	7476

29586 7590 06/21/2011

FSP LLC
P.O. BOX 890
VANCOUVER, WA 98666

EXAMINER	
ASSOUAD, PATRICK J	
ART UNIT	**PAPER NUMBER**
2858	

NOTIFICATION DATE	DELIVERY MODE
06/21/2011	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@FSPLLC.COM
MIRHO@FSPLLC.COM
CHARLOTTE@FSPLLC.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

FSP LLC
P.O. BOX 890
VANCOUVER WA 98666

In re Application of	:	
James BILLMAIER	:	DECISION ON PETITION
Application No. 13/047,761	:	TO MAKE SPECIAL UNDER
Filed: March 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. FSP0600	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on June 07, 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 2858 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 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: APLE.P0006C3	Application Number (if known): 13/047,771	Filing date: 03/14/2011
First Named Inventor: David Suurballe		
Title: Method and Apparatus for Managing Power in Computer 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: Ali Makoui/	Date: 10/12/2011
Name (Print/Typed): Ali Makoui	Registration Number: 45,536

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 1 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.

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.

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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UNITED STATES DEPARTMENT OF COMMERCE
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/047,771	03/14/2011	David Suurballe	APLE.P0006C3	7500

62224 7590 10/27/2011
ADELI & TOLLEN, LLP
11940 San Vicente Blvd., Suite 100
LOS ANGELES, CA 90049

EXAMINER	
HUYNH, KIM NGOC	

ART UNIT	PAPER NUMBER
2116	

MAIL DATE	DELIVERY MODE
10/27/2011	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

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

ADELI & TOLLEN, LLP
11940 San Vicente Blvd., Suite 100
Los Angeles CA 90049

In re Application of:
SUURBALLE, David
Application No.: 13/047,771
Filed: March 14, 2011
For: **METHOD AND APPARATUS FOR MANAGING POWER IN COMPUTER 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 October 12, 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).

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 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 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 2116 for action on the merits commensurate with this decision.

Telephone inquires concerning this decision should be directed to Eddie C. Lee at 571-272-1732.

/Eddie C. Lee/

Quality Assurance Specialist
Technology Center 2100

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: OLI-190	Application Number (if known): 13/047,876	Filing date: March 15, 2011

First Named Inventor: Minoru KAWABATA et al

Title: VIBRATION CONTROL APPARATUS OF WIND TURBINE GENERATOR AND 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.

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 /Kenneth M. Berner/	Date November 18, 2011
Name (Print/Typed) Kenneth M. Berner	Registration Number 37,093

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.

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.
13/047,876	03/15/2011	Minoru KAWABATA	OLI-190	7672

32628 7590 12/07/2011

KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA, VA 22314-2848

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
12/07/2011	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Alexandria, VA 22313-1450
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KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA VA 22314-2848

In re Application of
KAWABATA, MINORU et. al.
Application No. 13/047,876
Filed: March 15, 2011
Attorney Docket No. OLI-190

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 November 18, 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 inquires 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

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.
13/047,966	03/15/2011	Zhigang HUANG	11005.0472	7801

7590 03/27/2012

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER	
ART UNIT	PAPER NUMBER
2611	
MAIL DATE	DELIVERY MODE
03/27/2012	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.

Patent Publication Branch
Office of Data Management

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:	13/047,992	Filing date:	March 15, 2011
First Named Inventor:	Legand L. Burge III		
Title of the Invention:	Apparatus and Method for Context-Aware Mobile Data Management		

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

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/US2011/028511

The international filing date of the corresponding PCT application(s) is/are:
15 March 2011

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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/047,992
First Named Inventor:	Legand L. Burge III

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 November 14, 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 November 14, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-18	1-18	

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

Signature Baa	Date 1/25/2012
Name (Print/Typed) Timothy Baumann	Registration Number 40,502

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.

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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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MAILED
JAN 04 2012
OFFICE OF PETITIONS

HENRY HADAD
BRISTOL-MYERS SQUIBB COMPANY
PATENT DEPARTMENT
P O BOX 4000
PRINCETON NJ 08543-4000

In re Application of :
Johnson, et al. :
Application No.: 13/047,998 : ON PETITION
Filed: March 15, 2011 :
Attorney Docket No. **10054 DIV** :

This is a decision on the petition under 37 CFR 1.137(b), filed December 14, 2011, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to respond in a timely manner to the Notice to File Missing Parts of Non-Provisional Application mailed March 30, 2011. The notice set a shortened period for reply of two-months from its mailing date. Extensions of time were available pursuant to 37 CFR 1.136(a). A proper response was not received within the allowable period and the application became abandoned on May 31, 2011. A Notice of Abandonment was mailed on December 8, 2011.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an executed declaration and a surcharge; (2) the petition fee of $1860.00, and (3) an adequate statement of unintentional delay.

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

The application file is being directed to the Office of Patent Application Processing further processing.

/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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MAILED

APR 25 2011

OFFICE OF PETITIONS

COHEN & GRIGSBY, P.C.
625 LIBERTY AVENUE
PITTSBURGH PA 15222-3152

In re Application of	:	
WHITTAKER, Richard E.	:	
Application No. 13/048,071	:	DECISION ON PETITION
Filed: March 15, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 04-27 CIP/CIP/CON/CIP/CON	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 15, 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 Richard Whittaker, attesting to his age. Accordingly, the above-identified application will be 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 3723 for action on the merits commensurate with this decision.

/Tredelle D. Jackson/
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

In re Application of
Robert L. Moore

Application No. 13048129

Filed: March 15,2011

Attorney Docket No. JTY-011411SAI-1

:
:
: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 04-APR-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
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13048129	Confirmation Number	8120	Filing Date	2011-03-15
Attorney Docket Number (optional)	JTY-011411SAI-1	Art Unit	3632	Examiner	
First Named Inventor	Robert L. Moore				
Title of Invention	Rifle Scope Alignment Device				

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
Robert	L.	Moore	

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) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (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	/Robert C. Montgomery/	Date (YYYY-MM-DD)	2011-04-04
Name	Robert C. Montgomery, Patent Agent	Registration Number	57523

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

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 the Fr eedom of Information Act requires disclosure of these records.

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

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

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

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

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

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

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

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

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
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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:	13/048,247	Filing date:	March 15, 2011
First Named Inventor:	William Owen Jolley		
Title of the Invention:	HAIR REMOVAL 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

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/US2011/028482

The international filing date of the corresponding PCT application(s) is/are: March 15, 2011

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.**

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.

PTO/SB/20PCT-EP (05-10)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/048,247
First Named Inventor:	William Owen Jolley

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 August 10, 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 August 10, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 has the same elements as claim 1 of the corresponding PCT application
2	2	US Claim 2 has the same elements as claim 2 of the corresponding PCT application
3	3	US Claim 3 has the same elements as claim 3 of the corresponding PCT application
4	4	US Claim 4 has the same elements as claim 4 of the corresponding PCT application
5	5	US Claim 5 has the same elements as claim 5 of the corresponding PCT application
6	6	US Claim 6 has the same elements as claim 6 of the corresponding PCT application
7	7	US Claim 7 has the same elements as claim 7 of the corresponding PCT application
8	8	US Claim 8 has the same elements as claim 8 of the corresponding PCT application
9	9	US Claim 9 has the same elements as claim 9 of the corresponding PCT application
16	10	US Claim 16 has the same elements as claim 10 of the corresponding PCT application
17	11	US Claim 17 has the same elements as claim 11 of the corresponding PCT application

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

Signature /Ronald Terk Sia/	Date December 20, 2011
Name (Print/Typed) Ronald Terk Sia	Registration Number 58,871

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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Global Legal Department - IP
Sycamore Building - 4th Floor
299 East Sixth Street
CINCINNATI, OH 45202

MAILED

FEB 21 2012

OFFICE OF PETITIONS

In re Application of
William Owen Jolley, et. al.
Application No.: 13/048,247
Filed: March 15, 2011
Attorney Docket No.: Z-8442
For: HAIR REMOVAL DEVICE

: 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 December 20, 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 Australia, Austria, EPO, Finland, JPO, KIPO, NPI, NBPR, Spain, Sweden, USPTO, or CHINA;

(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 the undersigned at (571) 272-3226. 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.

/Andrea Smith/
Andrea Smith
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.
13/048,297	03/15/2011	Yuji SAKAI	SUTOSH.803AUS	8412

20995 7590 10/12/2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER	
YOUNG, WAYNE R	
ART UNIT	**PAPER NUMBER**
2627	

NOTIFICATION DATE	DELIVERY MODE
10/12/2011	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):

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
SAKAI et al.
Application No.: 13/048,297
Filed: 15 March 2011
Attorney Docket No.: SUTOSH.803AUS
For: DISK STORAGE APPARATUS AND METHOD OF MEASURING FLYING HEIGHT OF A HEAD

: 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 22 September 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

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
MeehaN Eugene Meehan

Application No. 13048318

Filed:

Attorney Docket No.

: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 15-MAR-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: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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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:	13/048,335	Filing date:	March 15, 2011
First Named Inventor:	Barry Keith Rockell		
Title of the Invention:	LIQUID DISPENSING DEVICE COMPRISING A PERISTALTIC PUMP		

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

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/US2011/028504

The international filing date of the corresponding PCT application(s) is/are: March 15, 2011

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.**

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.

PTO/SB/20PCT-EP (05-10)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/048,335
First Named Inventor:	Barry Keith Rockell

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 August 10, 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 August 10, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 has the same elements as claim 1 of the corresponding PCT application
2	2	US Claim 2 has the same elements as claim 2 of the corresponding PCT application
3	3	US Claim 3 has the same elements as claim 3 of the corresponding PCT application
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5	5	US Claim 5 has the same elements as claim 5 of the corresponding PCT application
6	6	US Claim 6 has the same elements as claim 6 of the corresponding PCT application
8	7	US Claim 8 has the same elements as claim 7 of the corresponding PCT application
9	8	US Claim 9 has the same elements as claim 8 of the corresponding PCT application
10	9	US Claim10 has the same elements as claim 9 of the corresponding PCT application
12	10	US Claim 12 has the same elements as claim 10 of the corresponding PCT application
13	11	US Claim 13 has the same elements as claim 11 of the corresponding PCT application
14	12	US Claim 14 has the same elements as claim 12 of the corresponding PCT application
15	13	US Claim 15 has the same elements as claim 13 of the corresponding PCT application
16	14	US Claim 16 has the same elements as claim 14 of the corresponding PCT application
17	15	US Claim 17 has the same elements as claim 15 of the corresponding PCT application

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

Signature /Ronald Terk Sia/	Date December 20, 2011
Name (Print/Typed) Ronald Terk Sia	Registration Number 58,871

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.

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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).
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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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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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299 EAST SIXTH STREET
CINCINNATI OH 45202

MAILED
MAR 14 2012
OFFICE OF PETITIONS

In re Application of:
Rockell et al.
Application No. 13/048,335
Filed: March 15, 2011
Attorney Docket No. Z-8558

: 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) program and the petition under 37 CFR 1.102(a), filed on December 20, 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, NPI, NBPR, 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 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.

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.

/dab/
David Bucci
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.
13/048,367	03/15/2011	Robert KAIM	2771-973 CIP	8548

23448 7590 06/03/2011

Hultquist IP
P.O. Box 14329
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER	
ESTRADA, MICHELLE	
ART UNIT	PAPER NUMBER
2829	

MAIL DATE	DELIVERY MODE
06/03/2011	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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STANZIONE & KIM, LLP
919 18TH STREET, N.W.
SUITE 440
WASHINGTON DC 20006

In re Application of: Robert KAIM, *et al.* Serial No.: 13/048367 Filed: 15 March 2011 Title: ISOTOPICALLY-ENRICHED BORON CONTAINING COMPOUNDS, AND METHODS OF MAKING AND USING SAME	: : : : : :	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.2

This is a decision on the petition filed on 15 March 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 **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; and

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; and

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 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; and

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition (section II, subsections 1-5) are considered to have been met. However, the petition fails to comply with the all the conditions set forth in section II, subsection 5.1 and 6.2. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirements of section II, subsection 5.1, it appears that the search outlined I the petition omitted a critical search area by not searching in class 438, subclass 918.

Regarding the requirements of section II, subsection 6.2, the petition failed to identify all the limitations in the claims that are disclosed by the references, and specifying where the limitation is disclosed in the cited reference. For example, in reference to US Publication No. 2006/0104851, (by B. Tillotson) and claim 1, it appears that Tillotson discloses a boron-containing compound (see paragraph [0036]), wherein the compound contains a boron isotope in a concentration or ratio greater than a natural abundance concentration or ratio thereof (see paragraph [0035]).

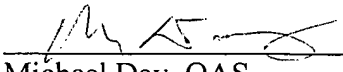
DECISION

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, from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petition 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 Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.



Michael Day, QAS
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

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.
13/048,367	03/15/2011	Robert KAIM	2771-973 CIP	8548

23448 7590 07/12/2011
Hultquist IP
P.O. Box 14329
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER	
ESTRADA, MICHELLE	
ART UNIT	PAPER NUMBER
2829	
MAIL DATE	DELIVERY MODE
07/12/2011	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.

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In re Application of:
KAIM, *et al.*
Serial No.: 13/048367
Filed: 15 March 2011
Title: **ISOTOPICALLY-ENRICHED BORON-CONTAINING COMPOUNDS, AND METHODS OF MAKING AND USING SAME**

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 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) filed 15 March 2011, and request for reconsideration of petition decision filed 5 July 2011.

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.

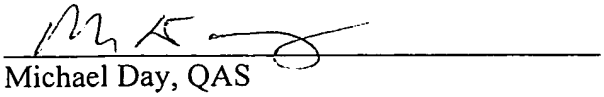
   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

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 Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.



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CHICAGO IL 60601-6731

MAILED
APR 25 2011
OFFICE OF PETITIONS

In re Application of :
HAGENBUCH, Leroy G. :
Application No. 13/048,452 : DECISION ON PETITION
Filed: March 15, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **707307** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 17, 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 Leroy Hagenbuch, attesting to his age. Accordingly, the above-identified application will be 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.

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.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

Doc Code: PET.RELIEF
Document Description: Certification and Request for Disaster Relief

PTO/SB/425 (03-11)

CERTIFICATION AND REQUEST FOR RELIEF DUE TO EVENTS OF MARCH 11, 2011, IN JAPAN (Page 1 of 2)

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
13048518	
First Named Inventor:	Title of Invention:
Atsushi YABE	PACKET TRANSMISSION METHOD...

APPLICANT/PATENTEE/REEXAMINATION PARTY HEREBY CERTIFIES AND REQUESTS THE FOLLOWING FOR THE ABOVE-IDENTIFIED APPLICATION/PATENT/REEXAMINATION PROCEEDING.

1. FOR PATENT APPLICATIONS AND REEXAMINATION PROCEEDINGS PENDING IN THE USPTO AS OF MARCH 11, 2011, IN WHICH A COMMUNICATION FROM THE USPTO IS SOUGHT TO BE REMAILED:

   a. One or more inventors, an assignee, or a correspondence address (for the application/proceeding) is in an area of Japan affected by the earthquake and/or tsunami of March 11, 2011.

   b. A reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding on March 11, 2011.

   c. The statutory or non-statutory time period set for response has not yet expired.

   d. Withdrawal and reissuance of the Office communication is requested.

   e. It is acknowledged that if this request is not made within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956), this request may not be granted.

   f. The need for the reissuance of the Office communication was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   g. This request is being sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

2. FOR PATENTEES WHO WERE UNABLE TO TIMELY PAY A PATENT MAINTENANCE FEE DURING THE SIX-MONTH GRACE PERIOD FOLLOWING THE WINDOW TO PAY THE MAINTENANCE FEE:

   a. The original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011.

   b. The delay in paying the fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   c. The USPTO is requested to *sua sponte* waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee.

   d. This request and payment of the maintenance fee during the six-month grace period following the window to pay the maintenance fee is being mailed to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or being transmitted via facsimile to: 571-273-6500.

CERTIFICATION AND REQUEST FOR RELIEF DUE TO EVENTS OF MARCH 11, 2011, IN JAPAN (Page 2 of 2)

3. FOR PATENTEES WHO NEED TO FILE A PETITION TO ACCEPT A DELAYED MAINTENANCE FEE PAYMENT UNDER 37 CFR 1.378(c):

   a. The maintenance fee payment was required to have been paid after March 10, 2011.

   b. A petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/66 – Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))) is being promptly filed accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)).

   c. The delay in payment of the maintenance fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   d. The USPTO is requested to *sua sponte* waive the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment.

   e. It is acknowledged that the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

   f. It is acknowledged that the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c).

   g. This request and the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) is being submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4. FOR NONPROVISIONAL PATENT APPLICATIONS FILED WITHOUT AN EXECUTED OATH OR DECLARATION OR PAYMENT OF THE BASIC FILING FEE, SEARCH FEE, AND/OR EXAMINATION FEE:

   a. The nonprovisional patent application was filed on or after March 11, 2011, and prior to April 12, 2011.

   b. The late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   c. The USPTO is requested to *sua sponte* waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee.

   d. This request, together with the executed oath or declaration or the basic filing fee, search fee, or examination fee, as well as the reply to the Notice to File Missing Parts, is being submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature /Brian S. Myers/	Date May 11, 2011
Name (Print/Typed) Brian S. Myers	Practitioner Registration Number 46947

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage 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 1 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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100 HEADQUARTERS PLAZA
North Tower, 6th Floor
MORRISTOWN NJ 07960-6834

MAILED

MAY 23 2011

OFFICE OF PETITIONS

In re Application of :
Atsushi YABE et al. :
Application No. 13/048,518 :
Filed: March 15, 2011 :
Attorney Docket No.: FJIT 2528 :

DECISION ON REQUEST

This is a decision on the request filed May 11, 2011 seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 15, 2011 without:

1. [X] An executed oath or declaration or
2. Payment of the: [X] basic filing fee, [X] search fee and/or [X] examination fee

The relevant item(s) was/were filed on May 11, 2011.The instant submission is taken to be a request for a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-4914. All other inquires 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.

Ramesh Krishnamurthy
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

In re Application of
Boyd Fogleman

Application No. 13048531

Filed: March 15,2011

Attorney Docket No. 035662-000001

:
:
: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 08-APR-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
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13048531	Confirmation Number	8901	Filing Date	2011-03-15
Attorney Docket Number (optional)	035662-000001	Art Unit		Examiner	
First Named Inventor	Boyd Fogleman				
Title of Invention	APPARATUS FOR LIFTING AND MOVING A PERSON				

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
Boyd		Fogleman	

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) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (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	/Trevor P. Schmidt/	Date (YYYY-MM-DD)	2011-04-08
Name	Trevor P. Schmidt	Registration Number	67153

PTO/SB/130 (07-09)
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Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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Paper No.

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MAY 16 2011

OFFICE OF PETITIONS

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of :
Zaima et al. :
Application No. 13/048,537 : DECISION ON PETITION
Filed: March 15, 2011 : UNDER 37 C.F.R. § 1.181
Docket Number: 377655US99CONT :
Title: PROCESS FOR PRODUCTION :
OF ISOPHTHALIC ACID :

This is a decision on the "PETITION AND REQUEST FOR A REFUND," filed on March 30, 2011. This submission is being treated as a petition pursuant to 37 C.F.R. § 1.181.

This petition is **DISMISSED.**

BACKGROUND

This application was filed on March 15, 2011, without the payment of the filing, search, and examination fees. Petitioner included an Information Disclosure Statement (IDS) on filing, which contains the above-referenced docket number, first-named inventor, and title. The following general authorization to charge a fee deficiency to a specific Deposit Account appears thereon:

> The Director is hereby authorized to charge any additional fees for the papers being filed herewith and for which no payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030.

Pursuant to this general authorization, the Office charged the filing, search, and examination fees to Deposit Account number 15-0030 on March 25, 2011, in the amounts of $330, $540, and $220, respectively. It is noted that each of these fees is set forth in 37 C.F.R. § 1.16.

With this petition, Petitioner seeks the refund of each of these three fees, and asserts "[t]he Office was not authorized to

charge Deposit Account No. 15-0030 for such fees (emphasis included).[1]

RELEVANT PORTIONS OF THE C.F.R and MPEP

37 C.F.R. §§ 1.25(a) and (b) set forth, *in pertinent part*:

> (a) For the convenience of attorneys, and the general public in paying any fees due, in ordering services offered by the Office, copies of records, etc., deposit accounts may be established in the Patent and Trademark Office upon payment of the fee for establishing a deposit account § 1.21(b)(1)).
>
> (b) A general authorization to charge all fees, or only certain fees, set forth in §§ 1.16 to 1.18 to a deposit account containing sufficient funds may be filed in an individual application, either for the entire pendency of the application or with a particular paper filed.

MPEP § 509.01(I) sets forth, *in pertinent part*:

> Many applications contain broad language authorizing any additional fees which might have been due to be charged to a deposit account. The U.S. Patent and Trademark Office will interpret such broad authorizations to include authorization to charge to a deposit account fees set forth in 37 CFR 1.16 (emphasis added), and 1.17.

ANALYSIS

Petitioner's assertion that the Office was not authorized to charge these three fees in inaccurate. As set forth above, the papers which were included on filing contained a general authorization to charge "any additional fees which may be required for the papers being filed herewith and for which no payment is enclosed herewith" to Deposit Account No. 15-0030. As such, pursuant to 37 C.F.R. § 1.25(b) and MPEP § 509.01(I), the Office interpreted this broad authorization to include authorization to charge these three fees that are set forth in 37 C.F.R. § 1.16 to Deposit Account No. 15-0030.

The aforementioned fees were required, and a general authorization to charge these fees was provided on initial deposit. As such, the Office properly charged these fees to Deposit Account No. 15-0030. It follows that these fees cannot be refunded.

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1 Petition, page 1.

CONCLUSION

The Office of Patent Application Processing (OPAP) will be notified of this decision, and jurisdiction over the application is transferred to OPAP, so that the application may receive further processing in due course.

Petitioner will receive appropriate notifications regarding the fees owed, if any, and other information in due course from OPAP.

The general phone number for OPAP is 571-272-4000. Telephone inquiries **regarding this decision** should be directed to the undersigned at (571) 272-3225.[2]

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

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2 Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.

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MAILED
AUG 10 2011
OFFICE OF PETITIONS

Peter G. Carroll
MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco CA 94105

In re Application of :
Hei Sook Sul et al. :
Application No. 13/048,637 : DECISION ON PETITION
Filed: March 15, 2011 :
Attorney Docket No. UCB-17073 :

This is a decision on the request to remove a drawing figure, filed July 14, 2011, which is being treated as a petition under 37 CFR 1.59(b) to expunge information from the above identified application.

The petition is **dismissed**.

Petitioner requests that drawing figure 13 submitted on July 13, 2011 be expunged from the record. Petitioner indicates the drawing figure contains a typographical error and a corrected figure 13 was submitted on July 14, 2011.

The petition is deficient because there is no statement that:

(B) 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;
(C) the information has not otherwise been made public;
(D) there is a commitment on the part of the petitioner to retain such information for the period of any patent with regard to which such information is submitted.

Petitioner is directed to MPEP 724.05(II).

Petitions under 37 CFR 1.59(b) require a petition fee set forth in 37 CFR1.17(g) which is currently $200. The petition fee has been charged to petitioner's deposit account as authorized.

Telephone inquiries concerning this communication should be directed to Carl Friedman at (571) 272-6842.

Carl Friedman
Petitions Examiner
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
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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:	13/048648	Filing date:	03/15/2011
First Named Inventor:	Arturo S. Rosqueta		
Title of the Invention:	Methods For Making Braid-Ball Occlusion Devices		

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

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 above-identified application satisfies Category (6).

The corresponding PCT application number(s) is/are: PCT/US2009/04131

The international filing date of the corresponding PCT application(s) is/are: 21 April 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.**

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.

PTO/SB/20PCT-EP (05-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	

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
1-9	14-22	The nine claims in the present U.S. Application (claims 1-9) are identical to the nine claims in the corresponding PCT application (claims 14-22), except for being renumbered appropriately.

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

Signature /s/ Mark Stirrat	Date 03/15/2011
Name (Print/Typed) Mark Stirrat	Registration Number 50,756

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.
13/048,648		Arturo S. Rosqueta	20004.4055	9122

34313 7590 03/17/2011

ORRICK, HERRINGTON & SUTCLIFFE, LLP
IP PROSECUTION DEPARTMENT
4 PARK PLAZA
SUITE 1600
IRVINE, CA 92614-2558

EXAMINER	
ART UNIT	PAPER NUMBER
3734	

MAIL DATE	DELIVERY MODE
03/17/2011	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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ORRICK, HERRINGTON & SUTCLIFFE, LLP
IP PROSECUTION DEPARTMENT
4 PARK PLAZA
SUITE 1600
IRVINE CA 92614-2558

In re Application of	:	
ROSQUETA, ARTURO S.	:	DECISION ON REQUEST TO
Application No. 13/048,648	:	PARTICIPATE IN PATENT
Filed: March 15, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. 2004.4055	:	PILOT PROGRAM AND PETITION
For: METHODS FOR MAKING BRAID-BALL OCCLUSION DEVICES	:	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 16, 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 Gary Jackson, the SPE of Art Unit 3734 and (571)272-4697 for Class 606/191 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 is currently undergoing pre-examination processing. Upon completion, the 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

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: 247187 (12704-105)	Application Number (if known): 13/048,708	Filing date: 03/15/2011

First Named Inventor: John James Dougherty

Title: Charging Device, System, and Method of Supplying Power To At Least One Load

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 in Support of Petition to Make Special

Signature	Date November 9, 2011
Name (Print/Typed) Patrick W. Rasche	Registration Number 37916

***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.

247187

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John James Dougherty	:	Art Unit: 2858
Serial No.: 13/048,708	:	Conf. No.: 9250
Filed: March 15, 2011	:	Examiner: TBD
For: CHARGING DEVICE, SYSTEM, AND METHOD OF SUPPLYING POWER TO AT LEAST ONE LOAD	:	

STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

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

Sir:

Applicant respectfully requests that the above referenced application be made Special under the Green Technology Pilot Program because the present invention materially enhances the quality of the environment, materially contributes to the more efficient utilization and conservation of energy resources, and/or materially contributes to green house gas emission reduction.

For example, paragraph [0013] of the application states that the charging device described therein may be used to charge, or provide energy to, one or more electric vehicles. Accordingly, embodiments of the charging device contribute to the conservation of energy resources and the reduction of green house gas emissions by encouraging consumers to purchase and use electric vehicles, rather than gasoline-powered vehicles.

For at least the reasons set forth above, Applicant respectfully requests that the attached Petition to Make Special under the Green Technology Pilot Program be approved. The Commissioner is hereby authorized to charge any fees relating to this Petition or credit any overpayment to Deposit Account Number 01-2384.

Respectfully Submitted,

Patrick W. Rasche
Registration No. 37,916
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard, Suite 1800
St. Louis, Missouri 63105
(314) 621-5070

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/048,708	03/15/2011	John James Dougherty	247187 (12704-105)	9250

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EXAMINER	
ASSOUAD, PATRICK J	

ART UNIT	PAPER NUMBER
2858	

NOTIFICATION DATE	DELIVERY MODE
12/01/2011	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.

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In re Application of	:	
DOUGHERTY, JOHN JAMES	:	DECISION ON PETITION
Application No. 13/048,708	:	TO MAKE SPECIAL UNDER
Filed: March 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247187 (12704-105)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 9, 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

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:	13/048,721	Filing date:	3/15/2011
First Named Inventor:	Bahram S. Bahrami		
Title of the Invention:	NEEDLE ARRAY ASSEMBLY AND METHOD FOR DELIVERING THERAPEUTIC AGENTS		

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

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: WO 2009/023798

The international filing date of the corresponding PCT application(s) is/are: 8/14/2008

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.**

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.

PTO/SB/20PCT-KR (06-10)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/048,721
First Named Inventor:	Bahram S. Bahrami

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 N/A

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	8	Text of PCT claim 1 replaces "The device of claim 1."
2	9	Claims are identical, aside from updated numbering.
3	10	Claims are identical, aside from updated numbering.
4	11	Claims are identical, aside from updated numbering.
5	12	Claims are identical, aside from updated numbering.
6	13	Claims are identical, aside from updated numbering.
7	14	Claims are identical, aside from updated numbering.
8	15	Claims are identical, aside from updated numbering.
9	16	Claims are identical, aside from updated numbering.
10	17	Claims are identical, aside from updated numbering.
11	18	Claims are identical, aside from updated numbering.
12	19	Claims are identical, aside from updated numbering.
13	20	Claims are identical, aside from updated numbering.
14	21	Claims are identical, aside from updated numbering.
15	22	Claims are identical, aside from updated numbering.
16	23	Claims are identical, aside from updated numbering.
17	82	Claims are identical, aside from updated numbering.

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

Signature	Date March 16, 2011
Name (Print/Typed) Eileen M. Woo	Registration Number 67,881

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.

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

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60/955,676 14 August 2007 (14.08.2007) US

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(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, CH, 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, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(84) Designated States *(unless otherwise indicated, for every kind of regional protection available)*: ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM,

[Continued on next page]

(54) Title: NEEDLE ARRAY ASSEMBLY AND METHOD FOR DELIVERING THERAPEUTIC AGENTS

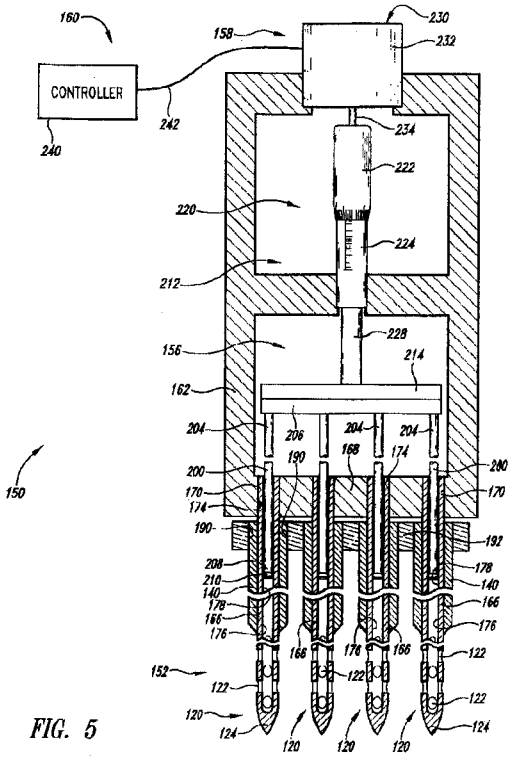

FIG. 5

(57) Abstract: A fluid delivery device includes an array of needles, each in fluid communication with a respective reservoir. Respective actuators are coupled so as to be operable to drive fluid from the reservoirs via needle ports. Each needle can have a plurality of ports, and the ports can be arranged to deliver a substantially equal amount of fluid at any given location along its length. A driver is coupled to the actuators to selectively control the rate, volume, and direction of flow of fluid through the needles. The device can simultaneously deliver a plurality of fluid agents along respective axes in solid tissue in vivo. If thereafter resected, the tissue can be sectioned for evaluation of an effect of each agent on the tissue, and based on the evaluation, candidate agents selected or deselected for clinical trials or therapy, and subjects selected or deselected for clinical trials or therapeutic treatment.

WO 2009/023798 A2

ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MT, NL, NO, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

— *without international search report and to be republished upon receipt of that report*

CLAIMS

1. A device for delivery of a fluid to a solid tissue, comprising:

a plurality of needles arranged in an array;

a plurality of reservoirs, each in fluid communication with a respective one of the plurality of needles; and

a plurality of actuators operatively coupled to respective ones of the plurality of reservoirs and configured to control a fluid pressure within the reservoir.

2. The device of claim 1 wherein each of the plurality of actuators comprises one of a plurality of plungers, a first end of each of the plurality of plungers being received in a respective one of the plurality of reservoirs.

3. The device of claim 2 wherein the plungers of the plurality of plungers are operatively coupled together at respective second ends so as to be simultaneously depressable.

4. The device of claim 3, comprising a plunger driver configured to depress all of the plurality of plungers at a selectively variable rate.

5. The device of claim 1 wherein each of the plurality of actuators comprises one of a plurality of fluid transmission lines having first and second ends, a first end of each of the plurality of fluid transmission lines being coupled to a respective one of the plurality of reservoirs.

6. The device of claim 1, comprising a fluid pressure source, and wherein each of the plurality of actuators comprises a fluid coupling between the fluid pressure source and a respective one of the plurality of reservoirs.

7. The device of claim 6 wherein the fluid pressure source comprises at least one of a compressor, a vacuum accumulator, a peristaltic pump, a master cylinder, a microfluidic pump, and a valve.

8. The device of claim 1 wherein each of the plurality of needles comprises a plurality of ports distributed along its length.

9. A device for delivering a fluid to a solid tissue, comprising:

a dispenser including:

a needle having a plurality of ports distributed along a length thereof,

a reservoir in fluid communication with the dispensing needle, and

a plunger having a first end positioned in the reservoir; and

a plunger driver coupled to a second end of the plunger and configured to depress the plunger at a selectably variable rate.

10. The device of claim 9 wherein the dispenser is one of a plurality of dispensers arranged in a dispenser array, each comprising a needle, a reservoir, and a plunger having first and second ends.

11. The device of claim 10 wherein the plunger driver is coupled to the second end of the plunger of each of the plurality of dispensers and is configured to depress each of the plungers simultaneously.

12. The device of claim 10, comprising a plurality of cylindrical tubes arranged in an array corresponding to the dispenser array, each of the plurality of cylindrical tubes being sized and positioned to receive the needle of a respective one of the plurality of dispensers.

13. The device of claim 9 wherein the plunger driver comprises a driver shaft coupled to the plunger and having a threaded region, the plunger driver configured such that rotation of the driver shaft in a first direction depresses the plunger a distance corresponding to a thread pitch of the threaded region and a number of revolutions of the driver shaft.

14. The device of claim 13, comprising a motor having a rotor coupled to the driver shaft of the plunger driver such that the rotor and the driver shaft are rotationally fixed with respect to each other, the motor being controllable to rotate the rotor at a selectably variable rate.

15. The device of claim 13, comprising a motor having a rotor coupled to the driver shaft of the plunger driver such that the rotor and the driver shaft are rotationally fixed with respect to each other, the motor being controllable to rotate the rotor to a selectable angle of rotation.

16. The device of claim 15, comprising a controller coupled to the motor, the controller being programmable to control direction and speed of rotation of the rotor and to control a number of degrees from a start of rotation to an end of rotation.

17. The device of claim 9 wherein:
the dispenser comprises a dispenser cylinder;
a first portion of the dispenser cylinder defines the reservoir; and
a second portion of the dispenser cylinder defines the needle.

18. The device of claim 9 wherein the plurality of ports are sized and positioned along the length of the needle so as to deliver a substantially equal amount of fluid at any given location along the length of the needle.

19. The device of claim 9 wherein the plurality of ports is evenly distributed along a portion of the length of the needle.

20. The device of claim 9 wherein a size of each of the plurality of ports is inversely related to a distance of the respective port from a tip-end of the needle.

21. The device of claim 9 wherein a distribution density of the plurality of ports is inversely related to a distance of the respective port from a tip-end of the needle.

22. The device of claim 9 wherein the plurality of ports is distributed in a spiral pattern along the length of the needle.

23. The device of claim 9 wherein the plurality of ports is arranged in pairs of ports on opposite sides of the needle, with each pair of ports rotated 90 degrees with respect to adjacent pairs of ports along the length of the needle.

24. A method, comprising:

placing an agent in a reservoir of each of a plurality of dispenser needles;

inserting each of the plurality of dispenser needles into a selected region of solid tissue; and

introducing the agent in the reservoirs into the selected region of solid tissue by simultaneously overpressurizing each of the plurality of dispenser needles.

25. The method of claim 24 wherein the introducing comprises introducing the agent in the reservoirs into the selected region of solid tissue from a plurality of apertures along each of the plurality of dispenser needles.

26. The method of claim 24, comprising at least one of imaging the solid tissue prior to the inserting, imaging the solid tissue concurrently with the inserting, and imaging the solid tissue after the inserting.

27. The method of claim 24, wherein the inserting comprises:

inserting an array of introducer needles into a subject;

inserting each of the plurality of dispenser needles into a respective one of the array of introducer needles; and

extending a tip-end of each of the plurality of dispenser needles beyond a tip end of the respective one of the array of introducer needles and into the selected region of tissue.

28. The method of claim 27, comprising removing stylets from the introducer needles of the array prior to inserting the plurality of dispenser needles.

29. The method of claim 24 wherein the selected region of tissue is a portion of a tumor in a subject.

30. The method of claim 29 wherein the subject is one of a preclinical model and a human patient.

31. The method of claim 29, comprising excising at least the portion of the tumor after the introducing.

32. The method of claim 31 comprising at least one of imaging the tumor prior to the excising, imaging the tumor concurrently with the excising, and imaging the tumor after to the excising.

33. The method of claim 31 wherein the excising comprises excising at least the portion of the tumor at a time that is a selected period of time after introducing the agent.

34. The method of claim 33 wherein the selected period of time is one of a range of time, a minimum period of time for excising, and a specific period of time for excising.

35. The method of claim 33 wherein the selected period of time is a period exceeding 48 hours.

36. The method of claim 33 wherein the selected period of time is a range of between about 72 and about 96 hours.

37. The method of claim 33 wherein the selected period of time is a period exceeding one week.

38. The method of claim 24 wherein the agent comprises a plurality of agents, and the placing comprises placing each of the plurality of agents into the reservoir of a respective one of the plurality of dispenser needles.

39. The method of claim 38 wherein the plurality of agents comprises at least one of a negative control composition and a positive control composition.

40. The method of claim 38 wherein the plurality of agents comprises at least one position marker.

41. The method of claim 38 wherein at least one of the plurality of agents is a candidate effective agent. 42. The method of claim 38 wherein at least one of the plurality of agents comprises an indicator of efficacy.

43. The method of claim 42 wherein the indicator of efficacy comprises at least one of a nanoparticle, a nanostucture, and an indicator dye.

44. The method of claim 38, wherein at least one of the plurality of agents is selected based on a clinically demonstrated efficacy of the respective agent.

45. The method of claim 38, comprising assessing, with respect to at least one of the plurality of agents, at least one of efficacy, activity, and toxicity of the agent.

46. A method for identifying relative efficacies of a plurality of agents for treating a subject, comprising:

injecting each of a plurality of candidate effective agents into a respective location in an injection site in a solid tissue in a subject;

excising from the subject at least the injection site of the solid tissue; and

evaluating the excised injection site for an altered physiologic state at each of the respective locations, and therefrom identifying relative efficacies of the plurality of agents.

47. The method of claim 46 wherein the excising comprises one of excising at least 48 hours after the injecting, excising at least 72 hours after the injecting, excising 72 to 96 hours after the injecting, and excising at least one week after the injecting.

48. A method of operation of a therapeutic device, comprising:

charging a reservoir of each of a plurality of needles with a respective one of a plurality of agents;

injecting, simultaneously, each of the plurality of agents into a respective region of a solid tissue; and

evaluating an effect of each of the plurality of agents on the respective region.

49. The method of claim 48 wherein the injecting comprises injecting the plurality of agents into the solid tissue *in vivo*.

50. The method of claim 49, comprising excising the solid tissue prior to the evaluating.

51. The method of claim 49, comprising imaging the solid tissue.

52. The method of claim 51 wherein the imaging comprises imaging the solid tissue *in vivo*.

53. The method of claim 48 wherein the injecting comprises distributing each of the plurality of agents into the solid tissue along an axis in the respective region of the tissue.

54. The method of claim 48, comprising assessing, with respect to at least one of the plurality of agents, at least one of efficacy, activity, and toxicity of the agent.

55. A method of determining efficacy of a cancer treatment regimen, comprising:

simultaneously introducing an agent to a plurality of positions in a solid tumor in a subject *in vivo*;

removing the tumor from the subject; and

evaluating an effect of the agent on the tumor *in vitro*.

56. The method of claim 55 wherein the agent comprises a plurality of agents and the introducing comprises distributing each of the plurality of agents to a respective one of the plurality of positions in the tumor.

57. A method, comprising:

introducing an agent to a region of solid tissue in a subject by distributing the agent to a plurality of positions along an axis within the region of solid tissue *in vivo*;

removing the region of solid tissue from the subject; and

evaluating an effect of the agent on the region of solid tissue *in vitro*.

58. The method of claim 57 wherein the region of solid tissue comprises a tumor.

59. The method of claim 57 wherein the axis is one of a plurality of parallel axes in the region of solid tissue, and wherein the introducing comprises distributing the agent along each of the plurality of parallel axes.

60. The method of claim 59 wherein the introducing comprises simultaneously distributing the agent along each of the plurality of parallel axes.

61. The method of claim 59 wherein the plurality of parallel axes is arranged in an array.

62. The method of claim 57, comprising introducing at least two position markers to the region of solid tissue along a respective one of the plurality of parallel axes.

63. The method of claim 62 wherein the introducing at least two position markers comprises distributing the at least two position markers along respective parallel axes within the region of solid tissue.

64. The method of claim 62 wherein the at least two position markers each comprise a detectable label that is selected from the group consisting of a radiolabel, a radio-opaque label, a fluorescent label, a colorimetric label, a dye, an enzymatic label, a GCMS tag, avidin, and biotin.

65. The method of claim 57 wherein the agent is one of a plurality of agents and the axis is one of a plurality of parallel axes arranged in an array in the region of solid tissue, and wherein the introducing comprises distributing each of the plurality of agents to a plurality of positions along a respective one of the plurality of parallel axes.

66. The method of claim 57, comprising at least one of imaging the solid tissue prior to the introducing, imaging the solid tissue concurrently with the introducing, and imaging the solid tissue after the introducing.

67. The method of claim 65 wherein the evaluating comprises sectioning the region of solid tissue into a plurality of sections normal to the parallel axes.

68. The method of claim 67 wherein the evaluating comprises detecting within the solid tissue an altered physiologic state that results from at least one of the plurality of agents.

69. The method of claim 68 wherein the detecting comprises, with respect to the at least one of the plurality of agents, at least one of detecting a degree of permeation of the agent through the solid tissue, detecting a physicochemical effect of the agent on the tissue, and detecting a pharmacological effect of the agent on the tissue.

70. The method of claim 67 wherein the evaluating comprises determining the effects of at least two of the plurality of agents on a same position within the region of the solid tissue.

71. The method of claim 67 wherein the evaluating comprises determining the effects of at least two of the plurality of agents on adjacent positions within the region of the solid tissue.

72. The method of claim 67 wherein the evaluating comprises differentiating a degree of the effect of at least one of the plurality of agents on different sections of the solid tissue according to different characteristics of the different sections of the solid tissue.

73. The method of claim 67 wherein the evaluating comprises comparing a first effect of at least a first one of the plurality of agents on the solid tissue with a second effect of at least a second one of the plurality of agents on the solid tissue.

74. The method of claim 65 wherein the evaluating comprises, with respect to at least one of the plurality of agents, assessing at least one of efficacy, activity, and toxicity on the region of solid tissue.

75. The method of claim 65, comprising deselecting at least one of the plurality of agents based on the evaluating.

76. The method of claim 65, comprising selecting at least one of the plurality of agents based on the evaluating.

77. The method of claim 65, comprising prioritizing at least two of the plurality of agents based on the evaluating.

78. The method of claim 65, further comprising:

distributing the plurality of agents to a plurality of positions, each along a respective one of a plurality of parallel axes within a region of solid tissue within each of a plurality of subjects.

79. The method of claim 78 further comprising one of (i) selecting at least one of the plurality of agents based on the evaluating, (ii) deselecting at least one of the plurality of agents based on the evaluating, and (iii) prioritizing at least two of the plurality of agents based on the evaluating.

80. The method of claim 78 further comprising one of (i) selecting at least one of the plurality of subjects based on the evaluating, (ii) deselecting at least one of the plurality of subjects based on the evaluating, and (iii) prioritizing at least two of the plurality of subjects based on the evaluating.

81. The method of claim 75 wherein the evaluating comprises determining a level of altered physiologic state of the solid tissue near at least one of the plurality of parallel axes.

82. A fluid agent-delivering device comprising:

(i) a plurality of needles arranged in an array, each of said needles having, independently, one or a plurality of ports distributed along its length wherein at least one needle has said plurality of ports,

(ii) a plurality of reservoirs containing the fluid agent, each of said reservoirs being in fluid communication with a respective one of the plurality of needles, and

(iii) a plurality of plungers, a first end of each plunger being received in a respective one of the plurality of reservoirs and a second end of each plunger being depressable such that depressing each plunger results in injection of the fluid agent through the respective one of the plurality of needles.

83. A method for selective delivery of a fluid agent to a solid tissue, comprising:

(a) introducing a plurality of needles of a fluid agent-delivering device into the solid tissue; and

(b) administering the fluid agent into the solid tissue by injection through said needles.

84. The method of claim 83 wherein the solid tissue has been removed from a subject.

85. The method of claim 83 wherein the solid tissue is in a subject.

86. The method of claim 85 wherein the agent is delivered to the solid tissue in a therapeutically effective amount.

87. The method of claim 86 wherein outside the solid tissue the agent is either (i) undetectable, or (ii) if detectable outside the solid tissue, the agent is present at less than a minimal dose.

88. The method of claim 83 wherein the solid tissue comprises a tumor.

89. The method of claim 88 wherein the tumor is selected from the group consisting of a benign tumor and a malignant tumor.

90. The method of claim 88 wherein the tumor is selected from the group consisting of a primary tumor, an invasive tumor and a metastatic tumor.

91. The method of claim 88 wherein the tumor comprises at least one cancer cell selected from the group consisting of a prostate cancer cell, a breast cancer cell, a colon cancer cell, a lung cancer cell, a brain cancer cell, and an ovarian cancer cell.

92. The method of claim 88 wherein the tumor comprises a cancer selected from the group consisting of adenoma, adenocarcinoma, squamous cell carcinoma, basal cell carcinoma, small cell carcinoma, large cell undifferentiated carcinoma, chondrosarcoma and fibrosarcoma.

93. The method of claim 83 wherein the solid tissue is selected from the group consisting of brain, liver, lung, kidney, prostate, ovary, spleen, lymph node, thyroid, pancreas, heart, skeletal muscle, intestine, larynx, esophagus and stomach

94. The method of claim 83 wherein the fluid agent comprises an agent that is selected from the group consisting of:

(a) a gene therapy agent;

(b) a chemotherapy agent;

(c) a small molecule;

(d) an antibody;

(e) a protein;

(f) one of a small interfering RNA and an encoding polynucleotide therefor;

(g) one of an antisense RNA and an encoding polynucleotide therefor;

(h) one of a ribozyme and an encoding polynucleotide therefor;

(i) a detectable label; and

(j) one of a therapeutic protein, polypeptide, and a peptidomimetic.

95. The method of claim 94 wherein the detectable label is selected from the group consisting of a radiolabel, a radio-opaque label, a fluorescent label, a colorimetric label, a dye, an enzymatic label, a GCMS tag, avidin, and biotin.

96. The method of claim 94 wherein the agent is selected from the group consisting of:

(i) a gene therapy agent that comprises at least one operably linked promoter,

(ii) a small interfering RNA-encoding polynucleotide that comprises at least one operably linked promoter;

(iii) an antisense RNA-encoding polynucleotide that comprises at least one operably linked promoter; and

(iv) a ribozyme-encoding polynucleotide that comprises at least one operably linked promoter.

97. The method of claim 96 wherein the operably linked promoter is selected from the group consisting of a constitutive promoter and a regulatable promoter.

98. The method of claim 97 wherein the regulatable promoter is selected from the group consisting of an inducible promoter, a tightly regulated promoter and a tissue-specific promoter.

99. A method for altering a physiologic state in a solid tissue, comprising:

(a) introducing a plurality of needles of a fluid agent-delivering device into the solid tissue; and

(b) administering the fluid agent into the solid tissue by injection through said needles.

100. A method for obtaining biological samples from a plurality of positions in a solid tissue, comprising:

(a) introducing a multiple needle device into the solid tissue, thereby placing a plurality of needles at a plurality of positions in the tissue; and

(b) generating negative pressure at a port of each needle of said multiple needle device under conditions and for a time sufficient to draw into said needles a plurality of biological samples from said plurality of positions in the tissue, and thereby obtaining biological samples from a plurality of positions in the tissue.

101. A method for obtaining biological samples from a plurality of positions along an axis in a solid tissue, comprising:

(a) introducing a multiple needle device into the solid tissue, thereby placing a plurality of needles at a plurality of positions in the tissue; and

(b) generating negative pressure at a plurality of ports located along a length of each needle of said multiple needle device under conditions and for a time sufficient to draw into said needles a plurality of biological samples from said plurality of positions in the tissue, and thereby obtaining biological samples from a plurality of positions along an axis in the tissue.

102. A method of screening subjects for eligibility to participate in a clinical trial of one or more agents, comprising:

(a) introducing one or more agents to a region of solid tissue in one or more subjects *in vivo* by distributing each of said agents to a plurality of positions along an axis within the region in each subject;

(b) removing the region of solid tissue from each of said subjects; and

(c) evaluating each region removed in (b) for an effect of each agent on the respective position along the axis within the region, wherein either (i) for any given agent or agents presence of a detectable effect of said agent or agents on the solid tissue region from the subject indicates eligibility of the subject for participation in a clinical trial of the agent or agents, (ii) for any given agent or agents absence of a detectable effect of said agent or agents on the solid tissue region from the subject indicates ineligibility of the subject for participation in a clinical trial of the agent or agents, or (iii) both (i) and (ii).

103. A method of rating a candidate agent for development into a therapeutic agent for treating a solid tumor, comprising:

(a) introducing one or more candidate agents to a region of a solid tumor of known tumor type in each one or more subjects having a tumor of the known tumor type, by distributing each of said candidate agents to a plurality of positions along an axis within the region in each subject;

(b) removing the region of solid tumor from each of said subjects; and

(c) comparing each region removed in (b) for an effect of each candidate agent on the respective position along the axis within the region, wherein an agent that results in a greater beneficial effect when introduced to the tumor receives a higher rating for development into a therapeutic agent for treating the solid tumor, and an agent that results in a lesser beneficial effect when introduced to the tumor receives a lower rating for development into a therapeutic agent for treating the solid tumor.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 360056_403PC	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/US2008/073212	International filing date *(day/month/year)* 14 August 2008 (14.08.2008)	Priority date *(day/month/year)* 14 August 2007 (14.08.2007)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant FRED HUTCHINSON CANCER RESEARCH CENTER		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	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 Article 35(2) with regard to novelty, inventive step or 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

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 16 February 2010 (16.02.2010)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Ellen Moyse e-mail: pt02.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
ROSENMAN, Stephen, J.

Seed Intellectual Property Law Group PLLC Suite 5400 701
Fifth Avenue Seattle Washington 98104-7064 USA

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing *(day/month/year)*	**06 APRIL 2009 (06.04.2009)**
Applicant's or agent's file reference 360056_403PC	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2008/073212	**14 AUGUST 2008 (14.08.2008)**	14 AUGUST 2007 (14.08.2007)

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

A61M 5/32(2006.01)i, A61M 31/00(2006.01)i

Applicant

FRED HUTCHINSON CANCER RESEARCH CENTER et al

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 or 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/KR	Date of completion of this opinion	Authorized officer
Korean Intellectual Property Office Government Complex-Daejeon, 139 Sconsa-ro, Seo-gu, Daejeon 302 -701, Republic of Korea Facsimile No. 82-42-472-7140	02 APRIL 2009 (02.04.2009)	KIM Jung Tae Telephone No.82-42-481-5594

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2008/073212

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 43*bis*.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. type of material
   - ☐ a sequence listing
   - ☐ table(s) related to the sequence listing

   b. format of material
   - ☐ on paper
   - ☐ in electronic form

   c. time of filing/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 and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additioanl 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/US2008/073212

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 24-81, 83-103

because:

☒ the said international application, or the said claims Nos. 24-81, 83-103 relate to the following subject matter which does not require an international search *(specify)*:

The subject-matter of claims 24-81, 83-103 does not require a written opinion of ISA with respect to industrial applicability as it is directed to a method of treatment by therapy (Article 34(4)(a)(i), Rule 67.1(iv)).

☐ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. _____ are so unclear that no meaningful opinion could be formed *(specify)*:

☐ the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*:

☒ no international search report has been established for said claims Nos. 24-81, 83-103

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Istructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Istructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).

☐ a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2008/073212

Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:
   - ☒ paid additional fees
   - ☐ paid additional fees under protest and, where applicable, the protest fee
   - ☐ paid additional fees under protest but the applicable protest fee was not paid
   - ☐ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
   - ☐ complied with
   - ☒ not complied with for the following reasons:

The separate inventions/groups of inventions are:

Invention 1: A device for delivery of a solid tissue (Claims 1-8).
Invention 2: A device for delivery of a solid tissue (Claims 9-23).
Invention 3: A fluid agent-delivering device (Claim 82).

The only common technical feature between inventions 1~3 is a device comprising a plurality of needles, a plurality of reservoirs, and a plurality of plunger (or actuator).

However, this feature lacks novelty and/or inventive step with respect to the following document:

D1: US6428504B1(MAJID L. RIAZIAT et al.) 06 August 2002.

Thus there is no technical relationship left over the prior art among the claimed inventions, leaving the claims without a single general inventive concept.

Hence there is lack of unity "a posteriori"(PCT Rules 13.1 and 13.2).

4. Consequently, this opinion has been established in respect of the following parts of the international application :
   - ☒ all parts.
   - ☐ the parts relating to claims Nos. _____

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2008/073212

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	3, 4, 8-23, 82	YES
	Claims	1, 2, 5-7	NO
Inventive step (IS)	Claims	8-23, 82	YES
	Claims	1-7	NO
Industrial applicability (IA)	Claims	1-23, 82	YES
	Claims	None	NO

2. Citations and explanations :

Reference is made to the following document:

D1: US 6428504 B1 (6.08.2002)

1. Novelty

Document D1 (see Figs.1, 7A~7C) relates to a device for delivery of a fluid to a solid tissue, comprising: a plurality of needles arranged in an array; a plurality of reservoirs, each in fluid communication with a respective one of the plurality of needles; a plurality of actuators (pump or plunger) operatively coupled to respective ones of the plurality of reservoirs and configured to control a fluid pressure within the reservoir.

Thus, D1 discloses all the features of claims 1, 2, 5-7.

Therefore, the novelty of claims 1, 2, 5-7 can be negated by D1 [Article 33(2)PCT].

2. Inventive Step

Since the novelty of claims 1, 2, 5-7 cannot be acknowledged over D1, the inventive step of them cannot be acknowledged, either.

Claims 3, 4 are dependent on claim 1. For claims 3, 4 which are subject to this examination, novelty can be formally acknowledged. However, it appears that the additional features of these claims, though they were not disclosed in D1, merely represent modifications which do not go beyond measures routinely envisioned by the person skilled in the art, and they only represent modification in the detail form of the device and do not lead to a technical effect which is surprising in the light of the prior art.

Therefore, the inventive step of claims 3, 4 cannot be acknowledged over D1 [Article 33(3) PCT].

None of the prior art discloses the device for delivering a fluid to a solid tissue, comprising a needle having a plurality of ports distributed along a length thereof, which is not considered to be obvious to a person skilled in the art.

Therefore, the subject-matter of claims 8-23, 82 is considered to involve an inventive step under PCT Article 33(3).

3. Industrial Applicability

The subject-matter of claims 1-23, 82 appears to be industrially applicable [Article 33(4) PCT].

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Bahram S. BAHRAMI, et al.	Group Art Unit: Unassigned
Serial Number: 13/048,721	Examiner: Unassigned
Filing Date: March 15, 2011	**CONFIRMATION NO: 9289**
Title: NEEDLE ARRAY ASSEMBLY AND METHOD FOR DELIVERING THERAPEUTIC AGENTS	

FILED ELECTRONICALLY ON: March 16, 2011

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97

Sir:

An Information Disclosure Statement along with attached PTO/SB/08 is hereby submitted. A copy of each listed publication is submitted, if required, pursuant to 37 CFR §§1.97-1.98, as indicated below.

The Examiner is requested to review the information provided and to make the information of record in the above-identified application. The Examiner is further requested to initial and return the attached PTO/SB/08 in accordance with MPEP §609.

The right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered, is hereby reserved.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, prior art or material to patentability as defined in §1.56.

A. ☒ *37 CFR §1.97(b).* This Information Disclosure Statement should be considered by the Office because:

☐ (1) It is being filed within 3 months of the filing date of a national application and is other than a continued prosecution application under §1.53(d);

-- OR --

☐ (2) It is being filed within 3 months of entry of the national stage as set forth in §1.491 in an international application;

-- OR --

☒ (3) It is being filed before the mailing of a first Office action on the merits;

-- OR --

☐ (4) It is being filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

B. ☐ *37 CFR §1.97(c).* Although this Information Disclosure Statement is being filed after the period specified in *37 CFR §1.97(b),* above, it is filed before the mailing date of the earlier of (1) a final office action under §1.113, (2) a notice of allowance under §1.311, or (3) an action that otherwise closes prosecution on the merits, this Information Disclosure Statement should be considered because it is accompanied by one of:

☐ a statement as specified in §1.97(e) provided concurrently herewith;

-- OR --

☐ a fee of $180.00 as set forth in §1.17(p) authorized below, enclosed, or included with the payment of other papers filed together with this statement.

C. ☐ *37 CFR §1.97(d).* Although this Information Disclosure Statement is being filed after the mailing date of the earlier of (1) a final office action under §1.113 or (2) a notice of allowance under §1.311, it is being filed before payment of the issue fee and should be considered because it is accompanied by:

i. a statement as specified in §1.97(e);

-- AND --

ii. a fee of $180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this Statement.

D. ☐ *37 CFR §1.97(e).* Statement.

☐ A statement is provided herewith to satisfy the requirement under 37 CFR §§1.97(c);

-- AND/OR --

☐ A statement is provided herewith to satisfy the requirement under 37 CFR §§1.97(d);

-- AND/OR --

☐ A copy of a dated communication from a foreign patent office clearly showing that the information disclosure statement is being submitted within 3 months of the filing date on the communication is provided in lieu of a statement under 37 C.F.R. § 1.97(e)(1) as provided for under MPEP 609.04(b) V.

E. ☐ *Statement Under 37 C.F.R. §1.704(d).* Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application that was received by an individual designated in § 1.56(c) not more than thirty (30) days prior to the filing of this information disclosure statement. This statement is made pursuant to the

requirements of 37 C.F.R. §1.704(d) to avoid reduction of the period of adjustment of the patent term for Applicant(s) delay.

F. ☒ *37 CFR §1.98(a)(2).* The content of the Information Disclosure Statement is as follows:

☐ Copies of each of the references listed on the attached Form PTO/SB/08 are enclosed herewith.

-- OR --

☒ Copies of U.S. Patent Documents (issued patents and patent publications) listed on the attached Form PTO/SB/08 are NOT enclosed.

-- AND/OR --

☐ Copies of Foreign Patent Documents and/or Non Patent Literature Documents listed on the attached Form PTO/SB/08 are enclosed in accordance with 37 CFR §1.98 (a)(2).

-- AND/OR --

☐ Copies of pending unpublished U.S. patent applications are enclosed in accordance with 37 CFR §1.98(a)(2)(iii).

G. ☐ *37 CFR §1.98(a)(3).* The Information Disclosure Statement includes non-English patents and/or references.

☐ Pursuant to 37 CFR §1.98(a)(3)(i), a concise explanation of the relevance of each patent, publication or other information provided that is not in English is provided herewith.

☐ Pursuant to MPEP 609(B), an English language copy of a foreign search report is submitted herewith to satisfy the requirement for a concise explanation where non-English language information is cited in the search report.

-- OR --

☐ A concise explanation of the relevance of each patent, publication or other information provided that is not in English is as follows: _____

☐ Pursuant to 37 CFR §1.98(a)(3)(ii), a copy of a translation, or a portion thereof, of the non-English language reference(s) is provided herewith.

H. ☐ *37 CFR §1.98(d).* Copies of patents, publications and pending U.S. patent applications, or other information specified in 37 C.F.R. § 1.98(a) are not provided herewith because:

☐ Pursuant to 37 CFR §1.98(d)(1) the information was previously submitted in an Information Disclosure Statement for another application under which this application claims priority for an earlier effective filing date under 35 U.S.C. 120.

Application in which the information was submitted: _____

Information Disclosure Statement(s) filed on: _____

AND

☐ The information disclosure statement submitted in the earlier application complied with paragraphs (a) through (c) of 37 CFR §1.98.

I. ☒ *Fee Authorization*. The Commissioner is hereby authorized to charge the above-referenced fees of $0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 38029-701.301).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: March 16, 2011

By: _____
Eileen Woo, Reg. No.: 67,881

650 Page Mill Road
Palo Alto, CA 94304-1050
(650) 493-9300
Customer No. 021971

PTO/SB/08a (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 required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** *(Use as many sheets as necessary)*				***Complete if Known***	
				Application Number	13/048,721
				Filing Date	March 15, 2011
				First Named Inventor	Bahram S. Bahrami
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	2	Attorney Docket Number	38029-701.301

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	US 2003/0060780 A1	03/27/2003	Shu	
	2.	US 2007/0021717 A1	01/25/2007	Gabel et al.	
	3.	US 7,226,439	06/05/2007	Parausnitz et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] – Number[4] – Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]
	4.	None				

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1]Applicant's unique citation designation number (optional). [2]See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 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, 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 (1-800-786-9199) and select option 2.

PTO/SB/08b (07-09)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Substitute for form 1449/PTO **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** *(Use as many sheets as necessary)*				***Complete if Known***	
				Application Number	13/048,721
				Filing Date	March 15, 2011
				First Named Inventor	Bahram S. Bahrami
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	38029-701.301

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	5.	None	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
[1]Applicant's unique citation designation number (optional). [2]Applicant is to place a checkmark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 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, 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 (1-800-786-9199) 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.
13/048,721		S. Bahram BAHRAMI	38029-701.301	9289

21971 7590 03/17/2011
WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

EXAMINER	
ART UNIT	PAPER NUMBER
3763	

MAIL DATE	DELIVERY MODE
03/17/2011	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.

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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WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO CA 94304-1050

In re Application of :
BAHRAMI, S. BAHRAM : DECISION ON REQUEST TO
Application No. 13/048,721 : PARTICIPATE IN PATENT
Filed: March 15, 2011 : PCT/PROSECUTION HIGHWAY
Attorney Docket No. 38029-701.301 : PROGRAM AND PETITION
Title: NEEDLE ARRAY ASSEMBLY AND METHOD : TO MAKE SPECIAL UNDER
FOR DELIVERING THERAPEUTIC AGENTS : 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 16, 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 KIPO, JPO, 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; 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.

Other inquiries concerning the examination or status of the application should be directed to Nick Lucchesi, the SPE of Art Unit 3763 at 571-272-4977 for Class 604/110 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

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.
13/048,953	03/16/2011	Naoki NITANDA	11_450	9772

7590 04/03/2012

POSZ LAW GROUP, PLC
12040 SOUTH LAKES DRIVE
SUITE 101
RESTON, VA 20191

EXAMINER	
KEITH, JACK W	
ART UNIT	PAPER NUMBER
3646	
NOTIFICATION DATE	DELIVERY MODE
04/03/2012	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.

Betty Powell

Patent Publication Branch
Office of Data Management

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

DEC 20 2011

OFFICE OF PETITIONS

LADAS & PARRY LLP
224 SOUTH MICHIGAN AVENUE
SUITE 1600
CHICAGO IL 60604

In re Application of
SASAKI, MIHO
Application No.: 13/049,002
Filed: March 16, 2011
Attorney Docket No.: CU-9028 KSV
For: DYE –SENSITIZED SOLAR CELL

: 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 September 16, 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 Kimberly Inabinet at 571-272-4618.

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.

David Bucci
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

In re Application of
Vadim LASER

Application No. 13049030

Filed: March 16,2011

Attorney Docket No. VLE-004

:
:
: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 08-APR-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
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13/049,030	Confirmation Number	9897	Filing Date	2011-03-16
Attorney Docket Number (optional)	VLE-004	Art Unit		Examiner	
First Named Inventor	Vadim LASER				
Title of Invention	VIDEO ADAPTER FOR LARYNGOSCOPE				

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
Vadim		LASER	

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) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (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	/Daniel F. Nesbitt/	Date (YYYY-MM-DD)	2011-04-08
Name	Daniel F. Nesbitt	Registration Number	33746

PTO/SB/130 (07-09)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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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:	13/049,095	Filing date:	March 16, 2011
First Named Inventor:	Sanjay Jain		
Title of the Invention:	HIGHLY SCALABLE AND DISTRIBUTED DATA DE-DUPLICATION		

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

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:

US 11/28656

The international date of the corresponding PCT application(s) is/are:

03/16/2011

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.**

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.

PTO/SB/20PCT-KR (06-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	12/642,033
First Named Inventor:	Sanjay Jain

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 n/a

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-16	1-16	identical
17-24	1-8	logic claims substantially the same as claims 1-8

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

Signature /Michael A. Diener/	Date 03-25-12
Name (Print/Typed) Michael A. Diener	Registration Number 37,122

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.

PTO/SB/420 (11-10)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 026335-007510US	Application Number (if known):	Filing date: HEREWITH

First Named Inventor: Wieting, Robert D.

Title: LARGE SCALE MOCVD SYSTEM FOR 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:_____

Signature /Robert C. Colwell/	Date March 15, 2011
Name (Print/Typed) Robert C. Colwell	Registration Number 27,431

***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.

63211693 v1

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 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).

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.
13/049,114	03/16/2011	Robert D. Wieting	90613-799962 (007510US)	1064

20350 7590 06/22/2011

KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER	
ART UNIT	PAPER NUMBER
2853	

NOTIFICATION DATE	DELIVERY MODE
06/22/2011	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):

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.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

KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

In re Application of	:	
WIETING et al	:	DECISION ON PETITION
Application No. 13/049,114	:	TO MAKE SPECIAL UNDER
Filed: March 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 90613-799962 (007510US)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 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 Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2853 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 (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: 1089.P0010US	Application Number (if known):	Filing date: 03/16/2011
First Named Inventor: Jianhua Li		
Title: Method and Apparatus for Providing Omnidirectional Illumination Using LED Lighting		

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 /James M. Wu/	Date 03/16/2011
Name (Print/Typed) James M. Wu	Registration Number 45,241

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 1 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.

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.

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
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/049,157	03/16/2011	Jianhua Li	1089.P0010US	1144

79662 7590 04/19/2011

James M. Wu
JW Law Group
84 W. Santa Clara Street
Suite 820
San Jose, CA 95113

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
04/19/2011	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.

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

James M. Wu
JW Law Group
84 W. Santa Clara Street
Suite 820
San Jose CA 95113

In re Application of	:	
Jianhua LI	:	DECISION ON PETITION
Application No. 13/049,157	:	TO MAKE SPECIAL UNDER
Filed: March 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 1089.P0010US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 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 **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 1.

In regard to item 1, the instant application currently contains more than 3 independent claims and more than 20 total claims.

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 preliminary amendment submitted with the petition documents must be separately indexed as a preliminary amendment.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Jianhua Li	
SERIAL NO.:	13/049,157	CONFIRMATION NO. 1144
FILED:	March 16, 2011	
TITLE:	METHOD AND APPARATUS FOR PROVIDING OMNIDIRECTIONAL ILLUMINATION USING LED LIGHTING	
EXAMINER:	unassigned	
ART UNIT:	2875	

CERTIFICATE OF ELECTRONIC FILING SYSTEM TRANSMISSION

Pursuant to 37 C.F.R. 1.8(a)(1)(ii)

I hereby certify that this paper is being submitted via the United States Patent Office Electronic Filing System, EFS-Web, pursuant to 37 C.F.R. 1.6(a)(4) on

May 18, 2011

Typed or printed name of person signing this certificate, BreAnne Cunningham

Electronic Signature: /BreAnne Cunningham/

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

PETITION FOR RECONSIDERATION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

This paper is responsive to the Decision on Petition to Make Special under the Green Technology Pilot Program ("GTPP") mailed on April 19, 2011 ("Decision"). The Dismissal of the petition stated in the Decision has been carefully reviewed and considered. To satisfy the item one (1) of the GTPP requirement, a preliminary amendment is herewith submitted to cure the deficiency. Applicant respectfully requests the entry of the preliminary amendment and reconsideration of the petition in light of the preliminary amendment.

No additional fees are believed to be due at this time. However, please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-4671.

Applicant thanks the Examiner for carefully examining the present application and if a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Jim Wu at (408) 280-1800.

