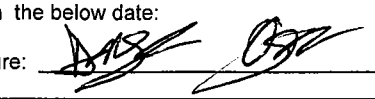
CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: Feb. 18, 2011 Name: Douglas A. Oguss Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of:	Fred T. Parker	
Appln. No.:	Unassigned	Examiner: Unassigned
Filed:	Herewith August 25, 2009 (I.A. Filing Date)	Group Art Unit No.: Unassigned
For:	COATED STENT	Confirmation No.: Unassigned

Attorney Docket No.: 12730/683 (PA-6393-PCT/US)

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE AND THE USPTO

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached is a Request For Participation In The PCT-PPH Pilot Program between the EPO and the USPTO. For the purpose of meeting the requirement to submit a copy of the claims which were indicated as having novelty, inventive step and industrial applicability in the PCT Application, Applicant refers the Commissioner to the Amended Claim Set attached as part of the Response to Written Opinion submitted as document A8 in the present Form PTO-1449 included herewith.

Applicants have calculated no fee due, however the Commissioner is hereby authorized to charge any deficiencies in fees to Deposit Account 23-1925.

Respectfully submitted,

Dated: Feb. 18, 2011

Douglas A. Oguss, Reg. No. 48,469
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
PO BOX 10395
CHICAGO, IL 60610
(312) 321-4200

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:	Unassigned	Filing date:	Herewith
First Named Inventor:	Fred T. Parker		
Title of the Invention:	COATED STENT		

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/US2009/004832

The international filing date of the corresponding PCT application(s) is/are: August 25, 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.:	Unassigned
First Named Inventor:	Fred T. Parker

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)

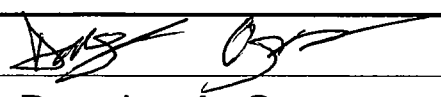
☒ Are attached.

☐ 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
26	10	
27	11	
28	12	
29	13	
30	14	
31	15	
32	16	

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

Signature 	Date Feb. 18, 2011
Name (Print/Typed) Douglas A. Oguss	Registration Number 48,469

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.
13/059,706	03/14/2011	Fred T. Parker	12730/683 PA-6393-PCT/US	2434

48003 7590 10/18/2011

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
PO BOX 10395
CHICAGO, IL 60610

EXAMINER	
ART UNIT	PAPER NUMBER
1715	

MAIL DATE	DELIVERY MODE
10/18/2011	PAPER

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

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

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

CT

October 18, 2011

In re application of	:	DECISION ON REQUEST TO
Fred T. Parker	:	PARTICIPATE IN PATENT
Serial No. 13/059,706	:	PROSECUTION HIGHWAY
Filed: March 14, 2011	:	PROGRAM AND
For: COATED STENT	:	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 February 18, 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 must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, USPTO or KIPO;

(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) Applicant must submit a claims correspondence table in English and all the independent 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 the latest international work product is not in the English language; and

(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 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

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

NELLCOR PURITAN BENNETT LLC
6135 GUNBARREL AVENUE
BOULDER CO 80301

MAILED
APR 14 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Jafari et al	:	
Application No.: 13/059,711	:	
PCT No.: PCT/US2009/038819	:	
Int. Filing Date: 03 March 2009	:	PETITION UNDER
Priority Date: 31 March 2008	:	
Attorney's Docket No.: H-RM-01406WO	:	
For: SYSTEM AND METHOD...	:	
WITHIN A BREATH	:	37 CFR 1.137(b)

This decision is in response to applicants' "Petition For Revival Under 37 CFR 1.137(b)," filed on 18 February 2011. The petition fee of $1,620.00 under 37 CFR 1.17(m) has been paid by credit card.

BACKGROUND

On 03 March 2009, this international application was filed. The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 30 September 2010. This international application became abandoned with respect to the United States at midnight on 30 September 2010 for failure to pay the required basic national fee.

On 18 February 2011, applicants filed in the United States Patent and Trademark Office (PTO) a transmittal letter for entry into the national stage in the U.S. under 35 U.S.C. 371, which was accompanied by, *inter alia*, the national basic fee, the instant petition under 37 CFR 1.137(b), and the petition fee.

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed; (2) the petition fee as set forth in § 1.17(m); and (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 § 1.20 (d)) required pursuant to paragraph (c) of this section.

Petitioner has provided: (1) the proper reply by having submitted the basic national filing fee, (2) the petition fee set forth in §1.17(m), and (3) the proper statement under 137(b)(3). In this application, no terminal disclaimer is required.

Applicants' statement that "the entire delay, until filing of this petition and the U.S. National Stage application was unintentional," is being construed as 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. Petitioner must notify the Patent and Trademark Office if such an interpretation of the statement in the petition is not correct. Thus, the statement in the petition is being accepted in satisfaction of 37 CFR 1.137(b)(3).

Accordingly, the petition is deemed to satisfy requirements (1), (2), (3), and (4) under 37 CFR 1.137(b).

DECISION

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-0459

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:		Filing date:	2/18/2011
First Named Inventor:	Ezekiel Kruglick		
Title of the Invention:	Model Based Doppler Compensation Using Traffic Data		

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/US10/51182

The international filing date of the corresponding PCT application(s) is/are: 10/1/2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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.:	
First Named Inventor:	Ezekiel Kruglick

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	Claims 6 and 14 are amended to address antecedent basis issues

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

Signature /Blayne D. Green/	Date 2/18/2011
Name (Print/Typed) Blayne D. Green	Registration Number 56,198

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: 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:	13/059,766	Filing date:	February 18, 2011
First Named Inventor:	Yasutaka INUBUSHI		
Title of the Invention:	METAL COMPLEX AND MANUFACTURING METHOD THEREFOR		

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/JP09/064524

The international date of the corresponding PCT application(s) is/are: August 19, 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. See Appendix A.

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.

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.:	13/059,766
First Named Inventor:	Yasutaka INUBUSHI

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 February 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 February 18, 2011.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
		See Appendix E.

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

Signature	Date 7/25/11
Name (Print/Typed) Jacob A. Doughty	Registration Number 46,671

Request for Participation in the
Patent Prosecution Highway Program
U.S. Patent Application No. 13/059,766
Attorney Docket No. 375764US99PCT

APPENDIX A

Written Opinion Issued by the International Bureau in
PCT/JP09/064524

A copy of Written Opinion of ISA

特許協力

発信人　日本国特許庁（国際調査機関）

代理人
株式会社クラレ

様

あて名
〒713-8550
日本国岡山県倉敷市玉島乙島７４７１番地

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〕

出願人又は代理人の書類記号　08 210581 G	発送日（日.月.年）　17. 11. 2009 今後