Respectfully submitted,

Dated: May 18, 2011

/James M. Wu/

James M. Wu, *Reg. No. 45,241*
JW Law Group, PC
84 W. Santa Clara Street, Suite 820
San Jose, CA 95113
408.280.1800

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.
13/049,157	03/16/2011	Jianhua Li	1089.P0010US	1144

79662 7590 05/25/2011

James M. Wu
JW Law Group
84 W. Santa Clara Street
Suite 820
San Jose, CA 95113

EXAMINER	
ART UNIT	PAPER NUMBER
2821	

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.

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

James M. Wu
JW Law Group
84 W. Santa Clara Street
Suite 820
San Jose CA 95113

In re Application of	:	
Jianhua LI	:	DECISION ON PETITION
Application No. 13/049,157	:	TO MAKE SPECIAL UNDER
Filed: March 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 1089.P0010US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 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 Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2821 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

PTO/SB/420 (11-10)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 026335-011510US	Application Number (if known):	Filing date: HEREWITH

First Named Inventor: Tandon, Ashish

Title: METHOD AND DEVICE UTILIZING STRAINED AZO LAYER AND INTERFACIAL FERMI LEVEL PINNING IN BIFACIAL THIN FILM PV 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 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 /Robert C. Colwell/	Date March 15, 2011
Name (Print/Typed) Robert C. Colwell	Registration Number 27,431

***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.

63211676 v1

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 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).

PATENT
Docket No.: 026335-011510US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No.:
Ashish Tandon et al.	Examiner: Unknown
Application No.: Unknown	Art Unit: Unknown
Filed: HEREWITH	
For: Method and Device Utilizing Strained AZO Layer and Interfacial Fermi Level Pinning in Bifacial Thin Film PV Cells	PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM
Customer No.: 20350	

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

Commissioner:

Applicant hereby requests to participate in the Green Technology Pilot Program for the above identified application. Applicant is herewith submitting a request for early publication.

STATEMENTS OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

The application is a non-reissue, non-provisional utility application filed under 35 USC §111(a). The application contains no more than three independent claims, twenty or fewer total claims, and no multiple dependent claims.

By filing this petition:

Applicant believes the pending claims in this application are directed to a single invention that materially contributes to the discovery or development of renewable energy resources. The claimed invention relates to an improved method for manufacturing thin-film photovoltaic solar energy cells for use in electric power generation.

Applicant hereby agrees 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 which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

If the Office believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-324-6303 (direct).

Respectfully submitted,

/Robert C. Colwell/

Robert C. Colwell
Reg. No. 27,431

KILPATRICK TOWNSEND & STOCKTON LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
RCC:mks
63211678 v1

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.
13/049,190	03/16/2011	Ashish Tandon	90613-799963 (011510US)	1205

20350 7590 07/14/2011

KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
07/14/2011	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):

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

JUL 14 2011

In re Application of :
TANDON, ASHISH : DECISION ON PETITION
Application No. 13/049,190 : TO MAKE SPECIAL UNDER
Filed: 03/16/2011 : THE GREEN TECHNOLOGY
Attorney Docket No. 90613-799963 (011510US) : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 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 1725 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

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.
13/049,222	03/16/2011	Michael James Deaner	450.15300101	1272

26813 7590 03/29/2012

MUETING, RAASCH & GEBHARDT, P.A.
P.O. BOX 581336
MINNEAPOLIS, MN 55458-1336

EXAMINER	
JOHNSON, CHRISTINA ANN	
ART UNIT	PAPER NUMBER
1742	
MAIL DATE	DELIVERY MODE
03/29/2012	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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MUETING, RAASCH & GEBHARDT, P.A.
P.O. BOX 581336
MINNEAPOLIS MN 55458-1336

Applicant: Deaner et al.
Appl. No.: 13/049,222
Filing Date: March 16, 2011
Title: SUSTAINABLE COMPOSITIONS, RELATED METHODS, AND MEMBERS FORMED THEREFROM
Attorney Docket No.: 450.15300101
Pub. No.: US 2011/0230599 A1
Pub. Date: September 22, 2011

This is a decision on the request for republication of patent application publication under 37 CFR 1.221(a), filed on March 6, 2012, for the above-identified application.

The request under 37 CFR 1.221(a) is DISMISSED.

37 CFR 1.221(a) requires "a copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)". If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

The applicant did not supply a copy of the application in compliance with the Office electronic filing system, as required by 37 CFR 1.221(a) because **the applicant submitted the papers as a "Document for an existing application", which are entered into the application file, and not as a "Pre-Grant Publication" submission**. The request for republication does not comply with the electronic filing system requirements, thus republication will not take place.

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a Pre-Grant publication submission and must include a copy of the application in compliance with the Office electronic filing system requirements. The applicant is directed to the following website for additional instructions on how to submit a Pre-Grant Publication submission via the electronic filing system:

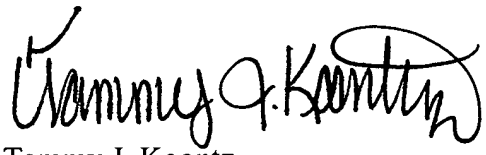
http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any questions or requests for reconsideration of the decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Telephone inquiries regarding this correspondence should be directed to The Office of Data Management at 571-272-4200.



Tammy J. Koontz
Office of Data Management
United States Patent & Trademark Office

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
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 65504-020001	Application Number (if known): Not yet Assigned	Filing date: Herewith
First Named Inventor: Michael Koepke et al.		
Title: RECOMBINANT MICROORGANISM AND METHODS OF 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.

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 March 16, 2011
Name (Print/Typed) Faustino A. Lichauco	Registration Number 41,942

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*.*

[X] *Total of 1 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.

Attorney Docket No.: 65504-020001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Michael Koepke et al.	Art Unit	: Not yet Assigned
Serial No.	: Not yet Assigned	Examiner	: Not yet Assigned
Filed	: Herewith	Conf. No.	: Not yet Assigned
Title	: RECOMBINANT MICROORGANISM AND METHODS OF PRODUCTION THEREOF		

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

STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY REQUIREMENT

Applicant requests that this application be made special pursuant to the Pilot Program for Green Technologies as set forth in the Federal Register.[1]

The invention is believed to be eligible for the Pilot Program because of its material contribution to the development of renewable energy resources and the reduction of greenhouse gas emissions, specifically the generation of fuel alcohols from carbon monoxide (CO) via a fermentation process and the reduction of greenhouse gases produced during the fermentation processes.

In broad terms, *inter alia*, the invention relates to recombinant microorganisms adapted to ferment a substrate comprising carbon monoxide (CO) to produce products useful as biofuels/fuel alcohols, and methods for producing such products from substrates comprising CO, such as a carbon monoxide-containing gas that is obtained as a waste product of an industrial process.

The methods and systems claimed may be useful for reducing the total atmospheric carbon emissions from an industrial process. This is achieved by capturing carbon from waste gas streams, such as those emitted from steel mills. The waste gas streams from steel mills are often flared off (burnt) to produce significant quantities of carbon dioxide – a greenhouse gas. It will be appreciated that such industrial plants contribute significantly to greenhouse gas emissions and the methods described herein

[1] 74 Fed. Reg. 234 (December 8, 2009), page 64666 et seq., and 75 Fed. Reg. 98 (May 21, 2010).

enable the carbon to be captured to generate useful products. This reduces the emission of the greenhouse gases and limits the damaging effects that they have on the environment.

Accordingly, the subject matter of this application plays a material role in the development of renewable energy resources and the reduction of greenhouse gas emissions. Applicant therefore requests that the examination be accelerated under the Pilot Program.

Pursuant to the requirements of the Pilot Program, please apply the $300 publication fee to Deposit Account no. 50-4189, referencing attorney docket no. 65504-020001.

Respectfully submitted,

Date: March 16, 2011

Faustino A. Lichauco
Reg. No. 41,942

Customer No. 69713
Occhiuti Rohlicek & Tsao LLP
10 Fawcett Street
Cambridge, MA 02138
Telephone: (617) 500-2533
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/049,263	03/16/2011	Michael Koepke	65504-020001	1342

69713 7590 07/15/2011
OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE, MA 02138

EXAMINER	
ART UNIT	PAPER NUMBER
1652	

NOTIFICATION DATE	DELIVERY MODE
07/15/2011	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):

INFO@ORTPATENT.COM

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JUL 15 2011

OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE MA 02138

In re Application of :

KOEPKE Michael *et al.*	:	DECISION ON PETITION
Application No. 13/049263	:	TO MAKE SPECIAL UNDER
Filed: March 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 65504-020001	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1652 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

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
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LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD, FL 33022-2480

MAILED

APR 13 2011

OFFICE OF PETITIONS

In re Application of :
Max CHIRA, et *al.* :
Application No. 13/049,280 : DECISION ON PETITION TO MAKE
Filed: March 16, 2011 : SPECIAL UNDER 37 CFR 1.102(c)(1)
Attorney Docket No. **G-9641** :
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 16, 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 the certification of attorney Laurence A. Greenberg registration no. 29,308, attesting to the age of inventor Max Chira. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning either the examination or status of the application should be directed to the Technology Center at 571-272-1700.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7253.

The application is being forwarded to the Technology Center Art Unit 1742 for action on the merits commensurate with this decision.

/Monica A. Graves/
Petitions Examiner, Office of Petitions

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.
13/049,389	03/16/2011	Sherwood Chapman	101971.0001US3	1585

24392 7590 08/19/2011

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

EXAMINER	
COBANOGLU, DILEK B	
ART UNIT	PAPER NUMBER
3626	

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):

rfish@fishiplaw.com
patents@fishiplaw.com

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Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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AUG 18 2011

FISH & ASSOCIATES, PC
2603 Main Street, Suite 1000
Irvine, California 92614-4271

In re application of : **DECISION ON PETITION**
CHAPMAN, Sherwood : **TO MAKE SPECIAL FOR**
Application No.13/049,389 : **NEW APPLICATION**
Filed: March 16, 2011 : **UNDER 37 CFR 1.102**
For: METHOD OF INCREASING EFFICIENCY IN A MEDICAL CLAIM TRANSACTION AND COMPUTER PROGRAM CAPABLE OF EXECUTING SAME

This is a decision on the petition filed on March 16, 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 Robert Weinhardt, Business Practice Specialist, at (571) 272-6633.

Robert A. Weinhardt
Business Practice Specialist
Technology Center 3600

RW/JM 8/16/11

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

CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

MAILED

AUG 26 2011

OFFICE OF PETITIONS

In re Application of
Hilberer, et al.
Application No. 13/049,406
Filed/Deposited: 7 April, 2011
Attorney Docket No. 037068.63400US

DECISION ON PETITION

This is a decision on the petition filed on 22 August, 2011, pursuant to 37 C.F.R. §1.47.

NOTE:

Petitioner has placed the narration of most if not all of the facts herein, including the statement of the valid/current/reasonably believed to be last known address in the statement of one not registered to practice before the Office, and thus, one whose appreciation of the Rules of Practice is not known.

Thus, Petitioner may not have been in a position to have firsthand or direct knowledge of the facts and circumstances of the matter at issue.

Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of the matter.[1] In the event that such an inquiry has not been made, Petitioner **must** make such an inquiry.

If such inquiry results in the discovery that it is not correct the facts and circumstances are other than that so presented, Petitioner **must** notify the Office.

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

[1] See 37 C.F.R. §11.18(b), formerly §10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997).

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 16 March, 2011, without, *inter alia*, a fully executed oath/declaration.

On 29 March, 2011, the Office mailed a Notice of Missing Parts requiring, *inter alia*, a fully-executed oath/declaration.

On 22 August, 2011, Petitioner Cameron W. Beddard (Reg. No. 46,545) and Jefrey D. Sanok (reg. No. 32,169) filed, *inter alia*, a request and fee for extension of time, a petition pursuant to the regulations at 37 C.F.R. §1.47, with an oath/declaration executed by co-inventor Mr. Hergen and Mr. Szell for themselves and on behalf of non-signing co-inventor Eduard Hilgerer (Mr Hilberer), with a statement by Petitioner and by Sylke Nuber (Ms. Nuber) of Knorr-Bremse averring multiple transmittals and deliveries (with copies of supporting transmittal documents) of the entire application (description, claims, abstract drawings) to Mr. Hilberer and threreafter his failure to sign/join, and a statement of a valid/current/reasonably believed to be last known mailing address for the non-signing inventor. 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 inventor 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.[2]

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. §1.2[3]) 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

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[2] 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).

[3] 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

UNITED STATES PATENT AND TRADEMARK OFFICE

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EDUARD HILBERER
AM DAMM 5
68766 HOCKENHEIM
GERMANY

MAILED

AUG 26 2011

OFFICE OF PETITIONS

In re Application of
Hilberer, et al.
Application No. 13/049,406
Filed/Deposited: 7 April, 2011
Attorney Docket No. 037068.63400US

COMMUNICATION

Dear Eduard Hilberer:

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).

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. §1.2[1]) 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:
CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

[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

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:	54879-cont	Application Number (if know):	13/049,492	Filing Date	3/16/2011
First Named Inventor:	Ghulam Hasnain				
Title:	Series Connected Segmented LED				

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 CFR1.18(d) accompanies this request.

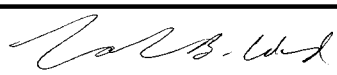
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention.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

3. This request is accompanied by states 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	12/08/2011
Name (Print/Typed)	Calvin B. Ward	Registration Number	30,896

Note: *Signatures of all the inventors or assignees of record of the entire enterest 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 selection option 2.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/049,492	03/16/2011	Ghulam Hasnain	54879-cont	1797

28241 7590 12/21/2011

THE LAW OFFICES OF CALVIN B. WARD
18 CROW CANYON COURT, SUITE 305
SAN RAMON, CA 94583

EXAMINER	
ART UNIT	PAPER NUMBER
2826	

MAIL DATE	DELIVERY MODE
12/21/2011	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.

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THE LAW OFFICES OF CALVIN B. WARD
18 CROW CANYON COURT, SUITE 305
SAN RAMON CA 94583

DEC 21 2011

In re Application of :
HASNAIN, GHULAM :
Application No. 13/049,492 :
Filed: March 16, 2011 :
Attorney Docket No. 54879-cont :

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 on December 8, 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

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SENNIGER POWERS LLP (MTC)
100 NORTH BROADWAY
17TH FLOOR
ST LOUIS MO 63102

MAILED

NOV 04 2011

OFFICE OF PETITIONS

In re Application of	:	
Liu et al.	:	
Application No.: 13/049496	:	ON PETITION
Filing or 371(c) Date: 03/16/2011	:	
Attorney Docket Number:	:	
MTC 6887.101 (53124)E/US	:	

This is a decision on the petition to change order of inventors under 37 C.F.R. § 1.182," filed on October 11, 2011.

The petition is **granted**.

The order of the names of the inventors has been be changed as follows:

1 Fuchen Liu
2. Juan Arhancet
3. James P. Coleman
4. Martin P. McGrath

A Corrected Filing Receipt is enclosed reflecting the change is enclosed herewith.

This application is being referred to the Office of Patent Publications to await Applicants reply to the Notice of Allowance and Issue Fee Due, mailed May 16, 2011.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions

Enclosure: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/049,496	03/16/2011	1621	3602	MTC 6887.101 (53124)E/US	46	4

CONFIRMATION NO. 1807

45738
SENNIGER POWERS LLP (MTC)
100 NORTH BROADWAY
17TH FLOOR
ST LOUIS, MO 63102

CORRECTED FILING RECEIPT

OC000000050726839

Date Mailed: 11/02/2011

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)

Fuchen Liu, Ballwin, MO;
Juan Arhancet, Creve Coeur, MO;
James P. Coleman, Maryland Heights, MO;
Martin P. McGrath, North Andover, MA;

Assignment For Published Patent Application

MONSANTO TECHNOLOGY LLC, St. Louis, MO

Power of Attorney: The patent practitioners associated with Customer Number 000045738

Domestic Priority data as claimed by applicant

This application is a CON of 10/919,028 08/16/2004 PAT 7,932,419
which claims benefit of 60/495,481 08/14/2003

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: 03/29/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/049,496**

Projected Publication Date: 12/08/2011

Non-Publication Request: No

Early Publication Request: No

Title

Transition Metal-Containing Catalysts and Processes for Their Preparation and Use As Oxidation and Dehydrogenation Catalysts

Preliminary Class

562

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 AssetsControl, 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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ST LOUIS MO 63102

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NOV 10 2011

OFFICE OF PETITIONS

In re Application of :
Liu et al. :
Application No.: 13/049496 :
Filing or 371(c) Date: 03/16/2011 :
Attorney Docket Number: :
MTC 6887.101 (53124)E/US :

CORRECTED DECISION[1]
ON PETITION

This is a decision on the petition to change order of inventors under 37 C.F.R. § 1.182," filed on October 11, 2011.

The petition is **granted**.

The order of the names of the inventors has been changed as follows:

1 Fuchen Liu
2. Juan Arhancet
3. James P. Coleman
4. Martin P. McGrath

A Corrected Filing Receipt is enclosed reflecting the change is enclosed herewith.

This application is being referred to Technology Center Art Unit 1621 for examination in the normal course of business.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions

[1] The original decision referred the application to Publishing Division. Office records confirm that the application is a docketed new case ready for examination.

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: SLDMP009	Application Number (if known): 13/049,623	Filing date: March 16, 2011

First Named Inventor: Disha Mehtani

Title: CONTROLLING TRANSITIONS IN OPTICALLY SWITCHABLE 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: Preliminary Amendment; Statement of Special Status for Eligibility Requirement for Green Tech Pilot Program

Signature /Stephen C. Glade/	Date December 1, 2011
Name (Print/Typed) Stephen C. Glade	Registration Number 57,601

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.

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.
13/049,623	03/16/2011	Disha Mehtani	SLDMP009	1030

22434 7590 01/13/2012

Weaver Austin Villeneuve & Sampson LLP
P.O. BOX 70250
OAKLAND, CA 94612-0250

EXAMINER	
MACK, RICKY LEVERN	

ART UNIT	PAPER NUMBER
2873	

NOTIFICATION DATE	DELIVERY MODE
01/13/2012	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):

USPTO@wavsip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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www.uspto.gov

Weaver Austin Villeneuve & Sampson LLP
P.O. BOX 70250
OAKLAND CA 94612-0250

In re Application of	:	
MEHTANI et al.	:	DECISION ON PETITION
Application No. 13/049,623	:	TO MAKE SPECIAL UNDER
Filed: March 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. SLDMP009	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 1, 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

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: 23431-79063	Application Number (if known): 13/049,688	Filing date: March 16, 2011
First Named Inventor: Chin-Yao Tsai		
Title: THIN FILM SOLAR CELL AND MANUFACTURING METHOD 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 OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

Signature /Tim Tingkang Xia/	Date April 6, 2011
Name (Print/Typed) Tim Tingkang Xia	Registration Number 45,242

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

Applicant:	Chin-Yao Tsai	Examiner:	Unassigned
Serial No.:	13/049,688	Group Art Unit:	Unassigned
Filed:	March 16, 2011	Docket:	23431-79063
Title:	THIN FILM SOLAR CELL AND MANUFACTURING METHOD THEREOF		

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

Mail Stop: Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

April 6, 2011

CUSTOMER NO. 24728

Dear Sir/Madam:

This Statement of Special Status for the Eligibility Requirement is filed pursuant to the requirements listed in PTO/SB/420, filed herewith, and pursuant to the requirements of 74 Fed. Reg. 64,666 (Dec. 8, 2009), as amended by 75 Fed. Reg. 28,554 (May 21, 2010), and 75 Fed. Reg. 69,049 (November 10, 2010).

A basis for the special status is that aspects of the invention relate to ***thin film solar cells*** that ***materially contribute to the discovery or development of renewable energy resources***. Applicant respectfully submits that it is clear on the above-referenced application's face that the claimed invention materially contributes to ***the discovery or development of renewable energy resources***, so no statement is required explaining how the materiality standard is met.

The above-referenced application is a non-reissue, non-provisional utility application filed March 16, 2011 under 35 U.S.C. § 111(a). The application contains no more than three (3) independent claims and twenty (20) total claims. The application does not contain any multiple dependent claims. Further, applicant respectfully submits that the claims of the application are directed to a single invention of a solar cell and manufacturing method thereof. However, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction

requirement), applicant agrees to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements.

A first Office action (including an Office action containing only a restriction requirement) has not yet appeared in the Patent Application Information Retrieval (PAIR) system.

A request for early publication of the present application in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) are concurrently accompanied herewith this petition.

It is believed that no fee is due. However, the Commissioner is hereby authorized to charge any petition fee under 37 CFR 1.102, and any deficiency of fees which may be required, or to credit of any overpayments to Deposit Account No. 50-3537.

The Applicant respectfully requests that a favorable decision on this Petition to Make Special Under the Green Technology Pilot Program be granted and the application be accorded special status under the Green Technology Pilot Program.

Respectfully submitted,

MORRIS, MANNING & MARTIN, LLP

April 6, 2011

Tim Tingkang Xia
Attorney for Applicant on the Record
Reg. No. 45,242

MORRIS, MANNING & MARTIN, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, N.E.
Atlanta, Georgia 30326-1044
Phone: 404-233-7000
Direct: 404-495-3678
Customer No. 24728

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.
13/049,688	03/16/2011	Chin-Yao Tsai	23431-79063	1162

24728 7590 05/25/2011

MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA, GA 30326

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
05/25/2011	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):

ipdocket@mmmlaw.com
ppz@mmmlaw.com
jlsmith@mmmlaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA GA 30326

MAY 25 2011

In re Application of	:	
Tsai	:	DECISION ON PETITION
Application No. 13/049,688	:	TO MAKE SPECIAL UNDER
Filed: 3/16/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **23431-79063**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/6/2011, 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.

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 1725 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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:		Filing date:	March 16, 2011
First Named Inventor:	Armin Schoeppach		
Title of the Invention:	TEMPERATURE-CONTROL DEVICE FOR AN OPTICAL ASSEMBLY		

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

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/EP2009/006638

The international filing date of the corresponding PCT application(s) is/are: September 14, 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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	Armin Schoeppach

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
see attached		

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

Signature / Chris Bowley, Reg. No. 55,016 /	Date March 16, 2011
Name (Print/Typed) Chris C. Bowley	Registration Number 55,016

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.

Attorney Docket No.: 21070-0061001 / P091590US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Armin Schoeppach et al. Art Unit : Unknown
Serial No. : Examiner : Unknown
Filed : March 16, 2011
Title : TEMPERATURE-CONTROL DEVICE FOR AN OPTICAL ASSEMBLY

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

CLAIM CORRESPONDENCE TABLE

Claims in US application	**Patentable Claims in the corresponding PCT application**	**Explanation regarding the correspondence**
1	13	US claim 1 corresponds to PCT claim 13 except that it has been rewritten in independent form, the reference numbers have been deleted, the claim edited for clarity. US claim 1 also incorporates the limitation from PCT claim 2. US claim 1 is therefore narrower than PCT claim 13 and "corresponds" to claim 13 in accordance with the PCT-PPH Pilot program.
2-11	13	US claims 2-11 depend from and are narrower in scope than independent US claim 1. Accordingly, these claims "correspond" to PCT claim 13 in accordance with the PCT-PPH Pilot program.
12	14	US claim 12 corresponds to PCT claim 14 except that the reference number has been deleted, the claim edited for clarity, and to depend from US claim 1.
13	15	US claim 13 corresponds to PCT claim 15 except that the reference number has been deleted, the claim edited for clarity, and to depend from US claim 1.
14	16	PCT claim 16 recites "Projection exposure apparatus (1) with illumination optics (6) according to claim 14 and/or with a projection optics (7) according to claim 15." US claim 13 corresponds to the first alternative recited by PCT claim 16 (i.e., Projection exposure apparatus (1) with illumination optics (6) according to claim 14") except that the reference numbers have been deleted, the claim edited for clarity, and to depend from US claim 12. US claim 14 is therefore narrower than PCT claim 16 and "corresponds" to claim 16 in accordance with the PCT-PPH Pilot program.
15	16	PCT claim 16 recites "Projection exposure apparatus (1) with illumination optics (6) according to claim 14 and/or with a projection optics (7) according to claim 15." US claim 13 corresponds to the second alternative recited by PCT claim 16 (i.e., Projection exposure

Claims in US application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
		apparatus (1) … with a projection optics (7) according to claim 15") except that the reference numbers have been deleted, the claim edited for clarity, and to depend from US claim 13. US claim 15 is therefore narrower than PCT claim 16 and "corresponds" to claim 16 in accordance with the PCT-PPH Pilot program.

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.
13/049,703	03/16/2011	Armin Schoeppach	21070-0061001	1192

26161 7590 04/13/2011

FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER	
ART UNIT	PAPER NUMBER
2883	

NOTIFICATION DATE	DELIVERY MODE
04/13/2011	ELECTRONIC

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Alexandria, VA 22313-1450
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FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

In re Application of
SCHOEPPACH et al.
Application No.: 13/049,703
Filed: 16 March 2011
Attorney Docket No.: 21070-0061001
For: TEMPERATURE-CONTROL DEVICE FOR AN OPTICAL ASSEMBLY

: 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 16 March 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, 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.

Requirements (1-2) and (5-7) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirement (3).

Regarding the requirement of condition (3), applicant has filed to submit a copy of the claims from the PCT application 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.

It cannot be determined whether condition (4) has been met since condition (3) has not been met.

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

Attorney Docket No.: 21070-0061001 / P091590US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Armin Schoeppach et al.	Art Unit	: 2883
Serial No.	: 13/049,703	Examiner	: Unknown
Filed	: March 16, 2011	Conf. No.	: 1192
Title	: TEMPERATURE-CONTROL DEVICE FOR AN OPTICAL ASSEMBLY		

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

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN PPH PROGRAM AND PETITION UNDER 37 C.F.R. § 1.102(a)

In response to the dismissal of applicants' Request and Petition, mailed April 13, 2011, applicants are submitting a copy of the claims from the PCT Application No. PCT/EP2009/006638 herewith and ask the Office to reconsider applicants' Petition.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 3, 2011

/ Chris Bowley, Reg. No. 55,016 /

Chris C. Bowley
Reg. No. 55,016

Fish & Richardson P.C.
One Marina Park Drive
Boston, Massachusetts 02210-1878

Telephone: (617) 542-5070
Facsimile: (877) 769-7945

22625959.doc

Claims

1. Temperature-control device (19) for an optical assembly (16) with at least one optical body (17), the temperature of which is to be controlled, with at least one surface (18) which can be acted upon by a heat flow (39),
   - with a heat sink (20) to receive a heat flow (21), which is emitted from the optical body (17) or a transmission body in thermal connection with the optical body (17),
   - wherein the heat sink (20) is arranged adjacent to a peripheral region (22) of the optical surface (18),
   - with a heating mechanism (28) to correct deformations of the optical body (17) with at least one heating body (29), which is arranged adjacent to the optical body (17),
   - wherein the heating body (29) is connected to the heat sink (20) by means of a physical heat bridge (32) and has a temperature, which is greater than or equal to the temperature of the heat sink (20).

2. Temperature-control device according to claim 1, characterised in that the heat bridge (32) is formed by at least one connecting web (33) between the heating bodies (29) and the heat sink (20).

3. Temperature-control device according to claim 2, characterised in that the at least one connecting web (33) has a cross-sectional area which is greater than 1 mm^2.

4. Temperature-control device according to claim 3, characterised in that the at least one connecting web (33) is configured from at least one of

the following materials: aluminium, steel, invar or a ceramic composite material.

5. Temperature-control device according to any one of claims 1 to 4, characterised in that the heating mechanism (28) has a regulating mechanism (35) for specifying a temperature profile by means of the heating body (29).

6. Temperature-control device according to any one of claims 1 to 5, characterised in that the heating body (29) has a heating foil (30).

7. Temperature-control device according to any one of claims 1 to 6, characterised in that portions of the heating body (29) can be heated and/or cooled.

8. Temperature-control device according to any one of claims 1 to 7, characterised in that portions of the heating body (29) can be kept at a predetermined temperature.

9. Temperature-control device according to any one of claims 1 to 8, characterised in that the heat sink (20) is in signal connection with a regulating mechanism (35) to specify a constant temperature of the heat sink (20).

10. Temperature-control device according to any one of claims 1 to 9, characterised in that the optical body (17) is mounted by means of a holding structure (26), the heat transmission of which is smaller than the heat transmission by the heat bridge (32) between the heating body (29) and the heat sink (20) in such a way that in the interaction of heat

transmissions via the holding structure (26), on the one hand, and via the heat bridge (32), on the other hand, an efficiency optimum is adjusted with regard to a regulation of a temperature of the heating body (29) and a heating energy required to maintain the temperature to be regulated of the heating body (29).

11. Temperature-control device according to any one of claims 1 to 10, characterised in that the at least one optical surface (18) is arranged in a gas atmosphere.

12. Temperature-control device according to any one of claims 1 to 11, characterised in that the optical body (17) is configured as a mirror, the heating mechanism (28) being arranged adjacent to a rear side (31) of the mirror (17) remote from the optical surface (18) of the mirror (17).

13. Optical assembly (16) with a temperature-control device according to any one of claims 1 to 12.

14. Illumination optics (6) with an optical assembly according to claim 13.

15. Projection optics (7) with an optical assembly according to claim 13.

16. Projection exposure apparatus (1) with an illumination optics (6) according to claim 14 and/or with a projection optics (7) according to claim 15.

17. Method for compensating heat-induced deformations of an optical surface (18) of an optical body (17) with at least one surface (18) which

can be acted upon with a heat flow, using a temperature-control device according to any one of claims 1 to 12 comprising the following steps:

- measuring the heat flow (39), with which the surface (18) of the optical body (17) is acted upon and/or measuring a temperature on the surface (18) acted upon by the heat flow (39) and/or at a predefined position on the optical body (17),
- setting a temperature of the heating body (29) of the heating mechanism (28), which is greater than or equal to the temperature of the heat sink (20).

18. Method according to claim 17, characterised in that a temperature of the heat sink (20) is set.

19. Method according to claim 17 or 18, characterised in that a heat transfer between the heating mechanism (28) and the heat sink (20) is set via the heat bridge (32).

20. Method according to any one of claims 17 to 19, characterised in that a temperature profile is set via the heating body (29).

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/049,703	03/16/2011	Armin Schoeppach	21070-0061001 / P091590US	1192

26161 7590 05/18/2011

FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER	
ART UNIT	PAPER NUMBER
2882	

NOTIFICATION DATE	DELIVERY MODE
05/18/2011	ELECTRONIC

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

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FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

In re Application of
SCHOEPPACH et al.
Application No.: 13/049,703
Filed: 16 March 2011
Attorney Docket No.: 21070-0061001 / P091590US
For: TEMPERATURE-CONTROL DEVICE FOR AN OPTICAL ASSEMBLY

: 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 16 March 2011 and renewed on 03 May 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

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Lester F. Ludwig
P.O. Box 128
Belmont CA 94002

MAILED
NOV 16 2011
OFFICE OF PETITIONS

In re Application of
LUDWIG, LESTER F.
Application No. 13/049,749
Filed: 03/16/2011
Attorney Docket No. 2152-3113

: DECISION GRANTING PETITION
: UNDER 37 CFR 1.78(a)(3)

This is a decision on the petition under 37 CFR 1.78(a)(3), filed October 19, 2011, to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of prior-filed nonprovisional Application No. 12/560,327 filed September 15, 2009, set forth in the concurrently filed amendment.

The petition is **GRANTED.**

A petition for acceptance of an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of prior-filed nonprovisional applications pursuant to 37 CFR 1.78(a)(3) is applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR 1.78(a)(2)(ii). In addition, the petition under 37 CFR 1.78(a)(3) must be accompanied by:

(1) the reference required by 35 U.S.C. 120 and 37 CFR 1.78(a)(2)(i) of 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)(2)(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.

All of the above requirements having been satisfied, the benefit claim under 35 U.S.C. 120 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)(3) should not be construed as meaning that this application is entitled to the benefit 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. 120 and 37 CFR 1.78(a)(1) and (a)(2) 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 benefit claim to the prior-filed nonprovisional application, accompanies this decision on petition.

This application is being referred to Technology Center Art Unit 2872 for consideration by the examiner of applicant's entitlement to claim benefit under 35 U.S.C. 120 to the prior-filed application.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3211.

C. T. Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

ATTACHMENT: Corrected Filing Receipt

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/049,749	03/16/2011	2872	462	2152-3113	20	2

CONFIRMATION NO. 1288

96907
Lester F. Ludwig
P.O. Box 128
Belmont, CA 94002

CORRECTED FILING RECEIPT

Date Mailed: 11/15/2011

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)

Lester F. LUDWIG, Belomont, CA;

Power of Attorney: The patent practitioners associated with Customer Number 96907

Domestic Priority data as claimed by applicant

This application is a CON of 12/560,327 09/15/2009 PAT 7,911,698
which is a CON of 11/929,259 10/30/2007 PAT 7,609,447
which is a CON of 11/294,685 12/05/2005 PAT 7,391,570
which is a CON of 10/656,342 09/04/2003 PAT 6,972,905
which is a DIV of 09/512,781 02/25/2000 PAT 6,650,476
which claims benefit of 60/121,680 02/25/1999
and claims benefit of 60/121,958 02/25/1999

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: 03/28/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/049,749**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****

Title

PROGRAMMABLE OPTICAL COMPUTING DEVICE EMPLOYING LED ARRAY TRANSDUCERS AND STACKED LIGHT MODULATOR ELEMENTS IN FRACTIONAL FOURIER PLANES

Preliminary Class

359

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 AssetsControl, 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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MAY 23 2011

OFFICE OF PETITIONS

BEAN LAW OFFICE
2404 MARGIE WAY
VISTA CA 92084

In re Application of	:	
Patel, et al.	:	
Application No. 13/049,760	:	ON PETITION
Deposited: March 16, 2011	:	
Attorney Docket No. 011-UTL-001-INF	:	

This is in response to the "PETITION RELATING TO THE FILING DATE OF PATENT APPLICATION UNDER 37 CFR §1.57(a)", filed April 14, 2011, which is being treated as a petition under 37 CFR 1.53(e)(2).

Application papers in the above-identified application were deposited on March 16, 2011. However, on March 30, 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. Applicants request that the application be accorded the filing date of March 16, 2011, based on a claim to priority to provisional application No. 61/314,507 and express incorporation by reference statement present in the specification on filing.

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), a drawing is not considered essential for a filing date. 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[.]

To the extent the instant petition requests a filing date of March 16, 2011 with no drawings present in the application on filing, the petition is **GRANTED**.

Given the basis for granting this petition, the $400 petition fee will be refunded to petitioner under separate cover in due course.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to March 16, 2011**;
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing** and
- **for issuance of a filing receipt.**

Telephone inquiries concerning this matter may be directed to Petitions Attorney Cliff Congo at (571) 272-3207.

Chris Bottorff
Petitions Examiner
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: K-1161	Application Number (if known): 13/049,771	Filing date: March 16, 2011
First Named Inventor: Dongki PAIK		
Title: LIGHTING APPARATUS		

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 March 29, 2011
Name (Print/Typed) Paul H. Kang	Registration Number 66,545

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 1 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.: **K-1161** PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Confirmation No.: **1336**

Dongki PAIK and Hyunha KIM Group Art Unit: **To Be Assigned**

Serial No.: **13/049,771** Examiner: **To Be Assigned**

Filed: **March 16, 2011** Customer No.: **34610**

For: **LIGHTING APPARATUS**

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

U.S. Patent and Trademark Office
Customer Window
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
Paul H. Kang
Registration No. 66,545

Correspondence Address:
P.O. Box 8638
Reston, VA 20195
703 766-3777 DYK/PHK:tmd
Date: March 29, 2011
Please direct all correspondence to Customer Number 34610
2016-1405\273495

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.
13/049,771	03/16/2011	Dongki PAIK	K-1161	1336

34610 7590 04/05/2011

KED & ASSOCIATES, LLP
P.O. Box 8638
Reston, VA 20195

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
04/05/2011	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

KED & ASSOCIATES, LLP
P.O. Box 8638
Reston VA 20195

In re Application of	:	
PAIK et al.	:	DECISION ON PETITION
Application No. 13/049,771	:	TO MAKE SPECIAL UNDER
Filed: March 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. K-1161	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 29, 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 2875 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:	31676/45458B	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith
First Named Inventor:	Laurens Mets			
Title:	Method and System for Converting Electricity Into Alternative Energy Resources			

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 of Special Status

Signature	/Paul C. Craane/	Date	March 16, 2011
Name (Print/Typed)	Paul C. Craane	Registration Number	38,851

***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*.*

☐ *Total of 1 forms are submitted.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 16, 2011 Electronic Signature for Paul C. Craane: /Paul C. Craane/

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.
13/049,775	03/16/2011	LAURENS METS	31676/45458B	1343

4743 7590 05/03/2011

MARSHALL, GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE
6300 WILLIS TOWER
CHICAGO, IL 60606-6357

EXAMINER	
ART UNIT	PAPER NUMBER
1775	

NOTIFICATION DATE	DELIVERY MODE
05/03/2011	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):

mgbdocket@marshallip.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

MARSHALL, GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE
6300 WILLIS TOWER
CHICAGO IL 60606-6357

In re Application of	:	
Mets	:	DECISION ON PETITION
Application No. 13/049,775	:	TO MAKE SPECIAL UNDER
Filed: 3/16/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **31676/45458B**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 3/16/2011, 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 1775 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: K-1169	Application Number (if known): 13/049,776	Filing date: March 16, 2011
First Named Inventor: Dongki PAIK		
Title: LIGHTING APPARATUS		

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 March 29, 2011
Name (Print/Typed) Paul H. Kang	Registration Number 66,545

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*.*

[X] *Total of 1 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.: **K-1169** PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Confirmation No.: **1349**
Dongki PAIK and Hyunha KIM	Group Art Unit: **To Be Assigned**
Serial No.: **13/049,776**	Examiner: **To Be Assigned**
Filed: **March 16, 2011**	Customer No.: **34610**

For: **LIGHTING APPARATUS**

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

U.S. Patent and Trademark Office
Customer Service Window
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
Paul H. Kang
Registration No. 66,545

Correspondence Address:
P.O. Box 8638
Reston, VA 20195
703 766-3777 DYK/PHK:tmd
Date: March 29, 2011
Please direct all correspondence to Customer Number 34610
2016-1413\273550

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.
13/049,776	03/16/2011	Dongki Paik	K-1169	1349

34610 7590 04/05/2011

KED & ASSOCIATES, LLP
P.O. Box 8638
Reston, VA 20195

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
04/05/2011	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

KED & ASSOCIATES, LLP
P.O. Box 8638
Reston VA 20195

In re Application of	:	
PAIK et al.	:	DECISION ON PETITION
Application No. 13/049,776	:	TO MAKE SPECIAL UNDER
Filed: March 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. K-1169	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 29, 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 2875 for action in its regular turn.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

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
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13049802	Confirmation Number	1403	Filing Date	2011-03-16
Attorney Docket Number (optional)	RXPT-080505.029	Art Unit		Examiner	
First Named Inventor	Lanny L. Johnson				
Title of Invention	USE OF AUTOLOGOUS SEDIMENT FROM FLUID ASPIRATES AS VEHICLES FOR DRUG DELIVERY				

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
LANNY	L.	JOHNSON	

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) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

● (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	/David J. Dawsey/	Date (YYYY-MM-DD)	2011-09-02
Name	David J. Dawsey	Registration Number	51044

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
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Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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
Lanny L. Johnson

Application No. 13049802

Filed: March 16,2011

Attorney Docket No. LJO-12U2

:
:
: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 02-SEP-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.

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

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

MAILED

AUG 15 2011

OFFICE OF PETITIONS

In re Application of :
Pantelis Elinas et al. : DECISION ON PETITION
Application No. 13/049,822 :
Received: March 16, 2011 :
Attorney Docket No. **6797P007** :

This is a decision on the petition filed May 31, 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 March 16, 2011.

Application papers in the above-identified application were deposited on March 16, 2011. However, on March 28, 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 March 16, 2011, with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, no petition fee is necessary. Therefore, applicants may request a refund of the petition fee by writing to the Office of Finance, Refund Section. A copy of this request should accompany the request.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to March 16, 2011**;
- **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 May 31, 2011, will be determined by the examiner.

Telephone inquiries concerning this matter may be directed to Karen Creasy at (571) 272-3208.

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

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

MAILED

OCT 06 2011

OFFICE OF PETITIONS

In re Application of :
Pantelis Elinas et al :
Application No. 13/049,822 : DECISION ON REQUEST FOR REFUND
Filed: March 16, 2011 :
Attorney Docket No. 6797P007 :

This is a decision on the Request For Refund filed September 30, 2011.

The request is **GRANTED**.

Applicant was notified in the decision mailed on August 15, 2011 that the petition fee submitted with the petition on May 31, 2011, was not necessary and that applicant may request a refund of the petition fee by writing to the Office of Finance, Refund Section.

In view of the above, the petition fee of $400.00 is being credited to applicant's deposit account as it is the method in which the fee was paid. Therefore, as authorized, the $400.00 fee for the petition filed May 31, 2011 has been credited to applicant's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
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.
13/049,894	03/16/2011	Williamson Z. Bradford	30481/30036E	1575

89229 7590 03/30/2011

Marshall, Gerstein & Borun LLP (Intermune)
233 South Wacker Drive
6300 Willis Tower
Chicago, IL 60606

EXAMINER	
MCMILLIAN, KARA RENITA	
ART UNIT	**PAPER NUMBER**
1627	

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):

mgbdocket@marshallip.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

MAR 3 0 2011

Marshall, Gerstein & Borun LLP (Intermune)
233 South Wacker Drive
6300 Willis Tower
Chicago IL 60606

In re Application of:
Bradford, et al.

Serial No.: 13/049,894

Filed: March 16, 2011

Docket No.: **30481/30036E**

Title: **METHODS OF ADMINISTERING PIRFENIDONE THERAPY**

DECISION ON REQUEST FOR CONSIDERATION 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 March 16, 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):
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

Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan

The United States Patent and Trademark Office (USPTO) considers the effects of the earthquake and resulting tsunami in Japan on March 11, 2011, to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146 for affected patent and trademark applicants, patentees, reexamination parties, and trademark owners. Since this catastrophic event occurred outside the United States and did not result in a postal service interruption in the United States Postal Service, the USPTO has no authority to designate a postal service emergency as authorized by 35 U.S.C. 21(a).

For patent applications and reexamination proceedings pending in the USPTO as of March 11, 2011, having one or more inventors, an assignee, or a correspondence address in areas of Japan affected by the earthquake and tsunami, in which a reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding, and for which the statutory or non-statutory time period set for response has not yet expired, the USPTO will, on applicant's request, or a reexamination party's request, withdraw the Office communication and reissue it. The request must be made prior to expiration of the statutory or non-statutory time period set for response and within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956). The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice will be treated as a representation that the need for the reissuance of the Office communication was due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Form PTO/SB/425 will be available in EFS-Web and on the USPTO Web site at http://www.uspto.gov/forms/index.jsp. The use of form PTO/SB/425 is encouraged to facilitate processing of the request.

For patentees who were unable to timely pay a patent maintenance fee due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee and the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment when the patentee files the maintenance fee payment with a petition to accept a delayed maintenance fee under 37 CFR 1.378(c). *See* 37 CFR 1.183.

Patentees who seek to pay a maintenance fee during the six-month grace period following the window to pay the maintenance fee with a request to waive the surcharge in 37 CFR 1.20(h), must mail the payment and request to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or via facsimile to: 571-273-6500.

The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice with the payment of the maintenance fee during the grace period will be treated as a representation that the late payment of the fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(h). This waiver may only be appropriately requested where the original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011, and the delay in paying the fee was due to the effects of the earthquake and tsunami of March 11, 2011.

The USPTO advises patentees who need to file a petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami of March 11, 2011, where the maintenance fee payment was required to have been paid after March 10, 2011, to promptly file a petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/*66* – **Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))** accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)) and either a copy of this notice or form PTO/SB/425. The inclusion of a copy of this notice will be treated as a representation that the delay in payment of the maintenance fee was due to the effects of the earthquake and resulting tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(i). The petition must filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

Patentees are reminded that a petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c). A petition to accept a delayed maintenance fee payment filed later than twenty-four months after the expiration date of the patent must be filed under 37 CFR 1.378(b) and include a showing that the delay in payment was unavoidable. A petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami may be submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

For applicants who file a nonprovisional application on or after March 11, 2011, and prior to April 12, 2011, without an executed oath or declaration or payment of the basic filing fee, search fee, and/or examination fee due to the earthquake and tsunami of March 11, 2011, the USPTO will waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee. Patent applicants seeking waiver of the surcharge must include either form PTO/SB/425 or a copy of this notice, along with the executed oath or declaration or the basic filing fee,

search fee, or examination fee. The inclusion of a copy of this notice will be treated as a representation that the late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.16(f). The reply to the Notice to File Missing Parts requiring the oath or declaration or the filing fees may be submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent-related inquiries concerning this notice may be directed to the Office of Patent Legal Administration at (571) 272-7704 ((571) 272-7703 for reexamination), or by e-mail at PatentPractice@uspto.gov.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, in which a an Office action (final, non-final, or other), a notice of allowance, or other Office notice requiring a response (hereinafter collectively referred to as "Office communication") is outstanding, the USPTO will, upon request, withdraw the Office communication and reissue it. The request must be made prior to the deadline for responding to the Office communication, and indicate that the need for the reissuance of the Office communication is due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via e-mail to TMFeedback@uspto.gov or by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451. If necessary, changes of correspondence address should be provided.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, that were abandoned or cancelled due to inability to timely respond to a trademark-related Office communication due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the petition fee (set by regulation, rather than statute) to revive the abandoned application or cancelled registration. Either a petition by regular mail to the address set forth in the preceding paragraph, or the Trademark Electronic Application System (TEAS) "Request for Reinstatement" form should be used, and must include a verified statement that the failure to respond to the Office communication was due to the effects of the earthquake and resulting tsunami.

Trademark-related inquiries concerning this notice may be directed to the Trademark Office of Petitions by telephone at (571) 272-8950, by facsimile at (571) 273-8950, or by e-mail at TMFeedback@uspto.gov.

The USPTO cannot grant waivers or extensions of dates or requirements set by statute. For example, the following patent-related time periods cannot be extended by the Director: (1) the period set forth in 35 U.S.C. 119(a)-(d) to file a nonprovisional patent application claiming the benefit of a prior-filed foreign application; (2) the twelve-month time period set forth in 35 U.S.C. 119(e) during which a nonprovisional application claiming the benefit of a prior filed provisional application must be filed in order to

obtain benefit of the provisional application's filing date; (3) the copendency requirement of 35 U.S.C. 120 between a parent application which issues as a patent and a later filed child application, which requires that the child application be filed prior to issuance of the parent application; (4) the three-month time period to pay the issue fee set forth in 35 U.S.C. 151; (5) the 35 U.S.C. 304 two-month time period from the date of patentee service, for a requester to file, in an *ex parte* reexamination, a reply to a statement filed by the patentee; and (6) the 35 U.S.C. 314(b)(2) thirty-day time period from the date of service, for a requester to file, in an *inter partes* reexamination, written comments addressing issues raised by an Office action or the patentee's response to the action. The following statutory trademark-related time periods cannot be extended and statutory fees cannot be waived by the Director: (1) the 36-month period set forth in 15 U.S.C. 1051(d) within which a statement of use must be filed and the associated fee(s); (2) the periods set forth in 15 U.S.C. 1058, 1141(k) for filing affidavits of continued use or excusable nonuse and the associated fee(s); (3) the period set forth in 15 U.S.C. 1059 for filing a renewal and the associated fee(s); and (4) the periods set forth in 15 U.S.C. 1063 and 1064 for filing an opposition or cancellation proceeding at the Trademark Trial and Appeal Board.

Date: 3/17/11

David J. Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

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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DITTHAVONG MORI & STEINER, P.C.
918 PRINCE STREET
ALEXANDRIA VA 22314

MAILED

MAY 18 2011

OFFICE OF PETITIONS

In re Application of :
Maruyama et al. :
Application No. 13/049,916 : DECISION ON PETITION
Filed: March 17, 2011 :
Attorney Docket No. P5203US00 :

This is a decision on the request filed May 13, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 17, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [x] basic filing fee, [x] search fee and/or [x] examination fee

The relevant item(s) was/were filed on May 13, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

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.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan

The United States Patent and Trademark Office (USPTO) considers the effects of the earthquake and resulting tsunami in Japan on March 11, 2011, to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146 for affected patent and trademark applicants, patentees, reexamination parties, and trademark owners. Since this catastrophic event occurred outside the United States and did not result in a postal service interruption in the United States Postal Service, the USPTO has no authority to designate a postal service emergency as authorized by 35 U.S.C. 21(a).

For patent applications and reexamination proceedings pending in the USPTO as of March 11, 2011, having one or more inventors, an assignee, or a correspondence address in areas of Japan affected by the earthquake and tsunami, in which a reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding, and for which the statutory or non-statutory time period set for response has not yet expired, the USPTO will, on applicant's request, or a reexamination party's request, withdraw the Office communication and reissue it. The request must be made prior to expiration of the statutory or non-statutory time period set for response and within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956). The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice will be treated as a representation that the need for the reissuance of the Office communication was due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Form PTO/SB/425 will be available in EFS-Web and on the USPTO Web site at http://www.uspto.gov/forms/index.jsp. The use of form PTO/SB/425 is encouraged to facilitate processing of the request.

For patentees who were unable to timely pay a patent maintenance fee due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee and the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment when the patentee files the maintenance fee payment with a petition to accept a delayed maintenance fee under 37 CFR 1.378(c). *See* 37 CFR 1.183.

Patentees who seek to pay a maintenance fee during the six-month grace period following the window to pay the maintenance fee with a request to waive the surcharge in 37 CFR 1.20(h), must mail the payment and request to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or via facsimile to: 571-273-6500.

The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice with the payment of the maintenance fee during the grace period will be treated as a representation that the late payment of the fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(h). This waiver may only be appropriately requested where the original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011, and the delay in paying the fee was due to the effects of the earthquake and tsunami of March 11, 2011.

The USPTO advises patentees who need to file a petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami of March 11, 2011, where the maintenance fee payment was required to have been paid after March 10, 2011, to promptly file a petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/*66* – **Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))** accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)) and either a copy of this notice or form PTO/SB/425. The inclusion of a copy of this notice will be treated as a representation that the delay in payment of the maintenance fee was due to the effects of the earthquake and resulting tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(i). The petition must filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

Patentees are reminded that a petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c). A petition to accept a delayed maintenance fee payment filed later than twenty-four months after the expiration date of the patent must be filed under 37 CFR 1.378(b) and include a showing that the delay in payment was unavoidable. A petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami may be submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

For applicants who file a nonprovisional application on or after March 11, 2011, and prior to April 12, 2011, without an executed oath or declaration or payment of the basic filing fee, search fee, and/or examination fee due to the earthquake and tsunami of March 11, 2011, the USPTO will waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee. Patent applicants seeking waiver of the surcharge must include either form PTO/SB/425 or a copy of this notice, along with the executed oath or declaration or the basic filing fee,

search fee, or examination fee. The inclusion of a copy of this notice will be treated as a representation that the late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.16(f). The reply to the Notice to File Missing Parts requiring the oath or declaration or the filing fees may be submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent-related inquiries concerning this notice may be directed to the Office of Patent Legal Administration at (571) 272-7704 ((571) 272-7703 for reexamination), or by e-mail at PatentPractice@uspto.gov.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, in which a an Office action (final, non-final, or other), a notice of allowance, or other Office notice requiring a response (hereinafter collectively referred to as "Office communication") is outstanding, the USPTO will, upon request, withdraw the Office communication and reissue it. The request must be made prior to the deadline for responding to the Office communication, and indicate that the need for the reissuance of the Office communication is due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via e-mail to TMFeedback@uspto.gov or by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451. If necessary, changes of correspondence address should be provided.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, that were abandoned or cancelled due to inability to timely respond to a trademark-related Office communication due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the petition fee (set by regulation, rather than statute) to revive the abandoned application or cancelled registration. Either a petition by regular mail to the address set forth in the preceding paragraph, or the Trademark Electronic Application System (TEAS) "Request for Reinstatement" form should be used, and must include a verified statement that the failure to respond to the Office communication was due to the effects of the earthquake and resulting tsunami.

Trademark-related inquiries concerning this notice may be directed to the Trademark Office of Petitions by telephone at (571) 272-8950, by facsimile at (571) 273-8950, or by e-mail at TMFeedback@uspto.gov.

The USPTO cannot grant waivers or extensions of dates or requirements set by statute. For example, the following patent-related time periods cannot be extended by the Director: (1) the period set forth in 35 U.S.C. 119(a)-(d) to file a nonprovisional patent application claiming the benefit of a prior-filed foreign application; (2) the twelve-month time period set forth in 35 U.S.C. 119(e) during which a nonprovisional application claiming the benefit of a prior filed provisional application must be filed in order to

obtain benefit of the provisional application's filing date; (3) the copendency requirement of 35 U.S.C. 120 between a parent application which issues as a patent and a later filed child application, which requires that the child application be filed prior to issuance of the parent application; (4) the three-month time period to pay the issue fee set forth in 35 U.S.C. 151; (5) the 35 U.S.C. 304 two-month time period from the date of patentee service, for a requester to file, in an *ex parte* reexamination, a reply to a statement filed by the patentee; and (6) the 35 U.S.C. 314(b)(2) thirty-day time period from the date of service, for a requester to file, in an *inter partes* reexamination, written comments addressing issues raised by an Office action or the patentee's response to the action. The following statutory trademark-related time periods cannot be extended and statutory fees cannot be waived by the Director: (1) the 36-month period set forth in 15 U.S.C. 1051(d) within which a statement of use must be filed and the associated fee(s); (2) the periods set forth in 15 U.S.C. 1058, 1141(k) for filing affidavits of continued use or excusable nonuse and the associated fee(s); (3) the period set forth in 15 U.S.C. 1059 for filing a renewal and the associated fee(s); and (4) the periods set forth in 15 U.S.C. 1063 and 1064 for filing an opposition or cancellation proceeding at the Trademark Trial and Appeal Board.

Date: 3/17/11

David J. Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

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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DITTHAVONG MORI & STEINER, P.C.
918 PRINCE STREET
ALEXANDRIA VA 22314

MAILED

MAY 18 2011

OFFICE OF PETITIONS

In re Application of	:	
Maruyama et al.	:	
Application No. 13/049,918	:	DECISION ON PETITION
Filed: March 17, 2011	:	
Attorney Docket No. P5204US00	:	

This is a decision on the request filed May 13, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 17, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [x] basic filing fee, [x] search fee and/or [x] examination fee

The relevant item(s) was/were filed on May 13, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

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.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

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 01/31/2015. 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.:	13/050,032	First Named Inventor:	Troy P. Rodecker
Filing Date:	03/17/2011	Attorney Docket No.:	1316C-000110/US
Title of the Invention:	COMPACT COULOMB DAMPER		

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.

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: PCT/US2011/043497

The international filing date of the corresponding PCT application(s) is/are: July 11, 2011

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 March 12, 2012

(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 March 12, 2012

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.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2015. 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 PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/050,032	First Named Inventor:	Troy P. Rodecker

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1-12	1-12	US Claims 1-12 and PCT Claims 1-12 are identical

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

Signature /MJS/	Date March 21, 2012
Name (Print/Typed) Michael J. Schmidt	Registration Number 34,007

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

Commissioner for Patents
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Alexandria, VA 22313-1450
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HOWISON & ARNOTT, L.L.P.
P.O. BOX 741715
DALLAS TX 75374-1715

MAILED

MAY 17 2011

OFFICE OF PETITIONS

In re Application of	:	
DAVIS, et al	:	
Application No. 13/050,221	:	DECISION ON PETITION
Filed: March 17, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. MBDV-29,899	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 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 by the applicant. Accordingly, the above-identified application has been accorded "special" status.

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

All other inquiries concerning this application should be directed to the Office of Data Management at (571) 272-4000.

The application is being referred to the Office of Data Management for further 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

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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In re Application of
Edwina Dee Jeffers

Application No. 13050247

Filed:

Attorney Docket No. 11-28857

:
:
: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 17-MAR-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
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13050247	Confirmation Number	2292	Filing Date	2011-03-17
Attorney Docket Number (optional)	11-28857	Art Unit		Examiner	
First Named Inventor	Edwina Dee Jeffers				
Title of Invention	Cover for Embellishing Footwear				

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
Edwina	Dee	Jeffers	

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) :

(●) (1) I am an inventor in this application and I am 65 years of age, or more.

( ) (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	/edwina dee jeffers/	Date (YYYY-MM-DD)	2011-03-17
Name	Edwina Dee Jeffers		

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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: 800KT-001810US	Application Number (if known): 13/050,442	Filing date: March 17, 2011

First Named Inventor: Stephen E. CRANE

Title: COMPRESSED GAS STORAGE 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:

   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: (1) Statement in Support of Green Tech. Petition; (2) Preliminary Amendment Before First Office Action

Signature /Steve Y. Cho/	Date May 12, 2011
Name (Print/Typed) Steve Y. Cho	Registration Number 44612

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 3 forms are submitted.

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.
13/050,442	03/17/2011	Stephen E. CRANE	800KT-001810US	2674

83274 7590 06/17/2011

AMPACC Law Group, PLLC
6100 219th Street SW, Suite 580
Mountlake Terrace, WA 98043

EXAMINER	
ART UNIT	PAPER NUMBER
3781	

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):

DOCKETING@AMPACC.COM
email@ampacc.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

AMPACC Law Group, PLLC
6100 219th Street SW, Suite 580
Mountlake Terrace WA 98043

In re Application of
CRANE, STEPHEN E.
Application No. 13/050442
Filed: March 17, 2011
Attorney Docket No. 800KT-001810US

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 12, 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.

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. It is not clear how the claimed the metal wired liner for a hollow cylinder 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 and a music wire of claim 23 have nothing to do with green technology.

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 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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

MAILED
FEB 09 2012
OFFICE OF PETITIONS

In re Application of : DECISION ON REQUEST TO
Satoshi YOKOTE et al. : PARTICIPATE IN PPH PROGRAM
Application No. 13/050,553 : AND PETITION TO MAKE SPECIAL
Filed: March 17, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: KATOSH.101AUS :
For: TELEVISION APPARATUS AND ELECTRONIC DEVICE

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 8, 2011 to make the above-identified application special.

The petition and request are **GRANTED**.

A grantable request to participate in the PPH (patent prosecution highway) program and petition to make special require:

(1) the U.S. application is a Paris Convention application which either validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO (Japanese Patent Office) or claims priority to a PCT application that contains no priority claims. Alternatively, it can be a national stage application under the PCT which validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims. It can also be a "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 validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims, or contains no priority claim;

(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 allowability/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 Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

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 Technology Center Art Unit 3748 for action commensurate with this decision.

FOR

David Bucci
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

PRICE HENEVELD COOPER DEWITT & LITTON, LLP
695 KENMOOR, S.E.
P O BOX 2567
GRAND RAPIDS MI 49501

MAILED
JUN 03 2011
OFFICE OF PETITIONS

In re Application of :
Drewes :
Application No. 13/050,569 : ON PETITION
Filing Date: March 17, 2011 :
Attorney Docket No.: MUL001 P331 :

This is a decision on the PETITION, filed May 13, 2011, requesting the application include drawing Figures 1and 2, which were submitted with the present petition. Petitioners have not specified the rule under which relief is sought. The undersigned is treating this petition under 37 CFR 1.57(a)(3) because petitioners base their request for inclusion of Figures 1 and 2 on the presence of a claim under 37 CFR 1.55 for priority of a prior-filed German application .

The petition under 37 CFR 1.57(a)(3) is **dismissed**.

The application was filed on March 17, 2011. However, on April 4, 2011, the Office of Patent Application Processing mailed a Notice of Omitted Items in a Nonprovisional Application ("Notice"), noting that a filing date had been accorded the application; however, Figures 1 and 2 described in the specification appeared to have been omitted from the application. The Notice set a two-month period for reply, with extensions of time available under 37 CFR §1.136(a).

In response to the Notice, applicants timely filed the present petition and request that the application be accorded a filing date of March 17, 2011, including Figures 1 and 2.

Petitioners are advised that a petition is not necessary in this instance to add the omitted figures. 37 CFR 1.57(a) provides a method whereby an applicant may amend an application to include an inadvertently omitted portion of the specification or drawing(s) that is found in a prior-filed application, as long as the application contained a proper claim for benefit to the prior-filed application when the application was filed.

Where a filing date has been accorded an application, a petition is not necessary to add the omitted portion of the specification or drawing(s). If an application is not otherwise entitled to a filing date under § 1.53(b), the amendment must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in § 1.17(f)." 37 CFR 1.57(a)(3)

Since this application has been accorded a filing date, applicants may add the omitted figures by way of amendment under 37 CFR 1.57(a) without a petition. The examiner of record will decide the matter.

In view of the fact that the petition was not necessitated by an error on the part of this Office, the petition fee will not be refunded.

The application will be returned to the Office of Patent Application Processing for further processing as a nonprovisional application with a filing date of March 17, 2011, using the application papers filed on that date.

Telephone inquiries concerning this matter should be directed to Senior Petitions Attorney Shirene Willis Brantley at (571) 272-3230.

Christopher Bottorff
Supervisor
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD FL 33022-2480

MAILED
MAY 05 2011
OFFICE OF PETITIONS

In re Application of :
Staroselsky et al. :
Application No. 13/050,584 : ON PETITION
Filed: March 17, 2011
Attorney Docket No. UCC-9753 :
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 17, 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 two statements (PTO/SB/130 form) by the applicants' attorney that both applicants are 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 571-272-7751. 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 3747 for action on the merits commensurate with this decision.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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www.uspto.gov

ARENT FOX LLP
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036

MAILED

NOV 17 2011

OFFICE OF PETITIONS

In re Application of :
Kaoru Mori :
Application No.: 13/050,633 : ON PETITION
Filed: March 17, 2011 :
Attorney Docket No.: 107337.00163 :

This is a decision on the petition, filed November 16, 2011, 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 October 21, 2011, 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 2117 for further processing of the request for continued examination, filed November 10, 2011, and for consideration of the concurrently filed Information Disclosure Statement (IDS).

/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.*

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: 83164532	Application Number (if known): 13/050,647	Filing date: March 17, 2011
First Named Inventor: Amey Y. Karnik		
Title: ENGINE VACUUM 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: _____

Signature /John D. Russell/	Date May 5, 2011
Name (Print/Typed) John D. Russell	Registration Number 47,048

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.*

[X] *Total of 1 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

Applicants	:	Amey Y. Karnik et al.
Application No.	:	13/050,647
Filed	:	March 17, 2011
Title	:	ENGINE VACUUM SYSTEM
Group Art Unit	:	3753
Confirmation No.	:	3017
Docket No.	:	83164532

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

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the U.S. Patent and Trademark Office electronic filing system (EFS-Web) to the USPTO on:

May 5, 2011	/Angie C. Farr/
Date	Angie C. Farr

STATEMENTS OF SPECIAL STATUS

Applicants respectfully request consideration of the following statement concerning the basis for the special status as well as the following statement pertaining to the materiality standard.

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: (1) the claimed invention materially contributes to the more efficient utilization and conservation of energy resources; and/or (2) the claimed invention materially contributes to greenhouse gas emission reduction; and/or (3) the claimed invention materially enhances the quality of the environment.

II. Statement pertaining to the materiality standard.

As a preliminary matter, Applicants note that the following statement refers explicitly to the elements of independent claim 1, which is the broadest claim in many respects.

Regarding basis (1), Applicants submit that the claimed invention materially contributes to the more efficient utilization and conservation of energy resources by improving fuel economy (*e.g.*, more efficiently utilizing and conserving fossil fuels). Specifically, the claimed invention provides a vacuum system for a vehicle that enables a reduction in combusted fuel. As explained in the Background and Summary of the subject application, engines include devices that may be vacuum operated, such as brake assist systems and turbocharger wastegates. The ability to provide brake assist and to control the vacuum operated wastegate as desired depends on a sufficient amount of vacuum in the vacuum system as well as knowledge of the vacuum level. However, the level of vacuum within the vacuum system may vary depending on vehicle operating conditions. Therefore, it may be difficult to control vacuum operated devices with a desired level of consistency. The claimed invention addresses this issue by placing an electronic vacuum regulation valve in pneumatic communication with a vacuum operated turbocharger wastegate. For example, claim 1 recites:

> A vacuum system, comprising:
> a vacuum pump;
> a brake booster in pneumatic communication with the vacuum pump via a check valve;
> a wastegate valve for a turbocharger in pneumatic communication with the vacuum pump via a vacuum outlet port of an electronic vacuum regulation valve (EVRV);
> a first vacuum sensor; and
> a controller electronically coupled to the first vacuum sensor and the EVRV.

By placing an EVRV in a pneumatic passage (e.g., a conduit or duct) in pneumatic communication with a vacuum operated turbocharger wastegate, it may be possible to operate the turbocharger wastegate in a consistent manner even when the vacuum level in the vacuum system varies. For example, a wastegate controller command can be better controlled such that a vacuum level at the vacuum outlet port of the EVRV reaches desired vacuum level more quickly and consistently.

In this way, vacuum operated turbocharger wastegate control may be improved by allowing the wastegate to approach a desired position at a faster rate. This may improve engine fuel economy by reducing the amount of time boost is produced in excess of

demanded boost. Thus, engine backpressure may be reduced so that engine pumping work is reduced, thereby lowering fuel consumption.

Regarding basis (2), Applicants submit that the claimed invention materially contributes to greenhouse gas emission reduction as follows. CO_2 is a greenhouse gas produced from fossil fuel combustion. As explained above and set forth in claim, the claimed invention reduces fuel consumption, thus reducing CO_2 emissions.

Regarding basis (3), Applicants submit that the claimed invention materially enhances the quality of the environment by reducing vehicle emissions, such as NOx, which negatively impact the quality of the environment. As explain above and set forth in claim 1, the claimed invention may provide for a wastegate position control that follows the wastegate demand position closer than other vacuum operated systems. As a result, internal engine and external engine EGR flow rates may be closer to desired EGR flow rates. As EGR reduces combustion temperature and thus reduces NOx emissions, maintaining desired EGR flow rates may lower NOx emissions, and therefore enhance the quality of the environment.

Please charge any cost incurred in this filing, along with any other costs, to Deposit Account No. 06-1510.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP

/John. D. Russell/
John D. Russell
Registration No. 47,048
Customer No. 36865
Attorney/Agent for Applicants/Assignee
806 S.W. Broadway, Suite 600
Portland, Oregon 97205
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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.
13/050,647	03/17/2011	Amey Y. Karnik	83164532	3017

36865 7590 05/18/2011
ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND, OR 97205

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
05/18/2011	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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ALLEMAN HALL MCCOY RUSSELL &
TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND OR 97205

In re Application of		
KARNIK, AMEY Y. et al	:	DECISION ON PETITION
Application No. 13/050,647	:	TO MAKE SPECIAL UNDER
Filed: March 17, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83164532	:	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 green technologies. This is not convincing. For example, it is not clear how the claimed "adjusting a duty cycle of a signal supplied to an EVRV in response to a vacuum at an EVRV vacuum port and a desired wastegate position" 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 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

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Paper No.

CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

MAILED

JUN 30 2011

OFFICE OF PETITIONS

In re Application of :
Sarasa :
Application No. 13/050,654 :
Filed: March 17, 2011 :
Attorney Docket No. 105090.61194D1 :
Title: ALZHEIMER'S DISEASE :
TREATMENT METHOD :

DECISION ON PETITION
PURSUANT TO
37 C.F.R. § 1.182

This is a decision on the "PETITION UNDER 37 C.F.R. § 1.53(e) TO ACCORD A FILING DATE," filed June 13, 2011, requesting that the above-identified application, including zero pages of drawings, be accorded a filing date of March 17, 2011. This submission is being treated as a petition pursuant to 37 C.F.R. § 1.182.[1]

The petition is **GRANTED.**

Application papers in the above-identified application were deposited on March 17, 2011. However, on April 12, 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 had been deposited without drawings, and that a filing date would be accorded upon the deposit of the same.

In response, Applicant timely filed this petition. Petitioner has acknowledged the omission of drawings, and has set forth that this application incorporates a prior-filed non-provisional application and a prior-filed International application by

1 See MPEP § 201.06(c)(IV)(A), which sets forth, in *pertinent part*: "[I]n 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."

reference. Petitioner has further asserted that drawings are not necessary for an understanding of the application.

It is noted that this application is a division of prior-filed non-provisional application number 10/555,865 as well as a national stage entry of prior-filed PCT application number PCT/ES2004/000194, and the contents of these two applications have been incorporated by reference.

Petitioner's arguments and evidence have been considered. However, it is controlling that 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 37 C.F.R. § 601.01(f), a drawing is not considered essential for a filing date. Thus, the application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have mailed a Notice of Omitted Items and not a Notice of Incomplete Nonprovisional Application. As stated in MPEP § 601.01(g), if an application is entitled to a filing date, the mailing of a Notice of Omitted Items will permit *inter alia*:

> If 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, applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a). The amendment should be submitted in response to the Office action and must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17.

Although it is noted that the specification refers to Figures 1 and 2 on pages 8 and 9, no petition is required.

To the extent the present petition requests a filing date of

March 17, 2011 with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, no petition fee is required, and the petition fee will be refunded to Petitioner's credit card in due course.

The Office of Patent Application Processing (OPAP) will be advised of this decision. Pursuant to this decision, the application will be referred to OPAP for:

- **correction of the filing date to March 17, 2011**;
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing,** and;
- **for issuance of a filing receipt**.

The general phone number for OPAP is 571-272-4000. Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.[2]

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

2 Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
Paul L. Culler

Application No. 13050665

Filed:

Attorney Docket No. 02.010

: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 17-MAR-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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BALLARD SPAHR LLP
SUITE 1000
999 PEACHTREE STREET
ATLANTA GA 30309-3915

MAILED
DEC 06 2011
OFFICE OF PETITIONS

In re Application of
Jefferson Upshaw et al
Application No. 13/050,668
Filed: March 17, 2011
Attorney Docket No. 19038.0004U2

DECISION REFUSING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47(a), filed October 31, 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(a)," 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(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. Applicant lack item (2) set forth above.

As to item (2), the declaration is defective since it is not in compliance with 37 CFR 1.63. Since individual declarations were executed, they must be submitted as individual declarations rather that combined into one declaration. MPEP 201.03 B states,

> An oath or declaration under 37 CFR 1.63 by each actual inventor must be presented. While each inventor need not execute the same oath or declaration, each oath or declaration executed by an inventor must contain a complete listing of all inventors so as to clearly indicate what each inventor believes to be the appropriate inventive entity. Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration.

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 Irvin Dingle at (571) 272-3210.

David Bucci
Petition Examiner
Office of Petitions

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OFFICE OF PETITIONS

BALLARD SPAHR LLP
SUITE 1000
999 PEACHTREE STREET
ATLANTA GA 30309-3915

In re Application of	:	
Jefferson Upshaw et al	:	DECISION GRANTING STATUS
Application No. 13/050,668	:	UNDER 37 CFR 1.47(a)
Filed: March 17, 2011	:	
Attorney Docket No. 19038.0004U2	:	

This is a decision on the petition filed, February 6, 2012, requesting reconsideration of a decision mailed December 5, 2011, which refused to accord 37 CFR 1.47(a) status to the above-identified application.

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventors, Kyle Lewis and Todd Copilevitz, have 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 matter is being referred to the Office of Patent Application Processing.

Telephone inquiries regarding this decision should be directed to Irvin Dingle at (571) 272-3210.

/David Bucci/
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
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MAR 13 2012

OFFICE OF PETITIONS

Kyle Lewis
1749 Colt Drive
Blacksburg, VA 24060

In re Application of
Jefferson Upshaw; Kyle Lewis; Brian M. Locascio; John T. Spear; William Pauls; Todd Copilevitz; Debra Riley Draper; Ian D. Mackellar; Todd Michael Cornelius; Christopher Joakim; Gonzalo Cerezo Mata; Mark McMullen; James Michael Bernardoni
Application No. 13/050,668
Filed: March 17, 2011
For: LOTTERY GAMES AND GAMING PLATFORM

Dear Mr. Lewis:

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 in 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 Irvin Dingle at (571) 272-3210. 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 (571) 272-3150 or 1 (800) 972-6382 (outside the Washington D.C. area).

David Bucci
Petitions Examiner
Office of Petitions

cc: Ballard Spahr LLP
Suite 1000
999 Peachtree Street
Atlanta, GA 30309-3915

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MAILED

MAR 13 2012

OFFICE OF PETITIONS

Todd Copilevitz
1749 Colt Drive
Atlanta, GA 30341

In re Application of
Jefferson Upshaw; Kyle Lewis; Brian M. Locascio; John T. Spear; William Pauls; Todd Copilevitz; Debra Riley Draper; Ian D. Mackellar; Todd Michael Cornelius; Christopher Joakim; Gonzalo Cerezo Mata; Mark McMullen; James Michael Bernardoni
Application No. 13/050,668
Filed: March 17, 2011
For: LOTTERY GAMES AND GAMING PLATFORM

Dear Mr. Copilevitz:

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 in 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 Irvin Dingle at (571) 272-3210. 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 (571) 272-3150 or 1 (800) 972-6382 (outside the Washington D.C. area).

David Bucci
Petitions Examiner
Office of Petitions

cc: Ballard Spahr LLP
Suite 1000
999 Peachtree Street
Atlanta, GA 30309-3915

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Hayes Soloway P.C.
4640 E. Skyline Drive
Tucson AZ 85718

MAILED
JAN 24 2012
OFFICE OF PETITIONS

In re Application of
LEMME et al.
Application No. 13/050,707
Filed: 03/17/2011
Attorney Docket No. VMS 223/003 CIP4 CON

: DECISION DISMISSING PETITION
: UNDER 37 CFR 1.78(a)(3)

This is a decision on the petition under 37 CFR 1.78(a)(3), filed December 29, 2011, to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of prior-filed nonprovisional applications set forth in the concurrently filed amendment.

The petition is **DISMISSED.**

A petition for acceptance of an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of prior-filed nonprovisional applications pursuant to 37 CFR 1.78(a)(3) is applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR 1.78(a)(2)(ii). In addition, the petition under 37 CFR 1.78(a)(3) must be accompanied by:

(1) the reference required by 35 U.S.C. 120 and 37 CFR 1.78(a)(2)(i) of 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)(2)(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.

The petition does not comply with item (1).

The reference to add the prior-filed nonprovisional applications in the first sentence of the specification on page one following the title is not acceptable as drafted because the amendment includes an improper incorporation by reference statement of prior Application Nos. 10/913,932 (now U.S. Patent No. 7,378,058) and 10/744,939. Additionally, applicants included an incorporation reference statement incorporating U.S. Patent Nos. 7,378,058 and 6,945,128 in their entirety, which was also not present on filing Application No. 13/050,707.

Pursuant to MPEP 201.11(III)(F),

> An incorporation by reference statement added after an application's filing date is not effective because no new matter can be added to an application after its filing date (see 35 U.S.C. 132(a)). If an incorporation by reference statement is included in an amendment to the specification to add a benefit claim after the filing date of the application, the amendment would not be proper. When a benefit claim is submitted after the filing of an application, the reference to the prior application cannot include an incorporation by reference statement of the prior application unless an incorporation by reference statement of the prior application was presented upon filing of the application. See Dart Indus. v. Banner, 636 F.2d 684, 207 USPQ 273 (C.A.D.C. 1980).

If reconsideration of this decision is desired, a renewed petition under 37 CFR 1.78(a)(3) and a supplemental Application Data Sheet or an amendment removing the incorporation by reference statement of Application Nos. 10/913,932 and 10/744,939 and U.S. Patent No. 7,378,058 and 6,945,128 is required. No additional petition fee is required. The Office notes that 37 CFR 1.33(b) requires that amendments and other papers, except for written assertions pursuant to 37 CFR 1.27(c)(2)(ii), filed in an application must be signed by an appropriate party. Therefore, a supplemental Application Data Sheet or an amendment submitted after the filing of an application must be signed in accordance with 37 CFR 1.33(b).

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

Correspondence may also be submitted via the Electronic Filing System of the USPTO.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3211.

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

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Hayes Soloway P.C.
4640 E. Skyline Drive
Tucson AZ 85718

MAILED
FEB 27 2012
OFFICE OF PETITIONS

In re Application of	: DECISION DISMISSING PETITION
LEMME et al.	: UNDER 37 CFR 1.78(a)(3)
Application No. 13/050,707	:
Filed: 03/17/2011	:
Attorney Docket No. VMS 223/003 CIP4 CON	:

This is a decision on the renewed petition under 37 CFR 1.78(a)(3), filed February 17, 2012, to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of prior-filed nonprovisional applications set forth in the concurrently filed amendment.

The petition is **DISMISSED.**

A petition for acceptance of an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of prior-filed nonprovisional applications pursuant to 37 CFR 1.78(a)(3) is applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR 1.78(a)(2)(ii). In addition, the petition under 37 CFR 1.78(a)(3) must be accompanied by:

(1) the reference required by 35 U.S.C. 120 and 37 CFR 1.78(a)(2)(i) of 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)(2)(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.

The petition does not comply with item (1).

First, the reference to add the prior-filed nonprovisional applications in the first sentence of the specification on page one following the title is not acceptable as drafted because the amendment still includes an improper incorporation by reference statement of prior Application No. 10/913,932 (now U.S. Patent No. 7,378,058).

Pursuant to MPEP 201.11(III)(F),

> An incorporation by reference statement added after an application's filing date is not effective because no new matter can be added to an application after its filing date (see 35 U.S.C. 132(a)). If an incorporation by reference statement is included in an amendment to the specification to add a benefit claim after the filing date of the application, the amendment would not be proper. When a benefit claim is submitted after the filing of an application, the reference to the prior application cannot include an incorporation by reference statement of the prior application unless an incorporation by reference statement of the prior application was presented upon filing of the application. See Dart Indus. v. Banner, 636 F.2d 684, 207 USPQ 273 (C.A.D.C. 1980).

As stated in the decision mailed January 24, 2012, the incorporation by reference statement of prior Application No. 10/913,932 was not presented upon filing Application No. 13/050,707. Accordingly, applicants cannot now add an incorporation by reference statement of prior Application No. 10/913,932. Therefore, applicants must remove the incorporation by reference statement of Application No. 10/913,932.

Second, the Office notes:

> The reference to the prior applications must identify all of the prior applications and indicate the relationship (i.e., continuation, divisional, or continuation-in-part) between each nonprovisional application in order to establish copendency throughout the entire chain of prior applications. Appropriate references must be made in each intermediate application in the chain of prior applications. If an applicant desires, for example, the following benefit claim: "this application is a continuation of Application No. C, filed ---, which is a continuation of Application No. B, filed ---, which claims the benefit of provisional Application No. A, filed---," then Application No. C must have a reference to Application No. B and provisional Application No. A, and Application No. B must have a reference to provisional Application No. A.

MPEP 201.11(III)(C).

After a further review of the chain of applications to which applicants are seeking a benefit claim, it appears intermediate Applications Nos. 10/913,932, 10/744,939, and 10/060,602 do not contain appropriate references to all of the prior filed applications.

Specifically, Application No. 10/913,932 does not contain a reference indicating that Application No. 10/913,932, filed August 6, 2004, is a continuation-in-part of Application No. 10/744,939, filed December 22, 2003, now U.S. Patent No. 7,378,058, which is a continuation-in-part of Application No. 10/060,602, filed January 30, 2002, now abandoned, which is a continuation-in-part of Application No. 09/896,649, filed June 29, 2001, now U.S. Patent No. 6,945,128.

Additionally, Application No. 10/744,939 does not contain a reference indicating that Application No. 10/060,602, filed January 30, 2002, is a continuation-in-part of Application No. 09/896,649, filed June 29, 2001, which is a continuation of Application No. 09/483,218, filed January 14, 2000, which is a divisional of Application No. 08/995,052, filed December 19, 1997, now U.S. Patent No. 6,045,759, which is a continuation-in-part of Application No. 08/909,335, filed August 11, 1997, now U.S. Patent No. 6,093,574.

Lastly, Application No. 10/060,602 does not contain a reference indicating that Application No. 10/060,602 is a continuation-in-part of Application No. 09/896,649, filed June 29, 2001, now U.S. Patent No. 6,945,128, which is a continuation of Application No. 09/483,218, filed January 14, 2000, now U.S. Patent No. 6,416,713, which is a divisional of Application No. 08/995,052, filed December 19, 1997, now U.S. Patent No. 6,045,759, which is a continuation-in-part of Application No. 08/909,335, filed August 11, 1997, now U.S. Patent No. 6,093,574.

Applicants should review the benefit claim submitted on petition and in the prior filed applications to ensure that appropriate references are made in the first application and in each intermediate application in the chain of prior applications.

Third, as a condition for acceptance of the present petition under 37 CFR 1.78(a)(3), applicants **must (1)** perfect the benefit claim under 35 U.S.C. 120 by filing a petition under 37 CFR 1.78(a)(3) in Application No. 10/913,932, accompanied by the requisite petition fee and an amendment to the specification or a supplemental ADS to include the reference to the prior filed nonprovisional applications; **(2)** perfect the benefit claim under 35 U.S.C. 120 by filing a petition under 37 CFR 1.78(a)(3) in Application No. 10/744,939, accompanied by the requisite petition fee and an amendment to specification to include the reference to the prior filed nonprovisional applications. Additionally, applicants must submit a completed Certificate of Correction form (and $100.00 certificate of correction fee) correcting the reference to the prior-filed nonprovisional applications on both the front page and the first paragraph of the specification of the Letters Patent. The text of the correction, as well as the location of the error in the printed patent should be identified on form PTO/SB/44 by column and line number; **(3)** perfect the benefit claim under 35 U.S.C. 120 by filing a petition under 37 CFR 1.78(a)(3) in Application No. 10/060,602, accompanied by the requisite petition fee and an amendment to the specification or a supplemental ADS to include the reference to the prior filed nonprovisional applications; and **(4)** file a renewed petition under 37 CFR 1.78(a)(3) in Application No. 13/050,707 accompanied by an amendment to the specification or a supplemental ADS removing the improper incorporation by reference statement of prior Application No. 10/913,932.

Applicants must await a decision granting the petitions in Applications Nos. 10/913,932, 10/744,939, and 10/060,602 before filing a renewed petition under 37 CFR 1.78(a)(3) in the present application, No. 13/050,707. If Application No. 13/050,707 issues as a patent prior to a decision on a renewed petition under 37 CFR 1.78(a)(3) filed in this application, applicants must also submit a completed Certificate of Correction form (and $100.00 certificate of correction fee) correcting the reference to the prior-filed nonprovisional applications on both the front page and the first paragraph of the specification of the Letters Patent. The text of the correction, as well as the location of the error in the printed patent should be identified on form PTO/SB/44 by field code, column and line number. No additional petition fee is required for filing a renewed petition in Application No. 13/050,707.

The Office notes that 37 CFR 1.33(b) requires that amendments and other papers, except for written assertions pursuant to 37 CFR 1.27(c)(2)(ii), filed in an application must be signed by an appropriate party. Therefore, an ADS, supplemental ADS, or an amendment submitted after the filing of an application must be signed in accordance with 37 CFR 1.33(b).

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

By mail:
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By hand:
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Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax:
(571) 273-8300
ATTN: Office of Petitions

Correspondence may also be submitted via the Electronic Filing System of the USPTO.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3211.

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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MAR 26 2012
OFFICE OF PETITIONS

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of:
Makoto Yamashita
Application No. 13/050,794
Filed: March 17, 2011
Attorney Docket No. SUTOSH.772AUS

: 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 December 22, 2011, 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 December 22, 2011) sufficiently correspond to the allowable/patentable claims in the JPO application. Petitioner asserts on the Claims Correspondence Table that "US claim 4 sufficiently corresponds to patentable Japanese Claim 1". However, US claim 4 requires "to re-establish the second physical link between the communication module and the external device in order to resume the transfer of the digital

content data", while JP claim 1 requires "to re-establish the second physical link between the communication module and the remote device in order to resume the transfer of the digital content data". The scope of these claims is different. 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

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BOREALIS TECHNICAL LIMITED
23545 NW SKYLINE BLVD
NORTH PLAINS OR 97133-92

MAILED

AUG 30 2011

OFFICE OF PETITIONS

In re Application of	:	
Gilleran et al.	:	
Application No. 13/050838	:	
Filing or 371(c) Date: 03/17/2011	:	DECISION
Attorney Docket Number:	:	ON PETITION
12180.US	:	

This is a decision on the "Petition – Notice to File Missing Parts Payment Submission," filed August 2, 2011, to submit payment that was due to this Office on August 1, 2011. The petition is properly treated under 37 CFR 1.181(a).

The petition is dismissed.

Any further petition 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 [insert the applicable code section]." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

Background

The above-identified application was filed on March 17, 2011, without an oath or declaration. The Office mailed a Notice to File Missing Parts of Nonprovisional Application ("Notice"), on March 31, 2011, requiring a properly signed oath or declaration, replacement drawings, a surcharge for late filing of the oath/declaration.

The present petition

Applicant files the present petition and provides that on August 1, 2011, Applicant attempted to file a response to the Notice, however, when attempting to make a credit card payment of fees due in the amount of $310.00, the fee payment would not go through, and the system indicated that due to a high volume of traffic the payment could not be accepted. Applicant provides further that on August 2, 2011 and was advised that the system was down, and Applicant was informed to file a petition and make the payment rather than wait for a notice indicating that the

payment was still required. Applicant files the present petition to submit the payment that was due on August 1, 2011.

Analysis

Applicant is advised that the Office provides several methods for submission of fees, in addition to credit card submissions. Payments may be transmitted to this Office via facsimile using Credit Card Payment Form PTO-2038, or payments may be made via the United States Postal Service, First Class Mail, pursuant to 37 CFR 1.8.

In this instance, Petitioner chose to file the reply on August 1, 2011 via the Electronic Filing System, and when the Electronic Filing System was unavailable, Petitioner failed to avail himself of any other avenue for filing a complete and proper reply to the Notice, including submission of the fees. As such, the fees filed August 2, 2011, were untimely.

The petition is dismissed.

Petitioner is advised that on August 2, 2011, the reply required a four (4) month extension of time in order to have been considered timely.

The application is being referred to the Office of patent Application Processing to await Petitioner's complete and proper reply to the Notice. Petitioner is reminded that it is his responsibility to file a complete and proper reply to the Notice as the condition of the application requires in order to avoid abandonment of the application. Accord, 37 CFR 1.135(b).

Telephone inquiries concerning *this matter* should be directed to the undersigned at (571) 272-3232. All other inquiries concerning examination procedures or status of the application should be directed to the appropriate Office[1].

/DLW/

Derek L. Woods
Attorney
Office of Petitions

[1] Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See, 37 CFR 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).

UNITED STATES PATENT AND TRADEMARK OFFICE

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SHAY GLENN LLP
2755 CAMPUS DRIVE
SUITE 210
SAN MATEO, CA 94403

MAILED
NOV 09 2011
OFFICE OF PETITIONS

Applicants: Harris, et al.
Appl. No.: 13/050,839
Filing Date: March 17, 2011
Title: SYSTEM AND METHODS FOR ANALYZING SEIZURE ACTIVITY
Attorney Docket No.: 10003-720.404
Pub. No.: US 2011/0166430 A1
Pub. Date: July 7, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on September 1, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains several Office mistakes in the specification.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The errors due to faulty optical character recognition are, in this case, not Office error. The errors are due to the quality of the text, which makes it difficult to electronically reproduce by digital imaging and optical character recognition. See 37 CFR 1.52(a)(1)(v), which states that all papers that are to become a permanent part of Office records must be presented "in a form

[1] Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

having sufficient clarity and contrast between the paper and the writing to permit...electronic capture by use of digital imaging and optical character recognition." As set form at MPEP 1121, "applications with poor quality text, which may be acceptable for scanning and examination purposes, may lead to errors in the patent application publication. Correction of these errors and inclusion of any desired amendments into the text of the originally-filed specification and drawings will only occur if applicant files a request for republication under 37 CFR 1.221.(a). They will not be corrected by the Office in a corrected publication under 37 CFR 1.221(b).

Moreover, the errors are not material since they do not affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

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

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.
13/050,860	03/17/2011	Takao Kamiyama	87961(309204)	3404

90238 7590 05/11/2011
Edwards Angell Palmer & Dodge LLP
P.O. Box 55874
Boston, MA 02205

EXAMINER	
DRODGE, JOSEPH W	

ART UNIT	PAPER NUMBER
1778	

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):

patent@eapdlaw.com

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

MAY 11 2011

CST

In re application of	:	DECISION ON REQUEST TO
Takao Kamiyama	:	PARTICIPATE IN PATENT
Serial No. 13/050,860	:	PROSECUTION HIGHWAY
Filed: March 17, 2011	:	PROGRAM AND
For: ADVANCED WASTEWATER TREATMENT DEVICE HAVING MOVABLE DIVIDERS	:	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, 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 KIPO, note where the KIPO 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 KIPO application with similar claims and the KIPO priority application;

(2) Applicant must submit a copy of:
a. The allowable/patentable claim(s) from the KIPO 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 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); 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 KIPO 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 KIPO application is a first action allowance then no office action from the KIPO 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;
b. An English language translation of the KIPO Office action from (5)(a)(i)-(ii) above if applicable; and
c. A statement that the English translation is accurate; and

(6) Applicant must submit:

a. An IDS listing the documents cited by the KIPO examiner in the KIPO 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 Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

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.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

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www.uspto.gov

Edwards Wildman Palmer LLP
P.O. Box 55874
Boston MA 02205

MAILED

JAN 13 2012

OFFICE OF PETITIONS

In re Patent No. 8,007,665 :
Issue Date: 08/30/2011 :
Application No. 13/050,860 : DECISION ON PETITION
Filed: 03/17/2011 :
Attorney Docket No. 87961(309204) :

This is a decision on the petition under 37 CFR 1.182 filed December 15, 2011.

In the present petition, petitioners are making a petition to receive a ribbon copy of the above-identified patent.

The Office notes that the USPTO issues one original Letters Patent. The Office will create a replacement patent grant upon the filing of a petition under 37 CFR 1.182 (and fee) with a request for a duplicate Letters Patent and a statement that the original Letters Patent was not received from the USPTO or was lost or destroyed. However, duplicate Letters Patent cannot be obtained because patentee desires an additional official Letters Patent.

In the present petition, petitioners did not make a statement that the original Letters Patent was not received from the USPTO or was lost or destroyed. For this reason, the petition under 37 CFR 1.182 is **DISMISSED**.

Any request for reconsideration must be filed within two months from the mail date of this decision. No extensions of this time period are permitted under 37 CFR 1.136. No additional petition fee is required.

A presentation copy of the patent may be purchased through the USPTO Website or by calling Office of Public Records Customer Service Line at 1-800-972-6382 or 571-272-3150.

Further correspondence with respect to this matter should be directed 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

Correspondence may also be submitted electronically via EFS-Web.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3211.

C. T. Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

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Alexandria, VA 22313-1450
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Edwards Wildman Palmer LLP
P.O. Box 55874
Boston MA 02205

MAILED
FEB 03 2012
OFFICE OF PETITIONS

In re Patent No. 8,007,665
Issue Date: 08/30/2011
Application No. 13/050,860
Filed: 03/17/2011
Attorney Docket No. 87961(309204)

DECISION ON PETITION

This is a decision on the renewed petition under 37 CFR 1.182 filed January 25, 2012.

Petitioners request the issuance of duplicate Letters Patent for the above-identified patent because the original Letters Patent was lost. Petitioners previously submitted the requisite $400.00 petition fee.

Accordingly, the petition is GRANTED.

The Office of Data Management is directed to issue a duplicate Letters Patent.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3211. Inquiries regarding the issuance of a duplicate Letters Patent may be directed to Ollie Person or Kimberly Terrell, Office of Data Management at (571) 272-4200.

A copy of this decision is being faxed to the Office of Data Management for issuance of a duplicate Letters Patent.

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

cc: Ollie Person, 2800 S. Randolph Street, Room D-30-A (FAX 571-270-9764)
Kimberly Terrell, 2800 S. Randolph Street, Room D-33 (FAX 571-270-9958)

UNITED STATES PATENT AND TRADEMARK OFFICE

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Thompson Patent Law Offices PC
4205 Lancaster Lane North
Suite 104
Plymouth, MN 55441

MAILED

SEP 26 2011

OFFICE OF PETITIONS

In re Application of	:	
Zdenko Grajcar	:	
Application No. 13/050,910	:	DECISION ON PETITION
Filed: March 17, 2011	:	TO WITHDRAW
Attorney Docket No. 12-33	:	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 September 7, 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 Craige Thompson on behalf of all attorneys of record. All attorneys/agents have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to the first named inventor Zdenko Grajcar at the address indicated below.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

cc: **Zdenko Grajcar**
5455 Highway 169 North
Plymouth, MN 55442

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/050,910	03/17/2011	Zdenko Grajcar	12-33

CONFIRMATION NO. 3516

88145
Thompson Patent Law Offices PC
4205 Lancaster Lane North
Suite 104
Plymouth, MN 55441

POWER OF ATTORNEY NOTICE

OC000000050018557

Date Mailed: 09/23/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/07/2011.

- 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.

/tsjohnson/

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

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LAW OFFICE OF MICHAEL A. BLAKE, LLC
95 HIGH STREET
SUITE 5
MILFORD CT 06460

MAILED

MAY 05 2011

OFFICE OF PETITIONS

In re Application of :

SENATRO, Clement A. :
Application No. 13/051,124 : DECISION ON PETITION
Filed: March 28, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **SENATRO-1** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 21, 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 Clement Senatro attesting to his age. Accordingly, the above-identified application will be 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.

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.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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In re Application of
Thomas L. Bakos

Application No. 13051197

Filed:

Attorney Docket No. BE110310USNP

:
:
: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 18-MAR-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.

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
Thomas L. Bakos

Application No. 13051197

Filed: March 18,2011

Attorney Docket No. BE110310USNP

:
:
: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 01-SEP-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
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13/051,197	Confirmation Number	4048	Filing Date	2011-03-18
Attorney Docket Number (optional)	BE110310USNP	Art Unit	3623	Examiner	Robert D Rines
First Named Inventor	Thomas L. Bakos				
Title of Invention	Risk Assessment Company				

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
Thomas	L	Bakos	

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) :

(●) (1) I am an inventor in this application and I am 65 years of age, or more.

( ) (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	/Thomas L. Bakos/	Date (YYYY-MM-DD)	2011-08-29
Name	Thomas L. Bakos		

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
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Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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: CD10012	Application Number (if known):	Filing date: March 18, 2011
First Named Inventor: Marcus Kramer		
Title: Deadband Control of Pneumatic Control 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: _____

Signature /Kevin O. Grange/	Date March 18, 2011
Name (Print/Typed) Kevin O. Grange	Registration Number 60793

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.

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.

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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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/051,216	03/18/2011	Marcus Kramer	CD10012	4105

60909 7590 04/15/2011

CYPRESS SEMICONDUCTOR CORPORATION
198 CHAMPION COURT
SAN JOSE, CA 95134-1709

EXAMINER	
ART UNIT	PAPER NUMBER
2121	

MAIL DATE	DELIVERY MODE
04/15/2011	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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CYPRESS SEMICONDUCTOR CORPORATION
198 CHAMPION COURT
SAN JOSE CA 95134-1709

In re Application of :
KRAMER, Marcus et al. :
Application No. 13/051,216 :
Filed: March 18, 2011 :
For: **DEADBAND CONTROL OF PNEUMATIC CONTROL DEVICES** :

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

The petition filed March 18, 2011 has been treated as a petition under 37 CFR 1.102 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).

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(s) 4 above for the reasons explained in more detail below.

In the "STATEMENT OF SPECIAL STATUS," petitioner states that "the present application contribute to the more efficient utilization and conservation of energy resources, for example, by improving the energy consumption of existing pneumatic control systems. More specifically, the embodiments described and claimed contribute to the more efficient utilization and conservation of energy resources by improving the energy consumption of existing heating, ventilation, and air conditioning (HVAC) systems, as well as provide new HVAC systems with improved energy consumption compared to existing HVAC systems." These general statements fail to "explain[ ] how the materiality standard is met." Since the "disclosure is not clear on its face that the claimed invention contributes under category (A) or (B)," applicant is required to provide a more detail "[explanation] of how the materiality standard is met." Furthermore, any request for reconsideration will be reviewed pursuant to Section II of the Pilot Program for Green Technologies as set forth in 74 Federal Register Notice 64666, which 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 dies 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."

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

Attorney's Docket No. CD10012 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Marcus Kramer et al.

Application No.: 13/051,216

Filed: March 18, 2011

Art unit: 2121

Examiner: not yet assigned

For: DEADBAND CONTROL OF PNEUMATIC CONTROL DEVICES

Confirmation No.: 4105

E-filed via EFS-Web
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR RECONSIDERATION

Sir:

In response to the Decision on Petition to Make Special under the Green Technology Pilot Program, mailed April 15, 2001, Applicant respectfully submits a petition for reconsideration, as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended Applicants state that special status is sought because the claimed invention materially contributes to at least ii) the more efficient utilization and conservation of energy resources.

Applicants state that special status is sought because the claimed invention materially contributes to at least ii) the more efficient utilization and conservation of energy resources. The following description provides a detailed explanation of how the materiality standard is met for the present application.

HVAC (Heating, Ventilating, and Air Conditioning) represents over 40% of the energy load of a typical office building. Unfortunately, the majority of office buildings in use today

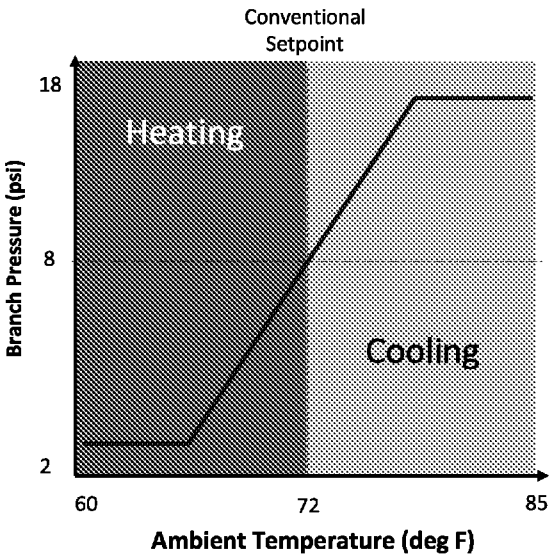
were built over 15 years ago, which means they do not have Direct Digital Controls (DDC) to control the HVAC systems to optimize energy, e.g., night setbacks, occupancy override, continuous commissioning. In fact, approximately 70% of buildings use pneumatic (compressed air) HVAC controls at the zone level that cannot be programmed or controlled remotely and may use only a single setpoint, meaning that energy is always being consumed to drive to the setpoint temperature. Retrofitting these buildings involves opening up walls and ceilings--potentially exposing harmful substances such as asbestos--to replace HVAC actuators and run wires. The initial cost is high (approximately $2,000-$3,000 per thermostat), the disruption to occupants often unacceptable, and the payback period is usually seven years or more. As a result, retrofits have not been very popular. In fact, over 60 billion sq-ft of commercial building space today still use legacy HVAC controls and cannot take advantage of modern energy management strategies.

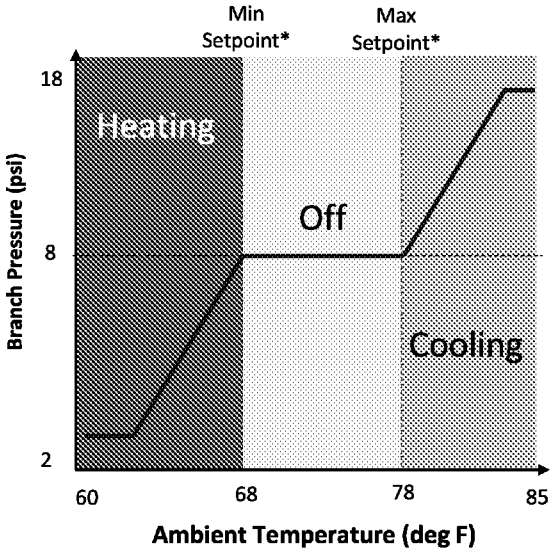
The present application set forth methods and apparatus for controlling a pneumatic controller within a specified deadband using a plurality of setpoints, as well as claims directed to a deadband pneumatic thermostat itself. For example claim 18, recites:

> A deadband pneumatic thermostat, comprising:
>
> a pneumatic regulator section; and
>
> an electromechanical control section mechanically coupled to the pneumatic regulator section, the electromechanical control section comprising a deadband setpoint controller configured to generate a heating setpoint and a cooling setpoint of a deadband of the pneumatic regulator section, track an ambient temperature, and generate a mechanical output to adjust the pneumatic regulator section to maintain a neutral output pressure when the ambient temperature is within the deadband.

The claimed deadband pneumatic thermostat enables two set points, i.e., heating setpoint and cooling setpoint, to be dynamically programmed instead of using a single fixed setpoint. For example, heating could be programmed for 68° and cooling could be programmed for 78°. The system would not consume any energy by calling for heating or cooling when the ambient temperature is between these two setpoints. The thermostat would only call for cooling when the ambient temperature rises above 78°. The thermostat would only call for heating when the ambient temperature falls below 68°. The deadband WPT can be remotely controlled to dynamically adjust these temperatures in order to optimize the tradeoff between tenant comfort and energy savings. Conventional pneumatic single or dual setpoint thermostats only use fixed temperatures, resulting in wasted energy during times when narrow temperature control is not needed. (*See* the figures reproduced below that illustrate the behavior a conventional pneumatic

thermostat with a conventional single setpoint and the claimed pneumatic thermostat having multiple setpoints; *see* also Figure 1C of the present application for an example of a graph of temperature vs. thermostat output).





The claimed deadband pneumatic thermostat has been shown to deliver 10-25% savings in HVAC energy consumption, and even up to 60% of HVAC energy, depending on factors such as local setpoint policies, climate, building type, etc. As seen in the figures above, the deadband pneumatic thermostat turns the HVAC system off within the deadband, as specified by the multiple setpoints, reducing the energy consumed by the HVAC system. The claimed deadband pneumatic thermostat enables automatic enforcement of deadband setpoint policies (which is mandated by many office buildings and University), which cannot be enforced with existing manual, pneumatic thermostats. The claimed deadband pneumatic thermostat can also dynamically control the setpoints (e.g., adjustable deadband minimum and maximum setpoints) (*see*, for example, claim 8) and dynamically calibrate the deadband pneumatic thermostat (*see*, for example, claim 11), which results in further optimizations for energy saving. Automatic self-calibration ensures that the thermostat is always using the optimal amount of energy to achieve the desired temperature, without relying on periodic manual maintenance practices, which are often overlooked by many facilities. For the foregoing reasons, the claimed invention results in actual reduction in HVAC energy.

In addition to dynamic control of the multiple setpoints and dynamic calibration, the claimed invention provides various additional features that contribute to the reduction of consumption of energy, as well as providing convenience to HVAC operators and building

tenants. It should also be noted that deadband energy benefits are in addition to the energy savings achieved with a standard Wireless Pneumatic Thermostat (WPT) product, also developed by Cypress Envirosystems. The claimed deadband pneumatic thermostat (sometimes referred to as WPT-DB) delivers DDC-like functionality at a fraction of the time and cost without the need to change out pneumatic pipes, run wires, replace actuators or disturb tenants. The claimed deadband pneumatic thermostat enables zone-level temperature setpoint policies, night and weekend setbacks, occupancy override, optimal start/stop, and automated continuous commissioning. Applicant submits herewith product briefs of the WPT and WPT-DB products, both developed by Cypress Envirosystems. The claimed deadband pneumatic thermostat may provide other benefits and advantages as set forth in the present application.

Applicant also submits herewith documentation for a case study of the WPT product conducted by Cypress Envirosystems for Santa Clara County of California. The case study demonstrates how the WPT reduces the consumption of energy. Because the claimed deadband pneumatic thermostat provides additional energy-saving features that use multiple setpoints to electronically control the system, the claimed invention achieves even more energy savings than the WPT as shown in the case study.

It should also be noted that a significant number of Leadership in Energy and Environmental Design (LEED) points are awarded for the energy savings delivered by the WPT. LEED promotes sustainable building and development practices through a suite of rating systems that recognizes projects that implement strategies for better environmental performance (*see* http://www.usgbc.org/DisplayPage.aspx?CMSPageID=1988 for more information on LEED). Thus, the WPT-DB product, which uses the energy-saving features as recited in the claims of the present application, would be awarded the same LEED points as the WPT, and possibly even more.

In sum, the statements provided herein demonstrate that the materiality standard has been met for the present application. In particular, the provided statements do not 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 (*see* 74 Federal Register Notice 64666). Rather, the provided statements point to actual reductions achievable by the claimed invention. Furthermore, the provided statements also do not merely describe some minor aspects of the claimed invention that may enhance the quality of the environment (*see Id.*). Rather, the

provided statements describe significant aspects of the claimed invention, such as using multiple setpoints, dynamically adjusting the setpoints, and dynamically calibrating the thermostat, which enhance the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources.

CONCLUSION

This statement accompanies a Petition to Make Special under the Green Technology Pilot Program.

Please charge any additional fees under 37 CFR §§ 1.16, 1.17, 1.18, 1.20 and 1.21 that may be required to maintain pendency of the present application, or apply any credits to our PTO deposit account number: 02-2666.

Respectfully submitted,
LOWENSTEIN SANDLER LLP

Date: May 11, 2011

/Kevin O. Grange/
Kevin O. Grange
Reg. No. 60,793

Customer No. 60909
590 Forest Avenue
Palo Alto, CA 94301
(650) 433-5724

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/051,216	03/18/2011	Marcus Kramer	CD10012	4105

60909 7590 06/03/2011

CYPRESS SEMICONDUCTOR CORPORATION
198 CHAMPION COURT
SAN JOSE, CA 95134-1709

EXAMINER	
DECADY, ALBERT	
ART UNIT	PAPER NUMBER
2121	
MAIL DATE	DELIVERY MODE
06/03/2011	PAPER

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

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CYPRESS SEMICONDUCTOR CORPORATION
198 CHAMPION COURT
SAN JOSE CA 95134-1709

In re Application of :
KRAMER, Marcus et al. :
Application No. 13/051,216 :
Filed: March 18, 2011 :
For: **DEADBAND CONTROL OF PNEUMATIC CONTROL DEVICES** :

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

This is a decision on the renewed petition under 37 CFR 1.102, filed May 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 **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 above for the reasons explained in more detail below.

In the "PETITION FOR RECONSIDERATION," petitioner provides additional explanation of how the materiality standard is met by the claimed invention. Petitioner states:

> "The claimed deadband pneumatic thermostat enables two set points, i.e., heating setpoint and cooling setpoint, to be dynamically programmed instead of using a single fixed setpoint. For example, heating could be programmed for 68° and cooling could be programmed for 78°. The system would not consume any energy by calling for heating or cooling when the ambient temperature is between these two setpoints. The thermostat would only call for cooling when the ambient temperature rises above 78°. The thermostat would only call for heating when the ambient temperature falls below 68°. The deadband WPT can be remotely controlled to dynamically adjust these temperatures in order to optimize the tradeoff between tenant comfort and energy savings. Conventional pneumatic single or dual setpoint thermostats only use fixed temperatures, resulting in wasted energy during times when narrow temperature control is not needed. *(See* the figures reproduced below that illustrate the behavior a conventional pneumatic thermostat with a conventional single setpoint and the claimed pneumatic thermostat having multiple setpoints; *see* also Figure 1C of the present application for an example of a graph of temperature vs. thermostat output)."
>
> "The claimed deadband pneumatic thermostat has been shown to deliver 10-25% savings in HVAC energy consumption, and even up to 60% of HVAC energy, depending on factors such as local setpoint policies, climate, building type, etc. As seen in the figures above, the deadband pneumatic thermostat turns the HVAC system off within the deadband, as specified by the multiple setpoints, reducing the energy consumed by the HVAC system. The claimed deadband pneumatic thermostat enables automatic enforcement of deadband setpoint policies (which is mandated by many office buildings and University), which cannot be enforced with existing manual, pneumatic thermostats. The claimed deadband pneumatic thermostat can also dynamically control the setpoints (e.g., adjustable deadband minimum and maximum setpoints) *(see,* for example, claim 8) and dynamically calibrate the deadband pneumatic thermostat *(see,* for example, claim 11), which results in further optimizations for energy saving. Automatic self-calibration ensures that the thermostat is always using the optimal amount of energy to achieve the desired temperature, without relying on periodic manual maintenance practices, which are often overlooked by many facilities. For the foregoing reasons, the claimed invention results in actual reduction in HVAC energy."

The explanations provided in the renewed petition has been carefully considered, but fail to show that the claimed invention meets the materiality standard to qualify for special status under the Green Technology Pilot Program. The basis for the materiality standard of the claimed invention appears to be centered around the limitation "a plurality of set points for controlling the pneumatic controller within a specified deadband, wherein the plurality of setpoints comprises a heating setpoint and an cooling setpoint." However, this limitation merely describes the inherent function of any HVAC thermostat. That is, heat is provided by the HVAC if the ambient temperature falls below the "heating setpoint," and cooling is provided if the ambient temperature rises above the "cooling setpoint." Additionally, digital or programmable thermostat performs the same functions but allow for more setpoints, including the days of the week and hours of the day. Whether the thermostat is programmable or not, the setpoint is determined by the end user. To this end, Section II of the Pilot Program for Green Technologies as set forth in 74 Federal Register Notice 64666, clearly 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 dies 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 the instant invention since the "plurality of set points for controlling the pneumatic controller" is determined by "a hypothetical end-user [which] could materially enhance the quality of the environment."

For the above reason, the request for reconsideration of petition to make special under the Green Technology Pilot Program is **DENIED**.

The application is being forwarded to the Technology Center Art Unit 2121 for action in its regular turn.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jan W. BAKHUIS	)
Confirmation No.: 4234	)
	)
Serial No.: 13/051,289	)
	)
Filing Date: March 18, 2011	)
	)
Atty Docket No.: 222091-4	)

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: 222091-4	Application Number (if known): 13/051,289	Filing date: March 18, 2011

First Named Inventor: Jan W. BAKHUIS

Title: RETROFIT SLEEVE FOR WIND TURBINE 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 /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.
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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.
13/051,289	03/18/2011	Jan W. Bakhuis	222091-4	4234

7788 7590 05/18/2011

GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY, NY 12345

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
05/18/2011	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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GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY NY 12345

In re Application of	:	
BAKHUIS, JAN W. et al	:	DECISION ON PETITION
Application No. 13/051,289	:	TO MAKE SPECIAL UNDER
Filed: March 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 222091-4	:	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.**

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. It is not clear how the claimed retrofitting a sleeve 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. This application will be forwarded to the Technology Center Art Unit 3741 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: Jan W. Bakhuis	)
Confirmation No.: 4234	)
	)
Serial No.: 13/051,289	)
	)
Filing Date: 03-18-2011	)
	)
Atty Docket No.: 222091-4	)

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 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 turbine blades, and, more particularly, to a retrofit sleeve for a wind turbine blade.

Wind turbines are typically categorized according to the vertical or horizontal axis about which the blades rotate. One so-called horizontal-axis wind generator is schematically illustrated in Figure 1 of the present application and available from General Electric Company. This particular configuration for a wind turbine 2 includes a tower 4 supporting a nacelle 6 enclosing a drive train 8. The blades 10 are arranged on a "spinner" or hub 9 to form a "rotor" at one end of the drive train 8 outside of the nacelle 6. The rotating blades 10 drive a gearbox 12 connected to an electrical generator 14 at the other end of the drive train 8

arranged inside the nacelle 6 along with a control system 16 that may receive input from an anemometer 18. (see at least paragraph [0004]).

The blades 10 generate lift and capture momentum from moving air that is then imparted to the rotor as the blades spin in the "rotor plane." Each blade 10 is typically secured to the hub 9 at its "root" end, and then "spans" radially "outboard" to a free, "tip" end. The front, or "leading edge," of the blade 10 connects the forward-most points of the blade that first contact the air. The rear, or "trailing edge," of the blade 10 is where airflow that has been separated by the leading edge rejoins after passing over the suction and pressure surfaces of the blade. A "chord line" connects the leading and trailing edges of the blade in the direction of the typical airflow across the blade. The length of the chord line is simply the "chord." The thickness of a blade 10 varies across the planform, and the term "thickness" is typically used to describe the maximum distance between the low pressure suction surface and the high pressure surface on the opposite side of the blade for any particular chord line. The shape of the blade 10, when viewed perpendicular to the direction of flow, is called the "planform." (see at least paragraph [0005]).

Embodiments described herein provide a method of manufacturing a retrofit sleeve for a wind turbine blade, comprising: positioning at least a portion of a blade-shaped form in a mold; and applying a curable material to the space between the form and mold. The technology disclosed herein helps to provide improved blade performance for an existing blade with or without substantially modifying the existing blade configuration. For example, the sleeve can easily provide modifications that offer increased power and/or decreased noise for an existing blade. Various features may also be easily added to existing blade designs such as improved nose contours, increased profile thickness, longer and

altered trailing edge configurations, longer and altered tip configurations, and/or added elements such as heating elements for deicing. Existing blade designs and inventories can therefore be inexpensively improved, repaired, and/or modified for new operating environments. (see at least paragraph [0019]).

Thus embodiments of the present invention materially contribute to the development of renewable energy by providing a retrofit sleeve for a wind turbine blade that helps to provide improved blade performance for an existing blade with or without substantially modifying the existing blade configuration. 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 13, 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.
13/051,289	03/18/2011	Jan W. Bakhuis	222091-4	4234

7788 7590 07/01/2011

GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY, NY 12345

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
07/01/2011	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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7/1/11

GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY NY 12345

In re Application of	:	
Bakhuis et al.	:	DECISION ON PETITION
Application No. 13/051,289	:	TO MAKE SPECIAL UNDER
Filed: 3/18/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **222091-4**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/14/2011, 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.
13/051,544	03/18/2011	Richard Casey Hart	H-US-02007 CIP (203-6735C	4736

7590 03/08/2012

Tyco Healthcare Group LP
d/b/a Covidien
555 Long Wharf Drive
Mail Stop 8-N1, Legal Department
New Haven, CT 06511

EXAMINER	
ART UNIT	PAPER NUMBER
1745	
NOTIFICATION DATE	DELIVERY MODE
03/08/2012	ELECTRONIC

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. ☐ 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.

Patent Publication Branch
Office of Data Management

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.
13/051,544	03/18/2011	Richard Casey Hart	H-US-02007 CIP (203-6735C	4736

7590 03/08/2012

Tyco Healthcare Group LP
d/b/a Covidien
555 Long Wharf Drive
Mail Stop 8-N1, Legal Department
New Haven, CT 06511

EXAMINER	
ART UNIT	PAPER NUMBER
1745	
NOTIFICATION DATE	DELIVERY MODE
03/08/2012	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

Atty Docket No. 128255-010122/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Baynes et al.	CONFIRMATION NO.:	Not Yet Assigned
SERIAL NO.:	Not yet Assigned	GROUP NO.:	Not Yet Assigned
FILING DATE:	Herewith	EXAMINER:	Not Yet Assigned
TITLE:	Biological Synthesis of Difunctional Alkanes from Carbohydrate Feedstocks		

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

STATEMENT OF SPECIAL STATUS

The instant application is directed to the biosynthesis of difunctional alkanes and related compounds, from sustainable carbohydrate feedstocks such as, but not limited to, sugar, dextrose, triglycerides, fatty acids and intermediate products from metabolic pathways such as pyruvate, oxoloacetate and ketoglutarate. Difunctional alkanes are chemical intermediates frequently used in the production of useful materials such as plastics and nylons. Traditionally, difunctional alkanes are derived from petroleum in a process that generates toxic by-products that are recognized as hazardous waste pollutants and harmful to the environment. The methods and compositions of the invention can be used in the place of traditional methods of producing difunctional alkanes, thereby avoiding the use of petroleum and the generation of such by-products. Accordingly, Applicants submit that the invention claimed in the instant application materially enhances the quality of the environment by contributing to the maintenance of basic life-sustaining natural elements such as air, water and/or soil by avoiding the generation of hazardous waste pollutants in the form of petroleum-derived by-products in the production of difunctional alkanes. Should the Examiner have questions, the undersigned may be contacted at (617) 310-6075.

Respectfully submitted,

Date: March 18, 2011

/Jennifer A. Camacho, Reg. No. 43,526/

Jennifer A. Camacho, Reg. No. 43,526
Attorney for the Applicant(s)
Greenberg Traurig, LLP
One International Place
Boston, MA 02110

Tel. No.: (617) 310-6000
Fax No.: (617) 310-6001
Email: Bosipmail@gtlaw.com

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 128255-010122/CON	Application Number (if known): Not Yet Assigned	Filing date: Herewith
First Named Inventor: Baynes, Brian M.		
Title: Biological Synthesis of Difunctional Alkanes from Carbohydrate Feedstocks		

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 /Jennifer A. Camacho, Reg. No. 43,526/	Date March 18, 2011
Name (Print/Typed) Jennifer A. Camacho	Registration Number 43,526

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.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/051,581	03/18/2011	Brian M. Baynes	128255-010122/CON	4808

35893 7590 04/11/2011

GREENBERG TRAURIG, LLP
ONE INTERNATIONAL PLACE, 20th FL
ATTN: PATENT ADMINISTRATOR
BOSTON, MA 02110

EXAMINER	
ART UNIT	PAPER NUMBER
1652	

NOTIFICATION DATE	DELIVERY MODE
04/11/2011	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):

BosIpMail@gtlaw.com
cadanoc@gtlaw.com

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APR 1 1 2011

GREENBERG TRAURIG, LLP
ONE INTERNATIONAL PLACE, 20th FL
ATTN: PATENT ADMINISTRATOR
BOSTON MA 02110

In re Application of	:	
BAYNES, Brian *et al.*	:	DECISION ON PETITION
Application No. 13/051581	:	TO MAKE SPECIAL UNDER
Filed: March 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 128255-010122/CON	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 18, 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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1652 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)
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 075588-0145	Application Number (if known): 13/051,596	Filing date: March 18, 2011

First Named Inventor: Chad N. SANDERS, et al.

Title: WHITE LIGHT LAMP USING SEMICONDUCTOR LIGHT EMITTER(S) AND REMOTELY DEPLOYED PHOSPHOR(S)

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: (1) Statement of special status for eligibility and (2) request for early publication

Signature	Date March 24, 2011
Name (Print/Typed) Brian K. Seidleck	Registration Number 51,321

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.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/051,596	03/18/2011	Chad N. SANDERS	075588-0145	4836

20277 7590 05/04/2011

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
05/04/2011	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

In re Application of	:	
SANDERS et al.	:	DECISION ON PETITION
Application No. 13/051,596	:	TO MAKE SPECIAL UNDER
Filed: March 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 075588-0145	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 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 2875 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 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: 075588-0143	Application Number (if known): 13/051,628	Filing date: March 18, 2011

First Named Inventor: J. Michael PHIPPS, et al.

Title: SEMICONDUCTOR LAMP WITH THERMAL HANDLING 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: (1) Statement of special status for eligibility and (2) request for early publication

Signature	Date March 24, 2011
Name (Print/Typed) Brian K. Seidleck	Registration Number 51,321

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
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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.
13/051,628	03/18/2011	J. Michael PHIPPS	075588-0143	4895

20277 7590 04/21/2011
MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON DC 20005-3096

In re Application of	:	
PHIPPS et al.	:	DECISION ON PETITION
Application No. 13/051,628	:	TO MAKE SPECIAL UNDER
Filed: March 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 075588-0143	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 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 2821 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
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Paper No.

PURDUE PHARMA, LP
201 TRESSER BOULEVARD
ONE STAMFORD FORUM
STAMFORD CT 06901

MAILED
JAN 04 2012
OFFICE OF PETITIONS

In re Application of :
Sun et al. : DECISION ON PETITION
Application No. 13/051,629 :
Filed: March 18, 2011 :
Attorney Docket No. :
PT 1042 US DIV 3 :

This is a decision on the PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) filed December 21, 2011.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply to the Notice to File Missing Parts of Application mailed April 1, 2011. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. No reply having been received, the above-identified application became abandoned on June 2, 2011. A courtesy Notice of Abandonment was mailed on December 12, 2011.

Petitioner has satisfied the requirements of 37 CFR 1.137(b). The petition included the required reply in the form of an executed declaration and late surcharge; the petition fee; and the required statement of unintentional delay.

The application is being forwarded to the Office of Patent Application Processing for completion of pre-examination processing, including processing of the responses submitted on petition filed December 21, 2011.

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3219.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

PTO/SB/20JP (02-12)
Approved for use through 01/31/2015. 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 PROSECUTION HIGHWAY (PPH) PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/051640	First Named Inventor:	Tomoyuki Maeda
Filing Date:	March 18, 2011	Attorney Docket No.:	SUTOSH.785AUS
Title of the Invention:	MAGNETIC RECORDING MEDIUM, METHOD OF MANUFACTURING THE SAME, AND MAGNETIC RECORDING/REPRODUCTION APPARATUS		

THIS REQUEST FOR PARTICIPATION IN THE PPH 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.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PROGRAM.

The above-identified application and the corresponding JP application(s) have the same priority/filing date. If JPO is not the office of first filing (OFF), identify the OFF and the OFF application no.

The JP application number(s) is/are: JP 2010-079075

The filing date of the JP application(s) is/are: March 30, 2010

I. List of Required Documents:

a. **A copy of the latest JP office action prior to the "Decision to Grant a Patent" in the above-identified JP application(s) along with an English translation (if the office action is not in the English language)**

☑ is attached.

☐ is not attached because applicant hereby requests the USPTO to obtain the required office action and any required translation thereof via the Dossier Access System.

☐ is not attached because the JP application was allowed in a first office action.

Notes:

- It is not necessary to submit a copy of the "Decision to Grant a Patent" and an English translation thereof.
- The English translation of the office action may be a machine translation.
- An accuracy statement for the English language translation of the office action is not required.

b. **(1) An information disclosure statement listing the documents cited in the JP office action**

☑ 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 _____ .

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.

PTO/SB/20EP (02-12)
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REQUEST FOR PARTICIPATION IN THE PPH PROGRAM BETWEEN JPO AND THE USPTO
(continued)

Application No.:	13/051640	First Named Inventor:	Tomoyuki Maeda

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JP Application	Explanation regarding the correspondence
1	1	US Claim 1 sufficiently corresponds to JP allowed Claim 1
2	2	US Claim 2 sufficiently corresponds to JP allowed Claim 2
3	3	US Claim 3 sufficiently corresponds to JP allowed Claim 3
4	4	US Claim 4 sufficiently corresponds to JP allowed Claim 4
6	5	US Claim 6 sufficiently corresponds to JP allowed Claim 5
9	6	US Claim 9 sufficiently corresponds to JP allowed Claim 6
10	7	US Claim 10 sufficiently corresponds to JP allowed Claim 7
11	8	US Claim 11 sufficiently corresponds to JP allowed Claim 8
12	9	US Claim 12 sufficiently corresponds to JP allowed Claim 9
13	10	US Claim 13 sufficiently corresponds to JP allowed Claim 10
14	11	US Claim 14 sufficiently corresponds to JP allowed Claim 11
15	12	US Claim 15 sufficiently corresponds to JP allowed Claim 12
16	13	US Claim 16 sufficiently corresponds to JP allowed Claim 13

III. All the claims in the US application sufficiently correspond to the patentable/allowable claims in the JP application.

Signature /Eric Fong/	Date 2012-04-17
Name (Print/Typed) Eric Fong	Registration Number 66886

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 (05-10)
Approved for use through 05/31/2010. 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: 075588-0144	Application Number (if known): 13/051,662	Filing date: March 18, 2011

First Named Inventor: Chad N. SANDERS, et al.

Title: SEMICONDUCTOR LAMP

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: (1) Statement of special status for eligibility and (2) request for early publication

Signature	Date March 24, 2011
Name (Print/Typed) Brian K. Seidleck	Registration Number 51,321

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.**

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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
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/051,662	03/18/2011	Chad N. Sanders	075588-0144	4948

20277 7590 04/21/2011

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON DC 20005-3096

In re Application of	:	
SANDERS et al.	:	DECISION ON PETITION
Application No. 13/051,662	:	TO MAKE SPECIAL UNDER
Filed: March 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 075588-0144	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 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 2875for action on the merits commensurate with this decision.

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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WARNER NORCROSS & JUDD LLP
INTELLECTUAL PROPERTY GROUP
900 FIFTH THIRD CENTER
111 LYON STREET, N.W.
GRAND RAPIDS MI 49503-2487

MAILED

MAY 10 2011

OFFICE OF PETITIONS

In re Application of :
PRYOR, Timothy R. :
Application No. 13/051,698 :
Filed: March 18, 2011 :
Attorney Docket No. **135873.143608-US** :

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 attesting that Timothy R. Pryor 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 2624 for action on the merits commensurate with this decision.

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-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/051,699	Filing date:	03/18/2011
First Named Inventor:	David Muller		
Title of the Invention:	Systems And Methods For Applying And Monitoring Eye Therapy		

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

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/US2011/029033

The international date of the corresponding PCT application(s) is/are:

March 18, 2011

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.**

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.

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/051,699
First Named Inventor:	David Muller

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
1-18	1-18	Identical
38-46	38-46	Identical
52-54	52-54	Identical
59-66	59-66	Identical
71-72	71-72	Identical
		US cl. 58 includes the identical subject matter of PCT cl.s 58 & 55. Thus, US cl. 58 is narrower than PCT cl. 58.

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

Signature /Jason S. Kray, Reg. No. 66,926/	Date 12/20/11
Name (Print/Typed) Jason S. Kray	Registration Number 66,926

REQUIRED DOCUMENT I(A)

The following document(s) include(s) a copy of the latest international work product in the corresponding PCT application

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
YAO JOEY C.

NIXON PEABODY LLP 300 S. RIVERSIDE PLAZA 16TH FLOOR CHICAGO IL 60606 USA

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing *(day/month/year)*	**30 NOVEMBER 2011 (30.11.2011)**
Applicant's or agent's file reference 045439-078WO	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2011/029033	**18 MARCH 2011 (18.03.2011)**	19 MARCH 2010 (19.03.2010)

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

A61F 9/00(2006.01)i, A61B 3/10(2006.01)i, A61N 5/06(2006.01)i, A61M 35/00(2006.01)i, A61B 3/107(2006.01)i

Applicant

AVEDRO, INC. et al

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

- [x] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [x] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [x] 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
- [ ] 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.

Name and mailing address of the ISA/KR	Date of completion of this opinion	Authorized officer
Korean Intellectual Property Office Government Complex-Daejeon, 189 Cheongsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	28 NOVEMBER 2011 (28.11.2011)	HAN, SANG SOO Telephone No.82-42-481-8648

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2011/029033

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 43*bis*.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 additioanl 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/US2011/029033

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 19-37,47-51,55-58,67-70

because:

☒ the said international application, or the said claims Nos. 19-37,47-51,55-58,67-70 relate to the following subject matter which does not require an international search *(specify)*:

The subject matter of claims 19-37,47-51,55-58,67-70 relates to a method for treatment of the human by therapy, as well as diagnostic methods [Rule 43bis.1(b), Rule 67.1(iv)].

☐ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. _____ are so unclear that no meaningful opinion could be formed *(specify)*:

☐ the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*:

☒ no international search report has been established for said claims Nos. 19-37,47-51,55-58,67-70

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Istructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Istructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).

☐ See Supplemental Box for further details.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2011/029033

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	1-18,38-46,52-54,59-66,71-72	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-18,38-46,52-54,59-66,71-72	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-18,38-46,52-54,59-66,71-72	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 6520958 B1 (SHIMMICK et al.) 18 February 2003
D2: US 2009-0275929 A1 (ZICKLER) 05 November 2009
D3: US 2002-0013577 A1 (FREY et al.) 31 January 2002
D4: US 05891131 A (RAJAN et al.) 06 April 1999

2-1. Novelty and Inventive Step

2-1.1 Claims 1-18
Claim 1 is related to a system comprising a feedback system, a controller, and a crosslinking activation system for initiating crosslinking in the corneal tissue according to one or more control signals generated by the controller. D1 reveals systems, methods and an apparatus for generating images of portions of the patient's eye, such as the anterior surface of the cornea. Although D1-D4 and the present invention are in the same technical field, D1-D4 do not refer to the structure comprising the crosslinking activation system for initiating crosslinking in the corneal tissue according to one or more control signals. Claims 2-18 are dependent on claim 1. Therefore, claims 1-18 meet the requirements of PCT Article 33(2) and (3).

2-1.2 Claims 38-46
Claim 38 is related to a system comprising a light source, a mirror array adapted to direct the light toward the eye according to a pixelated intensity pattern, and a controller. Although D1-D4 and the present invention are in the same technical field, D1-D4 do not refer to the structure comprising the mirror array adapted to direct the light toward the eye according to a pixelated intensity pattern. Claims 39-46 are dependent on claim 38. Therefore, claims 38-46 meet the requirements of PCT Article 33(2) and (3).

2-1.3 Claims 52-54
Claim 52 is related to a system comprising a light source, a mask adapted to selectively allow the light to be transmitted. Although D1-D4 and the present invention are in the same technical field, D1-D4 do not refer to the structure comprising the mask adapted to selectively allow the light to be transmitted. Claims 53-54 are dependent on claim 52. Therefore, claims 52-54 meet the requirements of PCT Article 33(2) and (3).

-Continued on Supplemental Box-

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of :

Box V

2-1.4 Claims 59-66
Claim 59 is related to a system comprising (a)an interferometer comprising a light source, a corneal imaging lense, a reference surface, beam splitters, a plarizing filter, and a camera, (b)a controller determining a phase offset, an optical path length, and s surface profile of the optical path length. Although D1-D4 and the present invention are in the same technical field, D1-D4 do not refer to the structure comprising the interferometer comprising a light source, a corneal imaging lense, a reference surface, beam splitters, a plarizing filter, and a camera. Claims 60-66 are dependent on claim 59. Therefore, claims 59-66 meet the requirements of PCT Article 33(2) and (3).

2-1.5 Claims 71-72
Claim 71 is related to a system comprising an applicator, a light source, a targeting system, a mirror array adapted to direct the light toward the eye according to a pixelated intensity pattern, an interferometer, a head restraint device, and a controller. Although D1-D4 and the present invention are in the same technical field, D1-D4 do not refer to the structure comprising the an interferometer comprising the mirror array adapted to direct the light toward the eye according to a pixelated intensity pattern. Claim 72 is dependent on claim 71. Therefore, claims 71-72 meet the requirements of PCT Article 33(2) and (3).

2-2. INDUSTRIAL APPLICABILITY

There is no reason for forming a negative opinion about the industrial applicability of this invention. Therefore, the subject-matter of claims 1-18,38-46,52-54,59-66,71-72 meets the requirement of PCT Article 33(4).

REQUIRED DOCUMENT I(B)

The following document(s) include(s) a copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application

WHAT IS CLAIMED IS:

1. A system for controlling activation of a cross-linking agent applied to an eye, comprising:

a feedback system for providing feedback information indicative of a biomechanical strength of corneal tissue of the eye;

a controller for receiving the feedback information and automatically determining an indication of an amount of cross-linking in the corneal tissue based on the received feedback information; and

a cross-linking activation system for initiating cross-linking in the corneal tissue according to one or more control signals generated by the controller, the one or more control signals generated according to a function including the determined indication of the amount of cross-linking in the corneal tissue.

2. The system of claim 1, wherein the feedback system comprises an interferometer adapted to interfere a beam of light reflected from a surface of the eye with a reference beam of light reflected from a reference surface, the interfered with beams of light passing through a polarizing filter and creating an intensity pattern detected by a camera associated with the feedback system, and wherein the feedback information comprises an output from the associated camera.

3. The system of claim 2, wherein the polarizing filter includes a pixelated polarizing filter for simultaneously capturing, via the associated camera, intensity patterns associated with four polarization states.

4. The system of claim 2, wherein the associated camera is adapted to capture one or more intensity patterns indicative of a plurality of polarized interference patterns in an exposure having a duration less than one millisecond.

5. The system of claim 2, wherein the feedback system further comprises a distance measurement system for monitoring a distance between the eye and the interferometer and providing an indication of the monitored distance to the controller.

6. The system of claim 3, wherein the associated camera is adapted to detect a plurality of intensity patterns and wherein the controller is further adapted to:

receive the plurality of detected intensity patterns,

determine a plurality of surface profiles of the surface of the eye associated with the plurality of detected intensity patterns based on the plurality of detected intensity patterns and based on the monitored distance, and

determine an amount of dynamic deformation of the surface of the eye based on the determined plurality of surface profiles.

7. The system of claim 3, wherein the associated camera is adapted to detect a plurality of intensity patterns and wherein the controller is further adapted to:

receive the plurality of detected intensity patterns,

determine a plurality of surface profiles of the surface of the eye associated with the plurality of detected intensity patterns based on the plurality of detected intensity patterns and based on the monitored distance, and

estimate a volume of tear-film associated with the eye based on a difference between a first and second profile of the surface of the eye taken from the plurality of surface profiles of the surface of the eye.

8. The system of claim 1, wherein the feedback system is adapted to direct light emitted by a light source to complete a double-pass of the corneal optics, direct emerging light that emerges from the eye through a polarizing filter, and capture an intensity pattern indicative of a degree of polarization of the emerging light.

9. The system of claim 1, wherein the cross-linking activation system includes:

a light source for emitting light suitable for activating cross-linking in the corneal tissue by exciting the cross-linking agent to produce a reactive singlet oxygen from oxygen content in the corneal tissue; and

corneal optics for conveying the emitted light to the eye according to the one or more control signals.

10. The system of claim 7, wherein the corneal optics are operable to convey the emitted light to the eye according to a non-uniform intensity pattern, and wherein the one or more control signals specify the non-uniform intensity pattern.

11. The system of claim 7, wherein the emitted light is conveyed to the eye via a laser scanning device.

12. The system of claim 7, wherein the emitted light is conveyed to the eye according to a multi-photon technology.

13. The system of claim 1, wherein the feedback system comprises:
one or more lamps emitting narrow slits of light directed toward the eye,
a video camera adapted to monitor the eye, and
a distance measurement system adapted to monitor a distance from the eye to the video camera,
wherein the feedback information comprises an output of the video camera.

14. The system of claim 13, wherein the one or more lamps include:
a first lamp and a second lamp are situated above and below the eye, respectively, and illuminate the eye with light emitted at a downward and an upward angle, respecitvely, and
a third lamp and a fourth lamp are situated on opposing sides of the eye, respectively, and emit light angled toward the eye from the respective opposing sides.

15. The system of claim 13, wherein the video camera is adapted to begin capturing video images of the eye responsive to the eye blinking.

16. The system of claim 1, wherein one or more of the feedback system or the cross-linking activation system includes a head restraint device to rigidly align the eye.

17. The system of claim 16, wherein the head restraint device comprises a bite plate.

18. The system of claim 1, wherein the cross-linking agent is Riboflavin or Rose Bengal and the cross-linking activation system includes an ultraviolet light source.

19. A method of controllably activating a cross-linking agent applied to an eye, comprising:

receiving feedback information comprising electronic signals output from a feedback system adapted to monitor the eye, the feedback information indicative of a biomechanical strength of corneal tissue of the eye;

automatically analyzing the feedback information to determine a dosage of light to be applied to the eye; and

activating the cross-linking agent by conveying light to the eye according to the determined dosage.

20. The method of claim 19, further comprising:

receiving targeting information indicative of an alignment of the eye with respect to the conveyed light; and

automatically adjusting the alignment of the eye with respect to the conveyed light according to the received targeting information.

21. The method of claim 19, wherein the feedback system comprises an interferometer adapted to interfere a beam of light reflected from a surface of the eye with a reference beam of light reflected from a reference surface, the interfered with beams of light passing through a polarizing filter and creating an intensity pattern detected by a camera associated with the feedback system, the feedback system adapted to allow the associated camera to detect a plurality of intensity patterns, and wherein the feedback information comprises the plurality of detected intensity patterns, and wherein the automatically analyzing the feedback information is carried out by:

receiving the plurality of detected intensity patterns,

determining a plurality of surface profiles of the surface of the eye associated with the plurality of detected intensity patterns based on the plurality of detected intensity patterns and based on a distance between the surface of the eye and the interferometer, and

determining an amount of dynamic deformation of the surface of the eye based on the determined plurality of surface profiles, the amount of dynamic deformation related to the dosage of light to be applied to the eye.

22. The method of claim 21, wherein the polarizing filter includes a pixelated polarizing filter for capturing intensity patterns associated with four polarization states, and wherein

intensity patterns associated with four different polarizations states are simultaneously detected by the associated camera.

23. The method of claim 21, further comprising:

capturing, via a photosensitive detector, a specular reflection related to the plurality of intensity patterns detected by the associated camera;

analyzing the specular reflection to determine targeting information associated with the alignment of the eye with respect to the conveyed light;

adjusting the alignment of the eye with respect to the conveyed light according to the determined targeting information.

24. The method of claim 22, wherein targeting information is determined by solving for a centroid position of the captured specular reflection.

25. The method of claim 22, wherein the targeting information is determined by solving for an energy distribution of the captured specular reflection.

26. The method of claim 22, wherein the adjusting the alignment and the receiving the targeting information are carried out in real time to stabilize an initial fringe pattern captured by the associated camera.

27. The method of claim 19, wherein the feedback system is adapted to direct light emitted by a light source to complete a double-pass of the corneal optics, direct emerging light that emerges from the eye through a polarizing filter, and capture an intensity pattern indicative of a degree of polarization of the emerging light, and wherein the feedback information comprises the degree of polarization.

28. The method of claim 19, wherein the receiving feedback information, the automatically analyzing the feedback information, and the activating the cross-linking agent are carried out repeatedly.

29. The method of claim 28, wherein the repeated carrying out of the activating the cross-linking agent is ceased responsive to the biomechanical strength of the cornea indicated by the feedback information attaining a desired value.

30. The method of claim 19, wherein the light is conveyed to the eye via a laser scanning device.

31. The method of claim 19, wherein the light is conveyed to the eye according to a multi-photon technology.

32. The method of claim 19, wherein the cross-linking agent is Riboflavin or Rose Bengal and the light conveyed to the eye is ultraviolet light.

33. A method for activating cross-linking in corneal tissue of an eye, comprising:
applying a cross-linking agent having a first concentration to the eye;
allowing, during a first diffusion time, the cross-linking agent having the first concentration to diffuse within the eye;
activating the cross-linking agent with a photoactivating light applied according to a first dose, the first dose specified by a first power and a first bandwidth;
activating the cross-linking agent with the photoactivating light applied according to a second dose, the second dose specified by a second power and a second bandwidth.

34. The method of claim 33, wherein the second dose is applied responsive to monitoring the corneal tissue with a feedback system to determine an amount of cross-linking of the corneal tissue.

35. The method of claim 33, further comprising:
applying a cross-linking agent having a second concentration to the eye; and
allowing, during a second diffusion time, the cross-linking agent having the second concentration to diffuse within the eye.

36. The method of claim 33, wherein the applying, the allowing, and one or more of the activating the cross-linking agent are carried out repeatedly.

37. The method of claim 33, wherein the first dose or the second dose is applied such that an amount of energy of the photoactivating light is applied to a surface of the eye exceeding 5 J/cm^2.

38. A system for activating a cross-linking agent applied to a cornea of an eye, comprising:

a light source for emitting photoactivating light;

a mirror array having a plurality of mirrors arranged in rows and columns, the plurality of mirrors adapted to selectively direct the photoactivating light toward the eye according to a pixelated intensity pattern having pixels corresponding to the plurality of mirrors in the mirror array, the plurality of mirrors alignable according to one or more control signals; and

a controller for providing the one or more control signals to programmatically align the plurality of mirrors in the array of mirrors such that the pixelated intensity pattern emerges from the mirror array responsive to the photoactivating light scanning across the plurality of mirrors.

39. The system of claim 38, further comprising:

a camera for capturing an image of the eye, wherein the captured image of the eye includes pixels that are mapped to the pixels corresponding to the plurality of mirrors.

40. The system of claim 38, wherein the plurality of mirrors in the mirror array are selectively alignable to reflect light from the light source alternately toward the eye or toward a heat sink for controlling an amount of energy of light applied to a corresponding plurality of locations of the eye.

41. The system of claim 38, wherein an intensity of each pixel in the pixelated intensity pattern is proportionate to an amount of time each corresponding mirror in the mirror array is aligned to direct the photoactivating light toward the eye while the photoactivating light scans across the corresponding mirror.

42. The system of claim 38, further comprising:

an objective lens for focusing the pixelated intensity pattern to a focal plane at least partially within the corneal tissue of the eye.

43. The system of claim 42, further comprising:

a camera for capturing video images of the eye;

a head restraint device for restraining a head associated with the eye; and

a motorized mount adapted to adjust a position of the objective lens according to a targeting signal, the targeting signal generated according to the captured video images.

44. The system of claim 38, wherein the pixelated intensity pattern is non-uniform over the surface of the eye.

45. The system of claim 38, wherein the cross-linking agent is Riboflavin or Rose Bengal and the photoactivating light is an ultraviolet laser light source.

46. The system of claim 38, wherein the light source is an ultraviolet laser light source and the photoactivating light is sufficient for activating cross-linking in the corneal tissue by exciting the cross-linking agent to produce a reactive singlet oxygen from oxygen content in corneal tissue of the eye.

47. A method of activating a cross-linking agent applied to an eye, comprising:

emitting photoactivating light;

directing the photoactivating light to be scanned across a mirror array having a plurality of mirrors arranged in rows and columns, the plurality of mirrors adapted to selectively direct the photoactivating light toward the eye according to a pixelated intensity pattern having pixels corresponding to the plurality of mirrors in the mirror array, the plurality of mirrors alignable according to one or more control signals; and

generating the one or more control signals for programmatically aligning the plurality of mirrors in the mirror array according to the pixelated intensity pattern.

48. The method of claim 47, further comprising:

receiving, from a feedback system, feedback information indicative of an amount of cross-linking in the corneal tissue; and

adjusting the one or more control signals based on the feedback information to thereby modify the pixelated intensity pattern applied to the eye via the mirror array.

49. The method of claim 47, further comprising:

receiving video images of the eye from a video camera, the video images having pixels mapped to the pixels corresponding to the plurality of mirrors.

50. The method of claim 47, further comprising:

conveying the pixelated intensity pattern to the surface of the eye via one or more optical elements;

receiving an image of the eye from a camera;

analyzing the received video images to determine targeting information; and

adjusting an alignment of the eye to the one or more optical elements according to the determined targeting information.

51. The method of claim 47, wherein the photoactivating light activates cross-linking in the corneal tissue by exciting the cross-linking agent to produce a reactive singlet oxygen from oxygen content in corneal tissue of the eye.

52. A system for activating a cross-linking agent applied to an eye, comprising:

a light source for emitting photoactivating light; and

a mask adapted to selectively allow the photoactivating light to be transmitted therethrough, the regions of the mask allowing the photoactivating light to be transmitted defining a pattern of activation of the cross-linking agent.

53. The system of claim 52, wherein the mask comprises a circular lens adapted to be placed on a surface of the eye, the circular lens having a coating applied to at least a portion of the circular lens, the coating substantially blocking the photoactivating light from being transmitted through the circular lens to the eye.

54. The system of claim 52, wherein the photoactivating light has sufficient energy to activate cross-linking in the corneal tissue by exciting the cross-linking agent to produce a reactive singlet oxygen from oxygen content in corneal tissue of the eye.

55. A method of activating a cross-linking agent applied to an eye, comprising:

emitting photoactivating light; and

directing the photoactivating light to pass through a mask adapted to selectively allow the photoactivating light to be transmitted therethrough, the regions of the mask allowing the photoactivating light to be transmitted defining a pattern of activation of the cross-linking agent.

56. The method of claim 55, wherein the mask comprises a circular lens adapted to be placed on a surface of the eye, the circular lens having a coating applied to at least a portion of the circular lens, the coating substantially blocking the photoactivating light from being transmitted through the circular lens to the eye.

57. The method of claim 56, wherein the coating is applied according to a predetermined or prescribed pattern.

58. The method of claim 55, wherein the photoactivating light activates cross-linking in the corneal tissue by exciting the cross-linking agent to produce a reactive singlet oxygen from oxygen content in corneal tissue of the eye.

59. A system for monitoring an eye, comprising:

an interferometer comprising:

a light source for providing a beam of light having a reference polarization state,

a corneal imaging lens for directing a beam of light from the light source toward a surface of the eye and collimating light reflected from the surface of the eye,

a reference surface for providing a reference surface to compare with a surface of the eye,

one or more beam splitters adapted to:

split the beam of light and direct a first portion to be reflected from the surface of the eye, and direct a second portion to be reflected from the reference surface, and

combine the reflected first portion and the reflected second portion to form a superimposed beam,

a polarizing filter, and

a camera for capturing an intensity pattern of the superimposed beam emerging from the polarizing filter; and

a controller for analyzing the intensity pattern by:

determining a phase offset, for a plurality of points in the captured intensity pattern, between the reflected first portion and the reflected second portion based on the captured intensity pattern,

determining an optical path length difference between the reflected first portion and the reflected second portion for the plurality of points from the phase offsets determined for the plurality of points, and

determining a surface profile of the eye by comparing a profile of the reference surface to the optical path length differences determined for the plurality of points.

60. The system of claim 59, wherein the polarizing filter includes a pixelated polarizing filter for simultaneously capturing, via the associated camera, intensity patterns associated with four polarization states.

61. The system of claim 59, further comprising:

a distance measurement system for providing an indication of a distance between the surface of the eye and the interferometer.

62. The system of claim 59, further comprising:

a head restraint device for restraining a position of a head associated with the eye, the head restraint device thereby aligning a position of the eye with respect to the interferometer.

63. The system of claim 59, wherein the camera is adapted to detect a plurality of intensity patterns in sequence, and wherein the controller is further adapted to:

receive the plurality of detected intensity patterns,

determine a plurality of surface profiles of the surface of the eye associated with the plurality of detected intensity patterns, and

determine an amount of dynamic deformation of the surface of the eye based on the determined plurality of surface profiles.

64. The system of claim 59, further comprising a photosensitive detector for capturing a specular reflection of a fringe pattern of the superimposed beam, and wherein the controller is further adapted to:

analyze the captured specular reflection and solve for a centroid position of the captured specular reflection,

determine an amount of adjustment desirable between an alignment of the interferometer and the eye, and

provide alignment control signals to a motorized adjustment device adapted to align the interferometer with the eye in real time.

65. The system of claim 64, further comprising:

a head restraint device for restraining a position of a head associated with the eye, the head restraint device thereby aligning a position of the eye with respect to the interferometer.

66. The system of claim 65, wherein the head restraint device comprises a bite plate.

67. A method of monitoring an eye, comprising:

emitting a beam of light from a light source having a known polarization;

splitting the beam and directing a first portion to be reflected from a surface of the eye, and directing a second portion to be reflected from a reference surface;

interfering the first portion of the beam and second portion of the beam to create a superimposed beam;

directing the superimposed beam through a polarizing filter;

capturing an intensity pattern of the superimposed beam emerging from the polarizing filter;

analyzing the captured intensity pattern to determine a surface profile of the surface of the eye.

68. The system of claim 67, wherein the polarizing filter includes a pixelated polarizing filter for simultaneously capturing, via an associated camera, intensity patterns associated with four polarization states.

69. The method of claim 67, wherein the analyzing the captured intensity pattern includes:

determining a phase offset, for a plurality of points in the captured intensity pattern, between the reflected first portion and the reflected second portion based on the captured intensity pattern;

determining an optical path length difference between the reflected first portion and the reflected second portion for the plurality of points from the phase offsets determined for the plurality of points; and

determining a surface profile of the eye by comparing a profile of the reference surface to the optical path length differences determined for the plurality of points.

70. The method of claim 67, further comprising:

capturing a plurality of sequential intensity patterns;

determining a plurality of surface profiles of the surface of the eye associated with the plurality of detected intensity patterns; and

determining an amount of dynamic deformation of the surface of the eye based on the determined plurality of surface profiles.

71. A system for applying a controlled amount of cross-linking in corneal tissue of an eye, comprising:

an applicator adapted to apply a cross-linking agent to the eye;

a light source for emitting photoactivating light;

a targeting system adapted to create targeting feedback information indicative of a position of a cornea of the eye;

a mirror array having a plurality of mirrors arranged in rows and columns, the plurality of mirrors adapted to selectively direct the photoactivating light toward the eye according to a pixelated intensity pattern having pixels corresponding to the plurality of mirrors in the mirror array;

an interferometer adapted to monitor an amount of cross-linking in the corneal tissue by:

interfering a beam of light reflected from a surface of the eye with a reference beam of light reflected from a reference surface, and

capturing, via an associated camera, a series of images of interference patterns due to optical interference between the beam of light and the reference beam of light, the series of images being indicative of a plurality of profiles of the surface of the eye;

a head restraint device for restraining a position of a head associated with the eye, thereby aligning the eye with respect to the interferometer; and

a controller adapted to:

receive the targeting feedback information,

receive the generated series of intensity patterns,

analyze the generated series of intensity patterns to determine the plurality of profiles of the surface of the eye associated therewith,

determine an amount of cross-linking of the corneal tissue based on a dynamic deformation of the surface of the eye, the dynamic deformation of the eye indicated by the plurality of profiles of the surface of the eye, and

adjust the pixelated intensity pattern according to data comprising at least one of: the targeting feedback information and the determined amount of cross-linking.

72. The system of claim 71, wherein the series of images comprise fringe patterns having fringes, the fringes defining continuous bands of relatively uniform intensity and corresponding to regions of the surface of the eye equidistant from the camera.

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

NIXON PEABODY, LLP
300 S. RIVERSIDE PLAZA, 16TH FLOOR
CHICAGO IL 60606-6613

MAILED
MAR 14 2012
OFFICE OF PETITIONS

In re Application of:
Muller et al.
Application No. 13/051,699
Filed: March 18, 2011
Attorney Docket No. 045439-078USPT

: 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) program and the petition under 37 CFR 1.102(a), filed on December 20, 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, NPI, NBPR, 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 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.

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.

/dab/
David Bucci
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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CURATOLO SIDOTI CO., LPA
24500 CENTER RIDGE ROAD, SUITE 280
CLEVELAND OH 44145

MAILED

SEP 06 2011

OFFICE OF PETITIONS

In re Application of
Bohler, et al.
Application No.: 13/051,728
Filed: March 18, 2011
Attorney Docket No: **COC-0548A**
For : **LIGHTWEIGHT STRUCTURAL FINISH**

: DECISION ACCORDING
: RULE 47(a) STATUS

This is in response to the petition under 37 CFR 1.47(a), filed August 31, 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 March 18, 2011, and was not accompanied by a proper declaration. A Notice to File Missing Parts of Nonprovisional Application was mailed on April 1, 2011 requiring a properly executed declaration and surcharge, along with other requirements. The notice allowed an extendable period for reply of two months from its mailing date. On August 31, 2011, the instant petition was filed, with a request for an extension of time within the third month.

Petitioner has shown that inventors Flynn and Bohler have constructively 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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Markus Bohler
903 Old White Horse Pike
Waterford Works, NJ 08089

MAILED
SEP 06 2011
OFFICE OF PETITIONS

In re Application of :
Bohler, et al. :
Application No.: 13/051,728 : LETTER
Filed: March 18, 2011 :
Attorney Docket No: **COC-0548A** :
For : **LIGHTWEIGHT STRUCTURAL FINISH**

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 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

CURATOLO SIDOTI CO., LPA
24500 CENTER RIDGE ROAD, SUITE 280
CLEVELAND OH 44145

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450

Michael Flynn
269 Thornridge Drive
Levittown, PA 19054

MAILED
SEP 06 2011
OFFICE OF PETITIONS

In re Application of :
Bohler, et al. :
Application No.: 13/051,728 : LETTER
Filed: March 18, 2011 :
Attorney Docket No: **COC-0548A** :
For : **LIGHTWEIGHT STRUCTURAL FINISH**

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 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

CURATOLO SIDOTI CO., LPA
24500 CENTER RIDGE ROAD, SUITE 280
CLEVELAND OH 44145

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: 26139-18460 US	Application Number (if known): 13/051,807	Filing date: March 18, 2011
First Named Inventor: Nikos Basil Reppas		
Title: Methods and Compositions for the Recombinant Biosynthesis of N-Alkanes		

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: Preliminary Amendment (Claims)

Signature /Chris Ullsperger/	Date June 29, 2011
Name (Print/Typed) Chris Ullsperger	Registration Number 48,006

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 ONE 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.

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.

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
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.
13/051,807	03/18/2011	Nikos Basil Reppas	26139-18460	5241

96157 7590 07/27/2011

Joule/Fenwick
Silicon Valley Center
801 California Street
Mountain View, CA 94041

EXAMINER	
SAIDHA, TEKCHAND	
ART UNIT	PAPER NUMBER
1652	

NOTIFICATION DATE	DELIVERY MODE
07/27/2011	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):

ptoc@fenwick.com
cullsperger@fenwick.com
chong@jouleunlimited.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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JUL 27 2011

Joule/Fenwick
Silicon Valley Center
801 California Street
Mountain View CA 94041

In re Application of :

REPPAS, Nikos *et al.*	:	DECISION ON PETITION
Application No. 13/051807	:	TO MAKE SPECIAL UNDER
Filed: March 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 26139-18460	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed June 29, 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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1652 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: 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:	13/051,837	Filing date:	March 18, 2011
First Named Inventor:	Peter Ciurea		
Title of the Invention:	Camera as a Vehicle to Identify a Merchant Access 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

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/US2011/032183

The international filing date of the corresponding PCT application(s) is/are: April 12, 2011

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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/051,837
First Named Inventor:	Peter Ciurea

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
1-20	1-20	exact correspondence between US and PCT claims

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

Signature BDR	Date Feb. 29 / 12
Name (Print/Typed) Bradley D. Riel	Registration Number L0773

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.
13/051,895	03/18/2011	Yoko MASUO	NGTOSH.168AUS	5412

7590 11/01/2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER	
ART UNIT	PAPER NUMBER
2482	
NOTIFICATION DATE	DELIVERY MODE
11/01/2011	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.

Nioni James

Patent Publication Branch
Office of Data Management

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

Randhawa IP (Baanto)
49 Caymus Street
Richmond Hill ON L4B 4G3
CANADA

MAILED

MAR 07 2012

OFFICE OF PETITIONS

In re Application of Utukuri et al. :
Application No. 13/051,898 : Decision on Petition
Filing Date: March 18, 2011 :
Attorney Docket No. X-002-US-01 :

This is a decision on the petition filed January 15, 2012, under 37 CFR 1.181 to withdraw the holding of abandonment of the above-identified application.

The petition is **dismissed**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are NOT permitted. The reconsideration request should include a cover letter titled "Renewed Petition under 37 CFR 1.181." This decision is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Background

The Office mailed a Notice to File Missing Parts of Nonprovisional Application ("First Notice") on April 1, 2011.

A reply to the First Notice was filed September 1, 2011. The reply did not include a payment for a three-month extension of time.

The Office mailed a Notice of Incomplete Application ("Second Notice") on September 14, 2011. The Second Notice states, with emphasis in the original,

> Applicant is given **TWO MONTHS** from the date of the Notice to File Missing Parts (Notice) mailed 04/01/2011 within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained.

A reply to the Second Notice was filed November 13, 2011. The reply did not include a payment for a five-month extension of time.

The Office mailed a Notice of Abandonment on December 13, 2011, asserting the application is abandoned because the reply filed November 13, 2011 was untimely.

The instant petition asserts:

> [T]he Amendment filed September 1, 2011 was a timely response to the Notice to File Missing Parts of April 1, 2011. The Applicant further submits that the Reply filed November 13, 2011 was a timely and complete response to the second Formalities Letter of September 14, 2011.

Discussion

The application is abandoned unless a proper reply was timely filed in response to the First Notice.

The First Notice was mailed April 1, 2011. The First Notice sets an extendable period for reply of two months beginning on the mail date of the notice. Therefore, absent payment for an extension of time, a reply to the First Notice was due on or before June 1, 2011.

An extension of time was never obtained and a reply to the First Notice was not filed on or before June 1, 2011. As a result, the application became abandoned on June 2, 2011.

In view of the prior discussion, the holding of abandonment will not be withdrawn.

Petitioner may wish to consider filing a petition to revive based on unintentional abandonment under 37 CFR 1.137(b). A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by the required reply (already submitted), the required petition fee ($930 for a small entity), and 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.

A copy of a PDF "fillable" petition under 37 CFR 1.137(b) form can be found at: http://www.uspto.gov/web/forms/sb0064.pdf.

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

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

[1] General Information concerning EFS Web can be found at http://www.uspto.gov/patents/process/file/efs/index.jsp.

By hand: U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

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

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

LLNS/FOLEY & LARDNER
LAWRENCE LIVERMORE NATIONAL SECURITY, LLC
C/O FOLEY & LARDNER LLP
975 PAGE MILL ROAD
PALO ALTO CA 94304-1013

MAILED
JUL 05 2011
OFFICE OF PETITIONS

In re Application of:
Worsley et al.
Application No. 13/051,915
Filed: March 18, 2011
Attorney Docket No. 093866-1900

ON PETITION

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 filed June 1, 2011.

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**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

However, an itemization of the total deficiency payment is required by 37 CFR 1.28(c)(2)(ii). The itemization must include the following information:

(A) Each particular type of fee that was erroneously paid as a small entity, (e.g., basic statutory filing fee, two-month extension of time fee) along with the current fee amount for a non-small entity;
(B) The small entity fee actually paid, and when. This will permit the Office to differentiate, for example, between two one-month extension of time fees erroneously paid as a small entity but on different dates;

(C) The deficiency owed amount (for each fee erroneously paid); and
(D) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts set forth in paragraph (c)(2)(ii)(C) of this section.

If the requirements of 37 CFR 1.28(c)(2) are not complied with (i.e. not itemizing the total deficiency ,etc.), such failure will either: be treated as an authorization for the Office to process the deficiency payment and charge the processing fee set forth in § 1.17(i), or result in a requirement for compliance within a one-month non-extendable time period under § 1.136(a) to avoid the return of the fee deficiency paper, at the option of the Office.

Petitioner has not provided a proper itemization of the total deficiency payment of $2,220.00 and therefore petitioner's deposit account has been charged the $130.00 processing fee as set forth in 37 CFR 1.17(i).

Additionally, it is not apparent whether the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute this patent application. In accordance with 37 CFR 1.34(a), the signature appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-7751.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
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: 22194-79116	Application Number (if known): 13/051,918	Filing date: March 18, 2011
First Named Inventor: Chin-Yao Tsai		
Title: THIN-FILM SOLAR CELL AND MANUFACTURE METHOD 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 OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

Signature /Tim Tingkang Xia/	Date March 21, 2011
Name (Print/Typed) Tim Tingkang Xia	Registration Number 45,242

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.

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.

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Chin-Yao Tsai	Examiner:	Unassigned
Serial No.:	13/051,918	Group Art Unit:	Unassigned
Filed:	March 18, 2011	Docket:	22194-79116
Title:	THIN-FILM SOLAR CELL AND MANUFACTURING METHOD THEREOF		

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

Mail Stop: Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

March 21, 2011

CUSTOMER NO. 24728

Dear Sir/Madam:

This Statement of Special Status for the Eligibility Requirement is filed pursuant to the requirements listed in PTO/SB/420, filed herewith, and pursuant to the requirements of 74 Fed. Reg. 64,666 (Dec. 8, 2009), as amended by 75 Fed. Reg. 28,554 (May 21, 2010), and 75 Fed. Reg. 69,049 (November 10, 2010).

A basis for the special status is that aspects of the invention relate to ***thin film solar cells*** that ***materially contribute to the discovery or development of renewable energy resources***. Applicant respectfully submits that it is clear on the above-referenced application's face that the claimed invention materially contributes to ***the discovery or development of renewable energy resources***, so no statement is required explaining how the materiality standard is met.

The above-referenced application is a non-reissue, non-provisional utility application filed March 18, 2011 under 35 U.S.C. § 111(a). The application contains no more than three (3) independent claims and twenty (20) total claims. The application does not contain any multiple dependent claims. Further, applicant respectfully submits that the claims of the application are directed to a single invention of a solar cell and manufacturing method thereof. However, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction

requirement), applicant agrees to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements.

A first Office action (including an Office action containing only a restriction requirement) has not yet appeared in the Patent Application Information Retrieval (PAIR) system.

A request for early publication of the present application in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) are concurrently accompanied herewith this petition.

It is believed that no fee is due. However, the Commissioner is hereby authorized to charge any petition fee under 37 CFR 1.102, and any deficiency of fees which may be required, or to credit of any overpayments to Deposit Account No. 50-3537.

The Applicant respectfully requests that a favorable decision on this Petition to Make Special Under the Green Technology Pilot Program be granted and the application be accorded special status under the Green Technology Pilot Program.

Respectfully submitted,

MORRIS, MANNING & MARTIN, LLP

March 21, 2011

Tim Tingkang Xia
Attorney for Applicant on the Record
Reg. No. 45,242

MORRIS, MANNING & MARTIN, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, N.E.
Atlanta, Georgia 30326-1044
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Direct: 404-495-3678
Customer No. 24728

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.
13/051,918	03/18/2011	Chin-Yao Tsai	22194-79116	5463

24728 7590 05/03/2011
MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA, GA 30326

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
05/03/2011	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):

ipdocket@mmmlaw.com
ppz@mmmlaw.com
jlsmith@mmmlaw.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

MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA GA 30326

5/3/11

In re Application of	:	
Tsai	:	DECISION ON PETITION
Application No. 13/051,918	:	TO MAKE SPECIAL UNDER
Filed: 3/18/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **22194-79116**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 3/21/2011, 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 1725 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

EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

MAILED
JUN 07 2011
PCT LEGAL ADMINISTRATION

In re Application of ANDERSEN et al
U.S. Application No.: 13/052,038
PCT Application No.: PCT/US2008/009861
Int. Filing Date: 18 August 2008
Priority Date Claimed: 17 August 2007
Attorney Docket No.: 68424CON(302423)
For: DIAGNOSTIC AND PROGNOSTIC USE OF HUMAN BLADDER CANCER-ASSOCIATED MICRO RNAS

DECISION

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 18 March 2011.

BACKGROUND

On 18 August 2008, applicant filed international application PCT/US2008/009861, which claimed priority of an earlier United States application filed 17 August 2007. The thirty-month period for paying the basic national fee in the United States expired on 17 February 2010.

On 18 February 2010, international application PCT/US2008/009861 became abandoned as to the United States for failure to timely pay the basic national fee.

On 18 March 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (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 was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply in the form of a continuation application filed under 35 U.S.C. 111(a).

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

International application PCT/US2008/009861 is being revived for purposes of continuity only and since continuity has been established by this decision reviving the international application, the international application is again abandoned in favor of the present U.S. continuation application number 13/052,038.

This application is being forwarded to the Office of Patent Application Processing for further treatment as a continuation application filed under 35 U.S.C. 111(a).

Bryan Lin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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.
13/052,103	03/20/2011	Jinsheng Wang	8892000-8C6	5910

26797 7590 05/11/2011
SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO, CA 95014

EXAMINER	
HWANG, JOON H	

ART UNIT	PAPER NUMBER
2447	

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@sbcglobal.net

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MAILED

MAY 11 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

Joe Zheng
SILICON VALLEY PATENT AGENCY
7394 WILDFLOWER WAY
CUPERTINO CA 95014

In re Application of: WANG, Jinsheng et. al.
Serial No.: **13/052,103**
Filed: March 20, 2011
Atty Docket No: 8892000-8C6
Title: METHOD AND SYSTEMS FOR SHARING FILES OVER NETWORKS

:: 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 March 20, 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 renewed 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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of Contact is Kim Huynh at (571)-272-4147.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400
Networking, Multiplexing, Cable and Security

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THE PROCTER & GAMBLE COMPANY
Global Legal Department - IP
Sycamore Building - 4th Floor
299 East Sixth Street
CINCINNATI OH 45202

In re Application of
Darrell Ian Brown et al.
Application No.: 13/052,139
Filed: March 21, 2011
Attorney Docket No.: 11704
For: Methods and Apparatus for Applying Adhesives in Patterns to an Advancing Substrate

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

MAILED
JAN 25 2012
OFFICE OF PETITIONS

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 November 16, 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, NPI, NBPR, SIPO 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 Kimberly Inabinet at 571-272-4618.

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.

David Bucci
Petitions Examiner
Office of Petitions

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Alexandria, VA 22313-1450
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DONALD J. ERSLER, S.C.
725 GARVENS AVENUE
BROOKFIELD WI 53005

MAILED

MAY 05 2011

OFFICE OF PETITIONS

In re Application of :
RICCIARDI, JONATHAN J. et al. :
Application No. 13/052,199 : DECISION ON PETITION
Filed: March 21, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **2342** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 21, 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 Carl Ricciardi attesting to his age. Accordingly, the above-identified application will be 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.

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.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

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ALEXANDRIA, VA 22313-1450
www.uspto.g

MESMER & DELEAULT, PLLC
41 BROOK STREET
MANCHESTER, NH 03104

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APR 18 2011

OFFICE OF PETITIONS

In re Application of :
Jay D. Hunter :
Application No. 13/052,261 : DECISION ON PETITION
Filed: March 21, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. HUNT.US.1.D1 : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 21, 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 a registered practitioner that he has evidence that inventor Jay D. Hunter 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 Irvin Dingle at 571-272-3210. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The matter is being referred to the Technology Center Art Unit 3751 for action on the merits commensurate with this decision.

Irvin Dingle
Petitions Examiner
Office of Petitions

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web	PTO/SB/140 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)**
Application Number	13052337
Filing Date	21-Mar-2011
First Named Inventor	Shunpei YAMAZAKI
Art Unit	2822
Examiner Name	TELLY GREEN
Attorney Docket Number	0756-9216
Title	CONTACT STRUCTURE AND 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	/Eric J. Robinson/
Name	Eric J. Robinson
Registration Number	38285

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 : October 19,2011

In re Application of :

Shunpei YAMAZAKI

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 13052337

Filed : 21-Mar-2011

Attorney Docket No : 0756-9216

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed October 19,2011 , 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 2822 for processing of the request for continuing examination under 37 CFR 1.114 .

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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WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON MA 02210-2206

MAILED

DEC 08 2011

OFFICE OF PETITIONS

In re Application of Muruganandam et al. :
Application No. 13/052,441 :
Filing Date: March 21, 2011 : Decision on Request
Attorney Docket No. A0899.70000US02 :
Pub. No. US 2011/0171720 A1 :
Pub. Date: July 14, 2011 :

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed September 15, 2011.

The request is **dismissed**.

Applicants request the application be republished because of the mistake in the patent application publication identified in the request.

37 C.F.R. § 1.221(b) states,

> [Relief under 37 C.F.R. § 1.221 is warranted] only when the Office makes a material mistake which is apparent from Office records.... Any request for corrected publication or revised patent application publication other than provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.

A mistake is only a "material" mistake if the mistake affects the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.[1]

The instant request for corrected publication was filed September 15, 2011, which is more than two months after the application published. Therefore, the request is untimely.

[1] *See* Changes to Implement Eighteen-Month Publication of Patent Applications; Final Rule, 65 Fed. Reg. 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office 63, 75 (Oct. 10, 2000). *See also* Section 1130 of the Manual of Patent Examining Procedure (8th ed., Rev. 8, July 2010).

The declaration filed March 21, 2011, identifies the second inventor as Jasmid Tanha. Therefore, the identification of the second inventor as Jasmid Tanha in the publication was not an Office mistake.

Since the instant request is untimely and the mistake in the publication is not an Office mistake, relief under 37 C.F.R. § 1.221(b) is unwarranted and the request is dismissed.

Applicants are advised that a "request for republication of an application previously published" may be filed under 37 C.F.R. § 1.221(a). The request must include a copy of the application, which complies with the Office's electronic filing system requirements set forth in 37 C.F.R. § 1.18(d), and the required processing fee set forth in 37 C.F.R. § 1.17(i).

If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in 37 C.F.R. § 1.18(d) will be refunded. However, the processing fee will be retained.

Guidance for filing a request for a Pre-Grant Publication, such as a request for republication, may be found at the links below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 C.F.R. § 1.221(a), must be submitted via the EFS system as a "Pre-Grant Publication" and questions or any request for reconsideration of the instant decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Telephone inquiries regarding this communication should be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
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

In re Application of
Krishna Ravi

Application No. 13052471

Filed:

Attorney Docket No. 2004-IP-013208U1P1P1P2P1

: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 21-MAR-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: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Prosecution Highway

PTO/SB/22PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0033
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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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.	13/052,479	Filing date	March 21, 2011
First Named Inventor	Erwin Paul Josef LEHRIEDER		
Title of the Invention	Devices for Transporting Reels of Material		

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

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/EP2005/050569

The international filing date of the corresponding PCT application(s) is/are: February 9, 2005

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.**

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 EPO AND THE USPTO

(continued)

Application No.:	13/052,457
First Named Inventor:	Erwin Paul Josef LEHRIEDER

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 March 21, 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 Parent case 10/590,350 filed 08-23-2006

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1, 2	4, 5	Direct correspondence
3 - 8	6, 7, 9-12	U.S. claims amended to remove multiple dependencies
9	13	Direct correspondence
10 - 12	14 - 16	U.S. claims amended to remove multiple dependencies
13, 14	17, 18	Direct correspondence
15, 16	23, 25	U.S. claims amended to remove multiple dependencies
17	26	Direct correspondence
18 - 20	27 - 29	U.S. claims amended to remove multiple dependencies
21	30	Direct correspondence
22, 23	31, 32	U.S. claims amended to remove multiple dependencies
24	33	Direct correspondence
25 - 29	34, 39, 42, 43, 44	U.S. claims amended to remove multiple dependencies
30	45	Direct correspondence
31	53	U.S. claims amended to remove multiple dependencies
32 - 34	53 - 55	Direct correspondence
35 - 51	56 -72	U.S. claims amended to remove multiple dependencies
52 - 54	73 - 75	Direct correspondence
55 - 57	76, 79, 80	U.S. claims amended to remove multiple dependencies
58, 59	81, 82	Direct correspondence

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

(continued)

Application No.:	13/052,457
First Named Inventor:	Erwin Paul Josef LEHRIEDER

c. (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 March 21, 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 Parent case 10/590,390 filed 08-23-2006

II. Claims Correspondence Table (Continued):

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
60	83	U.S. claims amended to remove multiple dependencies
61, 62	84, 85	Direct correspondence

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

Signature /Douglas R. Hanscom/	Date March 28, 2011
Name (Print/Typed) Douglas R. Hanscom	Registration Number 26600

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

Absender: MIT DER INTERNATIONALEN VORLÄUFIGEN PRÜFUNG BEAUFTRAGTE BEHÖRDE

An:

KOENIG & BAUER AKTIENGESELLSCHAFT
Lizenzen - Patente
Friedrich-Koenig-Str. 4
97080 Würzburg
ALLEMAGNE

Eingang W-KL
am 2005 -10- 21

PCT

MITTEILUNG ÜBER DIE ÜBERSENDUNG DES INTERNATIONALEN VORLÄUFIGEN PRÜFUNGSBERICHTS

(Regel 71.1 PCT)

Absendedatum (Tag/Monat/Jahr)	25.10.2005
Aktenzeichen des Anmelders oder Anwalts: W1.2306/PCT	WICHTIGE MITTEILUNG

Internationales Aktenzeichen	Internationales Anmeldedatum (Tag/Monat/Jahr)	Prioritätsdatum (Tag/Monat/Jahr)
PCT/EP2005/050569	09.02.2005	23.02.2004

Anmelder: KOENIG & BAUER AKTIENGESELLSCHAFT

1. Dem Anmelder wird mitgeteilt, daß ihm die mit der internationalen vorläufigen Prüfung beauftragte Behörde hiermit den zu der internationalen Anmeldung erstellten internationalen vorläufigen Prüfungsbericht, gegebenenfalls mit den dazugehörigen Anlagen, übermittelt.

2. Eine Kopie des Berichts wird - gegebenenfalls mit den dazugehörigen Anlagen - dem Internationalen Büro zur Weiterleitung an alle ausgewählten Ämter übermittelt.

3. Auf Wunsch eines ausgewählten Amts wird das Internationale Büro eine Übersetzung des Berichts (jedoch nicht der Anlagen) ins Englische anfertigen und diesem Amt übermitteln.

4. **ERINNERUNG**

Zum Eintritt in die nationale Phase hat der Anmelder vor jedem ausgewählten Amt innerhalb von 30 Monaten ab dem Prioritätsdatum (oder in manchen Ämtern noch später) bestimmte Handlungen (Einreichung von Übersetzungen und Entrichtung nationaler Gebühren) vorzunehmen (Artikel 39 (1)) (siehe auch die durch das Internationale Büro im Formblatt PCT/IB/301 übermittelte Information).

Ist einem ausgewählten Amt eine Übersetzung der internationalen Anmeldung zu übermitteln, so muß diese Übersetzung auch Übersetzungen aller Anlagen zum internationalen vorläufigen Prüfungsbericht enthalten. Es ist Aufgabe des Anmelders, solche Übersetzungen anzufertigen und den betroffenen ausgewählten Ämtern direkt zuzuleiten.

Weitere Einzelheiten zu den maßgebenden Fristen und Erfordernissen der ausgewählten Ämter sind Band II des PCT-Leitfadens für Anmelder zu entnehmen.

Der Anmelder wird auf Artikel 33(5) hingewiesen, in welchem erklärt wird, daß die Kriterien für Neuheit, erfinderische Tätigkeit und gewerbliche Anwendbarkeit, die im Artikel 33(2) bis (4) beschrieben werden, nur für die internationale vorläufige Prüfung Bedeutung haben, und daß "jeder Vertragsstaat (...) für die Entscheidung über die Patentfähigkeit der beanspruchten Erfindung in diesem Staat zusätzliche oder abweichende Merkmale aufstellen" kann (siehe auch Artikel 27(5)). Solche zusätzlichen Merkmale können z.B. Ausnahmen von der Patentierbarkeit, Erfordernisse für die Offenbarung der Erfindung sowie Klarheit und Stützung der Ansprüche betreffen.

Name und Postanschrift der mit der internationalen Prüfung beauftragten Behörde	Bevollmächtigter Bediensteter
Europäisches Patentamt - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx 31 651 epo nl Fax: +31 70 340 - 3016	Blouw, J Tel. +31 70 340-4118

Formblatt PCT/IPEA/416 (Januar 2004)

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

PCT

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

(Artikel 36 und Regel 70 PCT)

Aktenzeichen des Anmelders oder Anwalts	WEITERES VORGEHEN	siehe Mitteilung über die Übersendung des internationalen vorläufigen Prüfungsberichts (Formblatt PCT/IPEA/416)
W1.230SPCT		

Internationales Aktenzeichen	Internationales Anmeldedatum (Tag/Monat/Jahr)	Prioritätsdatum (Tag/Monat/Jahr)
PCT/EP2005/050569	09.02.2005	25.02.2004

Internationale Patentklassifikation (IPK) oder nationale Klassifikation und IPK

B65H 19/12

Anmelder

KOENIG & BAUER AKTIENGESELLSCHAFT

1. Dieser internationale vorläufige Prüfungsbericht wurde von der mit der internationalen vorläufigen Prüfung beauftragten Behörde erstellt und wird dem Anmelder gemäß Artikel 36 übermittelt.

2. Dieser BERICHT umfaßt insgesamt 8 Blätter einschließlich dieses Deckblatts.

   ☒ Außerdem liegen dem Bericht ANLAGEN bei; dabei handelt es sich um Blätter mit Beschreibungen, Ansprüchen und/oder Zeichnungen, die geändert wurden und diesem Bericht zugrunde liegen, und/oder Blätter mit vor dieser Behörde vorgenommenen Berichtigungen (siehe Regel 70.16 und Abschnitt 607 der Verwaltungsrichtlinien zum PCT).

   Diese Anlagen umfassen insgesamt 16 Blätter.

3. Dieser Bericht enthält Angaben zu folgenden Punkten:

I	☒	Grundlage des Berichts
II	☐	Priorität
III	☐	Keine Erstellung eines Gutachtens über Neuheit, erfinderische Tätigkeit und gewerbliche Anwendbarkeit
IV	☒	Mangelnde Einheitlichkeit der Erfindung
V	☒	Begründete Feststellung nach Regel 66.2 a)ii) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung
VI	☐	Bestimmte angeführte Unterlagen
VII	☐	Bestimmte Mängel der internationalen Anmeldung
VIII	☐	Bestimmte Bemerkungen zur internationalen Anmeldung

Datum der Einreichung des Antrags	Datum der Fertigstellung dieses Berichts
30.09.2005	25.10.2005

Name und Postanschrift der mit der internationalen Prüfung beauftragten Behörde	Bevollmächtigter Bediensteter
Europäisches Patentamt - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Haakan, W Tel. +31 70 340-4279

INTERNATIONALER VORLÄUFIGER PRÜFUNGSBERICHT

Internationales Aktenzeichen PCT/EP2005/050569

I. Grundlage des Berichts

1. Hinsichtlich der **Bestandteile** der internationalen Anmeldung *(Ersatzblätter, die dem Anmeldeamt auf eine Aufforderung nach Artikel 14 hin vorgelegt wurden, gelten in Rahmen dieses Berichts als "ursprünglich eingereicht" und sind ihm nicht beigefügt, weil sie keine Änderungen enthalten (Regeln 70.16 und 70.17))*:

Beschreibung, Seiten

3-15 ✓ in der ursprünglich eingereichten Fassung

1, 2, 2a ✓ eingegangen am 28.09.2005 mit Schreiben vom 25.09.2005

Ansprüche, Nr.

1-67 ✓ eingegangen am 28.09.2005 mit Schreiben vom 25.09.2005

Zeichnungen, Blätter

1/8-8/8 ✓ in der ursprünglich eingereichten Fassung

2. Hinsichtlich der **Sprache**: Alle vorstehend genannten Bestandteile standen der Behörde in der Sprache, in der die internationale Anmeldung eingereicht worden ist, zur Verfügung oder wurden in dieser eingereicht, sofern unter diesem Punkt nichts anderes angegeben ist.

Die Bestandteile standen der Behörde in der Sprache: zur Verfügung bzw. wurden in dieser Sprache eingereicht; dabei handelt es sich um:

- ☐ die Sprache der Übersetzung, die für die Zwecke der internationalen Recherche eingereicht worden ist (nach Regel 23.1(b)).
- ☐ die Veröffentlichungssprache der internationalen Anmeldung (nach Regel 48.3(b)).
- ☐ die Sprache der Übersetzung, die für die Zwecke der internationalen vorläufigen Prüfung eingereicht worden ist (nach Regel 55.2 und/oder 55.3).

3. Hinsichtlich der in der internationalen Anmeldung offenbarten **Nucleotid- und/oder Aminosäuresequenz** ist die internationale vorläufige Prüfung auf der Grundlage des Sequenzprotokolls durchgeführt worden, das:

- ☐ in der internationalen Anmeldung in schriftlicher Form enthalten ist.
- ☐ zusammen mit der internationalen Anmeldung in computerlesbarer Form eingereicht worden ist.
- ☐ bei der Behörde nachträglich in schriftlicher Form eingereicht worden ist.
- ☐ bei der Behörde nachträglich in computerlesbarer Form eingereicht worden ist.
- ☐ Die Erklärung, daß das nachträglich eingereichte schriftliche Sequenzprotokoll nicht über den Offenbarungsgehalt der internationalen Anmeldung im Anmeldezeitpunkt hinausgeht, wurde vorgelegt.
- ☐ Die Erklärung, daß die in computerlesbarer Form erfassten Informationen dem schriftlichen Sequenzprotokoll entsprechen, wurde vorgelegt.

4. Aufgrund der Änderungen sind folgende Unterlagen fortgefallen:

- ☐ Beschreibung, Seiten:
- ☐ Ansprüche, Nr.:
- ☐ Zeichnungen, Blatt:

5. ☐ Dieser Bericht ist ohne Berücksichtigung (von einigen) der Änderungen erstellt worden, da diese aus den angegebenen Gründen nach Auffassung der Behörde über den Offenbarungsgehalt in der ursprünglich eingereichten Fassung hinausgehen (Regel 70.2(c)).

   (Auf Ersatzblätter, die solche Änderungen enthalten, ist unter Punkt 1 hinzuweisen; sie sind diesem Bericht beizufügen.)

6. Etwaige zusätzliche Bemerkungen:

IV. Mangelnde Einheitlichkeit der Erfindung

1. Auf die Aufforderung zur Einschränkung der Ansprüche oder zur Zahlung zusätzlicher Gebühren hat der Anmelder:

   ☐ die Ansprüche eingeschränkt.

   ☒ zusätzliche Gebühren entrichtet.

   ☐ zusätzliche Gebühren unter Widerspruch entrichtet.

   ☐ weder die Ansprüche eingeschränkt noch zusätzliche Gebühren entrichtet.

2. ☐ Die Behörde hat festgestellt, daß das Erfordernis der Einheitlichkeit der Erfindung nicht erfüllt ist, und hat gemäß Regel 68.1 beschlossen, den Anmelder nicht zur Einschränkung der Ansprüche oder zur Zahlung zusätzlicher Gebühren aufzufordern.

3. Die Behörde ist der Auffassung, daß das Erfordernis der Einheitlichkeit der Erfindung nach den Regeln 13.1, 13.2 und 13.3

   ☐ erfüllt ist.

   ☐ aus folgenden Gründen nicht erfüllt ist:

4. Daher wurde zur Erstellung dieses Berichts eine internationale vorläufige Prüfung für folgende Teile der internationalen Anmeldung durchgeführt:

   ☒ alle Teile.

   ☐ die Teile, die sich auf die Ansprüche Nr. beziehen.

V. Begründete Feststellung nach Artikel 35(2) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung

1. Feststellung

Neuheit (N)	Ja:	Ansprüche	1-67 ✓
	Nein:	Ansprüche	
Erfinderische Tätigkeit (IS)	Ja:	Ansprüche	1-67 ✓
	Nein:	Ansprüche	
Gewerbliche Anwendbarkeit (IA)	Ja:	Ansprüche:	1-67 ✓
	Nein:	Ansprüche:	

2. Unterlagen und Erklärungen:

   siehe Beiblatt

Zu Punkt V.

I. ANSPRUCH 1

Nächster Stand der Technik

Es wird das folgende Dokument herangezogen:

D1: EP-A-0 925 248 (KOENIG & BAUER AKTIENGESELLSCHAFT) 30. Juni 1999 (1999-06-30)

D1 offenbart

eine Vorrichtung zum Transport von Materialrollen (24), wobei die Materialrollen auf einem ersten Transportwagen (16) angeordnet sind und dieser Transportwagen auf einem zweiten Transportwagen (41) angeordnet ist, wobei der zweite Transportwagen (41) zwischen einem Lager (39) mit mehreren Lagerplätzen und einem Rollenwechsler (2) einer bahnverarbeitenden Maschine verfährt, wobei der zweite Transportwagen (41) mit dem ersten Transportwagen und der darauf gelagerten Materialrolle (24) bis in eine Aufachs- und/oder Entladeposition des Rollenwechslers fährt (vgl. Präambel von **Anspruch 1**).

Aufgabe

Direkt vor der Maschine sollen mehrere Rollen vorzugsweise zur freien Auswahl vorgehalten werden.

Lösung

Mindestens zwei der in Längsrichtung der bahnverarbeitenden Maschine direkt hintereinander angeordneten Lagerplätze und/oder den Lagerplätzen zugehörigen Strichsträngen weisen einen Abstand auf, der derart bemessen ist, dass zwei neue Materialrollen lagerbar oder gelagert sind (vgl. kennzeichnendes Merkmal von **Anspruch 1**).

Erfinderische Tätigkeit

Für den Fachmann ist es nicht naheliegend, von einer Anordnung, wie sie in D1 beschrieben ist, zu einer Lagerung von Rollen direkt vor der Maschine zu kommen. Er würde im Gegenteil eher versuchen, ein zweites Lager und den damit verbundenen Aufwand zu vermeiden. Aufgrund dessen beruht der Gegenstand des Anspruch 1 auf erfinderischer Tätigkeit.

II. ANSPRUCH 2

Nächster Stand der Technik

Es wird das folgende Dokument herangezogen:

D2 : WO03/080484 A (KOENIG &; BAUER AKTIENGESELLSCHAFT) 2. Oktober 2003 (2003-10-02)

D2 offenbart (siehe Fig. 1) eine Vorrichtung zum Transport von Materialrollen von einem Lager (siehe das mittlere Lager) mit mehreren Lagerplätzen, wobei die Material-rollen (04) in den Lagerplätzen auf jeweils einem ersten Transportwagen angeordnet sind (vgl. Präambel von **Anspruch 2**).

Die Lagerung der Transportwagen im System ist dabei chaotisch und die Transport-wagen verfügen über Datenträger, in die beim Beladen mit einem Transportgut Daten des Gutes eingeschrieben werden können.

Aufgabe

Die technische Aufgabe kann darin gesehen werden, eine alternative Lagerorganisation aufzubauen.

Lösung

Jedem ersten Transportwagen wird ein fester Lagerplatz zugewiesen (vgl. kennzeichnendes Merkmal von **Anspruch 2**).

Erfinderische Tätigkeit

Der Fachmann hat ausgehend von D2 weder einen Hinweisauf eine technische Aufgabe, noch findet er, die Kenntnis der Aufgabe vorausgesetzt, Hinweise zu einer Lösung gemäss dem kennzeichnenden Teil des Anspruch 2. Er würde im Gegenteil das Lager üblicherweise als chaotisches Lager ausführen, d.h. jeder Transportwagen kann auf jedem Platz eines Lagers eingestellt werden.

III. ANSPRUCH 3

Nächster Stand der Technik

Es wird das folgende Dokument herangezogen:

D3: DE 41 35 001 A1 (MITSUBISHI JUKOGYO K.K., TOKIO/TOKYO, JP) 4. Juni 1992 (1992-06-04)

D3 offenbart eine

Vorrichtung zum Transport von Materialrollen (20) von einem Lager (11) mit mehreren Lagerplätzen zu einer bahnverarbeitenden Maschine (4), wobei die bahnverarbeitende Maschine in Längsrichtung mehrere horizontal hintereinander angeordnete Bearbeitungsstationen aufweist (nicht in der Zeichnung dargestellt, aber implizit offenbart, weil Rotationsdruckmaschinen immer nachgeschaltete Verarbeitungsstufen haben) und ein Rollenwechsler (ebenfalls implizit offenbart) in horizontaler Richtung vor den Bearbeitungsstationen angeordnet ist (vgl. Präambel v. **Anspruch 3**).

Aufgabe

Direkt vor der Maschine sollen mehrere Rollen vorzugsweise zur freien Auswahl vorgehalten werden.

Lösung

Vor dem Rollenwechsler und in virtueller Verlängerung zur Längsrichtung ist ein Transportweg eines Transportwagens vorgesehen und auf beiden Seiten dieses Transportweges sind jeweils mehrere Lagerplätze für Materialrollen angeordnet.

Erfinderische Tätigkeit

Ausgehend von D3 ist nicht erkennbar, in welcher Weise sich der Gegenstand des Anspruch 3 in naheliegender Weise für den Fachmann ergeben könnte. Deswegen beruht der Gegenstand des Anspruch 3 auf erfinderischer Tätigkeit.

Es besteht überdies ein erfinderischer Zusammenhag mit dem Gegenstand des Anspruch 1.

IV. ANSPRUCH 4

Nächster Stand der Technik

Es wird das folgende Dokument herangezogen:

D4: PATENT ABSTRACTS OF JAPAN Bd. 011, Nr. 388 (M-652), 18. Dezember 1987 (1987-12-18) & JP 62 157160 A (DAINIPPON PRINTING CO LTD), 13. Juli 1987 (1987-07-13)

D4 offenbart eine Vorrichtung zum Transport von Materialrollen von einem Lager mit mehreren Lagerplätzen (links neben der schematisch angedeuteten Druckmaschine) zu einer bahnverarbeitenden Maschine (besagter Druckmaschine), wobei die bahnverarbeitende Maschine in Längsrichtung mehrere horizontal hintereinander angeordnete Bearbeitungsstationen aufweist und ein Rollenwechsler (1) in horizontaler Richtung vor den Bearbeitungsstationen angeordnet ist (dies ist die fachübliche Anordnung), wobei die Lagerplätze parallel zur Längsrichtung und parallel zu den Bearbeitungsstationen angeordnet sind (vgl. Präambel v. **Anspruch 4**).

Aufgabe

Die Aufgabe kann darin gesehen werden, eine alternative Lagerorganisation zu schaffen, bei der ebenfalls direkt vor der Maschine sollen mehrere Rollen vorzugsweise zur freien Auswahl vorgehalten werden.

Lösung

Die Lagerplätze sind zwischen Bearbeitungsmaschine und einem parallel zur Längsrichtung der Bearbeitungsmaschie verlaufenden Transportweg zur Entnahme der Materialrollen angeordnet (vgl. kennzeichnendes Markmal v. **Anspruch 4**)..

Erfinderische Tätigkeit

Der Gegenstand des Anspruch 4 erfordert im Vergleich zu D4 eine vollkomenen andere betriebliche Organisation: Die Rollen müssen nicht mehr an der Seite zugeliefert werden, an der die fertig gedruckten Produkte abtransportiert werden, sondern an der gegenüberliegenden Seite. Eine solche Änderung des Materialflusses ist für den Fachmann keineswegs offensichtlich.

Deshalb beruht der Gegenstand des Anspruch 4 auf erfinderischer Tätigkeit.

Es besteht überdies ein erfinderischer Zusammenhang mit dem Gegenstand des Anspruch 1.

*****

Beschreibung

Vorrichtungen zum Transport von Materialrollen

Die Erfindung betrifft Vorrichtungen zum Transport von Materialrollen gemäß dem Oberbegriff des Anspruchs 1, 2, 3 oder 4.

An bahnverarbeitenden Maschinen, beispielsweise Rollenrotationsdruckmaschinen, sind sogenannte Rollenwechsler vorhanden, die der Materialversorgung der Maschine, beispielsweise mit einer Druckstoffbahn, dienen. Bei einem Rollenwechsel wird die abgelaufene Materialrolle aus dem Rollenwechsler entnommen und durch eine neue Materialrolle ersetzt. Zum Transport der neuen Materialrollen zum Rollenwechsler bzw. zum Abtransport der abgelaufenen Materialrollen vom Rollenwechsler sind verschiedene Transportsysteme aus dem Stand der Technik bekannt.

In der EP 0 925 246 B1 und der EP 0 925 248 A ist eine komplexe Anlage zur Ver- und Entsorgung der Materialrollen am Rollenwechsler einer Druckmaschine beschrieben. Die Materialrollen werden dabei auf sogenannten ersten Transportwagen mit ihrer Umfangsfläche gelagert. Die eigentliche Förderung der Materialrollen erfolgt dann durch Aufladen der ersten Transportwagen auf sogenannte zweite Transportwagen. Dies bedeutet mit anderen Worten, dass die ersten Transportwagen huckepack auf die zweiten Transportwagen geladen werden. Bei dem in der EP 0 925 246 B1 beschriebenen System sind insgesamt vier verschiedene Abschnitte für die zweiten Transportwagen vorgesehen, wobei keiner der zweiten Transportwagen den jeweils zugeordneten Förderabschnitt verlassen kann. Unmittelbar vor dem Rollenwechsler ist ein Abschnitt für einen zweiten Transportwagen vorgesehen, der in eine Aufachsposition und eine Entladeposition am Rollenwechsler verfahrbar ist. Durch Aufladen eines mit einer neuen Materialrolle beladenen ersten Transportwagens auf einen zweiten Transportwagen in diesem Abschnitt am Rollenwechsler kann die neue Materialrolle in die zur Aufachsung erforderliche Position

gebracht werden. Entsprechend kann durch Aufladen einer abgelaufenen Materialrolle auf einen ersten Transportwagen, der mit dem zweiten Transportwagen in die Entladeposition verfahren worden ist, die abgelaufene Materialrolle abtransportiert werden.

Die JP 63-074852 A zeigt einen schienenlosen Transportwagen mit einer Hebeeinrichtung für Materialrollen. Dieser Transportwagen nimmt die Materialrollen von Zwischenspeicherstationen ab und transportiert die Materialrollen in einen Rollenwechsler.

Die US 2003/0071162 A1, die DE 196 26 866 A1, die DE 295 16 155 U1 und der Artikel "Zaun erhöht Sicherheit im Maschinenumfeld", Betriebstechnik Aktuell, Vogel Verlag GmbH, Würzburg, Bd. 39, Nr. 12, 01.12.1998), S. 28, XP000792690, ISSN: 1434-8071" beschreiben Sicherheitseinrichtungen bei Transport- und Lagersystemen.

Die US 5,076,751 A, die DE 37 39 222 A1, die US 6,007,017 A und die DE 203 07 581 U1 offenbaren Antriebe von Transportsystemen für Papierrollen.

Die DE 41 35 001 A1, die US 4,537,368 A1 und die JP62-157160 A zeigen Vorrichtungen zum Transport von Materialrollen von einem Lager zu einer bahnverarbeitenden Maschine mit mehreren hintereinander angeordneten Bearbeitungsstationen.

Die WO 03/080484 A1 beschreibt ein Gütertransportsystem mit einem Netz von Gleisen und darauf verfahrbaren Transportwagen.

Die DE 39 10 444 A1 offenbart ein Lager für Papierrollen, wobei die Papierrollen durch ein Rollwagensystem einer zentral angeordneten Auspack- und Klebestellenvorbereitungsstation zugeführt werden und nach dem Vorbereiten wieder auf das Rollwagensystem geladen werden.

Der Erfindung liegt die Aufgabe zugrunde, Vorrichtungen zum Transport von Materialrollen zu schaffen.

Die Aufgabe wird erfindungsgemäß durch die Merkmale des Anspruchs 1, 2, 3 oder 4 gelöst.

Ein Vorteil der erfindungsgemäßen Vorrichtung liegt insbesondere darin, dass der zweite Transportwagen auf zumindest einem Transportweg auch in ein Lager verfahrbar ist, in dem auf mehreren Lagerplätzen neue und/oder vollständig bzw. teilweise abgelaufene Materialrollen gelagert werden können. Der vorhandene zweite Transportwagen zur Aufachsung der Materialrollen im Rollenwechsler kann auf diese Weise auch zum Transport der Materialrollen aus einem Lager bzw. in ein Lager hinein genutzt werden. Außerdem ist es denkbar, dass der zweite Transportwagen neue Materialrollen entweder direkt zum Rollenwechsler fördert oder die neuen Materialrollen zunächst im Lager abgestellt und bis zum Abruf für eine spätere Verwendung zwischengelagert werden. Insbesondere kann durch die neue Vorrichtung ein umständliches Umladen zwischen den einzelnen Abschnitten für verschiedene zweite Transportwagen vermieden werden.

Nach einer bevorzugten Ausführungsform ist das Lager als Zwischenlager, insbesondere in der Art eines Tageslagers, ausgebildet. D. h. das Lager, das mit dem zweiten

Ansprüche

1. Vorrichtung zum Transport von Materialrollen (01), wobei die Materialrollen (01) auf einem ersten Transportwagen (27) angeordnet sind und dieser Transportwagen (27) auf einem zweiten Transportwagen (32) angeordnet ist, wobei der zweite Transportwagen (32) zwischen einem Lager (11; 22; 24) mit mehreren Lagerplätzen (13) und einem Rollenwechsler (09) einer bahnverarbeitenden Maschine (06) verfährt, wobei der zweite Transportwagen (32) mit dem ersten Transportwagen (27) und der darauf gelagerten Materialrolle (01) bis in eine Aufachs- und/oder Entladeposition des Rollenwechslers (09) fährt, dadurch gekennzeichnet, dass mindestens zwei der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichsträngen (16) einen Abstand (a) aufweisen, der derart bemessen ist, dass zwei neue Materialrollen (01) lagerbar oder gelagert sind.

2. Vorrichtung zum Transport von Materialrollen (01) von einem Lager (11; 22; 24) mit mehreren Lagerplätzen (13), wobei die Materialrollen (01) in den Lagerplätzen (13) auf jeweils einem ersten Transportwagen (27) angeordnet sind, wobei jedem ersten Transportwagen (27) ein fester Lagerplatz (13) zugewiesen ist.

3. Vorrichtung zum Transport von Materialrollen (01) von einem Lager (11; 22; 24) mit mehreren Lagerplätzen (13) zu einer bahnverarbeitenden Maschine (06), wobei die bahnverarbeitenden Maschine (06) in Längsrichtung mehrere horizontal hintereinander angeordnete Bearbeitungsstationen (07, 08) aufweist und ein Rollenwechsler (09) in horizontaler Richtung vor den Bearbeitungsstationen (07, 08) angeordnet ist, wobei vor dem Rollenwechsler (09) und in virtueller Verlängerung zur Längsrichtung ein Transportweg (14) eines Transportwagens (32) vorgesehen ist und auf beiden Seiten dieses Transportweges (14) jeweils mehrere Lagerplätze (13) für Materialrollen (01) angeordnet sind.

4. Vorrichtung zum Transport von Materialrollen (01) von einem Lager (11; 22; 24) mit mehreren Lagerplätzen (13) zu einer bahnverarbeitenden Maschine (06), wobei die bahnverarbeitende Maschine (06) in Längsrichtung mehrere horizontal hintereinander angeordnete Bearbeitungsstationen (07) aufweist und ein Rollenwechsler (09) in horizontaler Richtung vor den Bearbeitungsstationen (07, 08) angeordnet ist, wobei die Lagerplätze (13) parallel zu der Längsrichtung und parallel zu den Bearbeitungsstationen (07) angeordnet sind, dadurch gekennzeichnet, dass die Lagerplätze (13) zwischen Bearbeitungsmaschine (06) und einem parallel zur Längsrichtung der Bearbeitungsmaschine (06) verlaufenden Transportweg (12) eines Transportwagens (32) zur Entnahme der Materialrollen (01) angeordnet sind.

5. Vorrichtung nach Anspruch 4, dadurch gekennzeichnet, dass die Materialrollen (01) von einer der Bearbeitungsmaschine (06) abgewandten Seite aus den Lagerplätzen (13) entnommen werden.

6. Vorrichtung nach Anspruch 4 oder 5, dadurch gekennzeichnet, dass zwischen Bearbeitungsstation (07, 08) und Lagerplätzen (13) kein Transportweg eines Transportwagens (27; 32) angeordnet ist.

7. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass die Materialrollen (01) in den Lagerplätzen (13) auf ersten Transportwagen (27) gelagert sind.

8. Vorrichtung nach Anspruch 2, 3 oder 4, dadurch gekennzeichnet, dass ein zweiter Transportwagen (32) jeweils einen ersten Transportwagen (27) transportierend angeordnet ist.

9. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass auf die Transportrichtung der Materialrollen (01) bezogen die Lagerplätze (13) nach einer Vorbereitungsstation (03) zum manuellen oder maschinellen Aufbringung von Klebeelementen angeordnet ist.

10. Vorrichtung nach 1, 2 oder 4, dadurch gekennzeichnet, dass auf beiden Seiten des Transportweges (12) jeweils mehrere Lagerplätze (13) für Materialrollen (01) angeordnet sind.

11. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass das Lager (11; 22; 24) in der Art eines Zwischenlagers, insbesondere in der Art eines Tageslagers, ausgebildet ist.

12. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass an den Lagerplätzen (13) des Lagers (11; 22; 24) mindestens zwei Materialrollen (01) gelagert sind, die bereits ausgepackt und für den Rollenwechsel mit Klebestellen (15) vorbereitet sind.

13. Vorrichtung nach Anspruch 12, dadurch gekennzeichnet, dass alle neuen Materialrollen (01) mit Klebestellen (15) vorbereitet sind.

14. Vorrichtung nach Anspruch 3 oder 4, dadurch gekennzeichnet, dass an den Lagerplätzen (13) jeweils zumindest zeitweise ein erster Transportwagen (27) angeordnet ist.

15. Vorrichtung nach Anspruch 1 oder 14, dadurch gekennzeichnet, dass die ersten Transportwagen (27) wahlweise auf jedem Lagerplatz (13) des Lagers (11; 22; 24) abstellbar sind.

16. Vorrichtung nach Anspruch 1, 2, 7 oder 14, dadurch gekennzeichnet, dass mindestens ein erster Transportwagen (27) auf einem Transportweg (19) auch in eine Auspackstation (03) zum Auspacken der Materialrollen (01) verfahrbar ist.

17. Vorrichtung nach Anspruch 16, dadurch gekennzeichnet, dass mindestens ein erster Transportwagen (27) auf einem Transportweg (19) auch in eine Klebestellenvorbereitungsstation (03) zur Vorbereitung der Klebestellen (15) an der Materialrolle (01) verfahrbar ist.

18. Vorrichtung nach Anspruch 17, dadurch gekennzeichnet, dass die Klebestellenvorbereitungsstation (03) zugleich als Auspackstation (03) nutzbar ist.

19. Vorrichtung nach Anspruch 1, dadurch gekennzeichnet, dass in virtueller Verlängerung der Bahnlaufrichtung der bahnverarbeitenden Maschine (06) ein Transportweg (12) im Lager (11) vorgesehen ist, auf dem der zweite Transportwagen (32) verfahrbar ist.

20. Vorrichtung nach Anspruch 1, dadurch gekennzeichnet, dass parallel zur Verlängerung der Bahnlaufrichtung der bahnverarbeitenden Maschine (06) ein Transportweg (12) im Lager (11) vorgesehen ist, auf dem der zweite Transportwagen (32) verfahrbar ist.

21. Vorrichtung nach Anspruch 2, dadurch gekennzeichnet, dass die Materialrollen (01) oder die ersten Transportwagen (27) von einer der bahnverarbeitenden Maschine (06) abgewandten Seite aus den Lagerplätzen (13) entnehmbar sind.

22. Vorrichtung nach Anspruch 1, 2 oder 4, dadurch gekennzeichnet, dass die Lagerplätze (13) über Stichstränge (16), die sich insbesondere rechtwinklig vom Transportweg (11) erstrecken, anfahrbar sind.

23. Vorrichtung nach Anspruch 1, 2 oder 4, dadurch gekennzeichnet, dass nur auf einer Seiten eines Transportweges (12) Lagerplätze (13) vorgesehen sind.

24. Vorrichtung nach Anspruch 1 oder 8, dadurch gekennzeichnet, dass entlang zumindest bestimmten Abschnitten eines Transportweges (12) ein Wegmeßsystem zur exakten Positionierung des zweiten Transportwagens (32) vorgesehen ist.

25. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass das Lager (11; 22; 24) durch einen an den Grenzen des Lagers (11; 22; 24) angebrachte abgesicherten Bereich (17; 37) gegen unbefugtes Betreten abgesichert ist.

26. Vorrichtung nach Anspruch 25, dadurch gekennzeichnet, dass der abgesicherte Bereich (17) des Lagers (11, 24) abschnittsweise von einer Umzäunung gebildet wird.

27. Vorrichtung nach Anspruch 25 oder 26, dadurch gekennzeichnet, dass der abgesicherte Bereich (17) des Lagers (11) abschnittsweise von der Bereichsabsicherung (37) des Rollenwechslers (09) gebildet wird.

28. Vorrichtung nach einem der Ansprüche 25, 26 oder 27, dadurch gekennzeichnet, dass in der Bereichsabsicherung (37) zumindest eine Schleuse (18) zum Ein- und/oder Ausschleusen von Materialrollen (01) vorgesehen ist.

29. Vorrichtung nach einem der Ansprüche 28, dadurch gekennzeichnet, dass das Lager (11) im Bereich der Schleuse (18) durch Lichtschranken oder Ultraschallsensoren gegen unbefugtes Betreten abgesichert ist.

30. Vorrichtung Anspruch 29, dadurch gekennzeichnet, dass mehrere Lichtschranken oder Ultraschallsensoren vorhanden sind, die in unterschiedlichen Höhen angeordnet sind.

31. Vorrichtung nach einem der Ansprüche 1 bis 30, dadurch gekennzeichnet, dass in der bahnverarbeitenden Maschine (06) mehrere Bearbeitungsstationen (07) in Längsrichtung hintereinander vorgesehen sind.

32. Vorrichtung nach einem der Ansprüche 1 bis 31, dadurch gekennzeichnet, dass in der bahnverarbeitenden Maschine (06) zumindest eine Bearbeitungsstation (07) als Druckwerk (07) einer Rollendruckmaschine (06) ausgebildet ist.

33. Vorrichtung nach Anspruch 32, dadurch gekennzeichnet, dass die Rollendruckmaschine (06) durch die Druckwerke (07) einen horizontalen Bahnverlauf aufweist.

34. Vorrichtung nach einem der Ansprüche 1, 2 oder 3, dadurch gekennzeichnet, dass das Lager (11; 22; 24) als FIFO-Lager ausgebildet ist.

35. Vorrichtung nach Anspruch 1, 2 oder 3, dadurch gekennzeichnet, dass zur Bedienung der bahnverarbeitenden Maschine ein Leitstand vorgesehen ist und das Lager (11; 22; 24) neben dem Leitstand angeordnet ist.

36. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass der erste Transportwagen (27) Laufrollen (28) aufweist und auf Schienen fährt.

37. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass der zweite Transportwagen (32) Laufrollen (34) aufweist und auf Schienen fährt.

38. Vorrichtung nach Anspruch 37, dadurch gekennzeichnet, dass ein Gestell des zweiten Transportwagens (32) einen kurzen Gleisabschnitt (33) aufweist, in dem der erste Transportwagen (27) einfährt.

39. Vorrichtung nach Anspruch 36 oder 37, dadurch gekennzeichnet, dass der Antrieb der Transportwagen (27; 32) durch Kettenförderer erfolgt.

40. Vorrichtung nach Anspruch 38, dadurch gekennzeichnet, dass der zweite Transportwagen (32) zwei in einem Abstand (a) angeordnete Gleisabschnitte (33; 33') aufweist.

41. Vorrichtung nach Anspruch 40, dadurch gekennzeichnet, dass der Abstand (a) der beiden Gleisabschnitte (33; 33') größer ist als ein maximaler Durchmesser (D_{max}) einer zu transportierenden Materialrolle (01).

42. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass mindestens ein Teil der Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichstränge (16) einen einzigen Transportwagen (27) aufnehmen.

43. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass die Mehrzahl der Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Strichstränge (16) einen einzigen Transportwagen (27) aufnehmen.

44. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass alle Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Strichstränge (16) einen einzigen Transportwagen (27) aufnehmen.

45. Vorrichtung nach Anspruch 42, dadurch gekennzeichnet, dass mindestens ein Teil der Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Strichstränge (16) zwei Transportwagen (27) aufnehmen.

46. Vorrichtung nach Anspruch 43, dadurch gekennzeichnet, dass die Mehrzahl der Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Strichstränge (16) zwei Transportwagen (27) aufnehmen.

47. Vorrichtung nach Anspruch 44, dadurch gekennzeichnet, dass alle Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Strichstränge (16) zwei Transportwagen (27) aufnehmen.

48. Vorrichtung nach Anspruch 45, dadurch gekennzeichnet, dass mindestens ein Teil der Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Strichstränge (16) mehr als zwei Transportwagen (27) aufnehmen.

49. Vorrichtung nach Anspruch 46, dadurch gekennzeichnet, dass die Mehrzahl der Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichstränge (16) mehr als zwei Transportwagen (27) aufnehmen.

50. Vorrichtung nach Anspruch 47, dadurch gekennzeichnet, dass alle Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Strichstränge (16) mehr als zwei Transportwagen (27) aufnehmen.

51. Vorrichtung nach Anspruch 1, 2, 7 oder 14, dadurch gekennzeichnet, dass mindestens ein Transportwagen (27) einen Adapter zur Aufnahme einer Teilrolle trägt.

52. Vorrichtung nach Anspruch 1, 3 oder 8, dadurch gekennzeichnet, dass zwei Lager (11; 11') mit jeweils einem zweiten Transportwagen (32) angeordnet sind.

53. Vorrichtung nach Anspruch 52, dadurch gekennzeichnet, dass die Transportwege (14) der beiden Transportwagen (32) parallel verlaufend angeordnet sind.

54. Vorrichtung nach Anspruch 52, dadurch gekennzeichnet, dass die beiden Lager (11; 11') mittels eines Gleises verbunden sind.

55. Vorrichtung nach Anspruch 52, dadurch gekennzeichnet, dass zwischen den beiden Lagern (11; 11') eine Klebestellenvorbereitungsstation (03) angeordnet ist.

56. Vorrichtung nach Anspruch 1, 3, 8, 9 oder 52, dadurch gekennzeichnet, dass der zweite Transportwagen (32) die klebevorbereiteten Materialrollen (01) in das Lager (11; 11') transportierend angeordnet ist.

57. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass mindestens zwei der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichsträngen (16) einen Abstand (a) aufweisen, der größer ist als ein maximaler Durchmesser (D_{max}) der zu transportierenden Materialrolle (01).

58. Vorrichtung nach Anspruch 2, 3, oder 4, dadurch gekennzeichnet, dass mindestens zwei der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichsträngen (16) einen Abstand (a) aufweisen, der derart bemessen ist, dass zwei neue Materialrollen (01) lagerbar oder gelagert sind.

59. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass die Mehrzahl der in Längsrichtung der bahnverarbeitenden Maschine direkt hintereinander angeordneten Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichsträngen (16) einen Abstand (a) aufweisen, der größer ist als ein maximaler Durchmesser (D_{max}) der zu transportierenden Materialrolle (01).

60. Vorrichtung nach Anspruch 1, 2, 3, oder 4, dadurch gekennzeichnet, dass die Mehrzahl der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichsträngen (16) einen Abstand (a) aufweisen, der derart bemessen ist, dass zwei neue Materialrollen (01) lagerbar oder gelagert sind.

61. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass alle der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichsträngen (16) einen Abstand (a) aufweisen, der größer ist als ein maximaler Durchmesser (D_{max}) der zu transportierenden Materialrolle (01).

62. Vorrichtung nach Anspruch 1, 2, 3, oder 4, dadurch gekennzeichnet, dass alle der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätze (13) und/oder den Lagerplätzen (13) zugehörigen Stichsträngen (16) einen Abstand (a) aufweisen, der derart bemessen ist, dass zwei neue Materialrollen (01) lagerbar oder gelagert sind.

63. Vorrichtung nach Anspruch 2 oder 10, dadurch gekennzeichnet, dass auf beiden Seiten des Transportweges (12) jeweils mindestens drei Lagerplätze (13) für Materialrollen (01) angeordnet sind.

64. Vorrichtung nach Anspruch 1, 2, 3, oder 4, dadurch gekennzeichnet, dass auf mindestens zwei der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätzen (13) neue Materialrollen (01) lagerbar oder gelagert sind.

65. Vorrichtung nach Anspruch 1, 2, 3, oder 4, dadurch gekennzeichnet, dass auf der Mehrzahl der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätzen (13) neue Materialrollen (01) lagerbar oder gelagert sind.

66. Vorrichtung nach Anspruch 1, 2, 3, oder 4, dadurch gekennzeichnet, dass auf allen der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätzen (13) neue Materialrollen (01) lagerbar oder gelagert sind.

67. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass auf mindestens zwei der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätzen (13) Materialrollen (01) mit maximalem Durchmesser (D_{max}) lagerbar sind.

68. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass auf der Mehrzahl der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätzen (13) Materialrollen (01) mit maximalem Durchmesser (D_{max}) lagerbar sind.

69. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass auf alle der in Längsrichtung der bahnverarbeitenden Maschine (06) direkt hintereinander angeordneten Lagerplätzen (13) Materialrollen (01) mit maximalem Durchmesser (D_{max}) lagerbar sind.

70. Vorrichtung nach Anspruch 58, 60, 62, oder 64 bis 66, dadurch gekennzeichnet, dass die neuen Materialrollen (01) mit Klebemitteln (15) versehen sind.

71. Vorrichtung nach Anspruch 3, 4 oder 31, dadurch gekennzeichnet, dass die Längsrichtung und Bahnlaufrichtung der bahnverarbeitenden Maschine (06) im wesentlichen in der gleichen Richtung verlaufen.

72. Vorrichtung nach Anspruch 1, 3 oder 4, dadurch gekennzeichnet, dass zwischen den Lagerplätzen (13) und dem Rollenwechsler (09) keine Drehscheibe für die Transportwagen (27) angeordnet ist.

73. Vorrichtung nach Anspruch 9, dadurch gekennzeichnet, dass zwischen den Lagerplätzen (13) und der Klebevorbereitungsstation (03) keine Drehscheibe für die Transportwagen (27) angeordnet ist.

74. Vorrichtung nach Anspruch 32, dadurch gekennzeichnet, dass mindestens ein Druckwerk (07), der Rollenwechsler (09) und die Lagerplätze (13) annähernd in einer gemeinsamen Ebene (20) angeordnet sind.

75. Vorrichtung nach Anspruch 74, dadurch gekennzeichnet, dass alle Druckwerke (07) in einer gemeinsamen Ebene (20) angeordnet sind.

76. Vorrichtung nach Anspruch 1, 3 oder 4, dadurch gekennzeichnet, dass die bahnverarbeitende Maschine (06) einen einzigen Rollenwechsler (09) aufweist.

77. Vorrichtung nach Anspruch 1, 8 oder 9, dadurch gekennzeichnet, dass der Transportweg (12) des zweiten Transportwagens (32) und die Längsachse (10) eines Trockners (08) der bahnverarbeitenden Maschine (06) in einer Flucht liegen.

78. Vorrichtung nach Anspruch 1, 8 oder 9, dadurch gekennzeichnet, dass der Transportweg (12) des zweiten Transportwagens (32) und die Längsachse (10) eines Trockners (08) der bahnverarbeitenden Maschine (06) parallel versetzt verlaufend angeordnet sind.

79. Vorrichtung nach Anspruch 1, 2, 3 oder 4, dadurch gekennzeichnet, dass bei der Mehrzahl der Lagerplätze (13) jeder Lagerplatz (13) einen eigenen Antrieb zum Transport der Materialrollen (01) aufweist.

80. Vorrichtung nach Anspruch 1, 2, 3 oder 7, dadurch gekennzeichnet, dass bei der Mehrzahl der Lagerplätze (13) jeder Lagerplatz (13) jeweils ein eigenes Unterflur-Fördersystem für die Transportwagen (27) angeordnet ist.

81. Vorrichtung nach Anspruch 80, dadurch gekennzeichnet, dass das Unterflur-Fördersystem ein umlaufendes Treibmittel aufweist.

82. Vorrichtung nach Anspruch 81, dadurch gekennzeichnet, dass das Treibmittel als Kette ausgebildet ist.

83. Vorrichtung nach Anspruch 1, 2, 3 oder 7, dadurch gekennzeichnet, dass jeder erste Transportwagen (27) einen eigenen Antrieb aufweist.

84. Vorrichtung nach Anspruch 79, dadurch gekennzeichnet, dass alle Lagerplätze (13) einen eigenen Antrieb aufweisen.

85. Vorrichtung nach Anspruch 80, dadurch gekennzeichnet, dass alle Lagerplätze (13) jeweils eine eigenes Unterflur-Fördersystem aufweisen.

86. Vorrichtung nach Anspruch 1, 3 oder 8, dadurch gekennzeichnet, dass der zweite Transportwagen (32) einen eigenen Antrieb aufweisen.

87. Vorrichtung nach Anspruch 86, dadurch gekennzeichnet, dass der Antrieb des zweiten Transportwagens (32) unabhängig von den Antrieben der ersten Transportwagen (27) betätigbar ist.

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Date: 25 February 2011

DECLARATION

The undersigned, Karin T. Dunn, hereby states that she is well acquainted with both the English and German languages and that the attached is a true translation to the best of her knowledge and ability of the German text of the International Preliminary Examination Report associated with PCT/EP2005/050569, filed on 9 February 2005 and published on 1 September 2005 under No. WO 2005/080241 A2.

The undersigned declares that the above statement is true and that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Karin T. Dunn

Translation of the pertinent portions of a **Notification of the Transmittal of the International Preliminary Report on Patentability** in accordance with Rule 71.1 PCT, mailed on 25 October, 2005

2. This report comprises a total of 8 pages including this cover sheet.

   Enclosures are also included with the report; these include

   > Sheets of the description, claims and/or drawings which have been amended and are the basis of this report, and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the PCT Administrative Instructions). These enclosures comprise a total of 16 pages.

3. This report contains indications relating to the following items:

Box I	Basis of the Report
Box IV	Lack of unity of invention
Box V	Reasoned statement according to Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations to support such statement

Box I Basis of the Report

1. With regard to the **elements** of the international application, this report is based on:

   the description, pages

3-15	as originally filed/furnished
1, 2, 2a	received on 28 September 2005 with the letter dated 25 September 2005

   the claims, Nos.

1-87	received on 28 September 2005 with the letter dated 25 September 2005

the drawings, pages

1/8-8/8 as originally filed/furnished

Box IV Lack of Unity of Invention

1. In response to the request to amend the claims or to pay additional fees, the applicant has paid additional fees.

4. Consequently, this report has been established in respect of the following parts of the international application:

All parts.

Box V Reasoned statement according to Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations to support such statement

1. Statement

Novelty (N)	Yes: Claims 1-87 No: Claims
Inventive Step (IS)	Yes: Claims 1-87 No: Claims
Industrial Applicability (IA)	Yes: Claims 1-87 No: Claims

2. Citations and Explanations:
See supplementary pages

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(SUPPLEMENTARY PAGES)

Box V.

I. CLAIM 1

Closest Prior Art

Reference is made to the following document:

D1: EP-A-0 925 248 (KOENIG & BAUER AKTIENGESELLSCHAFT) 30 June 1999 (1999-06-30)

D1 discloses

a device for transporting reels of material (24), wherein the reels of material are arranged on a first transport carriage (16) and this transport carriage is arranged on a second transport carriage (41), wherein the second transport carriage (41) travels between a store (39) comprising a plurality of storage spaces and a reel changer (2) in a web-processing machine, wherein the second transport carriage (41) travels with the first transport carriage and the reel of material (24) disposed thereon up to an uploading and/or unloading position for the reel changer (see preamble of **claim 1**).

Problem

Storing multiple reels directly in front of the machine, preferably for free selection.

Solution

At least two of the storage spaces arranged one directly in front of another in the longitudinal direction of the web-processing machine and/or branch lines allocated to said storage spaces have a space between them that is dimensioned such that two new reels of material can be stored or are stored (see characterizing feature of **claim 1**).

Inventive Step

It would not be obvious to a person skilled in the art to store reels directly in front of the machine on the basis of an arrangement as described in D1. On the contrary, he would be more likely to attempt to avoid a second storage area and the cost associated with it. Therefore, the subject matter of claim 1 involves an inventive step.

II. CLAIM 2

Closest Prior Art

Reference is made to the following document:

D2: WO03/080484 A (KOENIG & BAUER AKTIENGESELLSCHAFT) 2 October 2003 (2003-10-02)

D2 discloses (see figure 1) a device for transporting reels of material from a storage area (see the center storage area) comprising a plurality of storage spaces, wherein each of the reels of material (04) is arranged in one of the storage spaces of a first transport carriage (see preamble of **claim 2**).

The disposition of the transport carriages in the system is random, and the transport carriages are equipped with data storage media, in which data pertaining to a material to be transported can be entered when the material is being loaded.

Problem

The technical problem can be considered that of creating an alternative storage arrangement.

Solution

A fixed storage space is assigned to each first transport carriage (see characterizing feature of **claim 2**).

Inventive Step

A person skilled in the art would not derive a suggestion of a technical solution from D2, and would not, assuming an understanding of the problem, derive a suggestion of a solution according to the characterizing part of claim 2. On the contrary, a person skilled in the art would more likely design the storage system as a random storage system, i.e., each transport carriage could be placed in any space in a storage system.

III. CLAIM 3

Closest Prior Art

Reference is made to the following document:

D3: DE 41 35 001 A1 (MITSUBISHI JUKOGYO K.K., TOKIO/TOKYO, JP) 4 June 1992 (1992-06-04)

D3 discloses a

device for transporting reels of material (20) from a storage area (11) comprising a plurality of storage spaces to a web-processing machine (4), wherein the web-processing machine has multiple processing stations arranged horizontally, one in front of another, in a longitudinal direction (not shown in the drawing, but implicitly disclosed, since rotary printing presses always have processing stages connected in sequence) and a reel changer (also implicitly disclosed) is arranged horizontally in front of the processing stations (see preamble of **claim 3**).

Problem

Holding multiple reels directly in front of the machine, preferably for free selection.

Solution

In front of the reel changer and in a virtual extension of the longitudinal direction, a transport route for a transport carriage is provided, and a plurality of storage spaces for reels of material are arranged on both sides of this transport route.

Inventive Step

In light of D3, it is not apparent how the subject matter of claim 3 could be obvious to a person skilled in the art. Therefore, the subject matter of claim 3 involves an inventive step.

Moreover, an inventive link exists with the subject matter of claim 1.

IV. CLAIM 4

Closest Prior Art

Reference is made to the following document:

D4: PATENT ABSTRACTS OF JAPAN Vol. 011, No. 388 (M-652), 18 December 1987 (1987-12-18) & JP 62 157160 A (DAINIPPON PRINTING CO LTD), 13 July 1987 (1987-07-13)

D4 discloses a device for transporting reels of material from a storage area comprising a plurality of storage spaces (to the left adjacent to the schematically indicated printing machine) to a web-processing machine (said printing machine), wherein the web-processing machine has multiple processing stations arranged horizontally, one in front of another in a longitudinal direction, and a reel changer (1) is arranged horizontally in front of the processing stations (this is the customary arrangement), wherein the storage spaces are arranged parallel to the longitudinal direction and parallel to the processing stations (see preamble to **claim 4**).

Problem

The problem can be considered that of creating an alternative storage arrangement, in which multiple reels can also be held directly in front of the machine, preferably for free selection.

Solution

The storage spaces are arranged between the processing machine and a transport route that extends parallel to the longitudinal direction of the processing machine, for the purpose of removing the reels of material (see characterizing feature of **claim 4**).

Inventive Step

The subject matter of claim 4 requires a completely different functional arrangement from D4: It is no longer necessary to deliver the reels to the side on which the finished printed products are transported away, but rather to the opposite side. This type of change in the flow of materials is in no way obvious to a person skilled in the art.

Therefore, the subject matter of claim 4 involves an inventive step.

Moreover, an inventive link exists with the subject matter of claim 1.

Specification

Devices for Transporting Reels of Material

The invention relates to devices for transporting reels of material according to the preamble to claim 1, 2, 3 or 4.

On web-processing machines, such as web-fed rotary printing presses, so-called reel changers are provided that serve to supply material, for example a web of printing material, to the machine. During a reel change, the wound off reel of material is removed from the reel changer and is replaced by a new reel of material. Various transport systems for transporting the new reels of material to the reel changer or for transporting the wound off reels of material away from the reel changer are known from the prior art.

In EP 0 925 246 B1 and in EP 0 925 248 A, a complex system for transporting reels of material to and from the reel changer of a printing machine is described. In this, the reels of material are stored on their circumferential surfaces on so-called first transport carriages. The actual conveyance of the reels of material is then accomplished by loading the first transport carriages onto so-called second transport carriages. This means, in other words, that the first transport carriages are loaded, piggyback, onto the second transport carriages. In the system described in EP 0 925 246 B1, a total of four different sections for the second transport carriages are provided, wherein none of the second transport carriages can move outside of the transport section to which they are assigned. Directly in front of the reel changer, a section for a second transport carriage is provided, which carriage can be moved into an upload position and an unload position for the reel changer. By loading a first transport carriage, on which a new reel of material is deposited, onto a second transport carriage in this section at the reel changer, the new reel of material can be brought into the position that is necessary for uploading.

Accordingly, by loading a wound-off reel of material onto a first transport carriage that has been moved to the unload position by means of the second transport carriage, the wound-off reel of material can be transported away.

JP 630-074852 A shows a railless transport carriage with a device for lifting reels of material. This transport carriage removes the reels of material from intermediate storage stations and transports the reels of material to a reel changer.

US 2003/0071162 A1, DE 196 26 866 A1, DE 295 16 155 U1 and the article "Zaun erhöht Sicherheit im Maschinenumfeld," Betriebstechnik, Aktuell, Vogel Verlag GmbH, Würzburg, Vol. 39, No. 12, 12/01/1998), p. 28, XP000792690, ISSN: 1434-8071" describe security devices for transport and storage systems.

US 5,076,751 A, DE 37 39 222 A1, US 6,007,017 A and DE 203 07 581 U1 disclose drives for transport systems for paper reels.

DE 41 35 001 A1, US 4,537,368 A1 and JP62-157160 A show devices for transporting reels of material from a storage area to a web-processing machine comprising multiple processing stations arranged one in front of another.

WO 03/080484 A1 describes a materials transport system with a network of tracks and transport carriages that can be moved thereon.

DE 39 10 444 A1 discloses a storage area for reels of paper, wherein the paper reels are conveyed via a reel carriage system to a centrally arranged unpacking and splice-preparation station, and after preparation are reloaded onto the reel carriage system.

The object of the invention is to provide devices for transporting reels of material.

The object is attained according to the invention with the characterizing features of claim 1, 2, 3 or 4.

One benefit of the device of the invention consists especially in that the second transport carriage can also be moved along at least one transport route into a storage area in which new and/or completely or partially wound-off material reels can be stored in a plurality of storage spaces. In this manner, the existing second transport carriage for uploading the reels of material into the reel changer can also be used to transport the reels of material out of a storage area or into a storage area. Furthermore, it is conceivable for the second transport carriage to either convey new reels of material directly to the reel changer, or for the new reels of material to be first placed in the storage area and stored there intermediately until retrieval for later use. Above all, with the new device an awkward transfer among the individual sections for the different second transport carriages can be avoided.

According to one preferred embodiment, the storage area is designed as an intermediate storage area, especially in the manner of a daily storage area. In other words, the storage area, which can be approached with the second

Claims

1. Device for transporting reels of material (01), wherein the reels of material (01) are arranged on a first transport carriage (27) and this transport carriage (27) is arranged on a second transport carriage (32), wherein the second transport carriage (32) travels between a storage area (11; 22; 24) comprising a plurality of storage spaces (13) and a reel changer (09) in a web-processing machine (06), wherein the second transport carriage (32) travels with the first transport carriage (27) and the reel of material (01) disposed thereon up to an uploading and/or unloading position of the reel changer (09), characterized in that at least two storage spaces (13), and/or branch lines (16) allocated to said storage spaces (13), arranged directly one in front of another in the longitudinal direction of the web-processing machine (06), have a spacing (a) that is dimensioned such that two new reels of material (01) can be or are stored.

2. Device for transporting reels of material (01) from a storage area (11; 22; 24) comprising a plurality of storage spaces (13), wherein the reels of material (01) are arranged in the storage spaces (13), each on a first transport carriage (27), wherein a fixed storage space (13) is assigned to each first transport carriage (27).

3. Device for transporting reels of material (01) from a storage area (11; 22; 24) comprising a plurality of storage spaces (13) to a web-processing machine (06), wherein the web-processing machine (06) has multiple processing stations (07, 08) arranged horizontally one in front of another in a longitudinal direction, and a reel changer (09) is arranged horizontally in front of the processing stations (07, 08), wherein a transport route (14) for a transport carriage (32) is provided in front of the reel changer (09) and in a virtual extension of the longitudinal direction, and a plurality of storage spaces (13) for reels of material (01) are arranged on both sides of this transport route (14).

4. Device for transporting reels of material (01) from a storage area (11, 22; 24) comprising a plurality of storage spaces (13) to a web-processing machine (06), wherein the web-processing machine (06) has multiple processing stations (07) arranged horizontally, one in front of another in a longitudinal direction, and a reel changer (09) is arranged horizontally in front of the processing stations (07, 08), wherein the storage spaces (13) are arranged parallel to the longitudinal direction and parallel to the processing stations (07), characterized in that the storage spaces (13) are arranged between the processing machine (06) and a transport route (12) for a transport carriage (32), which extends parallel to the longitudinal direction of the processing machine (06), for the purpose of removing the reels of material (01).

5. Device according to claim 4, characterized in that the reels of material (01) are removed from the storage spaces (13) from a side that faces away from the processing machine (06).

6. Device according to claim 4 or 5, characterized in that no transport route for a transport carriage (27; 32) is arranged between the processing station (07, 08) and the storage spaces (13).

7. Device according to claim 1, 2, 3 or 4, characterized in that the reels of material (01) are stored in the storage spaces (13) on first transport carriages (27).

8. Device according to claim 2, 3 or 4, characterized in that each second transport carriage (32) is arranged such that it transports a first transport carriage (27).

9. Device according to claim 1, 2, 3 or 4, characterized in that, based upon the direction of travel of the reels of material (01), the storage spaces (13) is arranged downstream from a preparation station (03) for the manual or automated application of splice elements.

10. Device according to 1, 2 or 4 characterized in that a plurality of storage spaces (13) for reels of material (01) are arranged on both sides of the transport route (12).

11. Device according to claim 1, 2, 3 or 4, characterized in that the storage area (11; 22; 24) is designed in the manner of an intermediate storage area, especially in the manner of a daily storage area.

12. Device according to claim 1, 2, 3 or 4, characterized in that at least two reels of material (01) that have already been unpacked and prepared with splices (15) for the reel change are held in the storage spaces (13) of the storage area (11; 22; 24).

13. Device according to claim 12, characterized in that all new reels of material (01) are prepared with splices (15).

14. Device according to claim 3 or 4, characterized in that a first transport carriage (27) is arranged in each storage space (13) at least for a time.

15. Device according to claim 1 or 14, characterized in that the first transport carriages (27) can be placed in any of the storage spaces (13) of the storage area (11; 22; 24).

16. Device according to claim 1, 2, 7 or 14, characterized in that at least one first transport carriage (27) can also be moved along a transport route (19) into an unpacking station (03) for unpacking the reels of material (01).

17. Device according to claim 16, characterized in that at least one first transport carriage (27) can also be moved along a transport route (19) into a splice preparation station (03) for preparing the splices (15) on the reel of material (01).

18. Device according to claim 17, characterized in that the splice preparation station (03) can simultaneously be used as an unpacking station (03).

19. Device according to claim 1, characterized in that, in a virtual extension of the direction of web travel in the web-processing machine (06), a transport route (12) is provided in the storage area (11), along which the second transport carriage (32) can be moved.

20. Device according to claim 1, characterized in that, parallel to the extension of the direction of web travel in the web-processing machine (06), a transport route (12) is provided in the storage area (11) along which the second transport carriage (32) can be moved.

21. Device according to claim 2, characterized in that the reels of material (01) or the first transport carriages (27) can be removed from the storage spaces (13) from a side that faces away from the web-processing machine (06).

22. Device according to claim 1, 2 or 4, characterized in that the storage spaces (13) can be approached via branch lines (16) that extend especially perpendicular to the transport route (11).

23. Device according to claim 1, 2 or 4, characterized in that storage spaces (13) are provided on only one side of a transport route (12).

24. Device according to claim 1, or 8, characterized in that a position-sensing system is provided along at least certain segments of a transport route (12) for the precise positioning of the second transport carriage (32).

25. Device according to claim 1, 2, 3 or 4, characterized in that the storage area (11; 22; 24) is secured against unauthorized entry by means of a secured area (17; 37) installed along the perimeter of the store (11; 22; 24).

26. Device according to claim 25, characterized in that the secured area (17) of the storage area (11, 24) is formed in sections by a perimeter fence.

27. Device according to claim 25 or 26, characterized in that the secured area (17) of the storage area (11) is formed in sections by the area security system (37) of the reel changer (09).

28. Device according to one of claims 25, 26 or 27, characterized in that at least one transfer channel (18) is provided in the area security system (37) to allow reels of material (01) to be transferred in and/or out.

29. Device according to one of claims 28, characterized in that the storage area (11) is secured against unauthorized entry in the area of the transfer channel (18) by photoelectric beams or ultrasound sensors.

30. Device according to claim 29, characterized in that multiple photoelectric beams of ultrasound sensors are provided, which are arranged at different levels.

31. Device according to one of claims 1 through 30, characterized in that multiple processing stations (07) are provided in the web-processing machine (06), one in front of another in a longitudinal direction.

32. Device according to one of claims 1 through 31, characterized in that in the web-processing machine (06) at least one processing station (07) is designed as a printing couple (07) in a rotary printing press (06).

33. Device according to claim 32, characterized in that with the printing couples (07) the rotary printing press (06) has a horizontal web path.

34. Device according to one of claims 1, 2 or 3, characterized in that the storage area (11; 22; 24) is designed as a FIFO storage area.

35. Device according to claim 1, 2 or 3, characterized in that a control center is provided for operation of the web-processing machine, and the storage area (11; 22; 24) is arranged adjacent to the control center.

36. Device according to claim 1, 2, 3 or 4, characterized in that the first transport carriage (27) has runners (28) and travels on rails.

37. Device according to claim 1, 2, 3 or 4, characterized in that the second transport carriage (32) has runners (34) and travels on rails.

38. Device according to claim 37, characterized in that a support frame of the second transport carriage (32) has a short segment of track (33), in which the first transport carriage (27) runs.

39. Device according to claim 36 or 37, characterized in that the actuation of the transport carriage (27; 32) is accomplished via chain drives.

40. Device according to claim 38, characterized in that the second transport carriage (32) has two segments of track (33; 33') arranged at a distance (a) from one another.

41. Device according to claim 40, characterized in that the distance (a) between the two segments of track (33; 33') is greater than a maximum diameter (D_{max}) of a reel of material (01) to be transported.

42. Device according to claim 1, 2, 3 or 4, characterized in that at least some of the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate a single transport carriage (27).

43. Device according to claim 1, 2, 3 or 4, characterized in that the majority of the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate a single transport carriage (27).

44. Device according to claim 1, 2, 3 or 4, characterized in that all the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate a single transport carriage (27).

45. Device according to claim 42, characterized in that at least a portion of the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate two transport carriages (27).

46. Device according to claim 43, characterized in that the majority of the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate two transport carriages (27).

47. Device according to claim 44, characterized in that all the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate two transport carriages (27).

48. Device according to claim 45, characterized in that at least some of the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate more than two transport carriages (27).

49. Device according to claim 46, characterized in that the majority of the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate more than two transport carriages (27).

50. Device according to claim 47, characterized in that all the storage spaces (13) and/or the branch lines (16) allocated to the storage spaces (13) accommodate more than two transport carriages (27).

51. Device according to claim 1, 2, 7 or 14, characterized in that at least one transport carriage (27) carries an adapter designed to accommodate a partial reel.

52. Device according to claim 1, 3 or 8, characterized in that two storage areas (11; 11') are arranged, each with a second transport carriage (32).

53. Device according to claim 52, characterized in that the transport routes (14) for the two transport carriages (32) are arranged extending parallel to one another.

54. Device according to claim 52, characterized in that the two storage areas (11; 11') are connected to one another via a track.

55. Device according to claim 52, characterized in that a splice preparation station (03) is arranged between the two storage areas (11; 11').

56. Device according to claim 1, 3, 8, 9 or 52, characterized in that the second transport carriage (32) is arranged to transport the splice-prepared reels of material (01) into the storage area (11; 11').

57. Device according to claim 1, 2, 3 or 4, characterized in that at least two storage spaces (13), and/or branch lines (16) allocated to said storage spaces (13), arranged directly one in front of another in the longitudinal direction of the web-processing machine (06), have a spacing (a) that is greater than a maximum diameter (D_{max}) of the reel of material (01) to be transported.

58. Device according to claim 2, 3 or 4, characterized in that at least two storage spaces (13), and/or branch lines (16) allocated to said storage spaces (13), arranged directly one in front of another in the longitudinal direction of the web-processing machine (06), have a spacing (a) that is dimensioned such that two new reels of material (01) can be or are stored.

59. Device according to claim 1, 2, 3 or 4, characterized in that the majority of storage spaces (13), and/or branch lines (16) allocated to said storage spaces (13), arranged directly one in front of another in the longitudinal direction of the web-processing machine, have a spacing (a) that is greater than a maximum diameter (D_{max}) of the reel of material (01) to be transported.

60. Device according to claim 1, 2, 3 or 4, characterized in that the majority of storage spaces (13), and/or branch lines (16) allocated to said storage spaces (13), arranged directly one in front of another in the longitudinal direction of the web-processing machine (06), have a spacing (a) that is dimensioned such that two new reels of material (01) can be or are stored.

61. Device according to claim 1, 2, 3 or 4, characterized in that all the storage spaces (13), and/or branch lines (16) allocated to said storage spaces (13), arranged directly one in front of another in the longitudinal direction of the web-processing machine (06), have a spacing (a) that is greater than a maximum diameter (D_{max}) of the reel of material (01) to be transported.

62. Device according to claim 1, 2, 3 or 4, characterized in that all the storage spaces (13), and/or branch lines (16) allocated to said storage spaces (13), arranged directly one in front of another in the longitudinal direction of the web-processing machine (06), have a spacing (a) that is dimensioned such that two new reels of material (01) can be or are stored.

63. Device according to claim 2 or 10, characterized in that at least three storage spaces (13) for reels of material (01) are arranged on each side of the transport route (12).

64. Device according to claim 1, 2, 3 or 4, characterized in that new reels of material (01) can be or are stored in at least two storage spaces (13) that are arranged directly one in front of another in the longitudinal direction of the web-processing machine (06).

65. Device according to claim 1, 2, 3 or 4, characterized in that new reels of material (01) can be or are stored in the majority of storage spaces (13) that are arranged directly one in front of another in the longitudinal direction of the web-processing machine (06).

66. Device according to claim 1, 2, 3 or 4, characterized in that new reels of material (01) can be or are stored in all the storage spaces (13) that are arranged directly one in front of another in the longitudinal direction of the web-processing machine (06).

67. Device according to claim 1, 2, 3 or 4, characterized in that reels of material (01) having a maximum diameter (D_{max}) can be stored in at least two storage spaces (13) that are arranged directly one in front of another in the longitudinal direction of the web-processing machine (06).

68. Device according to claim 1, 2, 3 or 4, characterized in that reels of material (01) having a maximum diameter (D_{max}) can be stored in the majority of storage spaces (13) that are arranged directly one in front of another in the longitudinal direction of the web-processing machine (06).

69. Device according to claim 1, 2, 3 or 4, characterized in that reels of material (01) having a maximum diameter (D_{max}) can be stored in all the storage spaces (13) that are arranged directly one in front of another in the longitudinal direction of the web-processing machine (06).

70. Device according to claim 58, 60, 62 or 64 through 66, characterized in that the new reels of material (01) are provided with splices (15).

71. Device according to claim 3, 4 or 31, characterized in that the longitudinal direction and the direction of web travel in the web-processing machine (06) extend essentially in the same direction.

72. Device according to claim 1, 3 or 4, characterized in that no rotating platform for the transport carriages (27) is arranged between the storage spaces (13) and the reel changer (09).

73. Device according to claim 9, characterized in that no rotating platform for the transport carriages (27) is arranged between the storage spaces (13) and the splice preparation station (03).

74. Device according to claim 32, characterized in that at least one printing couple (07), the reel changer (09) and the storage spaces (13) are arranged nearly in a single common plane (20).

75. Device according to claim 74, characterized in that all printing couples (07) are arranged in a single common plane (20).

76. Device according to claim 1, 3 or 4, characterized in that the web-processing machine (06) has a single reel changer (09).

77. Device according to claim 1, 8 or 9, characterized in that the transport route (12) for the second transport carriage (32) and the longitudinal axis (10) of a dryer (08) in the web-processing machine (06) are in alignment with one another.

78. Device according to claim 1, 8 or 9, characterized in that the transport route (12) for the second transport carriage (32) and the longitudinal axis (10) of a dryer in the web-processing machine (06) are arranged offset from and parallel to one another.

79. Device according to claim 1, 2, 3 or 4, characterized in that for the majority of storage spaces (13), each storage space (13) has its own drive for transporting the reels of

material (01).

80. Device according to claim 1, 2, 3 or 7, characterized in that for the majority of storage spaces (13), each storage space (13) is equipped with a separate under-floor conveyance system for the transport carriage (27).

81. Device according to claim 80, characterized in that the under-floor conveyance system has a continuous mode of propulsion.

82. Device according to claim 81, characterized in that the mode of propulsion is designed as a chain.

83. Device according to claim 1, 2, 3 or 7, characterized in that each first transport carriage (27) is equipped with its own drive.

84. Device according to claim 79, characterized in that each storage space (13) is equipped with its own drive.

85. Device according to claim 80, characterized in that each storage space (13) is equipped with its own under-floor conveyance system.

86. Device according to claim 1, 3 or 8, characterized in that the second transport carriage (32) is equipped with its own drive.

87. Device according to claim 86, characterized in that the drive of the second transport carriage (32) can be actuated independently of the drives of the first transport carriages (27).

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In re Application of :
LEHRIEDER, ERWIN PAUL JOSEF, et al. :
Application No. 13/052,479 :
Filed: March 21, 2010 :
Attorney Docket No. **W1.3189 US** :

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 PCT Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed March 28, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

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

(1) The U.S. application be (a) a national stage entry of the corresponding PCT application, or (b) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (c) a national stage application that claims domestic/foreign priority to the corresponding PCT application, (d) a national application which forms the basis for the priority claim in the corresponding PCT application, or (e) a continuation application of the U.S. application which satisfies one of the above (a) to (d) scenarios.
(2) A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the corresponding PCT application(s) which indicates at least one claim in the PCT application has novelty, inventive step, and industrial applicability.
(3) A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application(s).
(4) English translations of the documents in (2) and (3) (if the documents are not in the English language).
(5) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claims which were indicated as having novelty, inventive step, and industrial applicability in the corresponding PCT application(s).
(6) Examination of the U.S. application has not begun; and
(7) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA. WO/IPEA, IPER) of the corresponding PCT application(s).

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 Ken Wieder at 571-272-2986.

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.

/Kenneth A. Wieder/

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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DECADY, ALBERT	

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

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In re Application of: HOSOKAWA et al.
Application No. 13/052,505
Attorney Docket #: **201252-0048 (466750)**
Filed: March 21, 2011
For: **NUMERICAL CONTROLLER HAVING OSCILLATING OPERATION FUNCTION CAPABLE OF CHANGING SPEED IN OPTIONAL SECTION**

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 September 8, 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. In particular, the U.S. application (including national stage entry of a PCT application and 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):

(a) is an application that validly claims priority under 35 U.S.C. § 119(a) and 37 CFR 1.55 to one or more applications filed with JPO,

Or

(b) is an application which is the basis of a valid priority claim under the Paris Convention for the application filed in JPO

Or

(c) is an application which shares a common priority document with the application filed in JPO

Or

(d) and the JPO application are derived from/related to a PCT application having 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;

If the JPO office action does not explicitly state that a particular claim is allowable, the applicant must include a statement in the request for participation in the PPH program or in the transmittal letter accompanying the request for participation that no rejection has been made in the JPO office action regarding that claim, and therefore, the claim is deemed allowable by JPO.

(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). 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.

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 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

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: 238866-1	Application Number (if known): 13/052542	Filing date: 3-21-2011
First Named Inventor: David Beers		
Title: APPARATUS AND METHOD FOR REFRIGERANT CYCLE CAPACITY ACCELERATION		

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 11-23-2011
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.

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.

PTO/SB/420 (11-10)
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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.

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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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/052,542	03/21/2011	David G. Beers	238866_1	6669

52082 7590 12/07/2011

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER	
ART UNIT	PAPER NUMBER
3743	

NOTIFICATION DATE	DELIVERY MODE
12/07/2011	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):

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

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Alexandria, VA 22313-1450
www.uspto.gov

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of
BEERS, DAVID G. et al
Application No. 13/052,542
Filed: March 21, 2011
Attorney Docket No. 238866_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 Nov. 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**.

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 conventional heat pump operation as claimed in claims 1, 8 or 16 will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. There is no connection between the green statements and the claimed features.

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 3743 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

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: 238867-1	Application Number (if known): 13/052548	Filing date: 3-21-2011
First Named Inventor: David Beers		
Title: APPARATUS AND METHOD FOR REFRIGERATION CYCLE CAPACITY ENHANCEMENT		

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 11-23-2011
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.

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.

PTO/SB/420 (11-10)
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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.
13/052,548	03/21/2011	David G. BEERS	238867-1	6679

52082 7590 12/07/2011

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER	
ART UNIT	PAPER NUMBER
3743	

NOTIFICATION DATE	DELIVERY MODE
12/07/2011	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):

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of		
BEERS, DAVID G. et al	:	DECISION ON PETITION
Application No. 13/052,548	:	TO MAKE SPECIAL UNDER
Filed: March 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 238867-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Nov. 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**.

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 refrigeration input and output with a transient and supplemental coil area and valves will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. There is no connection between the green statements and the claimed features.

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 3743 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 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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MAILED
DEC 14 2011
OFFICE OF PETITIONS

FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

In re Application of
Ravi Jagannathan
Application No. 13/052,561
Filed: March 21, 2011
Attorney Docket No. 18914-0002002

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the renewed Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) filed November 15, 2011.

The request is **NOT APPROVED**.

The Office will no longer approve requests from practitioners to withdraw from application where the requesting practitioners is acting, or has acted, in a representative capacity pursuant to 37 CFR 1.34. In these situations, the practitioner is responsible for the correspondence the practitioner files in the application while acting in a representative capacity. As such, there is no need for the practitioner to obtain the Office's permission to withdraw from representation. However, practitioners acting in a representative capacity, like practitioners who have power of attorney in the application, remain responsible for noncompliance with 37 CFR 1.56, as well as 37 CFR 10.18, with respect to the documents they file.

A review of the file record indicates that Fish & Richardson, PC (BO) does not have power of attorney in this patent application. See 37 C.F.R. § 10.40. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

Petitioner should also note that the Office will no longer accept address changes to a new practitioner of a law firm file with a Request to Withdraw, absent the filing of a power of attorney to the new representative. The Office will either change the correspondence address of record 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, the most current address information provided for the first named inventor.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, a 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).

Accordingly, the request to withdraw from record does not include an acceptable current correspondence address for future communications from the Office.

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

Telephone inquires concerning this decision should be directed to undersigned at 571-272-1642. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions

cc: MICHAEL MANN, MD
27709 VIA CERRO GORDO
LOS ALTOS HILLS, CA 94022

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: 3449-1003PUS2	Application Number (if known): 13/052,587	Filing date: March 21, 2011
First Named Inventor: Bo Geun PARK		
Title: PACKAGE OF LIGHT EMITTING DIODE 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.

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 23 2011
Name (Print/Typed) Esther H. Chong	Registration Number 40953

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.

4

Docket No.: 3449-1003PUS2
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:	Bo Geun PARK		
Application No.:	13/052,587	Confirmation No.:	6737
Filed:	March 21, 2011	Art Unit:	2895
For:	PACKAGE OF LIGHT EMITTING DIODE AND METHOD FOR MANUFACTURING THE SAME	Examiner:	Not Yet Assigned

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 claimed in the above-identified patent application materially contributes to improvement in environmental quality, energy conservation and/or reduction of greenhouse gas emissions. Specifically, the claimed invention relates to a package of a semiconductor light emitting diode, and a display device having a package of a semiconductor light emitting device diode, each of which having a semiconductor light emitting diode chip.

For example, semiconductor light emitting diodes have a much longer life-span than conventional light sources such as fluorescent tubes or other traditional light sources. The semiconductor light emitting diodes also use less energy or power to operate than other traditional light sources. Thus, the environmental quality is significantly improved, energy is conserved, and greenhouse gas emissions to generate energy or power are reduced.

Additionally, by filing this petition, the applicant agrees to make an election without traverse in a telephone interview and elect an invention that meets the eligibility requirements set for 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 that 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 Seth S. Kim, Reg. No. 54,577, at the telephone number of 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 23 2011

Respectfully submitted,

By _____

Esther H. Chong
Registration No.: 40953
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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/052,587	03/21/2011	Bo Geun PARK	3449-1003PUS2	6737

2292 7590 06/01/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
ART UNIT	PAPER NUMBER
2895	

NOTIFICATION DATE	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):

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of	:	
Bo Geun PARK	:	DECISION ON PETITION
Application No. 13/052,587	:	TO MAKE SPECIAL UNDER
Filed: March 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 3449-1003PUS2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 23, 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 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

NAVAL RESEARCH LABORATORY
ASSOCIATE COUNSEL (PATENTS)
CODE 1008.2
4555 OVERLOOK AVENUE, S.W.
WASHINGTON DC 20375-5320

MAILED
MAR 3 0 2012
OFFICE OF PETITIONS

In re Application of
Long et al.
Application No. 13/052,596
Filed: 03/21/2011
Attorney Docket No. 98661-US3

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed March 13, 2012, to change the order of the names of the inventors.

The petition is **GRANTED**.

The Office of Petitions has changed the order of the names of the inventors in the USPTO computer records and printed a new bibliographic data sheet, which will be scanned into the Image File Wrapper. A corrected filing receipt, reflecting the requested change, accompanies this decision.

The application is being forwarded to Technology Center 1727.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3211.

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

Enclosure: 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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/052,596	03/21/2011	1727	1310	98661-US3	11	4

CONFIRMATION NO. 6757

CORRECTED FILING RECEIPT

26384
NAVAL RESEARCH LABORATORY
ASSOCIATE COUNSEL (PATENTS)
CODE 1008.2
4555 OVERLOOK AVENUE, S.W.
WASHINGTON, DC 20375-5320

Date Mailed: 03/30/2012

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)

Jeffrey W. Long, Alexandria, VA;
Debra R. Rolison, Arlington, VA;
Bruce Dunn, Los Angeles, CA;
Henry S. White, Salt Lake City, UT;
Fred Wudl, Los Angeles, CA;
Sarah H. Tolbert, Encino, CA;
Chang-Jin Kim, Beverly Hills, CA;

Assignment For Published Patent Application

The Government of the United States of America, as represented by the Secretary of the Navy

Power of Attorney: The patent practitioners associated with Customer Number 26371

Domestic Priority data as claimed by applicant

This application is a DIV of 11/464,173 08/11/2006 ABN
which claims benefit of 60/707,682 08/12/2005

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: 03/31/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/052,596**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Three dimensional Battery Architectures and Methods of Making Same

Preliminary Class

429

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 AssetsControl, 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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SCULLY SCOTT MURPHY &
PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

MAILED

MAR 12 2012

OFFICE OF PETITIONS

In re Application of
Seigo Kase et al
Application No.: 13/052,599
Filed: March 21, 2011
Attorney Docket No.: 27452Z
For: ENDOSCOPE APPARATUS AND ENDOSCOPE

: 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 December 1, 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 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 once this application's formality reviews have been completed.

David Bucci
Petitions Examiner
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: 2800/17C1	Application Number (if known):	Filing date:
First Named Inventor: Sergey Frolov et al.		
Title: MULTI-STAGE FORMATION OF THIN-FILMS FOR PHTOVOLTAIC 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: _____

Signature /Stuart H. Mayer/	Date 3/21/11
Name (Print/Typed) Stuart H. Mayer	Registration Number 35277

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.

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.

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.

Serial No.: TBA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sergey Frolov et al.

Serial No.: To be assigned

Filed: Herewith

Title: MULTI-STAGE FORMATION OF THIN-FILMS FOR PHOTOVOLTAIC DEVICES

Art Unit: Unassigned

Examiner: Unassigned

Confirmation No.: Unassigned

Docket No.: 2800/17C1

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

Certificate of Electronic Transmission
Under 37 C.F.R. §1.8

I hereby certify that this correspondence and any document referenced herein are being electronically filed with the USPTO via EFS-Web on March 21, 2011

Michelle Wolf

(Printed Name of Person Sending Correspondence)

Michelle Wolf
/ /
(Signature)

STATEMENT OF SPECIAL STATUS RE: PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Sir:

This Statement of Special Status is accompanied by a Petition to Make Special Under the Green Technology Pilot Program.

Applicant submits that this application should be deemed eligible to participate in the Green Technology Pilot Program due to its subject matter. This application relates to renewable energy. Specifically, it relates to photovoltaic cells and systems incorporating such cells that can be used to convert solar energy to electrical and or/thermal energy.

CONCLUSION

The undersigned submits that all eligibility requirements have been met, specifically, the application has not received a Restriction Requirement or Office Action on the merits to date, contains no more than three (3) independent claims and twenty (20) total claims, contains no

multiple dependent claims, and is 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) and a Statement of Special Status have been submitted herewith.

It is respectfully requested that the Petition to Make Special Under the Green Technology Pilot Program be granted, and the application advance to examination promptly upon the granting of said Petition. Should the Examiner be of the view that an interview would expedite consideration of the application, request is made that the Examiner telephone the Applicants' attorney at (908) 518-7700 in order that any outstanding issues be resolved.

FEES

While it is not believed that any fees are due as a result of this Response, the Office is authorized to charge any fees required, to deposit account number 50-1047.

Respectfully submitted,

/Stuart H. Mayer/
Stuart H. Mayer
Registration No. 35,277

Attorney for Applicants
Mayer & Williams PC
251 North Avenue West, 2nd Floor
Westfield, NJ 07090
Tel: 908-518-7700
Fax: 908-518-7795

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.
13/052,618	03/21/2011	Sergey Frolov	2800/17C1	6796

27774 7590 06/09/2011

MAYER & WILLIAMS PC
251 NORTH AVENUE WEST
Suite 201
WESTFIELD, NJ 07090

EXAMINER	
LOKE, STEVEN HO YIN	

ART UNIT	PAPER NUMBER
2818	

MAIL DATE	DELIVERY MODE
06/09/2011	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.

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

MAYER & WILLIAMS PC
251 NORTH AVENUE WEST
Suite 201
WESTFIELD NJ 07090

In re Application of	:	
FROLOV et al.	:	DECISION ON PETITION
Application No. 13/052,618	:	TO MAKE SPECIAL UNDER
Filed: February March 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2800/17C1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 21, 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 2818 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 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: 3449-1003PUS3	Application Number (if known): 13/052,684	Filing date: March 21, 2011
First Named Inventor: Bo Geun PARK		
Title: PACKAGE OF LIGHT EMITTING DIODE 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.

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 23 2011
Name (Print/Typed) Esther H. Chong	Registration Number 40953

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.

Docket No.: 3449-1003PUS3
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:	Bo Geun PARK		
Application No.:	13/052,684	Confirmation No.:	6909
Filed:	March 21, 2011	Art Unit:	2895
For:	PACKAGE OF LIGHT EMITTING DIODE AND METHOD FOR MANUFACTURING THE SAME	Examiner:	Not Yet Assigned

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 claimed in the above-identified patent application materially contributes to improvement in environmental quality, energy conservation and/or reduction of greenhouse gas emissions. Specifically, the claimed invention relates to a package of a semiconductor light emitting diode, and a display device having a package of a semiconductor light emitting device diode, each of which having a semiconductor light emitting diode chip.

For example, semiconductor light emitting diodes have a much longer life-span than conventional light sources such as fluorescent tubes or other traditional light sources. The semiconductor light emitting diodes also use less energy or power to operate than other traditional light sources. Thus, the environmental quality is significantly improved, energy is conserved, and greenhouse gas emissions to generate energy or power are reduced.

Additionally, by filing this petition, the applicant agrees to make an election without traverse in a telephone interview and elect an invention that meets the eligibility requirements set for 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 that 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 Seth S. Kim, Reg. No. 54,577, at the telephone number of 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 23 2011

Respectfully submitted,

By _____
Esther H. Chong
Registration No.: 40953
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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/052,684	03/21/2011	Bo Geun PARK	3449-1003PUS3	6909

2292 7590 06/01/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
ART UNIT	PAPER NUMBER
2895	

NOTIFICATION DATE	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):

mailroom@bskb.com

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

In re Application of	:	
Bo Geun PARK	:	DECISION ON PETITION
Application No. 13/052,684	:	TO MAKE SPECIAL UNDER
Filed: March 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 3449-1003PUS3	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 23, 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 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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MAILED

MAY 05 2011

OFFICE OF PETITIONS

HICKMAN PALERMO TRUONG & BECKER/ORACLE
2055 GATEWAY PLACE
SUITE 550
SAN JOSE CA 95110-1083

In re Application of:	:	
Ou et al.	:	
Application No. 13/052708	:	DECISION DISMISSING
Filing or 371(c) Date: 03/21/2011	:	PETITION UNDER
Title of Invention:	:	37 CFR 1.47(a)
TECHNIQUES FOR AUTOMATICALLY	:	
DISCOVERING A DATABASE DEVICE	:	
ON A NETWORK	:	

This Decision is in response to the "Petition Under 37 CFR 1.47(a)," filed March 21, 2011, and supplemented March 22, 2011, to allow the other inventor(s) to proceed with the application on behalf of himself or herself and the nonsigning inventor(s).

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 [insert the applicable code section]"; 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).

Background

The above-identified application was filed on March 21, 2011, without, a fully executed oath or declaration. The application as-filed included the present petition, wherein Applicant avers that inventor Sivakumar Thivakaram either cannot be found or reached after diligent effort or refuses to join in he application on account of being either unwilling or unable to sign the declaration. In support of this assertion, Applicant provides that a copy of the application was sent via email to inventor Thivakaram, but inventor Thivakaram has not responded to the email. In further support of the petition, Applicant provides that a copy of the application was sent to invenrtor Thivakaram at his last known mailing address, but was returned to Applicant. Written somewhat illegibly on the outside of the package was what appeared to be a sentence to the effect that 'no such person at this address,' along with an illegible signature. Applicant provides further that

another email was sent to inventor Thivakaram, however, no communication from inventor Thivakaram has been received.

Applicable Law, Rules and MPEP

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. Applicant lacks item (1) set forth above.

As to item (1), Applicant is advised that 37 CFR 1.47(a) provides for two separate and distinct instances that will allow the other inventor(s) to proceed with the application on behalf of himself or herself and the nonsigning inventor(s). 37 CFR 1.47(a) requires proof that either 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).

Where it is alleged that the nonsigning inventor refuses to join in the application, the MPEP provides

> A refusal by an inventor to sign an oath or declaration when the inventor has not been presented with the application papers does not itself suggest that the inventor is refusing to join the application unless it is clear that the inventor understands exactly what he or she is being asked to sign and refuses to accept the application papers. A copy of the application papers should be sent to the last known address of the non-signing inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney. The fact that an application may contain proprietary information does not relieve the 37 CFR 1.47 applicant of the responsibility to present the application papers to the inventor if the inventor is willing to receive the papers in order to sign the oath or declaration. (Emphasis supplied).

MPEP 409.03(d).

If the nonsigning inventor cannot be found or reached after diligent effort, the MPEP provides:

> Where inability to find or reach a nonsigning inventor "after diligent effort" is the reason for filing under 37 CFR 1.47, a statement of facts should be submitted that fully describes the exact facts which are relied on to establish that a diligent effort was made. The fact that a nonsigning inventor is on vacation or out of town and is therefore temporarily unavailable to sign the declaration is not an acceptable reason for filing under 37 CFR 1.47. Furthermore, the fact that an inventor is hospitalized and/or is not conscious is not an acceptable reason for filing under 37 CFR 1.47. 37 CFR 1.43 may be available under these circumstances. See MPEP § 409.02. Such a petition under 37 CFR 1.47 will be dismissed as inappropriate.

> The statement of facts must be signed, where at all possible, by a person having firsthand knowledge of the facts recited therein. Statements based on hearsay will not normally be accepted. Copies of documentary evidence such as internet searches, certified mail return receipts, cover letters of instructions, telegrams, that support a finding that the nonsigning inventor could not be found or reached should be made part of the statement. The steps taken to locate the whereabouts of the nonsigning inventor should be included in the statement of facts. It is important that the statement contain facts as opposed to conclusions.

At the very least, an Internet search, or a search of telephone directories should be undertaken of the regions where it is suspected the non-signing inventor may reside. Copies of the results of such searches must be referred to in any renewed petition. It is important that the forthcoming communication contain statements of fact as opposed to conclusions. *See*, MPEP § 409.03(d).

Analysis and conclusion

In this instance, it appears that inventor Thivakaram no longer resides at the last known address. Where the whereabouts of the nonsigning inventor are known, Applicant must mail the nonsigning inventor a copy of the application. However, if the nonsigning inventor no longer resides at the last known address, and the whereabouts of the nonsigning inventor are unknown, what is required is a showing of diligent effort in trying to find or reach the nonsigning inventor. At the very least, an Internet search, or a search of telephone directories should be undertaken of the regions where it is suspected the non-signing inventor may reside. Copies of the results of such searches must be referred to in any renewed petition. It is important that the forthcoming communication contain statements of fact as opposed to conclusions.

Conclusion

The petition is dismissed without prejudice. Applicant should clarify whether the whereabouts of the nonsigning inventor are known – if so, applicant should provide a statement that the application was sent to the last known address of inventor Thivakaram. If the whereabouts of the nonsigning inventor are not known, Applicant must demonstrate diligent effort in trying to find or reach the nonsigning inventor, satisfying the requirement as iterated supra, as appropriate.

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

By mail: Director for Patents
PO Box 1450
Alexandria, VA 22313-1450

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

By hand: Customer Service Window
Randolph Building
401 Dulany Street

Alexandria, VA 22314

Telephone inquiries concerning this Decision should be directed to the undersigned at (571) 272-3232.

Derek L. Woods
Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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HICKMAN PALERMO TRUONG & BECKER/ORACLE
2055 GATEWAY PLACE
SUITE 550
SAN JOSE CA 95110-1083

MAILED
AUG 01 2011
OFFICE OF PETITIONS

In re Application of:
Ou et al.
Application No. 13/052708
Filing or 371(c) Date: 03/21/2011
Title of Invention:
TECHNIQUES FOR AUTOMATICALLY DISCOVERING A DATABASE DEVICE ON A NETWORK

DECISION GRANTING
PETITION UNDER
37 CFR 1.47(a)

This Decision is in response to the "Renewed Petition Under 37 CFR 1.47(a)," filed July 5, 2011, to allow the other inventor(s) to proceed with the application on behalf of himself or herself and the nonsigning inventor(s).

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 non-signing inventor, Sivakumar Thivakaram, 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 technology Center Art Unit 2159 for examination 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
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Alexandria, VA 22313-1450
www.uspto.gov

MR. SIVAKUMAR THIVAKARAM
751, 14TH CROSS
J.P. NAGAR 1ST PHASE
BANGALORE
KARNATAKA
560068

MAILED
AUG 01 2011
OFFICE OF PETITIONS

In re Application of:
Ou et al.
Application No. 13/052708 : LETTER
Filing or 371(c) Date: 03/21/2011
Title of Invention:
TECHNIQUES FOR AUTOMATICALLY DISCOVERING A DATABASE DEVICE ON A NETWORK

Dear Mr. Thivakaram:

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 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: HICKMAN PALERMO TRUONG & BECKER/ORACLE
2055 GATEWAY PLACE
SUITE 550
SAN JOSE CA 95110-1083

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:	13/052,821	Filing date:	03/21/2011
First Named Inventor:	John R. Goulding		
Title of the Invention:	In-Line Legged Robot and Method for Operating		

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

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/US2011/029417

The international filing date of the corresponding PCT application(s) is/are:
22 March 2011

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.**

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.

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

(continued)

Application No.:	13/052,821
First Named Inventor:	John R. Goulding

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	1	identical
2	2	identical
3	3	identical
4	4	identical
5	5	identical
6	6	identical
7	7	identical
9	8	identical
10	9	identical
11	10	identical
12	11	identical
16	12	identical
17	13	identical
18	14	identical
19	15	identical
20	16	identical
21	17	identical

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

Signature /Timothy M. Barlow/	Date 24 January 2012
Name (Print/Typed) Timothy M. Barlow	Registration Number 50018

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

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED

FEB 24 2012

OFFICE OF PETITIONS

TIMOTHY M. BARLOW
3595 Fountain Blvd
Suite H1
Colorado Springs CO 80910

In re Application of : DECISION ON REQUEST TO
John R. GOULDING : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/052,821 : AND PETITION TO MAKE SPECIAL
Filed: March 21, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: GOU-1101
For: IN-LINE LEGGED ROBOT VEHICLE AND METHOD FOR OPERATING

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed January 24, 2012, to make the above-identified application special.

The request and petition are **DISMISSED.**

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application 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;

(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; and

(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.

Requirements (1) to (7) above are considered to have been met. However, the request to participate in the PPH program and petition fail to meet requirement (8).

Regarding requirement (8), applicant has not shown how claims 13-15 and 22-28 in the U.S. application correspond to claims in the PCT application.

Applicant is given **ONE** opportunity with 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 within 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 Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

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.

David Bucci
Petitions Examiner
Office of Petitions

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:	13/052,821	Filing date:	03/21/2011
First Named Inventor:	John R. Goulding		
Title of the Invention:	In-Line Legged Robot and Method for Operating		

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

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/US2011/029417

The international filing date of the corresponding PCT application(s) is/are: 22 March 2011

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.**

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.

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

(continued)

Application No.:	13/052,821
First Named Inventor:	John R. Goulding

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
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11	10	identical
12	11	identical
16	12	identical
17	13	identical
18	14	identical
19	15	identical
20	16	identical
21	17	identical
13-15	dependent from 1	dependent from claim 1, and providing further limitations to claim 1

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

Signature	Date 28 February 2012
Name (Print/Typed) Timothy M. Barlow	Registration Number 50018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	John R. Goulding
App. No.:	13/052,821
Filed:	03/21/2011
For:	In-Line Legged Robot and Method for Operating
Examiner:	N/A
Art Unit:	
Conf. No.:	7160

Petition To Make Special Under PPH-KIPO

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

Dear Sir:

In response to the dismissal of the request and petition for participation in the PCT Patent Prosecution Highway program received 24 February 2012, attached please find documents pertaining to the claims.

In particular, a replacement form PTO/SB/20PCT-KR is submitted, which additionally shows how claims 13-15 of the U.S. application correspond to the claims in the PCT application. That is, claims 13-15 of the U.S. application are dependent from claim 1 and provide further limitations thereto.

In addition, please find attached a Preliminary Amendment which removes method claims 22-28 from the U.S. application.

Thus all remaining claims of the U.S. application correspond exactly to the claims in the PCT application, or as in the case of claims 13-15 of the U.S. application, correspond in a more-limited manner to the claims in the PCT application.

Respectfully submitted,

/Timothy M. Barlow/

(Goulding)

28 February 2012

Law Office of Timothy M. Barlow

3595 Fountain Blvd, Suite H1

Colorado Springs, CO 80910

(703) 864-7965

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
MAR 21 2012
OFFICE OF PETITIONS

TIMOTHY M. BARLOW
3595 Fountain Blvd
Suite H1
Colorado Springs CO 80910

In re Application of : DECISION ON REQUEST TO
John R. GOULDING : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/052,821 : AND PETITION TO MAKE SPECIAL
Filed: March 21, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: GOU-1101
For: IN-LINE LEGGED ROBOT VEHICLE AND METHOD FOR OPERATING

This is a decision on the renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed February 28, 2012, to make the above-identified application special.

The request and petition are **GRANTED.**

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application 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;

(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; and

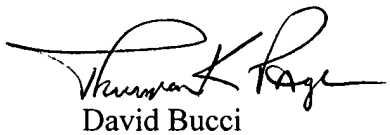
(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the 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 Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

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 Technology Center Art Unit 3661 for action commensurate with this decision.



David Bucci
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

The TPL Group (Interconnect Portfolio LLC)
C/O Alliacense Limited LLC
20883 Stevens Creek Boulevard
Suite 100
Cupertino CA 95014

MAILED
MAY 06 2011
OFFICE OF PETITIONS

In re Application of:	
Yasumura et al.	
Application No. 13/052831	DECISION DISMISSING
Filing or 371(c) Date: 03/21/2011	PETITION UNDER
Title of Invention:	37 CFR 1.47(a)
TORSIONALLY-INDUCED CONTACT FORCE CONDUCTORS FOR ELECTRICAL CONNECTOR SYSTEMS	

This Decision is in response to the Petition Under 37 C.F.R. 1.47(a), filed with the application papers on March 21, 2011, including a copy of a Declaration from application 11/123,863. The present application is a division of application no. 12/953171, which is a division of application 11/123,863.

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 [insert the applicable code section]"; 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).

Background

The above-identified application was filed on March 21, 2011, and included a copy of a Declaration from grandparent application 11/123,863, wherein Rule 47 status was granted. The present application is a division of application no. 12/953171, which is a division of application 11/123,863. Office records confirm that Applicant filed a Rule 47 petition in application no. 12/953,171, along with a copy of the a Declaration from application 11/123,863. Applicant did not include a copy of the decision granting Rule 47 status in prior application 11/123,863 with the petition and Declaration as required by 37 CFR 1.63(d)(3). In a Decision dismissing a Rule 47 petition filed in application no. 12/953,171, mailed December 21, 2010, this Office dismissed as moot the Rule 47 petition, and *sua sponte* placed a copy of the decision granting Rule 47 status in prior application 11/123,863.

Applicant files a copy of the Declaration from application 11/123,863; however, Applicant has again failed to include a copy of the decision granting Rule 47 status in prior application 11/123,863.

Applicable Law, Rules and MPEP

As provided in 37 CFR 1.63(d)

> (1) A newly executed oath or declaration is not required under § 1.51(b)(2) and § 1.53(f) in a continuation or divisional application, provided that:
> (i) The prior nonprovisional application contained an oath or declaration as prescribed by paragraphs (a) through (c) of this section;
> (ii) The continuation or divisional application was filed by all or by fewer than all of the inventors named in the prior application;
> (iii) The specification and drawings filed in the continuation or divisional application contain no matter that would have been new matter in the prior application; and
> (iv) A copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed, is submitted for the continuation or divisional application.
> (2) The copy of the executed oath or declaration submitted under this paragraph for a continuation or divisional application must be accompanied by a statement requesting the deletion of the name or names of the person or persons who are not inventors in the continuation or divisional application.
> (3) Where the executed oath or declaration of which a copy is submitted for a continuation or divisional application was originally filed in a prior application accorded status under § 1.47, the copy of the executed oath or declaration for such prior application ***must be accompanied by***:
> (i) A copy of the decision granting a petition to accord § 1.47 status to the prior application, unless all inventors or legal representatives have filed an oath or declaration to join in an application accorded status under § 1.47 of which the continuation or divisional application claims a benefit under 35 U.S.C. 120, 121, or 365(c); and
> (ii) If one or more inventor(s) or legal representative(s) who refused to join in the prior application or could not be found or reached has subsequently joined in the prior application or another application of which the continuation or divisional application claims a benefit under 35 U.S.C. 120, 121, or 365(c), a copy of the subsequently executed oath(s) or declaration(s) filed by the inventor or legal representative to join in the application.

The present application is a division of application no. 12/953171, which is a division of application 11/123,863. Applicant files a copy of the Declaration from application 11/123,863; however, Applicant has again failed to include a copy of the decision granting Rule 47 status in

prior application 11/123,863. A copy of the Decision granting rule 47 status to application serial no. 11/123,863, is required.

Conclusion

The petition is dismissed without prejudice. Applicant should file a request for reconsideration of petition and include a copy of the decision granting Rule 47 status in prior application 11/123,863.

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

By mail: Director for Patents
PO Box 1450
Alexandria, VA 22313-1450

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

By hand: Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Telephone inquiries concerning this Decision 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

The TPL Group (Interconnect Portfolio LLC)
C/O Alliacense Limited LLC
20883 Stevens Creek Boulevard
Suite 100
Cupertino CA 95014

MAILED

JUN 03 2011

OFFICE OF PETITIONS

In re Application of:	:	
Yasumura et al.	:	
Application No. 13/052831	:	DECISION GRANTING
Filing or 371(c) Date: 03/21/2011	:	PETITION UNDER
Title of Invention:	:	37 CFR 1.47(a)
TORSIONALLY-INDUCED CONTACT FORCE CONDUCTORS FOR ELECTRICAL CONNECTOR SYSTEMS	:- : :	

This Decision is in response to the Request for Reconsideration of Petition Under 37 CFR 1.47(a), filed May 20, 2011, including a copy of a decision granting Rule 47 status in prior application 11/123,863. The present application is a division of application no. 12/953171, which is a division of application 11/123,863.

As provided in 37 CFR 1.63(d)

> (1) A newly executed oath or declaration is not required under § 1.51(b)(2) and § 1.53(f) in a continuation or divisional application, provided that:
> (i) The prior nonprovisional application contained an oath or declaration as prescribed by paragraphs (a) through (c) of this section;
> (ii) The continuation or divisional application was filed by all or by fewer than all of the inventors named in the prior application;
> (iii) The specification and drawings filed in the continuation or divisional application contain no matter that would have been new matter in the prior application; and
> (iv) A copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed, is submitted for the continuation or divisional application.
> (2) The copy of the executed oath or declaration submitted under this paragraph for a continuation or divisional application must be accompanied by a statement requesting the deletion of the name or names of the person or persons who are not inventors in the continuation or divisional application.
> (3) Where the executed oath or declaration of which a copy is submitted for a

> continuation or divisional application was originally filed in a prior application accorded status under § 1.47, the copy of the executed oath or declaration for such prior application must be accompanied by:
> (i) A copy of the decision granting a petition to accord § 1.47 status to the prior application, unless all inventors or legal representatives have filed an oath or declaration to join in an application accorded status under § 1.47 of which the continuation or divisional application claims a benefit under 35 U.S.C. 120, 121, or 365(c); and
> (ii) If one or more inventor(s) or legal representative(s) who refused to join in the prior application or could not be found or reached has subsequently joined in the prior application or another application of which the continuation or divisional application claims a benefit under 35 U.S.C. 120, 121, or 365(c), a copy of the subsequently executed oath(s) or declaration(s) filed by the inventor or legal representative to join in the application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.63(d). This application is hereby accorded Rule 1.47(a) status. The Office will dispense with the Notice to the nonsigning inventor and the announcement in the Official Gazette.[1].

The application file is being referred to Technology Center Art Unit 2839 for examination 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

[1] See 37 CFR 1.47(c) and MPEP 201.06(c).

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
John V. Cronin

Application No. 13052892

Filed:

Attorney Docket No. 11-CRO/102 CIP

: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 21-MAR-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.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/428 (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: 113005.012400	Application Number (if known): Herewith	Filing date: March 21, 2011
First Named Inventor: McGinley, Valerie		
Title: ENERGY-SAVING POWER ADAPTER/CHARGER		

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: /Eric J. Maiers/	Date: March 21, 2011
Name (Print/Typed): Eric J. Maiers	Registration Number: 59,614

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.

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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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).

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.
13/053,007	03/21/2011	Valerie L. McGinley	113005.012400	7491

34018 7590 05/05/2011

GREENBERG TRAURIG, LLP (CHI)
77 WEST WACKER DRIVE
SUITE 3100
CHICAGO, IL 60601-1732

EXAMINER	
ART UNIT	PAPER NUMBER
2835	

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):

chiipmail@gtlaw.com
escobedot@gtlaw.com
jarosikg@gtlaw.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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GREENBERG TRAURIG, LLP (CHI)
77 WEST WACKER DRIVE
SUITE 3100
CHICAGO IL 60601-1732

In re Application of	:	
MCGINLEY et al.	:	DECISION ON PETITION
Application No. 13/053,007	:	TO MAKE SPECIAL UNDER
Filed: March 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 113005.012400	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on March 21, 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 2835 for action on the merits commensurate with this decision.

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

HAZEN PATENT GROUP, LLC
1534 W. ISLANDIA DR.
GILLBERT AZ 85233

MAILED

MAY 20 2011

OFFICE OF PETITIONS

In re Application of	:	
Pekrul, Merton W.	:	
Application No. 13/053,022	:	ON PETITION
Filed: March 21, 2011	:	
Attorney Docket No. MERT0007	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 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 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 Technology Center Art Unit 3748 for action on the merits commensurate with this decision.

Liana Walsh
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

PETER K. TRZYNA, ESQ.
PO BOX 7131
CHICAGO IL 60680

MAILED

MAY 20 2011

OFFICE OF PETITIONS

In re Application of	:	
POLIS, et al	:	
Application No. 13/053,023	:	DECISION ON PETITION
Filed: March 21, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. CONCOM-P5-11	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 4, 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 declaration statement signed by Applicant Samuel C. Wu. Accordingly, the above-identified application has been accorded "special" status.

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

All other telephone inquiries should be directed to the Office of Data Management at (571) 272-4000.

The application is being forwarded to the Office of Data Management for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/053,073	03/21/2011	Arthur Ho	060898-5009-US	7611

7590 08/09/2011

MORGAN, LEWIS & BOCKIUS, LLP. (PA)
2 PALO ALTO SQUARE
3000 EL CAMINO REAL, SUITE 700
PALO ALTO, CA 94306

EXAMINER	
MACK, RICKY LEVERN	

ART UNIT	PAPER NUMBER
2873	

NOTIFICATION DATE	DELIVERY MODE
08/09/2011	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

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

PETER K. TRZYNA, ESQ.
PO BOX 7131
CHICAGO IL 60680

MAILED
MAY 20 2011
OFFICE OF PETITIONS

In re Application of :
POLIS, et al :
Application No. 13/053,085 : DECISION ON PETITION
Filed: March 21, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. CONCOM-P4-11 : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 4, 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 declaration statement signed by Applicant Samuel C. Wu. Accordingly, the above-identified application has been accorded "special" status.

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

All other telephone inquiries should be directed to the Office of Data Management at (571) 272-4000.

The application is being forwarded to the Office of Data Management for action on the merits commensurate with this decision.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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PETER K. TRZYNA, ESQ.
PO BOX 7131
CHICAGO IL 60680

MAILED

MAY 20 2011

OFFICE OF PETITIONS

In re Application of	:	
POLIS, et al	:	
Application No. 13/053,132	:	DECISION ON PETITION
Filed: March 21, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. CONCOM-P3-11	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 4, 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 declaration statement signed by Applicant Samuel C. Wu. Accordingly, the above-identified application has been accorded "special" status.

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

All other telephone inquiries should be directed to the Office of Data Management at (571) 272-4000.

The application is being forwarded to the Office of Data Management for action on the merits commensurate with this decision.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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PETER K. TRZYNA, ESQ.
PO BOX 7131
CHICAGO IL 60680

MAILED

MAY 20 2011

OFFICE OF PETITIONS

In re Application of	:	
POLIS, et al	:	
Application No. 13/053,155	:	DECISION ON PETITION
Filed: March 21, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. CONCOM-P6-11	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 4, 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 declaration statement signed by Applicant Samuel C. Wu. Accordingly, the above-identified application has been accorded "special" status.

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

All other telephone inquiries should be directed to the Office of Data Management at (571) 272-4000.

The application is being forwarded to the Office of Data Management for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
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: 1128781	Application Number (if known): 13/053,184	Filing date: March 21, 2011

First Named Inventor: John Paul MORGAN

Title: SOLAR-LIGHT CONCENTRATION APPARATUS

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 /Jonathan D. Cutler/	Date September 12, 2011
Name (Print/Typed) Jonathan D. Cutler	Registration Number 40,576

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 1 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.

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
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/053,184	03/21/2011	John Paul MORGAN	1128781	7797

92086 7590 11/04/2011

Osler Hoskin & Harcourt, LLP (Morgan Solar)
1000 De La Gauchetiere Street West
Suite 2100
Montreal, QC H3B4W5
CANADA

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
11/04/2011	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):

ipmtl@osler.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Osler Hoskin & Harcourt, LLP (Morgan Solar)
1000 De La Gauchetiere Street West
Suite 2100
Montreal QC H3B4W-5 CA CANADA

11/4/11

In re Application of	:	
Morgan	:	DECISION ON PETITION
Application No. 13/053,184	:	TO MAKE SPECIAL UNDER
Filed: 3/21/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **1128781**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 9/12/2011, 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 1725 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: 238721-1	Application Number (if known): 13/053,368	Filing date: 03-22-2011

First Named Inventor: Jaikumar LOGANATHAN

Title: SYSTEM AND METHOD FOR INCREASING ENERGY CAPTURE BY WIND TURBINES

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 1, 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: Jaikumar LOGANATHAN)
)
Confirmation No.: 8113
)
Serial No.: 13/053,368)
)
Filing Date: 03-22-2011)
)
Atty Docket No.: 238721-1)

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: July 1, 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.
13/053,368	03/22/2011	Jaikumar Loganathan	238721-1	8113

6147 7590 07/15/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
07/15/2011	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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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of		
LOGANATHAN, JAIKUMAR	:	DECISION ON PETITION
Application No. 13/053368	:	TO MAKE SPECIAL UNDER
Filed: March 22, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 238721-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 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.

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 a blade with a camber between two ends 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 16-25 have nothing to do with 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 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: Jaikumar LOGANATHAN	)
Confirmation No.: 8113	)
	)
Serial No.: 13/053,368	)
	)
Filing Date: 03-22-2011	)
	)
Atty Docket No.: 238721-1	)

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 15 July 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 blade with a camber between two ends 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 Decision alleges that Claims 16-25 have nothing to do with 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 the field of wind turbines, and more specifically to wind turbine blades including pronounced camber. (see at least paragraph [0001]).

Typically, the performance of wind turbines reduces due to variations in the operating conditions of the wind turbines. The operating conditions typically include environmental conditions, such as, direction of wind, velocity of wind, an angle of attack, and the like. For example, a variation in the direction of wind may change the angle of attack of a blade that may alter the performance of the blade. However, such environmental conditions are beyond the control of human beings. Therefore, efforts have been made to detect the operating conditions and accordingly control the wind turbines to increase performance of the wind turbines in adverse conditions. To increase the performance of wind turbines, efforts have also been made to design optimized airfoils that can withstand variations in the operating conditions. (see at least paragraph [0002])

The optimized airfoils may be designed based upon various relationships between the operating conditions of wind turbines and few parameters. The parameters, for example, include an operational angle of attack and airfoil properties viz., a lift coefficient, a drag coefficient, a stall angle, and the like. The flow of wind prematurely separates at a separation point from the suction side of the airfoil. The early separation of wind forms a large separation area, and increases drag force acting on the airfoil due to an increase in drag coefficient. Consequently, the performance of a wind turbine having blades with such airfoils may reduce. (see at least paragraph [0003]).

Embodiments of the present system and techniques relate to a blade that has a pronounced camber running between a proximal end to a distal end of the blade. More particularly, embodiments of the present system and techniques relate to an airfoil of the blade that has a pronounced camber on a suction side and in proximity to a trailing edge of the airfoil. (see at least paragraph [0016]).

The embodiments of the present system and techniques reduce the region of separated flow in a wind turbine. Due to the presence of pronounced cambers in blades of the wind turbine, the separation of wind flow from the blades is delayed. The delay in the separation of the wind flow results in a smaller separation area and a larger stall margin of the wind turbine. Due to the larger stall margin, the wind turbine would be able to extract more energy from wind, which leads to an increase in annual energy production by the wind turbine. The larger stall margin also helps in smooth and more robust operation of the wind turbine. (see at least paragraph [0023]).

Embodiments of the present invention materially contribute to the development of renewable energy by providing wind turbine blades including a pronounced camber. These measure aid in less drag force on the airfoil and more efficient energy production. This in turn promotes an increase in annual energy production by the wind turbine and a more robust operation, which 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 12, 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.
13/053,368	03/22/2011	Jaikumar Loganathan	238721-1	8113

6147 7590 08/18/2011

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

EXAMINER	
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
Jaikumar Loganathan et al.
Application No. 13/053,368
Filed: March 22, 2011
Attorney Docket No. 238721-1

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 12, 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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: John K. BESORE	)
Confirmation No.: 8164	)
	)
Serial No.: 13/053,392	)
	)
Filing Date: 03-22-2011	)
	)
Atty Docket No.: 244362-1 (GECZ 201114US01)	)

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

Statement Concerning the Basis for the Special Status

SIR:

The following disclosure relates to energy management, and more particularly to energy management of household consumer appliances, as well as other energy consuming devices and/or home energy systems found in the home. The present disclosure finds particular application to a home energy management system configured to provide predictive guidance to consumers through a communicating consumer control device, such as a home energy manager (HEM). (See [0002]).

Many utilities are currently experiencing a shortage of electric generating capacity due to increasing consumer demand for electricity. Currently utilities charge a flat rate, but with increasing cost of fuel prices and high energy usage at certain parts of the day, utilities have to buy more energy to supply customers during peak demand, which causes prices to rise during these times. If peak demand can be lowered, then a potential huge cost savings can be achieved and

the peak load that the utility has to accommodate is lessened. In order to reduce high peak power demand, many utilities have instituted time of use (TOU) metering and rates which include higher rates for energy usage during on-peak times and lower rates for energy usage during off-peak times. As a result, consumers are provided with an incentive to use electricity at off-peak times rather than on-peak times and to reduce overall energy consumption of devices at all times. (See [0003]).

To take advantage of the lower cost of electricity during off-peak times, systems have been provided that can automatically operate power consuming devices during off-peak hours in order to reduce consumer's electric bills and also to reduce the load on generating plants during on-peak hours. Active and real time communication of energy costs of devices to the consumer enables informed choices of operating the power consuming functions of the devices. Although these systems are capable of being run automatically according to demand period, a user may choose to override the system and run a device normally, or delay the operation of the system for a particular period of time. (See [0004]).

Accordingly, it would be beneficial to provide a consumer with information that would help the consumer make an informed decision about the cost impact such an override will incur, to provide an incentive for discretional power use to be moved into the off-peak timeframe and so consumers can balance their level of comfort with a desired savings amount. It is further desirable to provide a

consumer with additional long-term saving suggestions, such as when to upgrade a device to a more energy efficient model. (See [0005]).

The present disclosure enables energy consumers to maintain comfort, reduce energy usage and costs by providing methods, systems and devices that will guide the user to make educated, logical choices regarding energy tradeoffs based on their actual usage patterns. Not only will these choices In addition to impacting a user's overall energy usage, the energy tradeoff choices will also impact the load on the electrical grid will also be impacted. (See [0006]).

In one aspect of the present disclosure, a home energy management system for providing energy usage and cost projections to a user related to management of a home network is provided. The system comprises a central controller coupled to at least one energy consuming device. The central controller is configured to receive energy consumption data from the at least one energy consuming device. The system further includes a user interface comprising a display coupled to the central controller to receive user input data and provide the user with information. The central controller is further configured to use the energy consumption data and user input data to provide the user with one or more of future energy consumption projections, energy saving suggestions, and cost saving suggestions. (See [0007]).

In another aspect of the present disclosure, a method is disclosed for providing energy usage and cost projections to a user related to the management of a home network via a user interface display coupled to a central controller. The method includes communicatively coupling the central controller to one or

more energy consuming devices and associated utility, receiving one or more of energy consumption data from the at least one energy consuming device and utility data indicative of the current state of the associated utility, constructing an interactive diagram of the home network that includes selectable icons corresponding to each energy consuming device of the home network, and providing the user with an energy analysis of each selected icon. Each icon may be customized using a selection of parameters. (See [0008]).

In yet another aspect of the present disclosure, a method is disclosed for establishing an energy management system having a home energy manager (HEM), at least one energy consuming device in communication with the HEM, and a user interface communicatively coupled to the HEM for providing user information and receiving user commands thereat. The method comprises the steps of collecting and analyzing energy consumption and constraint data that includes one or more of device parameters, device usage, energy state of a current utility, and energy cost data, extrapolating the data to provide future energy use and cost projections, and presenting the projections to a user via the user interface, and providing the user suggestions and tips for implementing energy and cost saving solutions. (See [0009]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the embodiments disclosed herein materially contribute to the more efficient utilization and conservation of energy resources. Said embodiments provide for more efficient control of the operation of accessories in a home energy management system which manages a plurality of

communication networks. Amongst several benefits, said embodiments allow for greater informational awareness and control of energy flow, which has been shown to encourage reductions in energy consumption, and results in greater energy efficiency on the part of consumers and utilities.

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 29, 2011

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

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: 244362-1 (GECZ 201114US01)	Application Number (if known): 13/053,392	Filing date: 03-22-2011

First Named Inventor: John K. BESORE

Title: HOME ENERGY MANAGER FOR PROVIDING ENERGY PROJECTIONS

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 November 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.

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.

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.
13/053,392	03/22/2011	John K. Besore	GE 244362 GECZ 201114US01	8164

27885 7590 12/21/2011

FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland, OH 44115

EXAMINER	
LOPEZ ALVAREZ, OLVIN	

ART UNIT	PAPER NUMBER
2121	

MAIL DATE	DELIVERY MODE
12/21/2011	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.

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

FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

In re Application of:
BESORE, John et al.
Application No.: 13/053,392
Filed: March 22, 2011
For: **HOME ENERGY MANAGER FOR PROVIDING ENERGY PROJECTIONS**

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 November 29, 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).

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 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 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 inquires concerning this decision should be directed to Eddie C. Lee at 571-272-1732.

/Eddie C. Lee/

Quality Assurance Specialist
Technology Center 2100

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:	13/053,504	Filing date:	March 22, 2011
First Named Inventor:	Brad Nightengale et al.		
Title of the Invention:	MERCHANT FRAUD RISK SCORE		

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

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/US2011/029665

The international filing date of the corresponding PCT application(s) is/are:
23 March 2011 (23.03.2011)

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.**

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 KIPO AND THE USPTO

(continued)

Application No.:	13/053,504
First Named Inventor:	Brad Nightengale et al.

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 12-28-2011

(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 12-28-2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	exact correspondence

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

Signature /Mark P. Mathison, Reg. No. 57,556/	Date January 5, 2012
Name (Print/Typed) Mark P. Mathison	Registration Number 57,556

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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KILPATRICK TOWNSEND &
STOCKTON LLP/VISA
TWO EMBARCADERO CENTER,
8TH FLOOR
SAN FRANCISCO CA 94111

MAILED

JAN 31 2012

OFFICE OF PETITIONS

In re Application of
NIGHTENGALE, et al
Application No.: 13/053,504
Filed: March 22, 2011
Attorney Docket No.: 79900-796510(064710US)
For: MERCHANT FRAUD RISK SCORE

: 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 January 5, 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, Australia, Austria, KIPO, NPI, Russia, Finland, Spain, Sweden, China 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 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 3691 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Laurent BONNET	)
Confirmation No.: 8406	)
	)
Serial No.: 13/053,532	)
	)
Filing Date: March 22, 2011	)
	)
Atty Docket No.: 244160-1/GEC-268A	)

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 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: 244160-1/GEC-268A	Application Number (if known): 13/053,532	Filing date: March 22, 2011

First Named Inventor: Laurent BONNET

Title: LIFT DEVICE 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.

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.

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

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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.
13/053,532	03/22/2011	Laurent Bonnet	244160-1/GEC-268A	8406

87853 7590 06/16/2011

Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
06/16/2011	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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Post Office Box 1449
Greenville SC 29602

:

In re Application of		
BONNET, LAURENT	:	DECISION ON PETITION
Application No. 13/053532	:	TO MAKE SPECIAL UNDER
Filed: March 22, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 244160-1/GEC-268A	:	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 **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 inquires 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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Baker Donelson Bearman, Caldwell & Berkowitz, PC
920 Massachusetts Ave, NW
Suite 900
Washington DC 20001

MAILED
JUN 14 2011
OFFICE OF PETITIONS

In re Application of :
Hacker et al. :
Application No. 13/053,535 : DECISION ON PETITION
Filed: March 22, 2011 :
Attorney Docket No. 2903925-180001 :

This is a decision on the petitions under 37 CFR 1.59(b), filed March 24, 2011 and May 3, 2011, to expunge information from the above identified application. This is also a decision on the request for refund under 37 CFR 1.26, filed May 3, 2011.

The petitions under 37 CFR 1.59(b) are dismissed.

The request for refund under 37 CFR 1.26 is dismissed.

Petitioners request that the original application be expunged from the record and that the fees paid in the application be refunded.

However, 37 CFR 1.59(a)(2) states:

> Information forming part of the original disclosure (i.e., written specification including the claims, drawings, and any preliminary amendment specifically incorporated into an executed oath or declaration under §§ 1.63 and 1.175) will not be expunged from the application file.

Accordingly, the original application will not be expunged from the record pursuant to 37 CFR 1.59(b) even though it was mistakenly filed. Moreover, petitioner has not established that an extraordinary situation exits in which justice requires the requested expungement pursuant to a waiver of 37 CFR 1.59(a)(2) under 37 CFR 1.183, as discussed in MPEP 724.05 IV.

Also, 37 CFR 1.26 (a) states in pertinent 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.

There is no showing of record that the fees were paid by mistake or in excess of the required amount. Note that a change of purpose is not a mistake. Accordingly, the fees will not be refunded as requested. Petitioners may wish to consider filing an express abandonment for a refund of the search fee. Form PTO/SB/24B may be used for such an express abandonment.

Telephone inquiries concerning this communication should be directed to the undersigned at (571) 272-6692.

Christopher Bottorff
Petitions Examiner
Office of Petitions

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PATENT CORRESPONDENCE
ARNALL GOLDEN GREGORY LLP
171 17TH STREET NW
SUITE 2100
ATLANTA GA 30363

In re Application of:
Neil Ross

Serial No.: 13/053,659

Filed: : March 22, 2011

Docket: **25626.1.8406**

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

Title: **STABILITY ADDITIVES FOR DRY DHA DOSAGE FORMS**

This is a decision on the petition filed March 22, 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):
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

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
13053659	22 March, 2011	ROSS, NEIL	25626.1.8406

PATENT CORRESPONDENCE
ARNALL GOLDEN GREGORY LLP
171 17TH STREET NW
SUITE 2100
ATLANTA, GA 30363

EXAMINER	
ART UNIT	PAPER
	20110811-2

DATE MAILED:

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/053,676	03/22/2011	Pierre J. Messier	2177-22	8686

7590 03/13/2012

HOFFMANN & BARON, LLP
6900 JERICHO TURNPIKE
SYOSSET, NY 11791

EXAMINER	

ART UNIT	PAPER NUMBER
3765	

MAIL DATE	DELIVERY MODE
03/13/2012	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.

Patent Publication Branch
Office of Data Management

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/053,740	03/22/2011	Choong-Hoon LEE	29137.00478.US11	8809

30827 7590 11/02/2011
MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
1732	

MAIL DATE	DELIVERY MODE
11/02/2011	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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11/2/11

BC

In re application of	:	DECISION ON REQUEST TO
Choong-Hoon Lee et al.	:	PARTICIPATE IN PATENT
Serial No. 13/053,740	:	PROSECUTION HIGHWAY
Filed: March 22, 2011	:	PROGRAM AND
Attorney Docket No: 29137.00478.US11	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration 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 September 08, 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 KIPO, note where the KIPO 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 KIPO application with similar claims and the KIPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the KIPO 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 KIPO 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 copy of:
   a. All of the Office actions from each of the KIPO application(s) containing the allowable/patentable claim(s) that are the basis for the request;

b. An English language translation of the KIPO Office actions from (5)(a) above; and
c. A statement that the English translation is accurate; and

(6) Applicant must submit:
a. An IDS listing the documents cited by the KIPO examiner in the KIPO 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.
13/053,768	03/22/2011	Hironao KAWANO	27109	8859

23389 7590 09/30/2011

SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530

EXAMINER	
ART UNIT	PAPER NUMBER
2486	

MAIL DATE	DELIVERY MODE
09/30/2011	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.

MAILED

SEP 30 2011

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TECHNOLOGY CENTER 2400

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Thomas Spinelli
SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530

In re Application of: KAWANO, H.
Application No.: **13/053,768**
Filed: March 22, 2011
Attorney Docket No.: 27109
For: CAPSULE MEDICAL DEVICE GUIDANCE SYSTEM

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 **August 17, 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 requires:

(1) The U.S. application (including national stage entry of a PCT application and 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) is:

(Case I) – is an application that validly claims priority under 35 U.S.C. § 119(a) and 37 CFR 1.55 to one or more applications filed with JPO; or
(Case II) – is an application which is the basis of a valid priority claim under the Paris Convention for the application filed in JPO; or
(Case III) – is an application which shares a common priority document with the application filed in JPO; or
(Case IV) – and the JPO application are derived from/related to a PCT application having no priority.

Provisional applications, plant applications, design applications, reissue applications, reexamination proceedings, and applications subject to a secrecy order are excluded and not subject to participation in the PPH.

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) At least one claim was determined by JPO to be allowable/patentable. 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), if the claims were published in a language other than English);
   c. A statement that the English translation is accurate; and
   d. If the JPO office action does not explicitly state that a particular claim is allowable, the applicant must include a statement in the request for participation in the PPH program or in the transmittal letter accompanying the request for participation that no rejection has been made in the JPO office action regarding that claim, and therefore, the claim is deemed allowable by JPO;

(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). 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. and
   b. Submit a claim correspondence table in English indicating how all the claims in the U.S. application correspond to the allowable/patentable claims in the JPO Application(s). Dependent claims with addition limitations must be clearly identified in the claims correspondence table;

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

(5) The applicant must file a request for participation in the PPH program and a request that the U.S. application be advanced out of turn for examination by order of the Director to expedite the business of the Office under 37 CFR 1.102(a).

(6) 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. The applicant must submit copies of any office actions (which are relevant to patentability) from the JPO application(s) issued after the grant of the request for participation in the PPH program in the USPTO (especially where JPO might have reversed a prior holding of allowability).
c. An English language translation of the JPO office action(s) (if the office action(s) are not in the English language); and
d. A statement that the English translation is accurate;

(7) 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).

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.

Accordingly, the petition is **GRANTED.**

Telephone inquiries concerning this decision should be directed to Beatriz Prieto at 571-272-3902. A second point of contact is Hassan Kizou at 571-272-3088.

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.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400

PATENT PROSECUTION HIGHWAY (PPH) APPLICATION DECISION ON PETITION ROUTING SLIP

Application No.: 12/264,013

Art Unit: 2457

For Director's secretary:

Granted ☒ **Denied** ☐ **Dismissed** ☐

☐ Decision to be reviewed and signed by Director

☒ Enter Paper No and the decision in PALM (code 652)

☒ **Mail Decision** ☐ Electronic Delivery Mode

☒ Forward a copy of the mailed decision to IFW for scanning

☒ Additional Comments: The doc code used in IFW must be PPH.DECISION
Return Folder to: (QAS name)

TC2400 PPH CONTACT LIST

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WQAS 2430
Tod Swann
Randolph 4B09
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William W. Schaal
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

In re Application of: KAWAHARA, K.
Application No.: **12/264,013**
Filed: November 3, 2008
Attorney Docket No.: 8073P512
For: STEREOSCOPIC IMAGE DISPLAY APPARATUS, IMAGE DISPLAY SYSTEM AND METHOD FOR DISPLAYING STEREOSCOPIC IMAGE

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 **September 16, 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 requires:

(1) The U.S. application (including national stage entry of a PCT application and 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) is:

(Case I) – is an application that validly claims priority under 35 U.S.C. § 119(a) and 37 CFR 1.55 to one or more applications filed with JPO; or
(Case II) – is an application which is the basis of a valid priority claim under the Paris Convention for the application filed in JPO; or
(Case III) – is an application which shares a common priority document with the application filed in JPO; or
(Case IV) – and the JPO application are derived from/related to a PCT application having no priority.

Provisional applications, plant applications, design applications, reissue applications, reexamination proceedings, and applications subject to a secrecy order are excluded and not subject to participation in the PPH.

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) At least one claim was determined by JPO to be allowable/patentable. 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), if the claims were published in a language other than English);
   c. A statement that the English translation is accurate; and
   d. If the JPO office action does not explicitly state that a particular claim is allowable, the applicant must include a statement in the request for participation in the PPH program or in the transmittal letter accompanying the request for participation that no rejection has been made in the JPO office action regarding that claim, and therefore, the claim is deemed allowable by JPO;

(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). 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. and
   b. Submit a claim correspondence table in English indicating how all the claims in the U.S. application correspond to the allowable/patentable claims in the JPO Application(s). Dependent claims with addition limitations must be clearly identified in the claims correspondence table;

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

(5) The applicant must file a request for participation in the PPH program and a request that the U.S. application be advanced out of turn for examination by order of the Director to expedite the business of the Office under 37 CFR 1.102(a).

(6) 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. The applicant must submit copies of any office actions (which are relevant to patentability) from the JPO application(s) issued after the grant of the request for participation in the PPH program in the USPTO (especially where JPO might have reversed a prior holding of allowability).
c. An English language translation of the JPO office action(s) (if the office action(s) are not in the English language); and
d. A statement that the English translation is accurate;

(7) 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).

The petition fails to meet condition (6) as shown above.

In view of the petition filed, the Applicant indicated that copies of the latest JPO office actions other than "Decision to Grant a Patent" actions for JP 2008-076286 were not attached to the request because the JPO application was allowed in a first office action (see I. (a.) of PTO/SB/20JP). However, upon inspection of the record, the petition enclosed a number of JPO actions which appear to relate to JP 2008-076286, including:

(i) a "Notification of Reasons for Refusal" action dispatched January 6, 2009,
(ii) a "Decision of Refusal" action dispatched March 24, 2009,
(iii) a "Questioning" action dispatched October 5, 2010, and a
(iv) "Notification of Reasons for Refusal" action dispatched May 27, 2010.

Further, remarks submitted on 09/16/11 indicate: "[w]e respectfully submit that at least one Office Action has been received from the JPO application and such Office Action(s) is submitted herewith.". Thus, it is taken petitioner inadvertently marked I. (a.) of PTO/SB/20JP indicating that actions for JP 2008-076286 were not attached to the request because the JPO application was allowed in a first office action.

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.

Accordingly, the petition is **GRANTED.**

Telephone inquiries concerning this decision should be directed to Beatriz Prieto at 571-272-3902. A second point of contact is Hassan Kizou at 571-272-3088. 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.

/Beatriz Prieto/

Beatriz Prieto, 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

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON DC 20036

MAILED
AUG 31 2011
OFFICE OF PETITIONS

In re Application of :
YOTARO MORI :
Application No. 13/053,876 : DECISION ON PETITION
Filed: March 22, 2011 :
Attorney Docket No. 110164 :

This is a decision on the "PETITION UNDER 37 C.F.R. §1.57(A) FOR INCORPORATION BY REFERENCE AND RESPONSE TO NOTICE OF OMITTED ITEMS IN A NONPROVISIONAL APPLICATION" filed July 18, 2011.

On March 22, 2011, applicants filed the above-identified application. On April 5, 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 March 22, 2011, and advising applicants that Figure 5(b) described in the specification appeared to have been omitted. The Notice of Omitted Item(s) set a two-month extendable period from the mailing date of the Notice to reply.

On July 18, 2011, applicants submitted the present petition, a $400.00 petition fee, a preliminary amendment to include the inadvertently omitted Figure 5(b), a copy of prior-filed Japanese Application (JP 2010-068513), a verified English translation of the prior-filed application, a request for an extension of time for response within the second month, and a $490.00 extension of time fee.

Applicants assert that they inadvertently omitted Figure 5(b) upon filing the present application and request entry of the preliminary amendment to include the figure based on the incorporation by reference of a prior-filed foreign application pursuant to 37 CFR 1.57. Applicants state that the present application, as originally filed, contains a claim under 37 CFR 1.55 for priority of prior-filed Japanese Application (JP2010-068513) filed March 24, 2010. Applicants indicate that omitted Figure 5(b) corresponds exactly with Figure 5(b) in the prior-filed Japanese 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 March 22, 2011, which was entitled to a filing date, did not include an explicit incorporation by reference statement in the specification. Nevertheless, the ADS and declaration on filing contain a claim under 37 CFR 1.55 for priority of the prior-filed Japanese Application. As applicants submitted a claim under 37 CFR 1.55 for priority of prior-filed Japanese Application (JP2010-068513) 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 Figure 5(b) located in the Japanese Application 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.

The preliminary amendment filed July 18, 2011, to add the inadvertently omitted drawing figure will be considered by the examiner.

The application is being referred to the Office of Patent Application Processing for processing of the application with a filing date of March 22, 2011 using only the drawings filed on that date. Thereafter, the matter will be referred to an examiner in the Technology Center to review the preliminary amendment.

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Alexandria, VA 22313-1450
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SEP 13 2011

PCT LEGAL ADMINISTRATION

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

In re Application of
TASSIOS et al.
Application No.: 13/054,009
PCT No.: PCT/AU2009/000980
Int. Filing Date: 31 July 2009
Priority Date: 31 July 2008
Attorney's Docket No.: 017227-0220
For: PRODUCTION PROCESS

DECISION

This decision is in response to applicants' petition under 37 CFR 1.182 filed 19 August 2011 requesting correction of the international application number.

BACKGROUND

On 13 January 2011, applicants filed national stage papers in the United States Designated/Elected Office (DO/EO/US) electronically via EFS-Web. The submission included, *inter alia*, a Transmittal Letter (Form PTO-1390) and an Application Data Sheet (ADS). The international application number keyed into EFS-Web was PCT/US09/00980. However, the Transmittal Letter and the ADS indicate the international application number as PCT/AU2009/000980.

On 08 February 2011, the DO/EO/US mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that a declaration of inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 06 April 2011, applicants filed a submission including a declaration of inventors.

On 20 April 2011, the DO/EO/US mailed a Filing Receipt and a NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 (Form PCT/DO/EO/903) indicating the international application number as PCT/US09/00980.

On 19 August 2011, applicants filed the instant petition under 37 CFR 1.182 requesting correction of the international application number.

DISCUSSION

Petition Under 37 CFR 1.182

Where an inconsistency exists in the originally filed application papers regarding the international application number, as it does in the papers filed 13 January 2011, a petition under 37 CFR 1.182 is required to correct the discrepancy. The petition must include the petition fee set forth in 37 CFR 1.17(f) and a statement which should set forth the specific circumstances as to how and when the error was made and should set forth that the mistake was an inadvertent error without deceptive intent.

The petition under 37 CFR 1.182 filed 19 August 2011 requests that the above-identified application be treated as the national stage of international application number PCT/AU2009/000980. The petition fee has been paid. A review of the application file including counsel's statements in the instant submission reveals that the present application should in fact be the national stage application of international application **PCT/AU2009/000980**.

NOTICE OF ACCEPTANCE

The NOTICE OF ACCEPTANCE and Filing Receipt mailed 20 April 2011 indicated the incorrect international application number and are thus hereby VACATED.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.182 is **GRANTED**.

For the reasons set forth above, the NOTICE OF ACCEPTANCE and Filing Receipt mailed 20 April 2011 are VACATED.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for processing in accordance with this decision including (1) preparing and

mailing of a new NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 and Filing Receipt indicating the international application number as PCT/AU2009/000980 and the 35 U.S.C. § 371(c)(1), (c)(2), and (c)(4) date and 35 U.S.C. 371 date as 06 April 2011 and (2) processing of the Request for Corrected Filing Receipt filed by applicants on 19 August 2011.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

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

THE NATH LAW GROUP
112 South West Street
Alexandria VA 22314

MAILED
MAY 09 2011
OFFICE OF PETITIONS

In re Application of :
Sachiko Nakatsuka et al. :
Application No. 13/054,012 : ON PETITION
Effectively Filed: January 13, 2011 :
Attorney Docket No. 31274U :

This is a decision on the petition under 37 CFR 1.182, filed March 18, 2011, to change the name of the inventor.

The petition is **GRANTED**.

The name of the inventor has been changed from **Sachiko Nakano** to **Sachiko Nakatsuka**.

The application file is being referred to the Office of Data Management for further processing.

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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FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

MAILED

MAR 09 2012

OFFICE OF PETITIONS

In re Application of :
Greter, et al. :
Application No. 13/054,023 : ON PETITION
Filed: 13 January, 2011 :
Attorney Docket No. 022894-0106 :

This is a decision on the petition filed on 8 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.

Out of an abundance of caution, Petitioners always are reminded that 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 before it is released for substantive examination.

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. §1.2[2]) 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

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[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.

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-FI (01-11)
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 NATIONAL BOARD OF PATENTS AND REGISTRATION OF FINLAND (NBPR) AND THE USPTO

Application No:	13/054,031	Filing date:	January 13, 2011
First Named Inventor:	Jari EKBLOM		
Title of the Invention:	Effective Hydrogenation Process		

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

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/FI2009/000070

The international filing date of the corresponding PCT application(s) is/are: July 24, 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.**

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.

PTO/SB/20PCT-FI (01-11)
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 PCT-PPH PILOT PROGRAM BETWEEN THE NBPR AND THE USPTO

(continued)

Application No.:	13/054,031
First Named Inventor:	Jari EKBLOM

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 January 13, 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 January 13, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
See attached Table		

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

Signature	Date April 18, 2011
Name (Print/Typed) Yelee Y. Kim	Registration Number 60,088

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/FI2009/000070	International filing date *(day/month/year)* 24 July 2009 (24.07.2009)	Priority date *(day/month/year)* 25 July 2008 (25.07.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant RAISIO NUTRITION LTD		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☒	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 Article 35(2) with regard to novelty, inventive step or 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

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 25 January 2011 (25.01.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Nora Lindner e-mail: pt11.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
LALLI, Esko
Raisio Nutrition Ltd
P.O.Box 101
FI-21201 RAISIO
FINLAND

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)* 06 November 2009 (06.11.2009)
Applicant's or agent's file reference PT21	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/FI2009/000070	24 July 2009 (24.07.2009)	25 July 2008 (25.07.2008)

International Patent Classification (IPC) or both national classification and IPC
See supplemental box

Applicant
RAISIO NUTRITION LTD et al.

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

- [x] Box No. I Basis of the opinion
- [x] 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
- [x] Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or 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 66.1*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/FI	Date of completion of this opinion	Authorized officer
National Board of Patents and Registration of Finland P.O. Box 1160, FI-00101 HELSINKI, Finland	02 November 2009 (02.11.2009)	Antti Hoikkala
Facsimile No. +358 9 6939 5328		Telephone No. +358 9 6939 500

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FI2009/000070

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 43*bis*.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. type of material

      ☐ a sequence listing
      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper
      ☐ in electronic form

   c. time of filing/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 and/or table(s) relating thereto 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/FI2009/000070

Box No. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FI2009/000070

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

1. Statement

Novelty (N)	Claims	1-15	YES
	Claims		NO
Inventive step (IS)	Claims	1-15	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-15	YES
	Claims		NO

2. Citations and explanations:

2.1 Reference is made to the following documents:

D1: EP 1693376 A2
D2: LINDROOS, M. et al. Catalysis Deactivation in Selective Hydrogenation of *beta*-Sitosterol to *beta*-Sitostanol over Palladium. Catalysis in Organic reactions, 2002, pages 587-594. ISBN:9780824741327.

2.2 Claimed inventions

The application concerns inventions defined in claims 1-15. The invention according to claim 1 relates to a process for producing plant stanol by hydrogenating plant sterol in an organic solvent at a hydrogen pressure of 1-200 bar in the presence of a hydrogenation catalyst on a support material. The support material comprises silicon and the process includes a step of pre-purifying the plant sterol. According to dependent claims the support material further comprises aluminium in the form of alumina.

2.3 Novelty under PCT Article 33(2)

Document D1 and D2 represent the most relevant prior art.

Document D1 discloses a process for hydrogenating purified sterol fraction in isopropyl alcohol at hydrogen pressure of 4 bars to yield stanols. Process uses palladium over alumina as a hydrogenation catalyst (see example 9, a and b).

Document D2 disclose a method for preparing plant stanols by hydrogenating a sterol containing material over palladium.

Documents D1 or D2 do not disclose all the features of the invention according to the independent claim 1. Therefore, this invention is novel. Furthermore, since the independent claim 1 is novel, all the dependent claims 2-15 are also novel.

2.4 Inventive step under PCT Article 33(3)

Considering the prior art, the invention according to the independent claim 1 is not obvious to a person skilled in the art, because neither of the documents D1 or D2 cited above suggest the use of silicon as the support material for the hydrogenation catalyst. Therefore, this invention involves an inventive step. Since the invention according to the independent claim 1 involves an inventive step, all the dependent claims 2-15 involve an inventive step, too.

Continued to next page

International application No.
PCT/FI2009/000070

Supplemental Box

Continuation of: Box V (1 / 1)

2.5 Industrial applicability under PCT Article 33(4)

The claimed inventions are industrially applicable.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FI2009/000070

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**

Continuation of: International Patent Classification (IPC)

Int.Cl.
C07J 9/00 (2006.01)
B01J 29/00 (2006.01)
B01J 29/068 (2006.01)

CLAIMS OF CORRESPONDING PCT APPLICATION NO. PCT/FI2009/000070

Claim 1. A process for producing plant stanol by hydrogenating plant sterol in an organic solvent at a hydrogen pressure of 1-200 bar in the presence of a hydrogenation catalyst on a support material characterised in that
- the support material comprises silicon (Si) and
- the process includes a step of pre-purifying the plant sterol before performing the hydrogenation.

Claim 2. The process according to claim 1 characterised in that the hydrogen pressure is 3-200 bar, more preferably 10-200 bar and even more preferably 30-200 bar.

Claim 3. The process according to claim 1 or 2 characterised in that the hydrogenation catalyst comprises at least one from the group of palladium, platinum, ruthenium, rubidium, iridium and rhodium.

Claim 4. The process according to any one of claims 1-3 characterised in that the hydrogenation catalyst comprises essentially palladium, preferably at least 90 % and more preferably at least 95 % palladium by dry weight of the catalyst.

Claim 5. The process according to any one of claims 1-4 characterised in that the support material comprises silicon in the form of silicon dioxide (silica).

Claim 6. The process according to any one of claims 1-5 characterised in that the support material further comprises aluminium (Al), preferably in the form of aluminium oxide (alumina).

Claim 7. The process according to any one of claims 1-6 characterised in that the support material comprises silicon in the form of zeolite.

Claim 8. The process according to any one of claims 1-7 characterised in that the support material comprises at least 25 %, preferably at least 50 %, more preferably at least 75 % and most preferably at least 95 % zeolite by dry weight of the support material.

Claim 9. The process according to any one of claims 1-8 characterised in that the Si: Al ratio of the support material is 1 -400: 1 , preferably 1 - 100: 1 and more preferably 1-5:1.

Claim 10. The process according to any one of claims 1-9 characterised in that the silica:alumina ratio of the support material is at least 2:1, preferably 2-200:1, more preferably 2-50:1 and even more preferably 2-10:1.

Claim 11. The process according to any one of claims 1-10 characterised in that the pre-purifying is performed in the organic solvent with an absorbent and/or adsorbent.

Claim 12. The process according to any one of claims 1-11 characterised in that the pre-purifying is performed in the organic solvent with activated charcoal, preferably steam activated charcoal.

Claim 13. The process according to any one of claims 1-12 characterised in that the organic solvent comprises at least one hydrocarbon, preferably at least one C5-C12 aliphatic or acyclic hydrocarbon and more preferably heptane.

Claim 14. The process according to any one of claims 1-13 characterised in that the organic solvent comprises at least one C1-C3 alkanol, preferably methanol and/or ethanol, and more preferably methanol.

Claim 15. The process according to any one of claims 1-14 characterised in that the organic solvent comprises a mixture of hydrocarbon (2-98 % by weight), alkanol (2-98

% by weight) and water (0.1-5 % by weight), preferably a mixture of hydrocarbon (70-97 % by weight), alkanol (2-28 % by weight) and water (1-10 % by weight), and more preferably a mixture of hydrocarbon (85-90 % by weight), alkanol (5-10 % by weight) and water (1-5 % by weight).

II. CLAIMS CORRESPONDENCE TABLE:

1	1	Claim 1 of the U.S. application is identical to claim 1 of the PCT application.
2	2	Claim 2 of the U.S. application is identical to claim 2 of the PCT application.
3	3	Claim 3 of the U.S. application is identical to claim 3 of the PCT application, with the exception that claim 3 of the U.S. application depends from claim 1, and not claims 1 or 2, as recited in the PCT application.
4	4	Claim 4 of the U.S. application is identical to claim 4 of the PCT application, with the exception that claim 4 of the U.S. application depends from claim 1, and not any one of claims 1-3, as recited in the PCT application.
5	5	Claim 5 of the U.S. application is identical to claim 5 of the PCT application, with the exception that claim 5 of the U.S. application depends from claim 1, and not any one of claims 1-4, as recited in the PCT application.
6	6	Claim 6 of the U.S. application is identical to claim 6 of the PCT application, with the exception that claim 6 of the U.S. application depends from claim 1, and not any one of claims 1-5, as recited in the PCT application.
7	7	Claim 7 of the U.S. application is identical to claim 7 of the PCT application, with the exception that claim 7 of the U.S. application depends from claim 1, and not any one of claims 1-6, as recited in the PCT application.
8	8	Claim 8 of the U.S. application is identical to claim 8 of the PCT application, with the exception that claim 8 of the U.S. application depends from claim 1, and not any one of claims 1-7, as recited in the PCT application.
9	9	Claim 9 of the U.S. application is identical to claim 9 of the PCT application, with the exception that claim 9 of the U.S. application depends from claim 1, and not any one of claims 1-8, as recited in the PCT application.

Claims in US Application	Patentable Claims in the Corresponding PCT Application	Explanation regarding the correspondence
10	10	Claim 10 of the U.S. application is identical to claim 10 of the PCT application, with the exception that claim 10 of the U.S. application depends from claim 1, and not any one of claims 1-9, as recited in the PCT application.
11	11	Claim 11 of the U.S. application is identical to claim 11 of the PCT application, with the exception that claim 11 of the U.S. application depends from claim 1, and not any one of claims 1-10, as recited in the PCT application.
12	12	Claim 12 of the U.S. application is identical to claim 12 of the PCT application, with the exception that claim 12 of the U.S. application depends from claim 1, and not any one of claims 1-11, as recited in the PCT application.
13	13	Claim 13 of the U.S. application is identical to claim 13 of the PCT application, with the exception that claim 13 of the U.S. application depends from claim 1, and not any one of claims 1-12, as recited in the PCT application.
14	14	Claim 14 of the U.S. application is identical to claim 14 of the PCT application, with the exception that claim 14 of the U.S. application depends from claim 1, and not any one of claims 1-13, as recited in the PCT application.
15	15	Claim 15 of the U.S. application is identical to claim 15 of the PCT application, with the exception that claim 15 of the U.S. application depends from claim 1, and not any one of claims 1-14, as recited in the PCT application.

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.
13/054,042	01/13/2011	Masaomi Kimura	Q121819	4028

7590 06/22/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ZHANG, RUIYUN	
ART UNIT	**PAPER NUMBER**
1798	
NOTIFICATION DATE	**DELIVERY MODE**
06/22/2011	ELECTRONIC

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment will not be 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 dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☐ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☑ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
4. ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

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

Patent Publication Branch
Office of Data Management

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.
13/054,047	01/13/2011	Dong-Hoon Lee	29137.694.00	4072

30827 7590 11/09/2011

MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER	
GURLEY, LYNNE ANN	
ART UNIT	PAPER NUMBER
2811	

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.

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

MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON DC 20006

In re Application of
LEE et al.
Application No.: 13/054,047
Filed: January 13, 2011
Attorney Docket No.: 29137.694.00

: 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 September 1, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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 KIPO, 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 KIPO, 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 KIPO, 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 KR 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 KR 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 KR application(s) containing the allowable/patentable claim(s);
   b. An English language translation of the KIPO 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 KIPO examiner in the KIPO office action (unless already filed in this application); and
   b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed 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 the formalities review has been completed.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 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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MAILED

APR 08 2011

PCT LEGAL ADMINISTRATION

SWANSON & BRATSCHUN, L.L.C.
8210 SOUTHPARK TERRACE
LITTLETON CO 80120

In re Application of HENDERSON
Application No.: 13/054,053
PCT No.: PCT/US09/49609
Int. Filing Date: 02 July 2009
Priority Date: 03 July 2008
Attorney Docket No.: 0001.13/PCT-US
For: MONOGLYCERIDE OF ACETOACETATE AND DERIVATIVES FOR THE TREATMENT OF NEUROLOGICAL DISORDERS

DECISION ON

PETITION TO REVIVE

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 13 January 2011 in the above-captioned application is hereby **GRANTED** .

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the petition fee of $810 has been paid and the basic national fee of $165 was provided. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 13 January 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: 571-272-3286

UNITED STATES PATENT AND TRADEMARK OFFICE

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620 HERNDON PARKWAY
SUITE 320
HERNDON VA 20170

MAILED
JUL 13 2011
PCT LEGAL ADMINISTRATION

In re Application of :
KREITER, Rob :
Application No.: 13/054,121 : DECISION ON PETITION
PCT No.: PCT/NL2009/050432 :
Filing Date: 14 July 2009 : UNDER 37 CFR 1.182
Priority Date: 14 July 2008 :
ATTY Docket No.: 701-0013 :
For: HYBRID SILICA MEMBRANE FOR :
WATER REMOVAL FROM LOWER :
ALCOHOLS AND HYDROGEN SEPARATION :
:

This decision is in response to applicant's PETITION UNDER 37 C.F.R. 1.182 filed in the United States Patent and Trademark Office (USPTO) on 07 April 2011.

BACKGROUND

On 14 July 2009, applicant filed international application, PCT/NL2009/050432, which claimed priority of an earlier European Patent Office application filed 14 July 2008. The thirty-month period for paying the basic national fee in the United States expired on 14 January 2011.

On 14 January 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia* , the basic national fee required by 35 U.S.C. 371(c)(1).

On 7 February 2011, the DO/EO/US mailed a Notice of Missing Requirements (Form PCT/DO/EO/905).

On 18 February 2011, applicant filed a declaration in response to the Form PCT/DO/EO/905.

On 9 March 2011, the DO/EO/US mailed a Notification of Defective Response (Form PCT/DO/EO/916) indicating that the declaration was defective because 1) it did not identify the citizenship of the inventors, and 2) was a composite declaration.

On 7 April 2001, applicant filed a response to the Form PCT/DO/EO/916 including the

present petition under 37 CFR 1.182.

DISCUSSION

The petition asserts that the declaration filed 18 February 2011 complies with the requirements of 37 C.F.R. 1.497(a)-(b). With regard to the indication in the Form 916 that citizenship was omitted, Petitioner asserts on pages 3-4 of the filed petition:

> [T]he stylistic form of the Oath itselfincluded several columns each identifying the full name, mailing address, city of residence and citizenship of each inventor Although the column for identifying the country of citizenship of each inventor was not labeled as "Country of Citizenship," it is reasonably apparent that this column is directed to country of citizenship.

The first sentence of the declaration states "[t]he undersigned identified hereinbelow hereby declares that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name ...". While the column identifying a country of citizenship is unlabeled, Petitioner's explanation, coupled with the first sentence of the declaration, is deemed sufficient to establish that the declaration identifies the inventors' citizenship.

It is also noted that the declaration filed 18 February 2011, while a composite declaration, will be accepted as sufficient to meet the requirements of 37 C.F.R. 1.497(a)-(b) for entering the U.S. national phase.

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.182 is **GRANTED.**

The application has an International Filing Date under 35 U.S.C. 363 of 14 July 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 18 February 2011.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision.

Shane Thomas
PCT Legal Detailee
Office of PCT Legal Administration
Tel: (571) 272-6095

Boris Milef
PCT Legal Examiner
PCT Legal Office

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:	13/054136	Filing date:	January 14, 2011
First Named Inventor:	Golosarsky		
Title of the Invention:	Neuropathy Diagnostic 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

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/US2009/004159

The international filing date of the corresponding PCT application(s) is/are: July 17, 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.**

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.

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

(continued)

Application No.:	13/054136
First Named Inventor:	Golosarsky

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 2, 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 May 2, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Identical
4	4	Identical
5	5	Identical
6	6	Identical
7	7	Identical
8	8	Identical
9	9	Identical
10	10	Identical

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

Signature /Joseph E. Maenner/	Date July 19, 2011
Name (Print/Typed) Joseph E. Maenner	Registration Number 41964

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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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,136	01/14/2011	Boris Golosarsky	EPAC-001	4819

53265 7590 07/25/2011

MAENNER & ASSOCIATES, LLC
P.O. Box 90
388 Main Street
Harleysville, PA 19438

EXAMINER	
ART UNIT	PAPER NUMBER
3736	

MAIL DATE	DELIVERY MODE
07/25/2011	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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MAENNER & ASSOCIATES, LLC
P.O. Box 90
388 Main Street
Harleysville PA 19438

In re Application of	:
GOLOSARSKY, BORIS et al	: DECISION ON REQUEST TO
Application No. 13/054,136	: PARTICIPATE IN PATENT
Filed: Jam. 14, 2011	: PCT/PROSECUTION HIGHWAY
Attorney Docket No. EPAC-001	: PROGRAM AND PETITION
Title: NEUROPATHY DIAGNOSTIC 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 July 20, 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 KIPO, JPO, 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; 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.

Other inquiries concerning the examination or status of the application should be directed to Max Hindenburg, the SPE of Art Unit 3736 at 571-272-4726 for Class 600/252 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

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
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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:	13/054139	Filing date:	April 14, 2011
First Named Inventor:	Magnus Hasselqvist		
Title of the Invention:	NICKEL BASE GAMMA PRIME STRENGTHENED SUPERALLOY		

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

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/EP2009/058676

The international date of the corresponding PCT application(s) is/are:

July 08, 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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/054,139
First Named Inventor:	July 08, 2009

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 January 14, 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 January 14, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
13	1	US claim as per Preliminary Amendment filed 01/14/2011
14	2	US claim as per Preliminary Amendment filed 01/14/2011
15	3	US claim as per Preliminary Amendment filed 01/14/2011
16	4	US claim as per Preliminary Amendment filed 01/14/2011
17	5	US claim as per Preliminary Amendment filed 01/14/2011
18	6	US claim as per Preliminary Amendment filed 01/14/2011
19	7	US claim as per Preliminary Amendment filed 01/14/2011
20	8	US claim as per Preliminary Amendment filed 01/14/2011
21	9	US claim as per Preliminary Amendment filed 01/14/2011
22	10	US claim as per Preliminary Amendment filed 01/14/2011
23	11	US claim as per Preliminary Amendment filed 01/14/2011
24	12	US claim as per Preliminary Amendment filed 01/14/2011
25	12	US claim as per Preliminary Amendment filed 01/14/2011

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

Signature /Tina Gonka/	Date April 25, 2011
Name (Print/Typed) Tina Gonka	Registration Number L0623

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.
13/054,139	04/14/2011	Magnus Hasselqvist	2008P12903WOUS	4833

22116 7590 08/05/2011

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
08/05/2011	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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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of:
HASSELQVIST, MAGNUS
Serial No.: 13/054139
Filed: 04/14/2011
Attorney Docket No. : 2008P12903WOUS
Title: NICKEL BASE GAMMA PRIME STRENGTHENED SUPERALLOY

: 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 April 25, 2011 to make the above-identified application special.

The request and petition are **dismissed**.

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 EPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the EPO 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 EPO 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 EPO 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 EPO examiner in the EPO 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, and the application fail to include a copy of the pending US Claims. Applicant asserts in the petition that US Claims were amended on January 14, 2011. The record indicates, however, that the claims were not amended. Even assuming the applicant is correct in asserting that the U.S. application claims 13-25 are identical

to the allowable PCT claims (which will satisfy Item #3), the applicant still needs to submit a copy of the allowable claims from the PCT application for review.

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. Response must be filed via EFS-Web.

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**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856

SIEMENS

PATENT
Attorney Docket No. 2008P12903WOUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor:	M. Hasselqvist	Confirmation No:	4833
Application No.:	13/054,139	Examiner:	Not Yet Assigned
Filed:	April 14, 2011	Group Art Unit:	3745

Title NICKEL BASE GAMMA PRIME STRENGTHENED SUPERALLOY

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

Sir:

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN
PCT-PATENT PROSECUTION HIGHWAY

According to the Decision on a Request to participate in the PCT-Patent Prosecution Highway (PCT-PPH) mailed August 05, 2011, the Request and Petition are dismissed. The Decision notes that the Request to participate in the PCT-PPH filed by the Applicant on April 25, 2011, did not include a copy of the pending claims of the U.S. application and therefore the claims could not be mapped according to the Claims Correspondence Table of the PCT-PPH Request.

In response to the Decision, Applicant respectfully submits herewith a **Preliminary Amendment** which provides amendments to the U.S. application prior to the examination. Applicant intended to file the Preliminary Amendment together with the U.S. application on January 14, 2011, but accidently failed to file the Preliminary Amendment.

Since the Preliminary Amendments also includes a copy of the pending U.S. claims, the Claims Correspondence Table of the PCT-PPH request now corresponds to the pending U.S. claims and the patentable claims in the PCT-Application.

Applicant respectfully requests the Request and Petition to participate in the PCT-PPH be granted.

Conclusion

Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to deposit account no. 19-2179.

Respectfully submitted,

Dated: August 17, 2011

By: /Tina Gonka/

Tina Gonka
Limited Recognition No. L0623
(407) 736-4005

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,139	04/14/2011	Magnus Hasselqvist	2008P12903WOUS	4833

22116 7590 09/26/2011

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170 WOOD AVENUE SOUTH
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EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
09/26/2011	PAPER

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

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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of	:	
HASSELQVIST, MAGNUS	:	DECISION ON REQUEST TO
Application No. 13/054,139	:	PARTICIPATE IN PATENT
Filed: January 14, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. 2008P12903WOUS	:	PROGRAM AND PETITION
For: NICKEL BASE GAMMA PRIME	:	TO MAKE SPECIAL UNDER
STRENGTHENED SUPERALLOY	:	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 August 17, 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 JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/PCT 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/PCT 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.
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. Upon completion of pre-examination processing, this application will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4485. All other inquiries concerning the examination or status of the application should be directed to Edward Look, SPE of Art Unit 3745, and 571-272-4820 for Class 416 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

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

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MAILED

JUN 07 2011

PCT LEGAL ADMINISTRATION

LUCAS & MERCANTI, LLP
475 PARK AVENUE SOUTH
15TH FLOOR
NEW YORK NY 10016

In re Application of :
SANGALLI et al. :
Application No.: 13/054,149 :
PCT No.: PCT/IB2009/006266 :
Int. Filing Date: 17 July 2009 :
Priority Date: 18 July 2008 :
Attorney's Docket No.: SS122.1031 :
For: SYSTEM FOR THE COLON DELIVERY . . . :
IN THE GASTROINTESTINAL TRACT :

DECISION ON

PAPERS

UNDER 37 CFR 1.42

This is a decision on applicants' submission filed in the United States Patent and Trademark Office (USPTO) on 25 March 2011, which was accompanied by a declaration of inventors. The indication in this declaration that inventor Maria Edvige SANGALLI is deceased has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 17 July 2009, applicants filed international application PCT/IB2009/006266, which designated the United States and claimed a priority date of 18 July 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 18 January 2011.

On 14 January 2011, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee.

On 09 February 2011, the United States Designated/Elected Office (DO/EO/US) issued a NOTIFICATION OF MISSING REQUIREMENTS (Form PCT/DO/EO/905) indicating, *inter alia*, that a declaration of inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 25 March 2011, applicants filed a submission which included a declaration of inventors. The indication in the declaration that inventor Maria Edvige SANGALLI is deceased has been treated as a request for status under 37 CFR 1.42.

DISCUSSION

The submission filed 25 March 2011 has been reviewed and has been found in compliance with 37 CFR 1.42.

The declaration filed 25 March 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **ACCEPTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application in accordance with this decision.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED

APR 20 2011

PCT LEGAL ADMINISTRATION

In re Application of :
IWANAMI, et al. :
Application No.: 13/054,177 :
PCT No.: PCT/JP2009/062737 :
Int. Filing Date: 14 July 2009 :
Priority Date: 15 July 2008 :
Attorney Docket No.: 1907-0365PUS1 :
For: DATA TRANSMITTING APPARATUS, :
DATA TRANSMITTING METHOD, :
AUDIO-VISUAL ENVIRONMENT :
CONTROLLING APPARATUS, :
AUDIO-VISUAL ENVIRONMENT :
CONTROLLING SYSTEM, AND :
AUDIO-VISUAL ENVIRONMENT :
CONTROLLING METHOD :

DECISION ON PAPERS

UNDER 37 CFR 1.42

This decision is in response to applicant's declaration filed 07 March 2011. The filed combined declaration and power of attorney is being treated as a request for status under 37 CFR 1.42. No petition fee is due.

BACKGROUND

On 14 July 2009, applicant filed international application PCT/JP2009/062737, which claimed priority to an earlier application filed 15 July 2008. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 21 January 2010. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 15 January 2011.

On 14 January 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an English translation of the international application; an Application Data Sheet and a preliminary amendment.

On 09 February 2011, applicant was mailed a "Notification of Missing Requirements" (Form PCT/DO/EO/905) informing applicant that an executed oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required. Applicant was afforded two months to file the required response and advised that this period could be extended pursuant to 37 CFR 1.136(a).

On 07 March 2011, applicant filed the executed combined declaration and power of attorney discussed herein.

DISCUSSION

37 CFR 1.42 When the Inventor is Dead, states, in part:

"In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent."

The declaration submitted on 07 March 2011 is executed by Ikuko Hasegawa as legal representative to the estate of deceased inventor, Shinya Hasegawa. The declaration provides the citizenship, residence and mailing address for both the legal representative and the deceased inventor per 37 CFR 1.497(a)(3). As such, it is proper to grant applicant's request for status pursuant to 37 CFR 1.42.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **GRANTED**.

This application has an international application filing date of 14 July 2009 and will be given a date of **07 March 2011** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the DO/EO/US for processing in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

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:	13054179	Filing date:	01/14/2011
First Named Inventor:	Wolfgang Ziche et al.		
Title of the Invention:	Method For Preventing Polymerization Of Unsaturated Organosilicon Compounds		

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

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/EP2009/058617

The international filing date of the corresponding PCT application(s) is/are: July 7, 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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13054179
First Named Inventor:	Wolfgang Ziche et al.

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
13	1	Rewritten in U.S. Format
14	2	Rewritten in U.S. Format
15	3	Rewritten in U.S. Format and to eliminate multiple dependencies
16	3	Same as claim 15, dependent on claim 14
17	4	Rewritten in U.S. Format and to eliminate multiple dependencies
18	5	Rewritten in U.S. Format and to eliminate multiple dependencies
19	6	Rewritten in U.S. Format and to eliminate multiple dependencies
20	7	Rewritten in U.S. Format and to eliminate multiple dependencies
21	8	Rewritten in U.S. Format and to eliminate multiple dependencies
22	9	Rewritten in U.S. Format and to eliminate multiple dependencies
23	10	Rewritten in U.S. Format and to eliminate multiple dependencies

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

Signature /William G. Conger/	Date 4/14/2011
Name (Print/Typed) William G. Conger	Registration Number 31209

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.
13/054,179	01/14/2011	Wolfgang Ziche	WAS1098PUSA	5086

22045 7590 05/10/2011
BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER	
ART UNIT	PAPER NUMBER
1621	

MAIL DATE	DELIVERY MODE
05/10/2011	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BROOKS KUSHMAN P.C.
1000 TOWN CENTER
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SOUTHFIELD, MI 48075

MAY 10 2011

In re Application of	:	DECISION ON REQUEST TO
ZICHE ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/054,179	:	PROSECUTION HIGHWAY
Filed: January 14, 2011	:	PROGRAM AND PETITION
Attorney Docket No. WAS1098PUSA	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed April 15, 2011, to make the above-identified application special.

The request and petition are **DENIED**.

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

(1) The U.S. 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 stage 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;
(2) The latest work product in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER, indicates at least one claim in the PCT application has novelty, inventive step and industrial applicability;
(3) 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 having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application;
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of latest international work product, WO/ISA, or WO/IPEA or IPER, which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language;
(6) Applicant must submit the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product

of the PCT application along with an English translation thereof and a statement that the English translation is accurate if the claims are not in the English language;
(7) Applicant must submit a claim correspondence table in English; and
(8) Applicant must submit an IDS listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the PCT application along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH program and petition fails to comply with the requirement because:

(7) The claim correspondence table does not provide an accurate explanation regarding the correspondence. For example, the table states that claim 13 corresponds to claim 1 in the corresponding PCT application but is rewritten in U.S. Format. However, claim 13 includes limitations that are not found in claim 1 of the corresponding PCT application, such as formula (2), which change the scope of the claim and do not simply correct formal matters.

(8) The IDS does not list reference D1 cited on the WO/ISA of the corresponding PCT application.

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.

Response must be submitted via EFS-Web with the document description: Petition to make special under Patent Pros Hwy. Information regarding EFS-Web is available at http://www.uspto.gov/ebc/efs_help.html.

Telephone inquiries concerning this decision should be directed to Cecilia Tsang at 571-272-0562.

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

Cecilia Tsang
Supervisory Patent Examiner
TC 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WOLFGANG ZICHE et al.

Group Art Unit: Unknown

Examiner: Cecilia Tsang

Serial No.: 13/054,179

Filed: January 14, 2011

For: METHOD FOR PREVENTING POLYMERIZATION OF UNSATURATED ORGANOSILICON COMPOUNDS

Attorney Docket No.: WAS1098PUSA

RESPONSE TO DISMISSAL OF PETITION TO PARTICIPATE IN THE PCT-PPH PILOT PROGRAM AND PETITION TO MAKE SPECIAL

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

Sir:

Applicants' request for participation in the PPH was denied in an Office Communication dated May 10, 2011. The grounds for denial are as follows:

> (7) The claim correspondence table does not provide an accurate explanation regarding the correspondence. For example, the table states that claim 13 corresponds to claim 1 in the corresponding PCT application but is rewritten in U.S. Format. However, claim 13 includes limitations that are not found in claim 1 of the corresponding PCT application, such as formula (2), which change the scope of the claim and do not simply correct formal matters.
>
> (8) The IDS does not list reference D1 cited on the WO/ISA of the corresponding PCT application.

Applicants respectfully request reconsideration.

Applicants' PPH request, of necessity, is based on the claims examined and found to meet all PCT requirements of novelty and inventive step as set forth in the IPRP. These are claims 1-10, as amended on March 15, 2010. A copy of the IPRP in German, with the amended sheets, each stamped "Geaendertes Blatt" is attached herewith, as well as the literal English translation of these claims. Please note that the original PCT application contained twelve claims. As amended, it contained ten claims, and the broader subject matter of original PCT claim 1 and that of claim 11 were not included in the amended claims. Amended claim 1 corresponds to original claim 2 of the PCT. It is the amended claims 1-10 and not the original claims 1-12 which were examined. The Supervisory Patent Examiner may wish to consider the following chart for purposes of clarification.

Original PCT Claim	PCT Claims As Amended	U.S. Claim
1	--	--
2	1	13
3	2	14
4	3	15
5	4	16
6	5	17
7	6	18
8	7	19
9	8	20
10	9	21
11	--	--
12	10	22

Neither the amended PCT claims which were examined and found to meet all PCT requirements of novelty, inventive step and industrial utility, nor the corresponding U.S. claims contain the subject matter of original PCT claims 1 and 11.

Thus, in summary, the U.S. claims fully correspond to those which were examined. Formula (2) was an integral part of the main claim, while formula (1) was not.

A supplemental IDS which lists Document D1 (EP 0 483 480 A1) is attached herewith. It is noted that this document has already been cited to the USPTO by WIPO.

Respectfully submitted,

WOLFGANG ZICHE et al.

By: _____
William G. Conger
Reg. No. 31,209
Attorney for Applicants

Date: May 24, 2011

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
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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.
13/054,179	01/14/2011	Wolfgang Zichc	WAS1098PUSA	5086

22045 7590 08/15/2011

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER	
ART UNIT	PAPER NUMBER
1621	

MAIL DATE	DELIVERY MODE
08/15/2011	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 15 2011

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BROOKS KUSHMAN P.C.
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD, MI 48075

In re Application of:	:	DECISION ON REQUEST TO
ZICHE ET AL.	:	PARTICIPATE IN PATENT
Application No.: 13/054,179	:	PROSECUTION HIGHWAY
Filed: January 14, 2011	:	PROGRAM AND PETITION
Attorney Docket No. WAS1098PUSA	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed May 24, 2011, to make the above-identified application special.

The request and petition are **Granted**.

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

(1) The U.S. 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 stage 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;
(2) The latest work product in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER, indicates at least one claim in the PCT application has novelty, inventive step and industrial applicability;
(3) 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 having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application;
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of latest international work product, WO/ISA, or WO/IPEA or IPER, which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language;
(6) Applicant must submit the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product

of the PCT application along with an English translation thereof and a statement that the English translation is accurate if the claims are not in the English language;
(7) Applicant must submit a claim correspondence table in English; and
(8) Applicant must submit an IDS listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the PCT application along with copies of documents except U.S. patents or U.S. patent application publications.

All requirements are met. Accordingly, petition is Granted.

Response must be submitted via EFS-Web with the document description: Petition to make special under Patent Pros Hwy. Information regarding EFS-Web is available at http://www.uspto.gov/ebc/efs_help.html.

Telephone inquiries concerning this decision should be directed to Cecilia Tsang at 571-272-0562.

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

Cecilia Tsang
Supervisory Patent Examiner
TC 1600

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
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MAILED

JUN 10 2011

PCT LEGAL ADMINISTRATION

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK NY 10151

In re Application of :
CHUNG, Sung Il, et al. :
Application No.: 13/054,180 :
PCT No.: PCT/KR2008/005734 :
Int. Filing Date: 29 September 2008 : DECISION
Priority Date: 14 July 2008 :
Att. Docket No.: 930086-2179 :
For: METHODS OF ATTACHING ... :
BY SUCH METHODS :

This decision is in response to request under 37 CFR 1.497(d), filed in the United States Patent and Trademark Office on 07 April 2011.

BACKGROUND

On 14 January 2011, applicants filed a transmittal letter for national phase entry, accompanied by, *inter alia*, the basic national fee and a declaration of the inventors.

On 08 February 2011, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that the present declaration listed three inventors not listed on the international application and that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the search fee, examination fee or oath or declaration were required.

On 07 April 2011, applicants filed a request under 37 CFR 1.497(d) to add inventors Pan Kyeom Kim and Hyeon Taeg Gim and remove inventor Yu Sung Kim.

DISCUSSION

Mr. Yu Sung Kim was removed as an applicant and inventor during the international phase. The Notification of Missing Requirements incorrectly indicated that the third named inventor on the declaration was not listed in the international publication. He was listed on the international publication. This request under 37 CFR 1.497(d) is being considered for the addition of inventors Pan Kyeom Kim and Hyeon Taeg Gim.

A request under 37 CFR 1.497(d) requires: (1) a statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part; (2) the processing fee set forth in §1.17(i); and (3) the written consent of the assignee, if an original named inventor has executed an assignment.

Items (1), (2) and (3) have been satisfied.

The 14 January 2011 declaration complies with 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, applicant's request under 37 CFR 1.497(d) is **GRANTED**.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

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

43840
WATERS TECHNOLOGIES CORPORATION
34 Maple Street - LG
Milford, MA 01757

MAILED

JUL 08 2011

PCT LEGAL ADMINISTRATION

In re Application of
BOUVIER *et al*
U.S. Application No.: 13/054,195
PCT No.: PCT/US2009/050845
Int. Filing Date: 16 July 2009
Priority Date: 18 July 2008
Attorney Docket No.: W-571-01
For: DEVICES HAVING AN INERT SURFACE AND METHODS OF MAKING SAME

DECISION

This decision is in response to the petition under 37 CFR 1.182 filed 03 May 2011.

BACKGROUND

On 14 January 2011, applicants filed papers to enter the national stage of PCT/US2009/050845 using the USPTO EFS-Web system. However, the transmittal letter (Form PTO-1390) recorded the international application as PCT/GB2009/001753 and listed a different title and attorney docket number.

On 05 April 2010, a communication was mailed requesting that applicants clarify the correct international application number in the above-captioned application.

On 03 May 2011, applicants filed the subject petition under 37 CFR 1.182.

DISCUSSION

A filing under 35 U.S.C. 371 is the national phase entry of only one international application. Applicants indicate that this application was intended to be the national phase of PCT/US2009/050845. The $400.00 petition fee has been charged to Deposit Account No. 23-0503 as authorized.

The indications in the subject application will be corrected to indicate that this is a national phase of PCT/US2009/050845.

It is noted that applicants' also request to remove the original transmittal letter filed 14 January 2011 and substitute a corrected transmittal letter filed with the subject

petition. This is not possible.

For the Office to consider to remove the misdirected papers from the file, applicants must file a petition under 37 CFR 1.59 to expunge.

CONCLUSION

Applicants' petition under 37 CFR 1.182 is **GRANTED**.

This application is being forwarded to the DO/EO/US for further processing in accordance with this decision.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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

MAR 23 2011

PCT LEGAL ADMINISTRATION

KENYON & KENYON LLP
ONE BROADWAY
NEW YORK NY 10004

In re Application of :
TOKARZ :
Application No.: 13/054,219 : NOTIFICATION
Attorney's Docket No.: 13877/41601 :
For: SILICA-BASED SOLS :

This application is before the Office of PCT Legal Administration for consideration of issues under 35 U.S.C. 371.

On 14 January 2011, applicants filed national stage papers in the United States Designated/Elected Office (DO/EO/US) electronically via EFS-Web. The submission included, *inter alia*, a Transmittal Letter (Form PTO-1390) and an Application Data Sheet (ADS). The international application number keyed into EFS-Web was PCT/US09/58787. However, the international application number appearing in the Transmittal Letter and the ADS is PCT/EP2009/058787.

Applicant is required to file a reply to this communication resolving the above-stated inconsistency. A proper reply would include a petition under 37 CFR 1.182, including the petition fee set forth in 37 CFR 1.17(f), to correct the discrepancy.

A proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are available. Failure to timely file a proper response will result in abandonment of the application.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents,

Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

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

JUN 28 2011

PCT LEGAL ADMINISTRATION

KENYON & KENYON LLP
ONE BROADWAY
NEW YORK NY 10004

In re Application of: TOKARZ, Marek, et al.	:	
U.S. Application No.: 13/054,219	:	DECISION ON PETITION UNDER
PCT Application No.: PCT/EP2009/058787	:	37 CFR 1.182
International Filing Date: 10 July 2009	:	
Priority Date: 14 July 2008	:	
Attorney's Docket No.: 13877/41601	:	
For: SILICA-BASED SOLS	:	

This decision is issued in response to the "Petition Under 37 C.F.R. 1.182" filed on 23 May 2011. Applicants have paid the required petition fee.

BACKGROUND

On 23 March 2011, this Office mailed a notification indicating that a petition under 37 CFR 1.182 was required to clarify the record as to the correct international application number for the present national stage application. The communication noted that the original application submission on 14 January 2011 referenced two different international applications. Specifically, while the Form PTO-1390 Transmittal Letter, application data sheet (ADS), and preliminary amendment identified the application as the U.S. national stage of PCT/**EP**2009/058787, the information provided by applicant during the electronic filing process identified the application as the U.S. national stage of international application PCT/**US**2009/058787.

On 23 May 2011, applicants filed the petition under 37 CFR 1.182 considered herein.

DISCUSSION

The petition filed on 23 May 2011 confirms that the correct international application number for the present national stage application is PCT/**EP**2009/058787 and that the incorrect international application number entered during the electronic filing process was the result of a clerical error. The correct international application number, PCT/**EP**2009/058787, was listed in the original application materials filed on 14 January 2011 (e.g., on the Form PTO-1390 and ADS), and these materials were filed prior to the expiration of thirty months from the priority date of such international application. The petition was accompanied by the required petition fee.

Applicants' petition satisfies the requirements for a grantable petition under 37 CFR 1.182 to correct the inconsistency in the international application numbers set forth in the materials filed herein on 14 January 2011. Accordingly, the application materials filed on 14

January 2011 will be treated as directed to international application PCT/**EP**2009/058787. Such materials, including payment of the U.S. basic national fee, were filed prior to the expiration of thirty months from the priority date of PCT/**EP**2009/058787, thereby avoiding abandonment of the international application with respect to the United States.

CONCLUSION

The petition under 37 CFR 1.182 filed 29 April 2011 is **GRANTED**.

The present application will be treated as the U.S. national stage under 35 U.S.C. 371 of PCT/**EP**2009/058787.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 14 January 2011.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

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

SHERR & VAUGHN, PLLC
620 HERNDON PARKWAY
SUITE 320
HERNDON VA 20170

MAILED

JUN 06 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
DESAIN et al.	:	DECISION
Application No.: 13/054,239	:	
PCT No.: PCT/NL2009/050421	:	
Int. Filing Date: 10 July 2009	:	
Priority Date: 15 July 2008	:	
Attorney's Docket No.: 701-0014	:	
For: METHOD FOR PROCESSING A BRAIN WAVE SIGNAL AND BRAIN COMPUTER INTERFACE	:	

This decision is in response to applicants' submission filed 30 March 2011, which has properly been treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 10 July 2009, applicants filed international application PCT/NL2009/050421 which designated the U.S. and claimed a priority date of 15 July 2008. The thirty-month period for paying the basic national fee in the United States expires at midnight on 15 January 2011.

On 14 January 2011, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the Basic National Fee.

On 07 February 2011, the United States Designated/Elected Office (DO/EO/US) issued a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 16 March 2011, applicants filed a submission including a declaration of inventors.

On 30 March 2011, applicants filed the instant petition under 37 CFR 1.181 including a second declaration of inventors.

DISCUSSION

The declaration of inventors filed 16 March 2011 lists the second named inventor as Jason FURQUHAR, which matches the name indicated on the published international application.

The second declaration of inventors filed 30 March 2011 lists the second named inventor as Jason FARQUHAR, which does not match the name indicated on the published international application.

The petition filed 30 March 2011 concerns the spelling of the last name of the second inventor and explains that the spelling of the inventor's name in the declaration is accurate (FARQUHAR) and that the spelling in the international application (FURQUHAR) is inaccurate. This explanation of the difference in spelling between the international application and the declaration of inventors is accepted and noted for the record.

Accordingly, the declaration filed 30 March 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

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Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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NIELDS, LEMACK & FRAME, LLC
176 E. MAIN STREET
SUITE #5
WESTBOROUGH MA 01581

MAILED

SEP 29 2011

OFFICE OF PETITIONS

In re Application of :
AJMERA *et al* :
Application No.: 13/054,241 :
PCT No.: PCT/CA2008/001316 :
Int. Filing Date: 16 July 2008 :
Priority Date: NONE :
Atty. Docket No.: 545P015 :
For: BOTTOM ACCESS DOLLIES FOR CONVEYOR OVEN :

DECISION

This is a decision on applicants' "PETITION UNDER 37 CFR 1.47(a)," filed in the U.S. Patent and Trademark Office (USPTO) on 01 August 2011, which requests that the application be accepted without the signatures of two joint inventors, Dragan Janus and Peter Janus, on the grounds that they refuse to execute the application. The petition is **GRANTED** as discussed below.

A review of the application file reveals that the present petition was accompanied by, *inter alia*, an acceptable showing of inventor Dragan Janus' and inventor Peter Janus' refusal. Therefore the requirements of 37 CFR 1.47(a) have now been satisfied.

A further review of the application file reveals that the requirements for entry into the national stage in the U.S. under 35 U.S.C. 371 have also now been satisfied.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventors at the last known address of record as set forth in the Declaration filed with the present papers, and a notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

The petition fee of $200.00 as required by § 1.17(g) will be charged to counsel's deposit account, as authorized on the Electronic Acknowledgement Receipt dated 14 January 2011.

The application has an international filing date of 16 July 2008, under 35 U.S.C. 363 and a date of **01 August 2011**, under 35 U.S.C. 371(c).

This application is being forwarded to the National Stage Processing Branch of the International Division for further processing in accordance with this decision.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

(571)272-3231

Conferee: Richard R. Cole
Senior PCT Legal Examiner
Office of PCT Legal Administration

OFFICIAL GAZETTE NOTICE

37 CFR 1.47 Notice by Publication

Notice is hereby given of the filing of an national stage application with a petition under 37 CFR 1.47 requesting acceptance of the application without the signature of all inventors. The petition has been granted. A notice has been sent to the last known address of the non-signing inventors. The inventors whose signatures are missing (Dragan Janus and Peter Janus) may join in the application by promptly filing an appropriate oath or declaration complying with 37 CFR 1.497. The international application number is PCT/CA2008/001316 and was filed on 16 July 2008, in the names of Sam Ajmera, Tejus Ajmera, Dragan Janus, and Peter Janus for the invention entitled BOTTOM ACCESS DOLLIES FOR CONVEYOR OVEN. The national stage application number is 13/054,241 and has a 35 U.S.C. 371(c) date of 01 August 2011.

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
PO BOX 1450
ALEXANDRIA, VA 22313-1450
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PETER JANUS
C/O 14 CONNIE CRESCENT
UNIT 12-13
CONCORD ON L4K 2W8
CANADA

MAILED

SEP 29 2011

OFFICE OF PETITIONS

In re Application of
AJMERA *et al*
Application No.: 13/054,241
PCT No.: PCT/CA2008/001316
Int. Filing Date: 16 July 2008
Priority Date: NONE
Atty. Docket No.: 545P015
For: BOTTOM ACCESS DOLLIES FOR CONVEYOR OVEN

NOTIFICATION

Dear Peter Janus:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated 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 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.497.

D Wood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

(571)272-3231

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DRAGAN JANUS
C/O 14 CONNIE CRESCENT
UNIT 12-13
CONCORD ON L4K 2W8
CANADA

MAILED

SEP 29 2011

OFFICE OF PETITIONS

In re Application of
AJMERA *et al*
Application No.: 13/054,241
PCT No.: PCT/CA2008/001316
Int. Filing Date: 16 July 2008
Priority Date: NONE
Atty. Docket No.: 545P015
For: BOTTOM ACCESS DOLLIES FOR CONVEYOR OVEN

NOTIFICATION

Dear Dragan Janus:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated 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 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.497.

DWood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

(571)272-3231

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (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 JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/054,267	Filing date:	January 14, 2011
First Named Inventor:	Yasuhiro KOJIMA		
Title of the Invention:	SEAT RECLINING DEVICE FOR VEHICLE		

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

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/JP09/062000

The international date of the corresponding PCT application(s) is/are: June 30, 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. See Appendix A

☐ 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. See Appendix B

☐ 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.**

See Appendices C and D, respectively

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/054,267
First Named Inventor:	Yasuhiro KOJIMA et al.

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 January 14, 2011

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

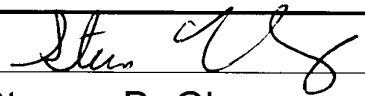
☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on January 14, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Substantially Identical
2	2	Substantially Identical
3	3	Substantially Identical
4	4	Substantially Identical
5	5	Substantially Identical
6	6	Substantially Identical
7	7	Substantially Identical
8	8	Substantially Identical
9	9	Substantially Identical

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

Signature 	Date January 21, 2011
Name (Print/Typed) Steven B. Chang	Registration Number 59,423

Request for Participation in the Patent Prosecution Highway
U.S. Patent Application Serial No. 13/054,267
Attorney Docket No. 374254US26PCT

Appendix A

Copy of the latest JPO Office Action

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
　恩田　博宣

様

あて名
〒500-8731
日本国岐阜県岐阜市大宮町２丁目１２番地の１

恩田 09.8.26 特許

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）	25．08．2009
出願人又は代理人 の書類記号　P3S2009165	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	国際出願日	優先日
PCT／JP2009／062000	（日.月.年）　30．06．2009	（日.月.年）　16．07．2008

国際特許分類（ＩＰＣ）Int.Cl. A47C1/025(2006.01)i, B60N2/22(2006.01)i

出願人（氏名又は名称）
アイシン精機　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
14．08．2009

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）　3R　3741
堅田　多恵子
電話番号　０３－３５８１－１１０１　内線　３３８６

国際調査機関の見解書

国際出願番号 PCT／JP2009／062000

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、以下に基づき見解書を作成した。

a．タイプ ☐ 配列表

☐ 配列表に関連するテーブル

b．フォーマット ☐ 紙形式

☐ 電子形式

c．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、配列表又は配列表に関連するテーブルを提出した場合に、出願後に提出した配列若しくは追加して提出した配列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：

国際調査機関の見解書

国際出願番号 PCT／JP2009／062000

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	1－9	有
	請求項		無
進歩性（IS）	請求項	1－9	有
	請求項		無
産業上の利用可能性（IA）	請求項	1－9	有
	請求項		無

2. 文献及び説明

文献１：JP 2002-209661 A（アラコ株式会社）2002.07.30，段落【００１９】－【００４９】、図１－図７
文献２：JP 2006-271581 A（株式会社タチエス）2006.10.12，段落【００１７】－【００４７】、図１－図５

請求項１－９それぞれに係る発明は、国際調査報告に引用された何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。

Appendix B

Copy of all claims which were determined to be patentable by the JPO

請求の範囲

[請求項1] シートクッションフレーム及びシートバックフレームの間に配置され、ロック解除操作レバーの操作に伴う制御軸の回動によって前記シートクッションフレームに対する前記シートバックフレームの傾動を規制するロック状態と前記傾動を許容するアンロック状態とに選択的に切り替えられるロック機構であって、前記シートクッションフレームに固定されるベース体と、前記シートバックフレームに固定されるとともに前記ベース体に対して回動自在に支持される回動体とを有し、前記制御軸及び回動体が同一の回動軸線の周りで回動する前記ロック機構と、

メモリ操作レバーの操作に伴い、前記ロック機構のロック状態における前記シートクッションフレームに対する前記シートバックフレームの角度位置を記憶するとともに、前記ロック機構をアンロック状態に切り替えて所定の傾斜位置への前記シートバックフレームの傾動を可能とするメモリ機構と

を有する車両用シートリクライニング装置において、

前記メモリ機構は、

前記回動体に設けられた、係合部を有するプレート部と、

前記シートバックフレームと前記回動体との連結面よりもシート幅方向において前記シートクッションフレーム側に配置され、前記制御軸と同一の回動軸線の周りで回動自在な保持ブラケットと、

前記保持ブラケットに回動自在に連結され、前記プレート部の前記係合部に係合可能であるとともに同係合部に係合することを阻止する阻止力が付与されたメモリポールと、

前記保持ブラケットが前記シートバックフレームの前記所定傾斜位置への傾動方向とは逆方向へ回動するのを規制して該保持ブラケットを所定の初期位置に復帰させる規制部と、

前記メモリポールに付与される前記阻止力に抗し又は該阻止力を解

消して前記メモリポールを前記プレート部に係合させるとともに、前記制御軸を連動させて前記ロック機構をアンロック状態に切り替えかつ該アンロック状態を維持するよう、前記メモリ操作レバーの操作に伴って回動するレバー部材と、

前記シートバックフレームを前記所定傾斜位置に至るまで傾動させるために前記保持ブラケットを回動させる場合は前記メモリポールと前記プレート部との係合を保持するとともに、前記保持ブラケットが前記初期位置へ復帰するのに伴い前記メモリポールと前記プレート部との係合を解除可能な係合保持部と

を備えることを特徴とするシートリクライニング装置。

[請求項2] 前記保持ブラケットは、前記ベース体又は前記回動体に形成された段差部に支持されている、請求項１に記載のシートリクライニング装置。

[請求項3] 前記レバー部材は、前記メモリ操作レバーの操作に伴って回動するとき前記メモリポールに当接し、それによりメモリポールに付与される阻止力に抗し又は該阻止力を解消して前記メモリポールを前記プレート部に係合させ、

前記メモリポールは、前記制御軸の回動軸線からの径方向距離が小さい第１面と、前記制御軸の回動軸線からの径方向距離が前記第１面よりも大きい第２面と、前記第１面及び前記第２面の間に配置された段部と、を有し、

前記レバー部材は、前記第１面、前記第２面及び前記段部に当接可能な当接部を有し、該当接部が前記レバー部材の回動に伴い前記段部を介して前記第１面から前記第２面に、或いは前記第２面から前記第１面に移動することで、前記メモリポールが前記プレート部に対して係合する状態と係合しない状態とに切り替わる、請求項１又は２に記載のシートリクライニング装置。

[請求項4] 前記レバー部材は、前記制御軸の回動軸線を中心として周方向に沿

って延在する第１延在部と、該第１延在部に連続して前記制御軸に向かって延びる第２延在部とを有し、

前記メモリ機構は、前記シートクッションフレームに回動可能に連結されたアーム部材を備え、該アーム部材は、前記第１及び第２延在部に挿入されるガイド部を有し、前記アーム部材は、前記ガイド部が前記第１延在部に位置する場合には前記レバー部材の回動を許容するとともに、前記ガイド部が前記第２延在部に進入した場合には前記レバー部材の回動を規制する、請求項１～３のいずれか一項に記載のシートリクライニング装置。

[請求項5] 前記規制部は、前記アーム部材と一体回動するように連結され、かつ前記保持ブラケットの前記初期位置への復帰に伴い該保持ブラケットと係合可能なカム部材を備え、

前記メモリポールが前記プレート部に係合した後、前記ガイド部を前記第２延在部に移動させつつ前記アーム部材が回動することで、前記保持ブラケットに対する前記カム部材の係合が外れる、請求項４に記載のシートリクライニング装置。

[請求項6] 前記係合保持部は、前記シートクッションフレームに設けられており、

前記所定傾斜位置への前記保持ブラケットの回動の当初は、前記レバー部材の当接部が前記メモリポールと前記プレート部との係合を保持し、その後、前記係合保持部が前記メモリポールと前記プレート部との係合を保持する、請求項１～５のいずれか一項に記載のシートリクライニング装置。

[請求項7] 前記レバー部材は、前記ロック解除操作レバーの操作に伴う前記制御軸の回動時に前記レバー部材が前記制御軸と連動するのを禁止する連動禁止部を備える、請求項１～６のいずれか一項に記載のシートリクライニング装置。

[請求項8] 前記制御軸は、一端部に第１ヒンジ部位を有しかつ他端部に第２ヒ

ンジ部位を有し、

前記第１ヒンジ部位は、前記ロック解除操作レバーに連結され、

前記第２ヒンジ部位は、前記レバー部材の嵌合孔に嵌合し、

前記連動禁止部は、前記ロック解除操作レバーの操作に伴う前記制御軸の回動方向に設定された前記嵌合孔の遊び部である、請求項７に記載のシートリクライニング装置。

[請求項9] 前記第２延在部は、前記アーム部材の回動に伴い前記ガイド部に押圧される押圧部を有し、該押圧部は、前記レバー部材に連動する前記制御軸が前記ロック機構をアンロック状態に切り替えるように回動するよう、前記ガイド部に押圧される、請求項４又は５に記載のシートリクライニング装置。

Request for Participation in the Patent Prosecution Highway
U.S. Patent Application Serial No. 13/054,267
Attorney Docket No. 374254US26PCT

Appendix C

English-language translation of the latest JPO Office Action

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: ONDA Hironori
12-1, Ohmiya-cho 2-chome
Gifu-shi, Gifu 5008731
JAPAN

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	25. 08. 2009
Applicant's or agent's file reference: P3S2009165	FOR FURTHER ACTION: See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/062000	30. 06. 2009	16. 07. 2008

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. A47C1/025(2006.01)i, B60N2/22(2006.01)i

Applicant
AISHIN SEIKI KABUSHIKI KAISHA

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 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/	Date of completion of this opinion	Authorized officer
Japan Patent Office (ISA/JP) 3-4-3, Kasumigaseki,	14. 08. 2009	Taeko Kashida
Facsimile No.		Telephone No. 03-3581-1101 Ext.3386

Form PCT/ISA/237 (cover sheet) (July 2009)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/062000

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 43*bis*.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/JP2009/062000

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

1. Statement

Novelty (N)	**Claims**	1-9	**YES**
	Claims		**NO**
Inventive step (IS)	**Claims**	1-9	**YES**
	Claims		**NO**
Industrial applicability (IA)	**Claims**	1-9	**YES**
	Claims		**NO**

2. Citations and explanations:

Document 1: JP2002-209661A (ARACO KABUSHIKI KAISHA) July 30, 2002, paragraph [0019]-[0049], Figures 1 - 7
Document 2: JP2006-27158A (KABUSHIKI KAISHA TACHI-S) October 12, 2006, paragraph [0017]-[0047], Figures 1 - 5

The invention according to claims 1?9 is neither disclosed in any of the documents cited by the International Search Report, nor obvious to a person skilled in the art.

I, Futoshi SUZUKI, hereby state that I am knowledgeable in the Japanese and English languages and that the attached document is, to the best of by knowledge and belief, a true and accurate English translation of the Written Opinion of the International Searching Authority issued in the international Application No. PCT/JP2009/062000 and of the claims attached to that Written Opinion of the International Searching Authority.

January 4, 2011
Date

Futoshi Suzuki

Appendix D

English-language translation of all claims which were determined to be patentable by the JPO

CLAIMS

1. A seat reclining device for a vehicle, comprising:

a lock mechanism arranged between a seat cushion frame and a seat back frame, the lock mechanism being selectively shifted between a locked state, in which the inclination of the seat back frame with respect to the seat cushion frame is restricted, and an unlocked state, in which the inclination is permitted, by rotation of a control shaft in accordance with operation of an unlock operation lever, the lock mechanism including a base body, which is secured to the seat cushion frame, and a rotating body, which is secured to the seat back frame and is supported to be freely rotatable with respect to the base body, the control shaft and the rotating body being rotated about the same rotational axis; and

a memory mechanism, wherein, when a memory operation lever is operated, the memory mechanism stores an angular position of the seat back frame with respect to the seat cushion frame in the state in which the lock mechanism is in the locked state, and shifts the lock mechanism to the unlocked state so as to permit the seat back frame to be inclined to a predetermined inclination position;

a plate portion located on the rotating body, the plate portion including an engaging portion,

the seat reclining device being **characterized in that** the memory mechanism includes:

a holding bracket arranged closer to the seat cushion frame than a coupling surface between the seat back frame and the rotating body in a seat widthwise direction, and the holding bracket being freely rotatable about the rotational axis that is the same as that of the control shaft,

a memory pole, which is coupled to the holding bracket to be freely rotatable, the memory pole being selectively engaged with the engaging portion of the plate portion while receiving a prevention force preventing engagement with the

engaging portion;

a restricting portion, which restores the holding bracket to a predetermined initial position by restricting the holding bracket from rotating in a reverse direction to the direction in which the seat back frame is inclined to the predetermined inclination position;

a lever member, which engages the memory pole with the plate portion against the prevention force applied to the memory pole or by cancelling the prevention force, the lever member being rotated in accordance with operation of the memory operation lever such that, as the control shaft is rotated in conjunction with the lever member, the lock mechanism is shifted to the unlocked state and the unlocked state is maintained; and

an engagement holding portion, wherein, when the holding bracket is rotated to incline the seat back frame to the predetermined inclination position, the engagement holding portion maintains engagement between the memory pole and the plate portion, and the engagement holding portion selectively disengages the memory pole from the plate portion as the holding bracket is restored to the initial position.

2. The seat reclining device according to claim 1, wherein the holding bracket is supported by a step portion formed on the base body or the rotating body.

3. The seat reclining device according to claim 1 or 2, wherein:

when the lever member is rotated in accordance with operation of the memory operation lever, the lever member abuts against the memory pole, thereby engaging the memory pole with the plate portion against the prevention force applied to the memory pole or by cancelling the prevention force;

the memory pole includes a first surface the radial

distance of which from the rotational axis of the control shaft is small, a second surface the radial distance of which from the rotational axis of the control shaft is greater than that of the first surface, and a step portion arranged between the first surface and the second surface; and

the lever member includes an abutment portion, which selectively abuts against the first surface, the second surface, and the step portion, and, when the abutment portion moves from the first surface to the second surface or from the second surface to the first surface via the step portion in accordance with rotation of the lever member, the memory pole is shifted between the state in which the memory pole is engaged with the plate portion and the state in which the memory pole is disengaged from the plate portion.

4. The seat reclining device according to any one of claims 1 to 3, wherein:

the lever member includes a first extended portion, which extends along the circumferential direction about the rotational axis of the control shaft, and a second extended portion, which extends continuously from the first extended portion toward the control shaft; and

the memory mechanism includes an arm member, which is rotatably coupled to the seat cushion frame, the arm member including a guide portion, which is inserted in the first and second extended portions, the arm member permits rotation of the lever member when the guide portion is arranged in the first extended portion, and restricts rotation of the lever member when the guide portion enters the second extended portion.

5. The seat reclining device according to claim 4, wherein:

the restricting portion includes a cam member, which is coupled to the arm member to rotate integrally with the arm

member, and the cam member being selectively engaged with the holding bracket as the holding bracket is restored to the initial position; and

after the memory pole is engaged with the plate portion, the arm member is rotated while moving the guide portion to the second extended portion so that the cam member is disengaged from the holding bracket.

6. The seat reclining device according to any one of claims 1 to 5, wherein:

the engagement holding portion is provided on the seat cushion frame; and

the abutment portion of the lever member maintains the engagement between the memory pole and the plate portion at the beginning of rotation of the holding bracket to the predetermined inclination position, and subsequently, the engagement holding portion maintains engagement between the memory pole and the plate portion.

7. The seat reclining device according to any one of claims 1 to 6, wherein the lever member includes an interlock inhibiting portion, which inhibits the lever member from interlocking with the control shaft when the control shaft is rotated in accordance with operation of the unlock operation lever.

8. The seat reclining device according to claim 7, wherein:

the control shaft includes a first hinge on one end and a second hinge on the other end;

the first hinge is coupled to the unlock operation lever;

the second hinge is fitted to a fitting bore of the lever member; and

the interlock inhibiting portion is a clearance in the

fitting bore set in the direction of rotation of the control shaft associated with operation of the unlock operation lever.

9. The seat reclining device according to claim 4 or 5, wherein the second extended portion includes a depression part, which is depressed by the guide portion in accordance with rotation of the arm member, and the depression part is depressed by the guide portion such that the control shaft, which is interlocked with the lever member, is rotated to shift the lock mechanism to the unlocked state.

I, Futoshi SUZUKI, hereby state that I am knowledgeable in the Japanese and English languages and that the attached document is, to the best of by knowledge and belief, a true and accurate English translation of the Written Opinion of the International Searching Authority issued in the international Application No. PCT/JP2009/062000 and of the claims attached to that Written Opinion of the International Searching Authority.

January 4, 2011
Date

Futoshi Suzuki

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.
13/054,267	01/14/2011	Yasuhiro Kojima	374254US26PCT	5518

22850 7590 03/15/2011

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
3636	

NOTIFICATION DATE	DELIVERY MODE
03/15/2011	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):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAR 14 2011

OBLON, SPIVAK, MCCLELLAND
MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re application of
Kojima et al.
Application No. 13/054,267
Filed: January 14, 2011
For: SEAT RECLINING DEVICE FOR VEHICLE

: **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 January 21, 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 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 petition being properly submitted via EFS-Web as is required, and the preliminary amendment of January 14, 2011, the request to participate in the PPH program complies with the above requirements, 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

BM/BM: 03/11/11

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NELSON MULLINS RILEY & SCARBOROUGH LLP
FLOOR 30, SUITE 3000
ONE POST OFFICE SQUARE
BOSTON, MA 02109

MAILED
NOV 08 2011
PCT LEGAL ADMINISTRATION

In re Application of TAKAHASHI et al :
U.S. Application No.: 13/054,288 :
PCT Application No.: PCT/JP2009/062975 : DECISION
Int. Filing Date: 17 July 2009 :
Priority Date Claimed: 18 July 2008 :
Attorney Docket No.: SHO-033US :
For: CELL PROLIFERATION INHIBITOR :

This is in response to applicant's petition under 37 CFR 1.181 filed 03 October 2011.

BACKGROUND

On 17 July 2009, applicant filed international application PCT/JP2009/062975, which claimed priority of an earlier Japan application filed 18 July 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 21 January 2010. The thirty-month period for paying the basic national fee in the United States expired on 18 January 2011.

On 14 January 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 14 February 2011, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 and a translation of the international application into English must be filed.

On 15 April 2011, the present application became abandoned for failure to timely respond to the Notification of Missing Requirements.

On 03 October 2011, applicant filed the present petition under 37 CFR 1.181.

DISCUSSION

MPEP 711.03(c), Section I. A., "Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action" states in relevant part,

> The showing required to establish nonreceipt of an Office communication must include a statement from the practitioner describing the system used for recording an Office action received at the correspondence address of record with the USPTO. The statement should establish that the docketing system is sufficiently reliable. It is expected that the record would include, but not be limited to, the application number, attorney docket number, the mail date of the Office action and the due date for the response.
>
> Practitioner must state that the Office action was not received at the correspondence address of record, and that a search of the practitioner's record(s), including any file jacket or the equivalent, and the application contents, indicates that the Office action was not received. A copy of the record(s) used by the practitioner where the non-received Office action would have been entered had it been received is required.
>
> A copy of the practitioner's record(s) required to show non-receipt of the Office action should include the master docket for the firm. That is, if a three month period for reply was set in the nonreceived Office action, a copy of the master docket report showing all replies docketed for a date three months from the mail date of the nonreceived Office action must be submitted as documentary proof of nonreceipt of the Office action. If no such master docket exists, the practitioner should so state and provide other evidence such as, but not limited to, the following: the application file jacket; incoming mail log; calendar; reminder system; or the individual docket record for the application in question.

The petition states that the Notification of Missing Requirements was never received and that a search of the practitioner's records, including any file jacket or equivalent, revealed that the Notification of Missing Requirements was not received. Furthermore, the petition includes an adequate description of the firm's system for recording an Office action received at the correspondence address of record, establishing that the system is sufficiently reliable. Additionally, the petition includes a master docket report showing all replies docketed for a date two months from the mail date of the of Missing Requirements and a date of seven months from the mail date of the of Missing Requirements. The report does not indicate that any response to a Notification of Missing Requirements was due. Thus, it can be concluded with reasonable certainty that the practitioner never received the Notification of Missing Requirements.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.181 is GRANTED.

The response period for the Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) is hereby reset to commence from the mailing date of this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

ATTACHMENT: Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905)

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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MAILED

MAR 23 2012

PCT LEGAL ADMINISTRATION

NELSON MULLINS RILEY & SCARBOROUGH LLP
FLOOR 30, SUITE 3000
ONE POST OFFICE SQUARE
BOSTON MA 02109

In re Application of :
TAKAHASHI et al. :
U.S. Application No.: 13/054,288 :
PCT No.: PCT/JP2009/062975 : DECISION
Int. Filing Date: 17 July 2009 :
Priority Date: 18 July 2008 :
Attorney's Docket No.: SHO-033US :
For: CELL PROLIFERATION INHIBITOR :

This decision is issued in response to applicants' "Notification of Erroneous Assertion of Small Entity Status" under 37 CFR 1.28(c) filed 22 February 2011. Additionally, this decision is issued in response to applicants' "Request for Corrected Filing Receipt" and "Courtesy Letter Regarding Erroneous Credit" filed 10 January 2012. No petition fee is required.

BACKGROUND

On 14 January 2011, applicants filed a transmittal letter for entry into the national stage in the United States accompanied, inter alia, by the basic national fee for a small entity; a copy of the international application; and a preliminary amendment.

On 22 February 2011, applicants filed "Notification of Erroneous Assertion of Small Entity Status."

On 27 December 2011, United States Designated/Elected Office issued a Notification of Acceptance and Official Filing Receipt. Both documents indicated the application as a small entity.

DISCUSSION

Applicants state in "Notification of Erroneous Assertion of Small Entity Status" filed 22 February 2011 that "at the time of filing, the above-identified patent application erroneously claimed small entity status." 37 CFR 1.28(c) provides:

> that if small entity status is established in good faith and the small entity fees are paid in good faith, and it later discovered that such status as a small entity was established in error or through the Office was not notified of a change, the error will be excused upon compliance with the separate submission and itemization requirements of 37 CFR 1.28(c)(1) and (c)(2) and the deficiency payment requirement of 37 CFR 1.28(c)(2) is calculated using the date on which deficiency was paid in full.

Applicants have fulfilled the requirements set forth in 37 CFR 1.28(c) and counsel's deposit account has been charged the appropriate fees under 37 CFR 1.492.

A corrected official filing receipt and Notification of Acceptance (Form/DO/EO/903), which removes small entity status, will be issued in due course.

CONCLUSION

The request under 37 CFR 1.28(c) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (703) 308-6314
Fax: (703) 308-6459

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:	107633-0059	Application Number (if known):	13/054,296	Filing date: January 14, 2011	
First Named Inventor:	Marco Angelini				
Title:	LIGHTING DEVICE WITH ADJUSTABLE LIGHT BEAM, PARTICULARLY FOR A FLASHLIGHT				

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 indicates that the above referenced application has already been published as U.S. Patent Application Publication No. 2011/0267823 A1.

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 ttachments:

Signature	/Reza Mollaaghababa/	Date	November 28, 2011
Name (Print/Typed)	Reza Mollaaghababa	Registration Number	43,810

***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*.*

☐ *Total of 1 forms are submitted.

Petition to Make Special Green Technology Pilot Program
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: November 28, 2011 Electronic Signature for Reza Mollaaghababa: /Reza Mollaaghababa/

Attorney Docket No. 107633-0059

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Marco Angelini, et al.	
Application No.:	13/054,296	Group Art Unit: 2875
Filed:	January 14, 2011	Confirmation No.: 5680
Entitled:	LIGHTING DEVICE WITH ADJUSTABLE LIGHT BEAM, PARTICULARLY FOR A FLASHLIGHT	Examiner: Not Yet Assigned

Certificate of Transmission

I hereby certify that this correspondence is being transmitted electronically via EFS-Web to the United States Patent and Trademark Office on the date set forth below.

November 28, 2011	By: /Reza Mollaaghababa /
Date	Reza Mollaaghababa – Reg. No. 43,810 Attorney for Applicant(s)

STATEMENT OF SPECIAL STATUS UNDER THE GREEN TECH PILOT PROGAM

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

Dear Sir:

This statement of special status for the eligibility requirement is filed concurrently with a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420), pursuant to the requirements of 74 Fed. Reg. 64, 666 (Dec. 8, 2009), as amended by 75 Fed. Reg. 28, 554 (May 21, 2010).

A basis for the special status is that aspects of the disclosure ***materially contribute to energy conservation***, namely the more efficient use of a light source, such as light emitting diode (LED), and thus electricity. Applicant submits that it is clear on its face that the disclosure materially contributes to energy conservation and therefore no statement is required explaining how the materiality standard is met. However, the Applicant submits that the disclosure is generally directed to lighting devices that employ optical elements to shape the light emitted by a light source into a desired pattern, e.g., by adjusting the width of an emitted beam. Among other

applications, the lighting devices can be utilized in flashlights. In many embodiments, the light source can be an LED, which can contribute to energy conservation (*See*, e.g., claim 22 in a preliminary amendment submitted herewith that recites the light source comprises an LED).

The application is a U.S. National Stage non-reissue, non-provisional utility application filed under 35 U.S.C. 371. The preliminary amendment, submitted herewith, reduces the total number of claims pending in the application to twenty (20) with three (3) independent claims. The application does not contain any multiple dependent claims. A first office action (including an office action containing only a restriction requirement) has not yet appeared in the Patent Application Information Retrieval (PAIR) system.

The above referenced application has already been published as U.S. Patent Application Publication No. 2011/0267823 A1. Consequently, Applicant understands that the publication fee set forth in 37 C.F.R. §1.18(d) is not required to be enclosed with this submission, but, the Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to Account No. 141449.

Applicant respectfully requests that a favorable decision on the Petition to Make Special Under the Green Tech Pilot Program be granted and the Application be accorded Special Status under the Green Technology Pilot Program.

Respectfully Submitted,

Date: November 28, 2011

/Reza Mollaaghababa/

Reza Mollaaghababa - Reg. No. 43,810
Attorney for Applicant
Nutter McClennen & Fish LLP
Seaport West
155 Seaport Boulevard
Boston, MA 02210
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Fax: (617)310-9514

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.
13/054,296	06/01/2011	Marco Angelini	107633-0059	5680

21125 7590 12/21/2011
NUTTER MCCLENNEN & FISH LLP
SEAPORT WEST
155 SEAPORT BOULEVARD
BOSTON, MA 02210-2604

EXAMINER	
NEILS, PEGGY A	

ART UNIT	PAPER NUMBER
2885	

NOTIFICATION DATE	DELIVERY MODE
12/21/2011	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@nutter.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

NUTTER MCCLENNEN & FISH LLP
SEAPORT WEST
155 SEAPORT BOULEVARD
BOSTON MA 02210-2604

DEC 21 2011

In re Application of :
ANGELINI et al. :
Application No. 13/054,296 :
Filed: January 14, 2011 :
Attorney Docket No. 107633-0059 :

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 on November 28, 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

Doc Code: PPH.PET.652 PTO/SB/20PCT-JP (05-10)
Document Description: Petition to make special under PCT-Patent Pros Hwy 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 JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/054,307	Filing Date:	January 14, 2011
First Named Inventor:	Masayuki KAMON et al.		
Attorney Docket No.:	148071		
Title of the Invention:	ROBOT HAND		

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.

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/JP2009/003372

The international date of the corresponding PCT application(s) is/are: July 17, 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.**

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.

PTO/SB/20PCT-JP (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 PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/054,307
First Named Inventor:	Masayuki KAMON et al.

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 March 15, 2011

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

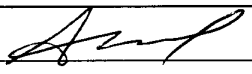
☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on January 14, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
2	2	Claim 2 identically corresponds to claim 2 of the PCT application indicated as having novelty, inventive step and industrial applicability, but is revised to be in independent form by incorporating all of the features of claim 1 of the PCT application-from which claim 2 depended.
4	4	Claim 4 identically corresponds to claim 4 of the PCT application indicated as having novelty, inventive step and industrial applicability, but is revised to be in independent form by incorporating all of the features of claim 1 claim 1 of the PCT application-from which claim 4 depended.
5	5	Claim 5 corresponds identically to claim 5 of the PCT Application, indicated as having novelty, inventive step and industrial applicability.
6	6	Claim 6 corresponds identically to claim 6 of the PCT Application, indicated as having novelty, inventive step and industrial applicability, but is revised to depend from only claim 4 to remove the multiple dependency.
7	7	Claim 7 corresponds identically to claim 7 of the PCT Application, indicated as having novelty, inventive step and industrial applicability, but is revised to depend from only claim 4 to remove the multiple dependency.

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

Signature 	Date May 19, 2011
Name (Print/Typed) James A. Oliff	Registration Number 27,075
Name (Print/Typed) Andrew B. Whitehead	Registration Number 61,989

OLIFF & BERRIDGE, PLC
P.O. Box 320850
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.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 09P195WO-YGI	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/003372	International filing date *(day month year)* 17 July 2009 (17.07.2009)	Priority date *(day month year)* 17 July 2008 (17.07.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KAWASAKI JUKOGYO KABUSHIKI KAISHA		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	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 Article 35(2) with regard to novelty, inventive step or 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

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 08 February 2011 (08.02.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Masashi Honda e-mail: pt08.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Applicant's or agent's file reference 09P195WO-YGI	Date of mailing *(day/month/year)* FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/003372	17.07.2009	17.07.2008

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

Applicant
KAWASAKI JUKOGYO KABUSHIKI KAISHA

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 or 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 66.1*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/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/003372

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 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/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 and/or table(s) relating thereto 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/JP2009/003372

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	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	2, 4-7	YES
	Claims	1, 3, 8-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2002-326128 A (CKD Corporation), 12 November 2002, paragraphs [0016]-[0020], fig. 3 and 4 (Family: none)

Document 2: JP 2005-144582 A (Avice, Inc.), 09 June 2005, paragraphs [0011], [0018], [0023] and [0026], fig. 2 and 4 (Family: none)

Claim 1

Document 1 cited in the ISR describes a robot hand, which performs a gripping operation by converting a rotary motion of a motor (12) into linear motions of holding pallets (36 and 37).

Furthermore, document 2 cited in the ISR indicates that Chebyshev linkage mechanism, which converts a rotary motion of a driving mechanism into a linear motion, is applied to a leg of a quadrupedal walking robot, to generate a motion of the leg.

Thus, in the invention described in document 1, a person skilled in the art could easily conceive of employing the Chebyshev linkage mechanism of the invention described in document 2 as a mechanism, which converts a rotary motion of a

motor into a linear motion, to obtain a robot hand, which performs a gripping operation by fingers configured by the Chebyshev linkage mechanisms.

Therefore, the invention as in claim 1 does not involve an inventive step in the light of documents 1 and 2.

Claim 3

In order to secure the strength of a connection part of links, arranging another link between a pair of rib parts provided in a link to connect is commonly practiced by a person skilled in the art.

Therefore, the invention as in claim 3 does not involve an inventive step in the light of documents 1 and 2.

Claim 8

Arranging members at positions where the members do not interfere with each other during a motion of a robot is commonly practiced by a person skilled in the art.

Therefore, the invention as in claim 8 does not involve an inventive step in the light of documents 1 and 2.

Claims 9 and 10

How components are arranged in a robot is a design matter that a person skilled in the art could determine as appropriate considering that members do not interfere with each other during motion, or an unnecessary space is not generated and the like.

Therefore, the invention as in claims 9 and 10 does not involve an inventive step in the light of documents 1 and 2.

Claims 2 and 4-7

The invention as in claims 2 and 4-7 involves an

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/003372

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

inventive step in relation to the documents cited in the ISR.

PATENT COOPERATION TREATY

PCT/JP2009/003372

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING TRANSMITTAL OF COPY OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (CHAPTER I OF THE PATENT COOPERATION TREATY)
(PCT Rule 44bis.1(c))

To:

PATENT CORPORATE BODY ARCO PATENT OFFICE
3rd Fl., Bo-eki Bldg., 123-1, Higashimachi, Chuo-ku,
Kobe-shi, Hyogo
6500031
JAPON

RECEIVED
FEB. 07. 2011
ARCO

Date of mailing *(day/month/year)* 27 January 2011 (27.01.2011)	
Applicant's or agent's file reference 09P195WO-YGI	IMPORTANT NOTICE

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/003372	17 July 2009 (17.07.2009)	17 July 2008 (17.07.2008)

Applicant
KAWASAKI JUKOGYO KABUSHIKI KAISHA et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer
Masashi Honda

e-mail: pt08.pct@wipo.int

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
特許業務法人　有古特許事務所

様

あて名
〒650-0031
日本国兵庫県神戸市中央区東町１２３番地の１　貿易ビル３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)　18.08.2009	
出願人又は代理人 の書類記号　09P195WO-YGI	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	国際出願日	優先日
PCT／JP2009／003372	(日.月.年)　17.07.2009	(日.月.年)　17.07.2008

国際特許分類（IPC）Int.Cl. B25J15/08(2006.01)i

出願人（氏名又は名称）
川崎重工業株式会社

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
07.08.2009

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） 松永　謙一	3U	4419
	電話番号　03-3581-1101　内線　3324		

様式PCT／ISA／237（表紙）（2007年4月）

国際調査機関の見解書

国際出願番号 PCT／JP2009／003372

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、以下に基づき見解書を作成した。

a．タイプ ☐ 配列表

☐ 配列表に関連するテーブル

b．フォーマット ☐ 紙形式

☐ 電子形式

c．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、配列表又は配列表に関連するテーブルを提出した場合に、出願後に提出した配列若しくは追加して提出した配列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：

国際調査機関の見解書

国際出願番号 PCT/JP2009/003372

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	1-10	有
	請求項		無
進歩性（IS）	請求項	2,4-7	有
	請求項	1,3,8-10	無
産業上の利用可能性（IA）	請求項	1-10	有
	請求項		無

2. 文献及び説明

文献１：JP 2002-326128 A（シーケーディ株式会社）2002.11.12，段落【００１６】－【００２０】、図３，４（ファミリーなし）

文献２：JP 2005-144582 A（株式会社アヴィス）2005.06.09，段落【００１１】、【００１８】、【００２３】、【００２６】、図２，４（ファミリーなし）

・請求項１について

国際調査報告で引用された文献１には、モータ１２の回転運動を狭持パレット３６，３７の直線運動に変換して把持動作を行うロボットハンドが記載されている。

また、国際調査報告で引用された文献２には、駆動機構の回転運動を直線運動に変換するチェビシェフリンク機構を４足歩行ロボットの脚に適用し、脚の運動を生成することが記載されている。

してみると、文献１に記載された発明において、モータの回転運動を直線運動に変換する機構として、文献２に記載された発明のチェビシェフリンク機構を採用して、チェビシェフリンク機構によって構成された指により把持動作を行うロボットハンドとすることは、当業者であれば容易に想到し得ることである。

したがって、請求項１に係る発明は、文献１及び２により進歩性を有しない。

・請求項３について

節の連結部の強度を確保するために、節に設けた一対のリブ部の間に他の節を配置して連結することは、当業者が通常行っていることである。

したがって、請求項３に係る発明は、文献１及び２により進歩性を有しない。

・請求項８について

ロボットの運動中に部材同士が干渉しない位置に部材を配置することは、当業者が通常行っていることである。

したがって、請求項８に係る発明は、文献１及び２により進歩性を有しない。

・請求項９，１０について

ロボットに部品をどのように配置するかは、運動中に部材同士が干渉しないこと、又、無駄なスペースが生じないこと等を考慮して、当業者が適宜決定し得る設計的事

国際調査機関の見解書

国際出願番号 PCT／JP2009／003372

補充欄

いずれかの欄の大きさが足りない場合

第 Y 欄の続き

項である。
　したがって、請求項９，１０に係る発明は、文献１及び２により進歩性を有しない。

・請求項２，４－７について
　請求項２，４－７に係る発明は、国際調査報告で引用された文献に対して進歩性を有する。

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.
13/054,307	01/14/2011	Masayuki Kamon	148071	5728

25944 7590 07/07/2011

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER	
CHIN, PAUL T	

ART UNIT	PAPER NUMBER
3652	

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):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 6 2011

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United States Patent and Trademark Office
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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re application of
Kamon et al.
Application No. 13/054,307
Filed: May 19, 2011
For: ROBOT HAND

: **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 May 19, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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 JPO, 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 JPO 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 JPO application(s) 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 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 pilot program and petition fail to include:
(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.

A statement that the English translation is accurate from the translator is required.

5) Applicant must submit a copy of the latest Office action 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.

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: 07/05/11

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masayuki KAMON et al.

Application No.: 13/054,307

Filed: January 14, 2011 Docket No.: 148071

For: ROBOT HAND

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

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

Sir:

In response to the July 7, 2011 Decision dismissing the May 19, 2011 Request for participation in the PCT-PPH pilot program between the JPO and the USPTO, Applicants submit this renewed Request for participation.

The Decision provided two reasons for the dismissal.

First, the Decision indicated that a translator's verification of the claims indicated to have novelty, inventive step and industrial applicability was not submitted. A translator's verification is included with this renewed Request.

Second, the Decision indicates that a statement of accuracy of the translation of the latest work product was not provided. However, because this is a request to participate in the PCT-PPH, and not in the PPH between the JPO and the USPTO, Applicants submit that the accuracy statement is not required. The Decision references the need to submit the latest work product from the JPO (see subparagraph (5) of the Decision), indicating that the USPTO is using the incorrect checklist for the documents required; the work product is PCT work product, not JPO work product. Thus, Applicants submit that in accordance with the PCT-PPH program, no statement of the accuracy of the translation of the PCT work product (i.e., the IPRP) is required.

However, in order to ensure that this renewed Request is not improperly dismissed, Applicants herewith submit the requested statement of accuracy of the IPRP translation.

All of the remaining required documents for the PCT-PPH Request are again resubmitted herewith.

In view of the foregoing, Applicants submit that the Request should now be granted.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Christopher W. Brown
Registration No. 38,025

JAO:CWB/rav

Date: July 20, 2011

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION
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Doc Code: PPH.PET.652 PTO/SB/20PCT-JP (05-10)
Document Description: Petition to make special under PCT-Patent Pros Hwy 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 JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/054,307	Filing Date:	January 14, 2011
First Named Inventor:	Masayuki KAMON et al.		
Attorney Docket No.:	148071		
Title of the Invention:	ROBOT HAND		

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.

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/JP2009/003372

The international date of the corresponding PCT application(s) is/are: July 17, 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.**

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.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/054,307
First Named Inventor:	Masayuki KAMON et al.

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 March 15, 2011

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

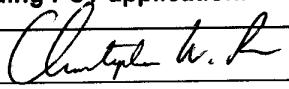
☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on January 14, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
2	2	Claim 2 identically corresponds to claim 2 of the PCT application indicated as having novelty, inventive step and industrial applicability, but is revised to be in independent form by incorporating all of the features of claim 1 of the PCT application from which claim 2 depended.
4	4	Claim 4 identically corresponds to claim 4 of the PCT application indicated as having novelty, inventive step and industrial applicability, but is revised to be in independent form by incorporating all of the features of claim 1 of the PCT application from which claim 4 depended.
5	5	Claim 5 corresponds identically to claim 5 of the PCT Application, indicated as having novelty, inventive step and industrial applicability.
6	6	Claim 6 corresponds identically to claim 6 of the PCT Application, indicated as having novelty, inventive step and industrial applicability, but is revised to depend from only claim 4 to remove the multiple dependency.
7	7	Claim 7 corresponds identically to claim 7 of the PCT Application, indicated as having novelty, inventive step and industrial applicability, but is revised to depend from only claim 4 to remove the multiple dependency.

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

Signature 	Date July 20, 2011
Name (Print/Typed) James A. Oliff	Registration Number 27,075
Name (Print/Typed) Christopher W. Brown	Registration Number 38,025

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P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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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

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 09P195WO-YGI	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/003372	International filing date *(day/month/year)* 17 July 2009 (17.07.2009)	Priority date *(day/month/year)* 17 July 2008 (17.07.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KAWASAKI JUKOGYO KABUSHIKI KAISHA		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	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 Article 35(2) with regard to novelty, inventive step or 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

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 08 February 2011 (08.02.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Masashi Honda
Facsimile No. +41 22 338 82 70	e-mail: pt08.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Applicant's or agent's file reference 09P195WO-YGI	Date of mailing *(day/month/year)* FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/003372	17.07.2009	17.07.2008

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

Applicant
KAWASAKI JUKOGYO KABUSHIKI KAISHA

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 or 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 66.1*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/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/003372

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 43*bis*.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/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 and/or table(s) relating thereto 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/JP2009/003372

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	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	2, 4-7	YES
	Claims	1, 3, 8-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2002-326128 A (CKD Corporation), 12 November 2002, paragraphs [0016]-[0020], fig. 3 and 4 (Family: none)

Document 2: JP 2005-144582 A (Avice, Inc.), 09 June 2005, paragraphs [0011], [0018], [0023] and [0026], fig. 2 and 4 (Family: none)

Claim 1

Document 1 cited in the ISR describes a robot hand, which performs a gripping operation by converting a rotary motion of a motor (12) into linear motions of holding pallets (36 and 37).

Furthermore, document 2 cited in the ISR indicates that Chebyshev linkage mechanism, which converts a rotary motion of a driving mechanism into a linear motion, is applied to a leg of a quadrupedal walking robot, to generate a motion of the leg.

Thus, in the invention described in document 1, a person skilled in the art could easily conceive of employing the Chebyshev linkage mechanism of the invention described in document 2 as a mechanism, which converts a rotary motion of a

motor into a linear motion, to obtain a robot hand, which performs a gripping operation by fingers configured by the Chebyshev linkage mechanisms.

Therefore, the invention as in claim 1 does not involve an inventive step in the light of documents 1 and 2.

Claim 3

In order to secure the strength of a connection part of links, arranging another link between a pair of rib parts provided in a link to connect is commonly practiced by a person skilled in the art.

Therefore, the invention as in claim 3 does not involve an inventive step in the light of documents 1 and 2.

Claim 8

Arranging members at positions where the members do not interfere with each other during a motion of a robot is commonly practiced by a person skilled in the art.

Therefore, the invention as in claim 8 does not involve an inventive step in the light of documents 1 and 2.

Claims 9 and 10

How components are arranged in a robot is a design matter that a person skilled in the art could determine as appropriate considering that members do not interfere with each other during motion, or an unnecessary space is not generated and the like.

Therefore, the invention as in claims 9 and 10 does not involve an inventive step in the light of documents 1 and 2.

Claims 2 and 4-7

The invention as in claims 2 and 4-7 involves an

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/003372

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

inventive step in relation to the documents cited in the ISR.

PATENT COOPERATION TREATY

PCT/JP2009/003372

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING TRANSMITTAL OF COPY OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (CHAPTER I OF THE PATENT COOPERATION TREATY)
(PCT Rule 44bis.1(c))

To:

PATENT CORPORATE BODY ARCO PATENT OFFICE
3rd Fl., Bo-eki Bldg., 123-1, Higashimachi, Chuo-ku,
Kobe-shi, Hyogo
6500031
JAPON

RECEIVED
FEB. 07. 2011
ARCO

Date of mailing (day/month/year): 27 January 2011 (27.01.2011)	
Applicant's or agent's file reference: 09P195WO-YGI	IMPORTANT NOTICE

International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/JP2009/003372	17 July 2009 (17.07.2009)	17 July 2008 (17.07.2008)

Applicant: KAWASAKI JUKOGYO KABUSHIKI KAISHA et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Masashi Honda
Facsimile No. +41 22 338 82 70	e-mail: pt08.pct@wipo.int

Form PCT/IB/326 (January 2004)

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
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様

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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）	18. 08. 2009
出願人又は代理人 の書類記号　09P195WO-YGI	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	国際出願日	優先日
PCT／JP2009／003372	（日.月.年）　17. 07. 2009	（日.月.年）　17. 07. 2008

国際特許分類（ＩＰＣ）Int.Cl. B25J15/08(2006.01)i

出願人（氏名又は名称）
川崎重工業株式会社

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 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
07. 08. 2009

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）　3U　4419
松永　謙一
電話番号　03－3581－1101　内線　3324

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００７年４月）

国際調査機関の見解書

国際出願番号 PCT/JP2009/003372

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、以下に基づき見解書を作成した。

a. タイプ ☐ 配列表

☐ 配列表に関連するテーブル

b. フォーマット ☐ 紙形式

☐ 電子形式

c. 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、配列表又は配列表に関連するテーブルを提出した場合に、出願後に提出した配列若しくは追加して提出した配列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：

国際調査機関の見解書

国際出願番号 PCT/JP2009/003372

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、それを裏付る文献及び説明

1. 見解

新規性（N）	請求項	1-10	有
	請求項		無
進歩性（IS）	請求項	2,4-7	有
	請求項	1,3,8-10	無
産業上の利用可能性（IA）	請求項	1-10	有
	請求項		無

2. 文献及び説明

文献１：JP 2002-326128 A（シーケーディ株式会社）2002.11.12，段落【００１６】－【００２０】、図３，４（ファミリーなし）

文献２：JP 2005-144582 A（株式会社アヴィス）2005.06.09，段落【００１１】、【００１８】、【００２３】、【００２６】、図２，４（ファミリーなし）

・請求項１について

国際調査報告で引用された文献１には、モータ１２の回転運動を狭持パレット３６，３７の直線運動に変換して把持動作を行うロボットハンドが記載されている。

また、国際調査報告で引用された文献２には、駆動機構の回転運動を直線運動に変換するチェビシェフリンク機構を４足歩行ロボットの脚に適用し、脚の運動を生成することが記載されている。

してみると、文献１に記載された発明において、モータの回転運動を直線運動に変換する機構として、文献２に記載された発明のチェビシェフリンク機構を採用して、チェビシェフリンク機構によって構成された指により把持動作を行うロボットハンドとすることは、当業者であれば容易に想到し得ることである。

したがって、請求項１に係る発明は、文献１及び２により進歩性を有しない。

・請求項３について

節の連結部の強度を確保するために、節に設けた一対のリブ部の間に他の節を配置して連結することは、当業者が通常行っていることである。

したがって、請求項３に係る発明は、文献１及び２により進歩性を有しない。

・請求項８について

ロボットの運動中に部材同士が干渉しない位置に部材を配置することは、当業者が通常行っていることである。

したがって、請求項８に係る発明は、文献１及び２により進歩性を有しない。

・請求項９，１０について

ロボットに部品をどのように配置するかは、運動中に部材同士が干渉しないこと、又、無駄なスペースが生じないこと等を考慮して、当業者が適宜決定し得る設計的事

国際調査機関の見解書

国際出願番号 PCT／JP2009／003372

補充欄

いずれかの欄の大きさが足りない場合

第 V 欄の続き

項である。
　したがって、請求項９，１０に係る発明は、文献１及び２により進歩性を有しない。

・請求項２，４－７について
　請求項２，４－７に係る発明は、国際調査報告で引用された文献に対して進歩性を有する。

CERTIFICATION OF ENGLISH LANGUAGE TRANSLATION

I, Chihiro Yamazaki, 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 PCT/JP2009/003372 that were the subject of the latest international work product (the International Preliminary Report on Patentability (IPRP)) mailed January 27, 2011.

July 20, 2011
Date

Chihiro Yamazaki
Signature

Chihiro Yamazaki
Typed Name

1. A robot hand configured such that a plurality of finger mechanisms are disposed on a base and operate so as to cause fingertip portions thereof to get close to each other and separate from each other, wherein:

at least one of the plurality of finger mechanisms is constituted by a Chebychev link mechanism including a driving link configured to be rotated about a base end portion thereof supported by the base, a driven link having a base end portion coupled to the base so as to be swingable, and an intermediate link having a base end portion coupled to a tip end portion of the driving link so as to be swingable and a center portion coupled to a tip end portion of the driven link so as to be swingable; and

the fingertip portion is provided at a tip end portion of the intermediate link.

2. The robot hand according to claim 1, wherein the driving link is configured to be rotatable in a predetermined angular range such that a movement trajectory of the fingertip portion of the finger mechanism constituted by the Chebychev link mechanism corresponds to a straight portion of a circumferential movement trajectory along which the intermediate link as the Chebychev link mechanism is able to move.

3. The robot hand according to claim 1 or 2, wherein the driving link includes a pair of rib portions sandwiching the base end portion of the intermediate link, and the base end portion of the intermediate link is supported by the pair of rib portions from both sides thereof.

4. The robot hand according to any of claims 1 to 3, wherein the finger mechanism constituted by the Chebychev link mechanism further includes: a joint member disposed at a coupled portion where the driven link and the intermediate link are coupled to each other; a first parallel link arranged in parallel with the driven link and coupled to the base and the joint member so as to be swingable; a holding member coupled to the tip end portion of the

intermediate link so as to be swingable and configured as the fingertip portion; and a second parallel link arranged in parallel with the intermediate link and coupled to the joint member and the holding member so as to be swingable.

5. The robot hand according to claim 4, wherein at least one of the driven link, the intermediate link, or the first parallel link includes a pair of side wall portions sandwiching the joint member, and the joint member is supported by the pair of side wall portions from both sides thereof.

6. The robot hand according to claims 4 or 5, wherein at least one of the intermediate link or the second parallel link includes a pair of side wall portions sandwiching the holding member, and the holding member is supported by the pair of side wall portions from both sides thereof.

7. The robot hand according to any of claims 4 to 6, wherein the holding member extends from the tip end portion of the intermediate link to a side where another one of the finger mechanisms is arranged.

8. The robot hand according to any of claims 1 to 7, wherein:

each of at least two of the finger mechanisms is constituted by the Chebychev link mechanism; and

at least each of the driving links is arranged so as to be displaced in a rotation axis direction such that the driving links overlap each other in the predetermined rotation angular range when projected in the rotation axis direction.

9. The robot hand according to claim 8, comprising at least two motors configured to respectively output rotary driving forces to the driving links, wherein:

rotating shafts of the driving links of the respective finger mechanisms are arranged in parallel with each other; and

each of the motors is arranged on a same side of the base in the rotation axis direction.

10. The robot hand according to claim 9, wherein:

the base includes a stay portion to which a robot arm is coupled; and

each of the motors is arranged on a side where the stay portion extends.

請求の範囲

[請求項1] 基台に複数の指機構を設けてなり、該複数の指機構が互いの指先部を接離させるよう動作する構成のロボットハンドであって、

前記複数の指機構の少なくとも１つが、

前記基台に支持される基端部を中心にして回転駆動される原動節と、

基端部が前記基台に揺動可能に連結された従動節と、

基端部が前記原動節の先端部に揺動可能に連結されて中央部が前記従動節の先端部に揺動可能に連結された中間節と、を備えるチェビシェフリンク機構によって構成され、

該中間節の先端部に前記指先部が設けられることを特徴とするロボットハンド。

[請求項2] チェビシェフリンク機構によって構成された前記指機構の前記指先部の移動軌跡をチェビシェフリンク機構として中間節が取り得る周状の移動軌跡のうちの直線部分に対応せしめるべく、前記原動節が所定角度範囲内で回転可能に構成されていることを特徴とする請求項１に記載のロボットハンド。

[請求項3] 前記原動節が、前記中間節の基端部を挟み込む一対のリブ部を有し、該一対のリブ部によって前記中間節の基端部が両側から支持されていることを特徴とする請求項１又は２に記載のロボットハンド。

[請求項4] チェビシェフリンク機構によって構成された前記指機構が更に、

前記従動節と前記中間節との連結部に介在する関節部材と、

前記従動節と平行に配されて前記基台と前記関節部材とに揺動可能に連結された第１平行節と、

前記中間節の先端部に揺動可能に連結されて前記指先部をなす把持部材と、

前記中間節と平行に配されて前記関節部材と前記把持部材とに揺動可能に連結された第２平行節と

を備えることを特徴とする請求項１乃至３のいずれか１項に記載のロボットハンド。

[請求項5] 前記従動節、前記中間節及び前記第１平行節の少なくとも１つが、前記関節部材を挟み込む一対の側壁部を有し、該一対の側壁部によって前記関節部材が両側から支持されていることを特徴とする請求項４に記載のロボットハンド。

[請求項6] 前記中間節及び前記第２平行節の少なくとも１つが、前記把持部材を挟み込む一対の側壁部を有し、該一対の側壁部によって前記把持部材が両側から支持されていることを特徴とする請求項４又は５に記載のロボットハンド。

[請求項7] 前記把持部材が、前記中間節の先端部から、他の前記指機構が配置されている側に向けて延在することを特徴とする請求項４乃至６のいずれか１項に記載のロボットハンド。

[請求項8] 少なくとも２つの前記指機構が前記チェビシェフリンク機構によって構成され、

少なくとも前記原動節の各々が、回転軸方向に投影したときに所定の回転角度範囲内で互いに重なるよう回転軸方向にずれて配置されていることを特徴とする請求項１乃至７のいずれか１項に記載のロボットハンド。

[請求項9] 前記原動節の各々に対する回転駆動力を出力する少なくとも２つのモータを備え、

前記各指機構の原動節の回転軸が互いに平行に配され、

前記各モータが、前記基台に対して回転軸方向に関して同じ側に配置されていることを特徴とする請求項８に記載のロボットハンド。

[請求項10] 前記基台は、ロボットアームを連結するためのステー部を有し、

前記各モータが、前記ステー部の延在している方向と同じ側に配置されていることを特徴とする請求項９に記載のロボットハンド。

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masayuki KAMON et al.

Application No.: 13/054,307

Filed: January 14, 2011 Docket No.: 148071

For: ROBOT HAND

TRANSMITTAL OF IPRP AND TRANSLATION, AND AFFIRMATION OF ACCURACY OF TRANSLATION

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

Sir:

Attached hereto is a copy of the Japanese-language International Preliminary Report on Patentability (IPRP) from corresponding PCT application PCT/JP2009/003372. Also attached is an English-language translation of the IPRP. On information and belief, the English-language translation is an accurate translation of the IPRP.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Christopher W. Brown
Registration No. 38,025

JAO:CWB/rav

Date: July 20, 2011

OLIFF & BERRIDGE, PLC
P.O. Box 320850
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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

MAILED
JAN 18 2012
OFFICE OF PETITIONS

In re Application of
Masayuki KAMON et al.
Application No.: 13/054,307
Filed: 14 January 2011
Attorney Docket No.: 148071
For: ROBOT HAND

: 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 renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 20 July 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, NPI, NBPR, 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 Michelle R. Eason at 571-272-4231.

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.

Thurman K. Page
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

DORSEY & WHITNEY, LLP
INTELLECTUAL PROPERTY DEPARTMENT
1400 Wewatta Street
Suite 400
DENVER CO 80202-5549

MAILED

JUL 18 2011

PCT LEGAL ADMINISTRATION

In re Application of :
SKINNER, et al :
Application No.: 13/054,359 :
PCT No.: PCT/US09/51405 :
Int. Filing Date: 22 July 2009 :
Priority Date: 22 July 2008 :
ATTY Docket No.: P190021.WO-US.01 :
For: MOTOR ARRANGEMENT FOR WINDOW COVERINGS :

DECISION ON PETITION
UNDER 37 CFR 1.47(a)

This decision is in response to applicant's PETITION TO FILE DECLARATION WITHOUT SIGNATURE OF INVENTOR UNDER 37 C.F.R. 1.47(a) in application serial number 13/054,359. The petition was filed in the United States Patent and Trademark Office (USPTO) on 15 June 2011.

BACKGROUND

On 22 July 2009, applicant filed international application, PCT/US09/51405, claiming priority to a United States Application filed 22 July 2008. The thirty-month period for paying the basic national fee in the United States expired on 24 January 2011, as the 22nd was a Saturday.

On 14 January 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia,* the basic national filing fee required by 35 U.S.C. 371 (c).

On 15 February 2011, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 C.F.R. 1.497 must be filed.

On 15 June 2011, applicant filed the present petition under 37 C.F.R. 1.47(a).

DISCUSSION

A petition under 37 C.F.R. 1.47(a) must be accompanied by:

(1) an oath or declaration by each applicant on his or her own behalf and on behalf of the non-signing joint inventors;

(2) factual proof that the missing joint inventor refuses to join in the application or cannot be reached after diligent effort;

(3) the fee set forth in § 1.17(g); and,

(4) the last known address of the non-signing joint inventor.

With regards to item (1) above, application has submitted a declaration signed by the available inventors each on his /her own behalf and on behalf of the non-signing inventor.

With regard to item (2), above, MPEP 409.03(d) states in relevant part,

> A refusal by an inventor to sign an oath or declaration when the inventor has not been presented with the application papers does not itself suggest that the inventor is refusing to join the application unless it is clear that the inventor understands exactly what he or she is being asked to sign and refuses to accept the application papers. A copy of the application papers should be sent to the last known address of the non-signing inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney. The fact that an application may contain proprietary information does not relieve the 37 CFR 1.47 applicant of the responsibility to present the application papers to the inventor if the inventor is willing to receive the papers in order to sign the oath or declaration. It is noted that the inventor may obtain a complete copy of the application, unless the inventor has assigned his or her interest in the application, and the assignee has requested that the inventor not be permitted access. See MPEP § 106. 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 USPQ 80 (Comm'r Pat. 1956).
>
> 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.

The petition states that joint inventor Philip Chermak refuses to sign the application papers. The petition adequately demonstrates that bona fide attempts were made to present a copy of the application papers to inventor Chermak (see Exhibits E and F). Furthermore, the petition sufficiently illustrates that the inventor Chermak refuses to sign. In particular, Chermak refused delivery of the application papers mailed to him on 16 May 2011. A set forth in MPEP 409.03, refusal of the inventor to accept delivery of application papers may be sufficient to indicate refusal to sign. Thus, it can be concluded with reasonable certainty that inventor Chermak refuses to join in the application.

With regard to item (3) above, applicant has provided the requisite petition fee.

With regard to item (4), above applicant has provided inventor Chermak's last known home address as required by MPEP 605.03.

CONCLUSION

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

The application has an International Filing Date under 35 U.S.C. 363 of 22 July 2009, and a date under 35 U.S.C. 371 (c)(1), (c)(2), and (c)(4) of 15 June 2011.

As set forth in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at the last known address of record and will e published in the *Official Gazette*.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Gwendolyn Blackwell
PCT Legal Detailee
Office of PCT Legal Administration
Tel: (571) 272-6094

Bryan Lin
PCT Legal Examiner
Office of PCT Legal Administration

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. Philip Chermak
1100 Chiron Street
Lafayette, Colorado 80026

MAILED
JUL 18 2011
PCT LEGAL ADMINISTRATION

In re Application of SKINNER et al
U.S. Application No.: 13/054,359
PCT Application No.: PCT/US09/51405
Int. Filing Date: 22 July 2009
Priority Date: 22 July 2008
For: MOTOR ARRANGEMENT FOR WINDOW COVERINGS

Dear Mr. Chermak:

You are named as a joint inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated 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 set forth in 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you choose to join in 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.

Bryan Lin
PCT Legal Examiner
PCT Legal Office
Telephone: 571-272-3303
Facsimile: 571-273-0459

DORSEY & WHITNEY, LLP
INTELLECTUAL PROPERTY DEPARTMENT
1400 Wewatta Street
Suite 400
DENVER CO 80202-5549
Attorney Docket No. P190021.WO-US.01

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: 26139-16020 US	Application Number (if known): 13/054,470	Filing date: 01/14/2011
First Named Inventor: Brian D. Green		
Title: Ethanol Production by Microorganisms		

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: (preliminary amendment to claims filed concurrently)

Signature /Chris Ullsperger/	Date January 21, 2011
Name (Print/Typed) Chris Ullsperger	Registration Number 48,006

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 ONE 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.

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.

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.

Attorney Ref: 26139-16020 US
Client Ref: JBT 247.1 US

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian D. Green, et al.
APPLICATION NO.:	13/054,470
FILING DATE:	January 14, 2011 (national phase entry)
TITLE:	Ethanol Production By Microorganisms
EXAMINER:	Unknown
GROUP ART UNIT:	Unknown
ATTY. DKT. NO.:	26139-16020 US

CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(i)(C) from the Pacific Time Zone of the United States on the local date shown below.

Dated: January 21, 2011 By: / Chris Ullsperger/
Chris Ullsperger, Reg. No. 48,006

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

STATEMENT IN SUPPORT OF PETITION
UNDER 37 CFR 1.102(c)(2) (GREEN TECHNOLOGIES PROGRAM)
EXPLAINING THE BASIS FOR SPECIAL STATUS
& HOW THE MATERIALITY STANDARD IS MET

Sir:

Applicants' basis for Special Status is that Applicants' invention materially contributes to the development of renewable energy resources and/or energy conservation. Applicants' invention materially contributes to the development of renewable energy resources, as well as the conservation of energy resources, by providing methods and compositions which can be employed for the photosynthetic and renewable generation of ethanol (a combustible fuel) from

solar energy and carbon dioxide. Applicants filed this petition, in part, because they have already successfully engineered novel ethanol-producing photosynthetic microorganisms (see, e.g., the Examples in Applicants' specification) and they wish to protect their contributions without delay. Applicants respectfully submit that the materiality of their contribution to renewable energy is evident from the forgoing statement.

Respectfully submitted,

DAVID A. BERRY ET AL.

Dated: January 21, 2011

By: /Chris Ullsperger/

Chris Ullsperger, Reg. No. 48,006
Attorney for Applicant
Fenwick & West LLP
801 California Street
Mountain View, CA 94041
Tel.: (415) 875-2405
Fax: (415) 281-1350

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.
13/054,470	01/21/2011	Brian Green	26139-16020	6854

96157 7590 03/30/2011

Joule/Fenwick
Silicon Valley Center
801 California Street
Mountain View, CA 94041

EXAMINER	
ART UNIT	PAPER NUMBER
1632	

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):

ptoc@fenwick.com
cullsperger@fenwick.com
chong@jouleunlimited.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

MAR 3 0 2011

Joule/Fenwick
Silicon Valley Center
801 California Street
Mountain View CA 94041

In re Application of	:	
GREEN, Brian *et al.*	:	DECISION ON PETITION
Application No. 13/054470	:	TO MAKE SPECIAL UNDER
Filed: January 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 26139-16020	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed January 21, 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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1632 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

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

Paper No.

JEROME D. JACKSON (JACKSON PATENT LAW OFFICE)
211 N. UNION STREET, SUITE 100
ALEXANDRIA VA 22314

MAILED

JUN 10 2011

OFFICE OF PETITIONS

In re Application of	:	
Stephen Koubi	:	
Application Number: 13/054,490	:	NOTICE
Filing or 371(c) Date: 04/21/2011	:	
Attorney Docket Number: 177.027	:	

This is a notice regarding your request for acceptance of a fee deficiency submission, which is treated under 37 CFR 1.28, filed on April 27, 2011.

The Office no longer investigates or rejects original or reissue patents 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**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3231.

D Wood

Douglas Wood
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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,512	01/17/2011	Natasa Zivic	SECU001USN	7307

48746 7590 08/25/2011

HULSEY IP INTELLECTUAL PROPERTY LAWYERS, P.C.
919 Congress Avenue, Suite 919
AUSTIN, TX 78701

EXAMINER	
GAFFIN, JEFFREY A	

ART UNIT	PAPER NUMBER
2117	

MAIL DATE	DELIVERY MODE
08/25/2011	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.

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

HULSEY IP INTELLECTUAL PROPERTY LAWYERS, P.C.
919 Congress Avenue, Suite 919
AUSTIN TX 78701

In re Application of: ZIVIC et al.
Application No. 13/054512
Filed: January 17, 2011
Atty. Docket No.: SECU001USN
For: **METHOD FOR TRANSMITTING AND RECEIVING A DATA BLOCK**

DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PILOT 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 February 3, 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 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 DPMA, 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 DPMA, 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 DPMA, 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 DPMA 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 DPMA 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 ALL the office action(s) from each of the DPMA application(s) containing the allowable/patentable claim(s)
   b. An English language translation of the DPMA Office action from (5)(a) above
   c. A statement that the English translation is accurate;

(6) Applicant must submit an IDS listing the documents cited by the DPMA examiner in the DPMA office action (unless already submitted in this application) along with copies of the documents except U.S. patents or U.S. patent application publications;

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

CLAIMS

1. A wind turbine blade having a tip end and a root end and comprising at least one component formed of fibrous composite material including two or more different types of carbon fibres having a different elastic modulus to each other, wherein the proportions of the different types of carbon fibres in the at least one component vary in the longitudinal direction of the blade, such that the elastic modulus of the fibrous composite material increases towards the tip end of the blade.

2. A wind turbine blade according to claim 1 wherein the proportions of the different types of carbon fibres in the at least one component vary in the longitudinal direction of the blade such that along at least a part of the blade, the increase in the elastic modulus of the fibrous composite material is continuous.

3. A wind turbine blade according to claim 1 wherein the at least one component comprises two or more connected portions having different proportions of the different types of carbon fibres to each other, such that the elastic modulus of the fibrous composite material forming each of the portions is different.

4. A wind turbine blade according to claim 3 comprising a connecting member between the two or more connected portions.

5. A wind turbine blade according to claim 4 wherein the connecting member is formed of fibrous composite material comprising two or more different types of carbon fibres having a different elastic modulus to each other.

6. A wind turbine blade according to any preceding claim wherein the proportions of the different types of carbon fibres in the at least one component vary in the longitudinal direction of the blade to provide at least two regions in which the fibrous composite material has a higher elastic modulus than in the rest of the component.

7. A wind turbine blade according to any preceding claim comprising a longitudinal inner beam extending through the centre of the blade, wherein the inner beam is formed of fibrous composite material including two or more different types of carbon fibres having a different elastic modulus to each other, wherein the proportions of the different types of fibres vary in the longitudinal direction of the inner beam such that the elastic modulus of the fibrous composite material forming the beam increases towards the tip end of the blade.

8. A wind turbine blade according to claim 7 wherein the inner beam comprises a tip end portion and a root end portion and wherein the proportions of the different types of carbon fibres are different in the tip end portion than in the root end portion, such that the elastic modulus of the fibrous composite material is higher in the tip end portion than in the root end portion.

9. A wind turbine blade according to claim 8 wherein the proportions of the different types of carbon fibres within each of the tip end portion and the root end portion vary in the longitudinal direction of the blade.

10. A wind turbine blade according to any preceding claim comprising two or more outer shell portions, wherein each of the outer shell portions is formed of fibrous composite material comprising two or more different types of carbon fibres having a different elastic modulus to each other.

11. A wind turbine blade according to any preceding claim wherein at least one of the different types of carbon fibres has an elastic modulus of greater than 230 GPa.

12. A wind turbine blade according to any preceding claim wherein at least one of the different types of carbon fibres has an elastic modulus of greater than 280 GPa.

13. A wind turbine blade according to any preceding claim further comprising non-carbon fibres.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
P/60956.WO01		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/EP2009/005211	17/07/2009	18/07/2008
Applicant		
VESTAS WIND SYSTEMS A/S		

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.

[X] 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:
      [X] 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**,
   [X] 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**,
   [X] 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. 2
      [X] 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/EP2009/005211

A. CLASSIFICATION OF SUBJECT MATTER
INV. F03D1/06
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)
F03D B29D

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.
A	WO 03/078833 A1 (LM GLASFIBER AS [DK]; GRABAU PETER [DK]; ANDERSEN LARS FUGLSANG [DK]) 25 September 2003 (2003-09-25) page 2, line 26 - page 3, line 6; figures	1
A	US 2007/189903 A1 (EYB ENNO [DE]) 16 August 2007 (2007-08-16) paragraphs [0018], [0021]; figures	1

[ ] Further documents are listed in the continuation of Box C. [X] 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	Date of mailing of the international search report
26 October 2010	04/11/2010

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Areal Calama, A

Form PCT/ISA/210 (second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/EP2009/005211

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 03078833 A1	25-09-2003	AT 468484 T	15-06-2010
		AU 2003218632 A1	29-09-2003
		CA 2479608 A1	25-09-2003
		CN 1697924 A	16-11-2005
		DK 200200424 A	20-09-2003
		EP 1485611 A1	15-12-2004
		PL 206703 B1	30-09-2010
		PT 1485611 E	16-07-2010
		US 2005180853 A1	18-08-2005
US 2007189903 A1	16-08-2007	NONE	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

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.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/EP2009/005211	17.07.2009	18.07.2008

International Patent Classification (IPC) or both national classification and IPC
INV. F03D1/06

Applicant
VESTAS WIND SYSTEMS A/S

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 notifed 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:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	see form PCT/ISA/210	Areal Calama, A Telephone No. +31 70 340-2877

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/EP2009/005211

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 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-13
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-13
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-13
	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

Reference is made to the following documents:

D1 WO 03/078833 A1 (LM GLASFIBER AS [DK]; GRABAU PETER [DK]; ANDERSEN LARS FUGLSANG [DK]) 25 September 2003 (2003-09-25)

D2 US 2007/189903 A1 (EYB ENNO [DE]) 16 August 2007 (2007-08-16)

Document D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses a wind turbine blade having a tip end and a root end and comprising at least one component formed of fibrous composite material including two different types of fibres having a different elastic modulus to each other, wherein the proportions of the different types of fibres in the at least one component vary in the longitudinal direction of the blade, such that the elastic modulus of the fibrous composite material increases towards the tip end of the blade.

The subject-matter of claim 1 therefore differs from this known wind turbine blade in that the two types of fibers that are selected are two different types of carbon fiber having different elastic modulus and is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as to further improve the dimensions and mechanical behaviour of a blade of increased length.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) because none of the prior art documents suggest the use of two different types of carbon fibers having different elastic modulus. The skilled person has a wide range of choices to tackle the problem. The choice of a more performant combination of fibers is not the only nor the obvious one.

Claims 2 to 13 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

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 IPER (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

BNSDOCID: <XS_____200704010CK_1_>

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:	13/054,530	Filing date:	January 17, 2011
First Named Inventor:	Mark Hancock		
Title of the Invention:	WIND TURBINE BLADE		

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

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/EP2009/005211

The international filing date of the corresponding PCT application(s) is/are: July 17, 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.**

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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/054,530
First Named Inventor:	Mark Hancock

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 January 17, 2011 and January 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 January 17, 2011 and January 27, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Similar in scope; no substantive change
2	2	Similar in scope; no substantive change
3	3	Similar in scope; no substantive change
4	4	Similar in scope; no substantive change
5	5	Similar in scope; no substantive change
6	6	Combination of claims 1 and 6; multiple dependency deleted
7	7	Combination of claims 1 and 7; multiple dependency deleted
8	8	Similar in scope; no substantive change
9	9	Similar in scope; no substantive change
10	10	Combination of claims 1 and 10; multiple dependency deleted
11	11	Combination of claims 1 and 11; multiple dependency deleted
12	12	Combination of claims 1 and 12; multiple dependency deleted
13	13	Combination of claims 1 and 13; multiple dependency deleted

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

Signature	/Steven W. Benintendi/	Date	January 27, 2011
Name (Print/Typed)	Steven W. Benintendi	Registration Number	56,297

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
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,530	01/17/2011	Mark Hancock	VWS-235US	7493

83583 7590 04/08/2011

Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
04/08/2011	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.

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Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati OH 45202

In re Application of	:	
HANCOCK, MARK	:	DECISION ON REQUEST TO
Application No. 13/054,530	:	PARTICIPATE IN PATENT
Filed: Jan. 17, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. VWS-235US	:	PILOT PROGRAM AND PETITION
For: WIND TURBINE BLADE	:	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 Jan. 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 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 416/241 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
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OSTROLENK FABER LLP
1180 AVENUE OF THE AMERICAS
NEW YORK NY 10036-8403

MAILED

NOV 16 2011

OFFICE OF PETITIONS

In re Application of
DEIGHTON *et al*
Application No.: 13/054,593
PCT No.: PCT/GB2009/050907
Int. Filing Date: 23 July 2009
Priority Date: 25 July 2008
Atty. Docket No.: P/3203-40 (V 18111)
For: UMBILICAL

DECISION

This is a decision on applicants' "PETITION UNDER 37 C.F.R. 1.47(a) and/or (b)," filed in the U.S. Patent and Trademark Office (USPTO) on 10 August 2011, which is treated as a petition under 37 CFR 1.47(a) requesting that the application be accepted without the signature of a joint inventor, Siu Kit Joe Wong, on the grounds that he refuses to execute the application. The petition is **GRANTED** as discussed below.

A review of the application file reveals that the present petition was accompanied by, *inter alia*, an acceptable showing of inventor Wong's refusal. Therefore the requirements of 37 CFR 1.47(a) have now been satisfied.

A further review of the application file reveals that the requirements for entry into the national stage in the U.S. under 35 U.S.C. 371 have also now been satisfied.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventors at the last known address of record as set forth in the present papers, and a notice of the filing of the application under 37 CFR 1.47(a) will be published in the *Official Gazette*.

The application has an international filing date of 23 July 2009, under 35 U.S.C. 363 and a date of **10 August 2011**, under 35 U.S.C. 371(c).

This application is being forwarded to the National Stage Processing Branch of the International Division for further processing in accordance with this decision.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

(571)272-3231

Conferee: Richard R. Cole
Senior PCT Legal Examiner
Office of PCT Legal Administration

(571) 272-3281

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ALEXANDRIA, VA 22313-1450
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SIU KIT JOE WONG
273 BENTON ROAD
NEWCASTLE UPON TYNE
NE7 7NP
UNITED KINGDOM

MAILED

NOV 16 2011

OFFICE OF PETITIONS

In re Application of
DEIGHTON *et al*
Application No.: 13/054,593
PCT No.: PCT/GB2009/050907
Int. Filing Date: 23 July 2009
Priority Date: 25 July 2008
Atty. Docket No.: P/3203-40 (V 18111)
For: UMBILICAL

NOTIFICATION

Dear Siu Kit Joe Wong:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated 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 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.497.

D Wood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

(571)272-3231

Conferee:

Richard R. Cole
Senior PCT Legal Examiner
Office of PCT Legal Administration

(571) 272-3281

OFFICIAL GAZETTE NOTICE

37 CFR 1.47 Notice by Publication

Notice is hereby given of the filing of an national stage application with a petition under 37 CFR 1.47 requesting acceptance of the application without the signatures of all inventors. The petition has been granted. A notice has been sent to the last known address of the non-signing inventors. The inventor whose signature is missing (Siu Kit Joe Wong) may join in the application by promptly filing an appropriate oath or declaration complying with 37 CFR 1.497. The international application number is PCT/GB2009/050907 and was filed on 23 July 2009, in the names of Alan William Deighton and Siu Kit Joe Wong for the invention entitled UMBILICAL. The national stage application number is 13/054,593 and has a 35 U.S.C. 371(c) date of 10 August 2011.

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ANNE M. ROSENBLUM, ESQ.
163 DELAWARE AVENUE, SUITE 212
DELMAR, NY 12054

MAILED

APR 14 2011

PCT LEGAL ADMINISTRATION

In re Application of ALLEN :
U.S. Application No.: 13/054,608 :
PCT Application No.: PCT/US2009/004409 :
Int. Filing Date: 29 July 2009 :
Priority Date Claimed: 30 July 2008 : DECISION
Attorney Docket No.: AM103059 :
For: EQUINE DISEASE MODEL FOR :
HERPESVIRUS NEUROLOGIC DISEASE :
AND USES THEREOF :

This is in response to applicant's correspondence filed 18 January 2011, which is being treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 29 July 2009, applicant filed international application PCT/US2009/004409, which claimed priority of an earlier United States application filed 30 July 2008. The thirty-month period for paying the basic national fee in the United States expired on 31 January 2011.

On 18 January 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and the instant request for status under 37 CFR 1.42.

DISCUSSION

The declaration indicates that inventor George Allen s deceased.

37 CFR 1.42 provides, "In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent."

Effective 07 November 2000, 37 CFR 1.497(b)(2) specifies that, where a person making the declaration is the legal representative of a deceased inventor, the declaration shall state the following: (1) the relationship of the person to the inventor, (2) the facts the inventor would have been required to state, upon information and belief, (3) that the person is the legal representative of the deceased inventor, and (4) the citizenship, residence, and mailing address of the legal representative.

The declaration filed 18 January 2011 fails to state the citizenship of the legal representative. Applicant is advised that a single indication of citizenship in a signature block cannot be used for both the deceased inventor and the legal representative.

CONCLUSION

For the reasons above, the request for status under 37 CFR 1.42 s DISMISSED without prejudice.

If reconsideration on the merits of the request is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to timely file a proper response will result in ABANDONMENT of the application. Extensions of time are available under 37 CFR 1.136(a). Any reconsideration request should include a cover letter entitled "Renewed Request for Status Under 37 CFR 1.42".

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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JUL 27 2011

PCT LEGAL ADMINISTRATION

ANNE M. ROSENBLUM, ESQ.
163 DELAWARE AVENUE, SUITE 212
DELMAR, NY 12054

In re Application of ALLEN :
U.S. Application No.: 13/054,608 :
PCT Application No.: PCT/US2009/004409 :
Int. Filing Date: 29 July 2009 :
Priority Date Claimed: 30 July 2008 : DECISION
Attorney Docket No.: AM103059 :
For: EQUINE DISEASE MODEL FOR :
HERPESVIRUS NEUROLOGIC DISEASE :
AND USES THEREOF :

This is in response to applicant's renewed request for status under 37 CFR 1.42 filed 02 June 2011.

BACKGROUND

On 29 July 2009, applicant filed international application PCT/US2009/004409, which claimed priority of an earlier United States application filed 30 July 2008. The thirty-month period for paying the basic national fee in the United States expired on 31 January 2011.

On 18 January 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and a request for status under 37 CFR 1.42.

On 14 April 2011, this Office mailed a decision dismissing the 18 February 2011 request.

On 02 June 2011, applicant filed the instant renewed request for status under 37 CFR 1.42.

DISCUSSION

The declaration indicates that inventor George Allen is deceased.

37 CFR 1.42 provides, "In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent."

Effective 07 November 2000, 37 CFR 1.497(b)(2) specifies that, where a person making the declaration is the legal representative of a deceased inventor, the declaration shall state the following: (1) the relationship of the person to the inventor, (2) the facts the inventor would have been required to state, upon information and belief, (3) that the person is the legal representative of the deceased inventor, and (4) the citizenship, residence, and mailing address of the legal representative.

The declaration filed 02 June 2011 is in compliance with 37 CFR 1.42 and 1.497.

CONCLUSION

For the reasons above, the renewed request for status under 37 CFR 1.42 is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 29 July 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 02 June 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,624	01/18/2011	Takahiro Suzuki	2011_0026A	8364

513 7590 04/20/2011

WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington, DC 20005-1503

EXAMINER	
ART UNIT	PAPER NUMBER
2629	

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):

ddalecki@wenderoth.com
eoa@wenderoth.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

WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington DC 20005-1503

In re Application of	:	
SUZUKI, TAKAHIRO et al.	:	DECISION ON REQUEST TO
Application No. 13/054,624	:	PARTICIPATE IN PATENT
Filed: January 18, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. 2011_0026A	:	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 18, 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 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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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,634		Varad Narayan Srivastava		8418

97736 7590 01/24/2011

Varad N. Srivastava
Ingenium Technologies Corp
4216 Maray Drive
Rockford, IL 61107

EXAMINER	
ART UNIT	PAPER NUMBER
3735	

MAIL DATE	DELIVERY MODE
01/24/2011	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.

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Varad N. Srivastava
Ingenium Technologies Corp
4216 Maray Drive
Rockford IL 61107

In re Application of	:
SRIVASTAVA, VARAD NARAYAN et al	: DECISION ON REQUEST TO
Application No. 13/054,634	: PARTICIPATE IN PATENT
Filed: Jan. 18, 2011	: PCT/PROSECUTION HIGHWAY
Attorney Docket No.	: PROGRAM AND PETITION
Title: MEDICAL IMPLANT TARGETING SYSTEM AND METHOD	: 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 Jan. 18, 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 KIPO, JPO, 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; 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.

Other inquiries concerning the examination or status of the application should be directed to Chuck Marmor, the SPE of Art Unit 3735 and 571-272-4730 for Class 600 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 is currently undergoing pre-examination processing. Upon completion, 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

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NOV 18 2011

PCT LEGAL ADMINISTRATION

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of :
KARPOV, Andrey et al. :
Application No.: 13/054,636 : DECISION ON PETITION
PCT No.: PCT/EP2009/058946 :
Filing Date: 14 July 2009 : UNDER 37 CFR 1.182
Priority Date: 18 July 2008 :
ATTY Docket No.: 373988US99PCT :
For: MODIFIED ZINC OXIDE PARTICLES :
:

This decision is in response to applicant's PETITION UNDER 37 C.F.R. 1.182 filed in the United States Patent and Trademark Office (USPTO) on 15 April 2011.

BACKGROUND

On 14 July 2009, applicant filed international application, PCT/EP2009/058946, which claimed priority of an earlier European Patent Office application filed 18 July 2008. The thirty-month period for paying the basic national fee in the United States expired on 18 January 2011.

On 18 January 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, inter alia, the basic national fee required by 35 U.S.C. 371(c)(1), an English translation of the annexes to the International Preliminary Examination Report (Article 34 amendments), and a preliminary amendment.

On 04 February 2011, Applicant's deposit account was charged $5,382.00 for excess claims and multiple dependent claims.

On 07 February 2011, the DO/EO/US mailed a Notice of Acceptance (Form PCT/DO/EO/903) and a Filing Receipt.

On 15 April 2011, the applicant filed the present petition under 37 C.F.R. 1.182 requesting a refund of the claim fees charged on 04 February 2011.

DISCUSSION

MPEP §1893.01(a)(3) states in part:

> Where an English translation of the annexes is provided, the translation must be such that the translation of the originally filed application can be changed by replacing the originally filed application page(s) (of translation) with substitute page(s) of translation of the annex. Thus, applicant should check to be sure that the English translation can be entered by substituting the pages of translation for corresponding pages of the claims of the international application without leaving an inconsistency. If entry of the page of translation causes inconsistencies in the specification or claims of the international application the translation will not be entered. Non-entry of the annexes will be indicated on the "NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495 " (Form PCT/DO/EO/903).

As indicated on the Notice of Acceptance (Form PCT/DO/EO/903) mailed 07 February 2011, the annexes have not been entered because the annexes are not a page for page substitution. The annexes comprise pages 37-41; however, the original set of claims comprises pages 37-42. Due to this inconsistency, the annex was not entered. Thus, the proposed preliminary amendment to the claims, which was based on the annex, could not be entered.

MPEP §1893.01(c) states in part:

> A preliminary amendment accompanying the initial national stage submission under 35 U.S.C. 371 that *>is effective to cancel< claims and/or *>eliminate< multiple dependent claims will be effective to reduce the number of claims to be considered in calculating extra claim fees required under 37 CFR 1.492(d)-(e) and/or eliminate the multiple dependent claim fee required under 37 CFR 1.492(f). **A subsequently filed amendment canceling claims and/or eliminating multiple dependent claims will not entitle applicant to a refund of fees previously paid.** See MPEP § 607 and § 608.

Because (1) Applicant had authorized to charge additional fees (box "c" of the Transmittal Letter filed 18 January 2011); (2) the annexes failed to fulfill the requirements set forth in MPEP §1893.01(a)(3) discussed above; and (3) since the non-entered preliminary amendment filed 18 January was based off of the amended sheets of the annexes, claims 1-30 were pending at the time of fee calculation. As such, the charges of $4,992.00 for the number of claims and $390.00 for multiple dependent claims were proper and a refund of such charges would not be appropriate.

Application No.: 13/054,636

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.182 is **DISMISSED** without prejudice. Applicant's Deposit Account has been charged the $400.00 petition fee under 37 C.F.R. §1.17(f). As there is no basis for applicant's claim of error on the part of the Office, applicant's request for waiver of the $400.00 petition fee is additionally dismissed.

Any reconsideration on the merits of the petition under 37 C.F.R §1.182 must be filed within **(2) MONTHS** from the mail date of this Decision. Any request for reconsideration of this decision should include a cover letter entitled "Renewed Petition Under 37 CFR §1.182." No additional petition fee is required. Any further extensions of time available may be obtained under 37 C.F.R. 1.136(a).

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner of Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia, 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Shane Thomas
Special Program Examiner
Office of PCT Legal Administration
Tel: (571) 272-4188

Bryan Lin
PCT Legal Examiner
PCT Legal Office

UNITED STATES PATENT and TRADEMARK OFFICE

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AUG 23 2011

PCT LEGAL ADMINISTRATION

FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland, OH 44115

In re Application of	:	DECISION ON
Freddy EJEIL	:	
Application No.: 13/054,641	:	
PCT No.: PCT/US2009/50963	:	PETITION UNDER
Int. Filing Date: 17 July 2009	:	
Priority Date: 18 July 2008	:	37 CFR 1.497(d)
Attorney's Docket No.: AJAL 200002US01	:	
For: UNIVERSAL BATTERY CHARGER	:	

This decision is in response to applicants' "STATEMENT OF FACTS IN SUPPORT OF CORRECTING INVENTORSHIP PURSUANT TO 37 CFR 1.497(d) AND 35 USC 371(c)," filed on 14 June 2011.

BACKGROUND

On 18 January 2011, applicant filed a Transmittal Letter for entry into the national stage in the United States of America. Filed with the Transmittal Letter was, inter alia, the requisite basic national fee and a declaration executed by inventor Freddy Ejeil.

On 14 February 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) which informed applicant, inter alia, that an "Oath or declaration of the inventors, in compliance with 37 CFR 1.47(a) and (b), identifying the application by International application number and international filing date... The second inventor AJALTONUNI, Steve, Nakhle was not listed on the declaration... please contact the PCT Legal Help Desk, at (571) 272-4300. " The Notice indicated that all of the items must be submitted within two (2) months from date of this Notice or by 32 months from the priority date, whichever is later, in order to avoid abandonment of the national stage application.

On 14 June 2011, applicant filed a request under 37 CFR 1.497(d), which included *inter alia,* a request to remove inventor Steve Ajaltouni, who was originally listed on the PCT application, as a co-inventor in the above-identified patent application.

DISCUSSION

A submission under 37 CFR 1.497 (d) must include:

(1) A statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part;

(2) the processing fee as set forth in § 1.17(i); and

(3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see 37 CFR §3.73(b) of this chapter).

A review of the application file reveals that applicants have satisfied items (1) - (3) under 37 CFR 1.497(d).

With respect to item (1), the statement submitted by Steve Ajaltouni is sufficient because the statement states that the error in inventorship occurred without a deceptive intent.

With respect to item (2), the processing fee of $130.00 has been submitted.

With respect to item (3), written consent of the assignee is not required in the present case as there is no assignee.

Accordingly, the request is deemed to satisfy requirements (1), (2), and (3) under 37 CFR 1.497(d).

DECISION

For the reasons above, the request under 37 CFR 1.497(d) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing consistent with this decision.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-0459

William Lultschik

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (01-10)
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:	13/054,669	Filing date:	
First Named Inventor:	Günther Siegl et al.		
Title of the Invention:	BEARING ARRANGEMENT AND BEARING BLOCK HAVING A MAGNETIC RADIAL BEARING AND A TOUCHDOWN BEARING FOR A ROTATING MACHINE		

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

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/EP2009/057211

The international date of the corresponding PCT application(s) is/are: June 10, 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.**

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 January 18, 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 January 18, 2011

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 EPO AND THE USPTO

(continued)

Application No.:	13/054,669
First Named Inventor:	Günther Siegl et al.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
8	1	US claim 8 substantially corresponds in scope to PCT claim 1 except for the deletion of reference numbers
10	2	US claim 10 substantially corresponds in scope to PCT claim 2 except for the deletion of reference numbers
12	3	US claim 12 substantially corresponds in scope to PCT claim 3 except for the deletion of reference numbers
14	4	US claim 14 substantially corresponds in scope to PCT claim 4 except for the deletion of reference numbers
15,16	5	US claims 15, 16 substantially corresponds in scope to PCT claim 5 except for the deletion of a reference number
17,18	6	US claims 17,18 substantially corresponds in scope to PCT claim 6 except for the deletion of reference numbers
9,11,13,19	7	US claims 9, 11, 13,19 substantially corresponds in scope to PCT claim 7 except for the deletion of reference numbers

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	Date 1-18-2011
Name (Print/Typed) Henry M. Feiereisen	Registration Number 31,084

CONTINUATION SHEET ACCOMPANYING THE REQUEST FOR PARTICIPATION IN THE PCT-PPH

The presentation of two U.S. claims 15, 16 to set forth the subject matter of claim 5 of PCT international application PCT/EP2009/057211 is required to conform to formal requirements imposed by the U.S. Patent and Trademark Office because of the reference to "such as" in the penultimate line of claim 5.

The presentation of two U.S. claims 17, 18 to set forth the subject matter of claim 6 of PCT international application PCT/EP2009/057211 is required to conform to formal requirements imposed by the U.S. Patent and Trademark Office because of the reference to "especially" in the last line of claim 6.

The presentation of two U.S. claims 9, 11, 13, 19 to set forth the subject matter of claim 7 of PCT international application PCT/EP2009/057211 is required to conform to formal requirements imposed by the U.S. Patent and Trademark Office because of the multiple dependency of claim 7.

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.
13/054,669	05/23/2011	Günther Siegl	SIEGL-2	8666

20151 7590 07/27/2011

HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK, NY 10017

EXAMINER	
ART UNIT	PAPER NUMBER
2834	

NOTIFICATION DATE	DELIVERY MODE
07/27/2011	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):

INFO@FEIEREISENLLC.COM

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

HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK NY 10017

In re Application of
SIEGL et al.
Application No.: 13/054,669
Filed: 23 May 2011
Attorney Docket No.: SIEGL-2
For: BEARING ARRANGEMENT AND BEARING BLOCK HAVING A MAGNETIC RADIAL BEARING AND A TOUCHDOWN BEARING FOR A ROTATING MACHINE

: 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 18 January 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, 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.

(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.

Requirements (1) and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirement (2-4).

Regarding the requirement of condition (2), applicant has failed to identify and explain why the claims are not subject to the observation in Box VIII of the ISA/237.

Regarding the requirement of condition (3), applicant has failed to submit provide a statement that the translation is accurate.

Regarding the requirement of condition (4), applicant has failed to ensure that all the claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. Specifically, US claim 8 recites "a power output" while the PCT claim 1 requires "an electric power output." US claim 8 is broader in scope than PCT claim 1 and therefore do not sufficiently correspond. Further PCT claim 4 includes the limitation "characterized in that at least one elastic element (6) is arranged between the bearing housing (2) and the bearing-block support (3) and/or between the bearing-block support (3) and the machine casing (12) or between the bearing-block support (3) and the bedplate (20)" while the US claim 14 fails to provide all possible "and/or" combinations.

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 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.

For:
Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: SIEGL-2

In re PATENT Application of:	)
GÜNTHER SIEGL & HARTMUT WALTER	)
	)
Appl. No.: 13/054,669	) **Group Art Unit: 2834**
Filing Date: May 23, 2011	)
	) **Confirmation No.: 8666**
For: BEARING ARRANGEMENT AND BEARING BLOCK HAVING A MAGNETIC RADIAL BEARING AND A TOUCHDOWN BEARING FOR A ROTATING MACHINE	)

COMMUNICATION IN RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN THE PCT PATENT PROSECUTION HIGHWAY PILOT PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

CERTIFICATION OF EFS-WEB TRANSMISSION

I hereby certify that this paper is being EFS-Web transmitted to the U.S. Patent and Trademark Office, Alexandria VA 22313-1450, on **August 8, 2011**
Date

Henry M. Feiereisen
(Name of Registered Representative)

(Signature) 8-8-2011 (Date of Signature)

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

S I R:

This communication is in response to the 'DECISION ON REQUEST TO PARTICIPATE IN THE PCT PATENT PROSECUTION HIGHWAY PILOT PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)', mailed on July 27, 2011, dismissing the request and the petition and setting a period for response terminating August 29, 2011.

The Commissioner is hereby also authorized to charge any fees which may be required during the pendency of this application, including any patent application processing fees under 37 C.F.R. 1.17, and any filing fees under 37 C.F.R. 1.16, including presentation of extra claims, or credit any overpayment to Deposit Account No: 06-0502.

The noted deficiencies set forth in the above-mentioned Decision are as follows:

1) Applicant has failed to identify and explain why the claims are not subject to the observation in Box VIII (7) and (8) of the ISA/237.

2) Applicant has failed to submit a statement that the submitted translation is accurate.

3) Applicant has failed to make sure that all the claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT-application.

With respect to 1), applicant submits that the observation in Box VIII (7) of the ISA/237 is confusing because independent claims 1 to 4 differ from one another not by "deviating definitions" but by the manner in which the bearing housing, bearings, and support are respectively connected. Claims 1 to 4 thus differ in structure. Formulation of an independent claim to cover all embodiments would not have an equivalent claim in the PCT-application.

With respect to 1) and the observation in Box VIII (8) of the ISA/237, claims 12 and 14 submitted by preliminary amendment, filed January 18, 2011 provide clear relationship between components. Claims 12 and 14 clearly set forth the claim limitations of the bearing block.

With respect to 2), applicant has further amended claims 8 and 14 by preliminary amendment filed concurrently herewith, so as to sufficiently correspond to respective claims 1 and 4 that have been determined to have novelty, inventive step, and industrial applicability in the corresponding PCT application. It is applicant's belief that claims 8-19 now sufficiently correspond to claims 1-7 in the corresponding PCT application.

With respect to 3), applicant herewith confirms that the English language translation of the international application as filed on January 18, 2011 including the claims which had been indicated as having novelty, inventive step and industrial applicability is an accurate translation of the above-identified corresponding PCT application PCT/EP2009/057211.

Grant of the request and petition under 37 CFR 1.102(a) are respectfully requested.

Respectfully submitted

By: _____

Henry M. Feiereisen
Agent for Applicant
Reg. No. 31,084

Date: August 8, 2011
708 Third Avenue
Suite 1501
New York, N.Y. 10017
(212) 244-5500
HMF:af

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,669	05/23/2011	Günther Siegl	SIEGL-2	8666

20151 7590 10/21/2011

HENRY M FEIEREISEN, LLC
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SUITE 1501
NEW YORK, NY 10017

EXAMINER
LEUNG, QUYEN PHAN

ART UNIT	PAPER NUMBER
2834	

NOTIFICATION DATE	DELIVERY MODE
10/21/2011	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.

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HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK NY 10017

In re Application of
SIEGL et al.
Application No.: 13/054669
Filed: 23 May 2011
Attorney Docket No.: SIEGL-2
For: BEARING ARRANGEMENT AND BEARING BLOCK ...

: 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 18 January 2011 and renewed 8 August 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, NPI, 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 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

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,672	01/18/2011	Kazuyuki Oogi	PRZ-34355	8673

97379 7590 04/08/2011

Rankin, Hill & Clark LLP
23755 Lorain Road, Suite 200
North Olmsted, OH 44070

EXAMINER	
ART UNIT	PAPER NUMBER
3781	

NOTIFICATION DATE	DELIVERY MODE
04/08/2011	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):

ishihara@rankinhill.com
crockett@rankinhill.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

Rankin, Hill & Clark LLP
23755 Lorain Road, Suite 200
North Olmsted OH 44070

In re Application of	:	
OOGI, KAZUYUKI et al	:	DECISION ON REQUEST TO
Application No. 13/054,672	:	PARTICIPATE IN PATENT
Filed: Jan. 18, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. PRZ-34355	:	PROGRAM AND PETITION
For: RESIN MOLDING APPARATUS, RESIN MOLDING METHOD, AND RESIN CONTAINER	:	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 Jan. 18, 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 JPO, 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; and
(6) Applicant must submit 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 program and petition met all conditions except Items #2, #5 and #6 above.

The request to participate in the PPH pilot program and petition fail to include a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER); a copy of the latest international work product from the PCT application showing claims 1-8 are allowable. 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 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 the Patent Application Information Retrieval (PAIR) system.

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.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

The petition is **dismissed.**

/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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,672	01/18/2011	Kazuyuki Oogi	PRZ-34355	8673

97379 7590 07/11/2011

Rankin, Hill & Clark LLP
23755 Lorain Road, Suite 200
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EXAMINER	
ART UNIT	PAPER NUMBER
3781	

NOTIFICATION DATE	DELIVERY MODE
07/11/2011	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):

ishihara@rankinhill.com
crockett@rankinhill.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
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Rankin, Hill & Clark LLP
23755 Lorain Road, Suite 200
North Olmsted, OH 44070

In re Application of: Kazuyuki Oogi, Chiba, JAPAN; Serial No.: 13/054672 Filed: January 18, 2011 Attorney Docket No. : PRZ-34355 Title: RESIN MOLDING APPARATUS, RESIN MOLDING METHOD, AND RESIN CONTAINER	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 April 15, 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 JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO 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 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.

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.

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 **granted**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856

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

SHERR & VAUGHN, PLLC
620 HERNDON PARKWAY
SUITE 320
HERNDON VA 20170

MAILED

MAR 1 1 2011

PCT LEGAL ADMINISTRATION

In re Application of :
KANG et al. :
Application No.: 13/054,683 : DECISION on
PCT No.: PCT/KR09/02015 :
Int. Filing Date: 17 April 2009 : PETITION
Priority Date: 02 May 2008 :
Attorney Docket No.: 564-0010 : UNDER 37 CFR 1.137(b)
For: RIGID DUAL-SERVO NANO STAGE :

The petition to revive under 37 CFR 1.137(b) filed 18 January 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the basic national fee has now been provided. The required petition fee of $1620 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

The application will be forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements indicating, *inter alia*, that the surcharge for filing the oath or declaration after the thirty month period is required.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (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 JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:		Filing date:	January 18, 2011
First Named Inventor:	Ippei KONDO		
Title of the Invention:	GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM, AND INFORMATION STORAGE MEDIUM		

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

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/JP2009/060173

The international date of the corresponding PCT application(s) is/are: June 3, 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.**

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.

PTO/SB/20PCT-JP (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 PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	Ippei KONDO

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	The cl. 1 of this U.S Patent Applic. is the same as the cl. 1 of the corresp. PCT applic.
	2	The cl. 2 of this U.S. Patent Applic. is the same as the cl. 2 of the corresp. PCT applic.
	3	The cl. 3 of this U.S. Patent Applic. is the same as the cl. 3 of the corresp. PCT Applic.
	4	The cl. 4 of this U.S. Patent Applic. is the same as the cl. 4 of the corresp. PCT applic.
	5	The claim 5 of this U.S. Patent Application has been cancelled.
	6	The cl. 6 of this U.S. Patent Applic. and the cl. 6 of the corresp. PCT Applic. are almost same except that the phrase "in non-transitory form" is added to the cl. 6 of t
	7	The cl. 7 of this U.S. Patent Applic. is the same as the cl. 7 of the corresp. PCT applic.
	8	The cl. 8 of this U.S. Patent Applic. is the same as the cl. 8 of the corresp. PCT applic.
	9	The claim 9 of this U.S. Patent Application has been cancelled.
	10	The cl. 10 of this U.S. Patent Applic. and the cl. 10 of the corresp. PCT Applic. are almost same except that the phrase "in non-transitory form" is added to the cl. 1

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

Signature /Alan J. Kasper/	Date 2011-01-18
Name (Print/Typed) Alan J. Kasper	Registration Number 25426

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.

STATEMENT

I, Kuniaki KAWAMURA of Nippon Brunswick Bldg. 9th Floor, 5-27-7, Sendagaya, Shibuya-ku, Tokyo 151-0051 JAPAN hereby, declare that I am the conversant with Japanese and English languages and that I am the translator of the documents attached and certify that to the best of my knowledge and belief the attached is a true and correct translation of:

The claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application No. PCT/JP2009/060173

K. Kawamura

Kuniaki KAWAMURA

January 7, 2011

Date

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.
13/054,710	01/18/2011	Ippei Kondo	Q122626	8929

23373 7590 04/11/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
VO, PETER DUNG BA	

ART UNIT	PAPER NUMBER
3718	

NOTIFICATION DATE	DELIVERY MODE
04/11/2011	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):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.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

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of	:	
KONDO, IPPEI et al	:	DECISION ON REQUEST TO
Application No. 13/054,710	:	PARTICIPATE IN PATENT
Filed: Jan. 18, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. Q122626	:	PROGRAM AND PETITION
For: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM, AND INFORMATION STORAGE MEDIUM	:	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 Jan. 18, 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 JPO, 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; and
(6) Applicant must submit 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 program and petition met all conditions except Items #2, #5 and #6 above.

The request to participate in the PPH pilot program and petition fail to include a copy of the latest international work product (the written opinion or the IPER) from the PCT application showing claims 1-8 and 10 are allowable. 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. A copy of cited JP 3057041 is requested.

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 the Patent Application Information Retrieval (PAIR) system.

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.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

The petition is **dismissed.**

/Henry C. Yuen/

_____

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Ippei KONDO, et al.

Appln. No.: 13/054,710

Confirmation No.: 8929

Filed: January 18, 2011

Docket No: Q122626

Group Art Unit: 3718

Examiner: VO, PETER DUNG BA

For: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM, AND INFORMATION STORAGE MEDIUM

REQUEST FOR RECONSIDERATION OF DECISION ON REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION 37 C.F.R. § 1.102(a)

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

Sir:

In response to the Decision on Request to Participate in Patent PCT/Prosecution Highway Program and Petition 37 C.F.R. § 1.102(a) mailed April 11, 2011, and further to the Request and Petition filed February 11, 2011, please consider the remarks as follows on the accompanying pages.

REMARKS

In the Decision on Petition mailed April 11, 2011, Special Programs Examiner Henry C. Yuen has dismissed Applicants' Request to Participate in the PPH Program (the "Request"), which was filed on April 11, 2011, on several grounds.

As a preliminary matter, however, Applicants wish to express their appreciation for the Examiner's time and effort in discussing the basis for the decision with the Applicants' representative on April 25, 2011. Applicants are filing this response, along with the accompanying materials, on the basis of the comments made by the Examiner. If additional information is needed, the Examiner is respectfully requested to contact the undersigned immediately so that any issues can be resolved.

Basis for Decision and Reply

The Examiner specified at page 1 of the decision that Applicants did not satisfy three of six requirements for a favorable decision of a Request for the present application. Specifically, the Examiner noted the requirements for the following sections, for which Applicants have the appended reply:

Section (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.

At the time Applicants filed their Request, Applicants submitted a copy of the Japanese text of the International Search Report (PCT/ISA/210) and an English translation thereof, showing

the only documents considered relevant to all of pending claims 1-10 were identified by the Examiner as category "A". At the time of filing the Request, an English translation of the Written Opinion was not available. Applicants submit herewith a copy of an English translation of the Written Opinion of the International Searching Authority (PCT/ISA/237) for the above-referenced application indicating that claims 1-10 meet the requirements of novelty, inventive step and industrial applicability;

Section (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.

On February 11, 2011, Applicants submitted a copy of the allowable claims 1-10 with a verification of translation. A copy of the efiling receipt identifying those documents are submitted herewith. In addition, Applicants submit herewith for the Examiner's convenience an additional copy of the English language version of the allowable claims 1-10 and the verification statement; and

Section (6): Applicant must submit an IDS listing 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 Examiner specifically notes that a copy of cited JP 3057041 is required.

In the International Search Report (PCT/ISA/210) three references were cited, JP 2007-260157, JP 3057041, and JP 7-178246. US 6280323 was identified in the ISR as corresponding to JP 3057041. In the Written Opinion (PCT/ISA/237) the same three references

were cited. The IDS filed by Applicants on February 3, 2011 included these three references as well as US 6280323, corresponding to JP 3057041. Applicants provided a copy of all the cited references (except for the US references) on February 3, 2011, when the application was initially filed. These references have also been marked on the efiling receipt as further confirmation. Applicants submit herewith copies of the references previously submitted for the Examiner's convenience.

Grant of this Request for Reconsideration, as well as entry and consideration of the Request filed on February 11, 2011 is respectfully requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Alan J. Kasper/

Alan J. Kasper
Registration No. 25,426

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: April 25, 2011

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)*
Applicant's or agent's file reference KN-0654	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/060173	03.06.2009	16.07.2008

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

Applicant
KONAMI DIGITAL ENTERTAINMENT 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 43*bis*.1(a)(i) with regard to novelty, inventive step or 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 66.1*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/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/060173

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 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/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 and/or table(s) relating thereto 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/JP2009/060173

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	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	1-10	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2007-260157 A (Konami Digital Entertainment Co., Ltd.), 11 October 2007, entire text, fig. 1 to 12 (Family: none)

Document 2: JP 3057041 B2 (Konami Co., Ltd.), 26 June 2000, entire text, fig. 1 to 35 & US 6280323 B1 & EP 1703429 A2 & EP 844580 A2

Document 3: JP 7-178246 A (Sega Enterprises, Ltd.), 18 July 1995, entire text, fig. 1 to 4 (Family: none)

The invention as in claims 1-10 is not disclosed in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art.

In particular, a "game device for executing a game, wherein a state of a game character varies from a first state of being operated by a computer to a second state of being operated by any one of multiple users," the device comprising a "display control means which sets a display mode of the aforementioned game character or a display mode of an associated image displayed in association with the aforementioned game character on the basis of a selection control data for selecting any one of the multiple users when

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

a state of the aforementioned game character is in the aforementioned first state" or a "display control means for guiding and displaying to which operation object among the aforementioned multiple users the aforementioned game character is set when, on a game screen where a state of the aforementioned game character is the aforementioned first state, the state of the aforementioned game character varies to the aforementioned second state," is not disclosed in any of the documents.

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING TRANSMITTAL OF COPY OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (CHAPTER I OF THE PATENT COOPERATION TREATY)
(PCT Rule 44bis.1(c))

To:

HARUKA PATENT & TRADEMARK ATTORNEYS
Nippon Brunswick Bldg. 9th Floor
5-27-7, Sendagaya, Shibuya-ku, Tokyo
1510051
JAPON

Date of mailing *(day/month/year)* 27 January 2011 (27.01.2011)	
Applicant's or agent's file reference KN-0654	**IMPORTANT NOTICE**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/060173	03 June 2009 (03.06.2009)	16 July 2008 (16.07.2008)

Applicant
KONAMI DIGITAL ENTERTAINMENT CO., LTD. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer
Masashi Honda

e-mail: pt08.pct@wipo.int

STATEMENT

I, Kuniaki KAWAMURA of Nippon Brunswick Bldg. 9th Floor, 5-27-7, Sendagaya, Shibuya-ku, Tokyo 151-0051 JAPAN hereby, declare that I am the conversant with Japanese and English languages and that I am the translator of the documents attached and certify that to the best of my knowledge and belief the attached is a true and correct translation of:

The claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application No. PCT/JP2009/060173

K. Kawamura

Kuniaki KAWAMURA

January 7, 2011

Date

The claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application No. PCT/JP2009/060173

1. A game device for executing a game configured such that a state of a game character is changed from a first state of being operated by a computer to a second state of being operated by any one of a plurality of users,

the game device comprising:

storage means for storing selection control data for selecting the any one of the plurality of users;

setting means for setting, if the state of the game character is changed from the first state to the second state, the game character as an operation subject of a user selected based on the selection control data from among the plurality of users; and

display control means for setting, if the state of the game character is the first state, a display mode for the game character or a display mode for a related image displayed in association with the game character based on the selection control data.

2. A game device according to claim 1, wherein if the state of the game character is the first state, the display control means sets the display mode for the game character or the display mode for the related image displayed in association with the game character to a display mode corresponding to the user selected based on the selection control data from among the plurality of users.

3. A game device according to claim 1, wherein:

the selection control data comprises priority data that indicates a priority of each of the plurality of users;

if the state of the game character is the first state, the display control means sets the display mode for the related image displayed in association with the game character based on the selection control data;

the related image comprises a partial region corresponding to the each of the plurality of users; and

a position, an area, or a display mode of the partial region is set based on the priority of the user corresponding to the partial region.

4. A control method for a game device for executing a game configured such that a state of a game character is changed from a first state of being operated by a computer to a second state of being operated by any one of a plurality of users,

the control method comprising:

a step of reading storage contents of storage means for storing selection control data for selecting the any one of the plurality of users;

a setting step of setting, if the state of the game character is changed from the first state to the second state, the game character as an operation subject of a user selected based on the selection control data from among the plurality of users; and

a display control step of setting, if the state of the game character is the first state, a display mode for the game character

or a display mode for a related image displayed in association with the game character based on the selection control data.

5. A program for causing a computer to function as a game device for executing a game configured such that a state of a game character is changed from a first state of being operated by the computer to a second state of being operated by any one of a plurality of users,

the program further causing the computer to function as:

storage means for storing selection control data for selecting the any one of the plurality of users;

setting means for setting, if the state of the game character is changed from the first state to the second state, the game character as an operation subject of a user selected based on the selection control data from among the plurality of users; and

display control means for setting, if the state of the game character is the first state, a display mode for the game character or a display mode for a related image displayed in association with the game character based on the selection control data.

6. A computer-readable information storage medium storing a program, the program causing a computer to function as a game device for executing a game configured such that a state of a game character is changed from a first state of being operated by the computer to a second state of being operated by any one of a plurality of users,

the program further causing the computer to function as:

storage means for storing selection control data for

selecting the any one of the plurality of users;

setting means for setting, if the state of the game character is changed from the first state to the second state, the game character as an operation subject of a user selected based on the selection control data from among the plurality of users; and

display control means for setting, if the state of the game character is the first state, a display mode for the game character or a display mode for a related image displayed in association with the game character based on the selection control data.

7. A game device for executing a game configured such that a state of a game character is changed from a first state of being operated by a computer to a second state of being operated by any one of a plurality of users,

the game device comprising:

setting means for setting, if the state of the game character is changed from the first state to the second state, the game character as an operation subject of the any one of the plurality of users; and

display control means for performing display, on a game screen with the state of the game character being the first state, so as to guide which of the plurality of users the game character is to be set as the operation subject of in a case where the state of the game character is changed to the second state.

8. A control method for a game device for executing a game configured such that a state of a game character is changed from

a first state of being operated by a computer to a second state of being operated by any one of a plurality of users,

the control method comprising:

a setting step of setting, if the state of the game character is changed from the first state to the second state, the game character as an operation subject of the any one of the plurality of users; and

a display control step of performing display, on a game screen with the state of the game character being the first state, so as to guide which of the plurality of users the game character is to be set as the operation subject of in a case where the state of the game character is changed to the second state.

9. A program for causing a computer to function as a game device for executing a game configured such that a state of a game character is changed from a first state of being operated by the computer to a second state of being operated by any one of a plurality of users,

the program further causing the computer to function as:

setting means for setting, if the state of the game character is changed from the first state to the second state, the game character as an operation subject of the any one of the plurality of users; and

display control means for performing display, on a game screen with the state of the game character being the first state, so as to guide which of the plurality of users the game character is to be set as the operation subject of in a case where the state of

the game character is changed to the second state.

10. A computer-readable information storage medium storing a program, the program causing a computer to function as a game device for executing a game configured such that a state of a game character is changed from a first state of being operated by the computer to a second state of being operated by any one of a plurality of users,

the program further causing the computer to function as:

setting means for setting, if the state of the game character is changed from the first state to the second state, the game character as an operation subject of the any one of the plurality of users; and

display control means for performing display, on a game screen with the state of the game character being the first state, so as to guide which of the plurality of users the game character is to be set as the operation subject of in a case where the state of the game character is changed to the second state.

Electronic Acknowledgement Receipt	
EFS ID:	9249188
Application Number:	13054710
International Application Number:	PCT/JP2009/060173
Confirmation Number:	8929
Title of Invention:	GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM, AND INFORMATION STORAGE MEDIUM
First Named Inventor/Applicant Name:	Ippei KONDO
Customer Number:	23373
Filer:	Bruce Elliot Kramer/Richard AKADJE
Filer Authorized By:	Bruce Elliot Kramer
Attorney Docket Number:	Q122626
Receipt Date:	18-JAN-2011
Filing Date:	
Time Stamp:	16:32:06
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$1640
RAM confirmation Number	3673
Deposit Account	194880
Authorized User	SUGHRUE MION, PLLC
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. 1.492 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal of New Application	TRANSMITTAL.PDF	117068 26f334c79631b7eef34a3d1b6c6ac8530aecaf19	no	3
Warnings:					
Information:					
2	Application Data Sheet	Application_Data_Sheet.PDF	60857 2b903f35814d0c105de96861fe9b6e4a96f1a1dd	no	5
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
3		SPECIFICATION.PDF	166779 0407bd8b80d1ba239a2c19fb6d420f2f6a9601df	yes	47

Multipart Description/PDF files in .zip description

Document Description	Start	End
Specification	1	40
Claims	41	46
Abstract	47	47

Warnings:					
Information:					
4	Drawings-only black and white line drawings	DRAWINGS.PDF	209337 ccd81ac91a6f825f66bf7e10be9d0c7668fe9788	no	12
Warnings:					
Information:					
5	Oath or Declaration filed	DECLARATION_AND_POWER_OF_ATTORNEY_EXECUTED.PDF	124297 e03351726b740238ae6c3aecf9f6f2cf730879d1	no	2
Warnings:					
Information:					
6	Preliminary Amendment	Preliminary_Amendment.PDF	93419 2f09d7ebf3b3f68268529f109ee882dac93a421f	no	7
Warnings:					
Information:					

7	Transmittal Letter	IDS_TRANSMITTAL_LETTER.PDF	80155 04a410ff314ed2068d88da902bf680b27562a68	no	2
Warnings:					
Information:					
8	Information Disclosure Statement (IDS) Filed (SB/08)	PTO_SB_08.PDF	55851 acefc6e1217b3f2499c7449ae57556662ea08b87	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
9	Foreign Reference	REFERENCE_JP_2007_260157.PDF	1246521 047a1523ceef4196c34d1f203021f88b4ccc97b9	no	19
Warnings:					
Information:					
10	Foreign Reference	REFERENCE_JP_3057041.PDF	1891406 dc0c3704d8c447019f14c9eeff37df78a441cdd43	no	26
Warnings:					
Information:					
11	Foreign Reference	REFERENCE_JP_07_178246.PDF	1067662 2ddfc70e07c5ade638da5bff676bda2de4626a8e	no	19
Warnings:					
Information:					
12	Petition to make special under Patent Prosecution Hwy	PTO_SB_20.PDF	48090 0378e73d38f87ce9b7022c3e80ac68fe07ed9e05	no	3
Warnings:					
Information:					
13	Petition to make Special under PCT-Patent Pros Hwy	PCT_CLAIMS.PDF	33044 a20629902971a433bb7e92393c431298963f1d6d	no	6
Warnings:					
Information:					
14	Petition to make special under Patent Prosecution Hwy	VERIFICATION_OF_TRANSLATION.PDF	16302 f6d0a8429ed49f08550a7de7e7355eec2808566e	no	1
Warnings:					
Information:					
15	Documents submitted with 371 Applications	INTERNATIONAL_SEARCH_REPORT.PDF	535086 049e00d6ad07376a35dc1a09488bc4e930b78a4c	no	5

Warnings:					
Information:					
16	Documents submitted with 371 Applications	PCT_IB_301.PDF	136517 07defa0fb7e479837b0a1c118770a143245 1fa69	no	2
Warnings:					
Information:					
17	Documents submitted with 371 Applications	PCT_IB_304.PDF	65100 17fa9abc1f3adb6126299ec5e1369470e1df a668	no	1
Warnings:					
Information:					
18	Documents submitted with 371 Applications	PCT_IB_306.PDF	41292 5838db0ceeef01726712271bfb352b88da7 2d358	no	1
Warnings:					
Information:					
19	Documents submitted with 371 Applications	PCT_IB_308.PDF	315834 d8ee4ce8dcb5f3d1de42cf82c3fa65bee19d 9924	no	2
Warnings:					
Information:					
20	Documents submitted with 371 Applications	PCT_IB_311.PDF	35582 14f5672bf3a949a41826ee554e7ebedfdb55 f6d0	no	1
Warnings:					
Information:					
21	Petition to make special under Patent Prosecution Hwy	client_information_disclosure_ statement.PDF	32088 f2006b8926888809b1e1556ac85176eb0e7 178c5	no	2
Warnings:					
Information:					
22	Miscellaneous Incoming Letter	WO_2010_007838_COVER_PA GE.PDF	186490 557941c6bcfde7154a830a193d4b2a45ef24 2be4	no	1
Warnings:					
Information:					
23	Fee Worksheet (PTO-875)	fee-info.pdf	36748 2a1f6ca4aa136abf3cf654f04a2df402eaf8e9 e7	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	6595525	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,710	01/18/2011	Ippei Kondo	Q122626	8929

23373 7590 04/28/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
VO, PETER DUNG BA	

ART UNIT	PAPER NUMBER
3718	

NOTIFICATION DATE	DELIVERY MODE
04/28/2011	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):

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	:	
KONDO, IPPEI et al	:	DECISION ON REQUEST TO
Application No. 13/054,710	:	PARTICIPATE IN PATENT
Filed: Jan. 18, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. Q122626	:	PROGRAM AND PETITION
For: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM, AND INFORMATION STORAGE MEDIUM	:	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 April 25, 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 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 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.

Other inquiries concerning the examination or status of the application should be directed to Peter Vo, the SPE of Art Unit 3718 at 571-272-4690 for Class 463/31 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

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:	13/054,765	Filing date:	January 18, 2011
First Named Inventor:	Fabio BERTAGNA		
Title of the Invention:	ELECTRICAL SWITCH WITH PIVTOING SWITCHING MEMBER AND IMPROVED SUPPORTING. . .		

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

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/EP2009/058022

The international date of the corresponding PCT application(s) is/are: June 26, 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.**

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.

PTO/SB/20PCT-EP (05-10)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/054,765
First Named Inventor:	Fabio BERTAGNA

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 13/054,765

(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 13/054,765

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Stylistic changes - ref numerals cancelled
2	2	Stylistic changes - ref numerals cancelled
3	3	Stylistic changes - ref numerals cancelled - single claim dep.
4	4	Stylistic changes - ref numerals cancelled
5	5	Stylistic changes - ref numerals cancelled - single claim dep.
6	6	Stylistic changes - ref numerals cancelled
7	7	Stylistic changes - ref numerals cancelled
8	8	Stylistic changes - ref numerals cancelled - single claim dep.
9	9	Stylistic changes - ref numerals cancelled - single claim dep.
10	10	Stylistic changes - ref numerals cancelled
11	11	Stylistic changes - ref numerals cancelled
12	12	Stylistic changes - ref numerals cancelled
13	13	Stylistic changes - ref numerals cancelled - single claim dep.
14	14	Stylistic changes - ref numerals cancelled - single claim dep.
15	15	Stylistic changes - ref numerals cancelled
16	9	Dependent on allowable claim 8
17	10	Dependent (indirectly) on allowable claim 8

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

Signature /Alessandro Steinfl US Reg. No. 56,448/	Date January 18, 2011
Name (Print/Typed) Alessandro Steinfl	Registration Number 56448

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,765	03/03/2011	Fabio Bertagna	P734-US	9381

72932 7590 04/19/2011

Steinfl & Bruno
301 N Lake Ave Ste 810
Pasadena, CA 91101

EXAMINER	
ART UNIT	PAPER NUMBER
2833	

MAIL DATE	DELIVERY MODE
04/19/2011	PAPER

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

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Steinfl & Bruno
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In re Application of	
Fabio BERTAGNA	
Application No.: 13/054,765	**: DECISION ON REQUEST TO**
Filed: 03 March 2011	**: PARTICIPATE IN THE PATENT**
Attorney Docket No.: P734-US	**: PROSECUTION HIGHWAY**
For: ELECTRICAL SWITCH WITH	**: PROGRAM AND PETITION**
PIVOTING SWITCHING MEMBER ...	**: 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 18 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, IPAU, 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 (if not in English);

(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

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SMITH PATENT CONSULTING, LLC
515 East Braddock Road
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In re Application of Wilhelm et al. :
Application No. 13/054,844 :
Int'l Filing Date: July 2, 2009 : Decision on Request
Attorney Docket No. LNK-083 :
Pub. No.: US 2011/0123460 A1 :
Pub. Date: May 26, 2011 :

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed May 31, 2011, and supplemented June 7, 2011.

The request is **dismissed**.

Applicants request the application be republished because the second inventor's name is listed as "Pröls Markus" instead of Markus Pröls" on the cover page of the patent application publication.

37 C.F.R. § 1.221(b) states,

> [Relief under 37 C.F.R. § 1.221 is warranted] only when the Office makes a material mistake which is apparent from Office records.... Any request for corrected publication or revised patent application publication other than provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.

A mistake is only a "material" mistake if the mistake affects the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.[1]

The mistake identified in the instant request is not a material Office mistake as required under

[1] *See* Changes to Implement Eighteen-Month Publication of Patent Applications; Final Rule, 65 Fed. Reg. 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office 63, 75 (Oct. 10, 2000). *See also* Section 1130 of the Manual of Patent Examining Procedure (8th ed., Rev. 8, July 2010).

37 C.F.R. § 1.221(b). Specifically, the mistake do not affect the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. *See* MPEP § 1130(B). Therefore, relief under 37 C.F.R. § 1.221(b) is unwarranted and the request is dismissed.

Applicant are advised that a "request for republication of an application previously published" may be filed under 37 C.F.R. § 1.221(a). The request must include a copy of the application, which complies with the Office's electronic filing system requirements set forth in 37 C.F.R. § 1.18(d), and the required processing fee set forth in 37 C.F.R. § 1.17(i).

If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in 37 C.F.R. § 1.18(d) will be refunded. However, the processing fee will be retained.

Guidance for filing a request for a Pre-Grant Publication, such as a request for republication, may be found at the links below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 C.F.R. § 1.221(a), must be submitted via the EFS system as a "Pre-Grant Publication"; and questions or any request for reconsideration of the instant decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Applicants combined a request for republication and a request for a corrected filing receipt into a single paper. The instant decision only addresses the request for republication. If Applicants wish to obtain a corrected filing receipt, a separate paper requesting a corrected filing receipt should be filed. *See* 37 C.F.R. § 1.4(c) ("Since different matters may be considered by different branches or sections of the United States Patent and Trademark Office, each distinct subject, inquiry or order must be contained in a separate paper.")

Telephone inquiries regarding this communication should be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-AU (01-11)
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 IP AUSTRALIA (IPAU) AND THE USPTO

Application No:	13/054,870	Filing date:	January 19, 2011
First Named Inventor:	Vaidyanathan Anandhakrishnan		
Title of the Invention:	SYSTEMS AND METHODS FOR INDIRECT EVAPORATIVE COOLING AND FOR TWO STAGE EVAPORATIVE COOLING		

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

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/IN08/00874

The international filing date of the corresponding PCT application(s) is/are: December 29, 2008

!. 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.**

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.

PTO/SB/20PCT-AU (01-11)
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 PCT-PPH PILOT PROGRAM BETWEEN THE IPAU AND THE USPTO

(continued)

Application No.:	13/054,870
First Named Inventor:	Vaidyanathan Anandhakrishnan

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 January 19, 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 January 19, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Identical
4	4	Identical
5	5	Identical
6	6	Identical
7	7	Identical
8	8	Identical
9	9	Identical
10	10	Identical
11	11	Identical
12	12	Amended to correct informalities
13	13	Identical
14	14	Identical
15	15	Identical
16	16	Amended to correct informalities
17	17	Identical
18	18	Identical
19	19	Identical

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

Signature Marlo M. Schepper	Date 2/15/11
Name (Print/Typed) Marlo M. Schepper	Registration Number 57,194

II. Claims Correspondence Table (cont.):		
Claims in U.S. application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
20	20	Identical
21	21	Identical
22	22	Identical
23	23	Identical
24	24	Identical
25	25	Identical
26	26	Identical
27	27	Identical
28	28	Identical
29	29	Identical
30	30	Identical
31	31	Amended to correct informalities
32	32	Identical
33	33	Identical
34	34	Identical
35	35	Identical
36	36	Identical
37	37	Identical
38	38	Identical

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
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/054,870	01/19/2011	Vaidyanathan Anandhakrishnan	41779-101	1520

26486 7590 04/11/2011

BURNS & LEVINSON, LLP
125 SUMMER STREET
BOSTON, MA 02110

EXAMINER	
ART UNIT	PAPER NUMBER
3744	

NOTIFICATION DATE	DELIVERY MODE
04/11/2011	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):

docketing@burnslev.com

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Alexandria, VA 22313-1450
www.uspto.gov

BURNS & LEVINSON, LLP
125 SUMMER STREET
BOSTON MA 02110

In re Application of	:	
ANANDHAKRISHNAN, VAIDYANATHAN	:	DECISION ON REQUEST TO
Application No. 13/054,870	:	PARTICIPATE IN PATENT
Filed: Jan. 19, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. 41779-101	:	PILOT PROGRAM AND PETITION
For: SYSTEMS AND METHODS FOR INDIRECT EVAPORATIVE COOLING AND FOR TWO STAGE EVAPORATIVE COOLING	:	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 Feb. 15, 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 IPAU;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU 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 IPAU 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 IPAU application(s) containing the allowable/patentable claim(s); and
(6) Applicant must submit an IDS listing the documents cited by the IPAU examiner in the IPAU 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. This is to acknowledge the receipt the foreign priority claim documents. 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.

All other inquiries concerning the examination or status of the application should be directed to the Supervisory Patent Examiner, Cheryl Tyler, Art Unit 3744 at 571-272-4834

This application will be being forwarded to the examiner for action on the merits commensurate with this decision.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

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ABB INC.
LEGAL DEPARTMENT-4U6
29801 EUCLID AVENUE
WICKLIFFE, OH 44092

MAILED
FEB 25 2011
PCT LEGAL ADMINISTRATION

In re Application of VETTER et al :
U.S. Application No.: 13/054,898 :
PCT Application No.: PCT/US2009/045963 :
Int. Filing Date: 02 June 2009 : DECISION
Priority Date Claimed: 02 June 2008 :
Attorney Docket No.: US-0816 :
For: METHOD AND APPARATUS FOR :
MONITORING THE PERFORMANCE OF A :
POWER DELIVERY CONTROL SYSTEM :

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 19 January 2011.

BACKGROUND

On 02 June 2009, applicant filed international application PCT/US2009/045963, which claimed priority of an earlier United States application filed 02 June 2008. The thirty-month period for paying the basic national fee in the United States expired on 02 December 2010.

On 03 December 2010, international application PCT/US2009/045963 became abandoned as to the United States for failure to timely pay the basic national fee.

On 19 January 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (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 was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 22 2011

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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of :
REID, Paul Clifford :
Application No.: 13/054,920 :
PCT No.: PCT/NZ2009/000133 :
Int. Filing Date: 06 July 2009 : DECISION
Priority Date: 07 July 2008 :
Att. Docket No.: JAMES119.005APC :
For: FENCING SYSTEM AND :
TENSIONER :

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 19 January 2011, is **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate national fee and petition fee have been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292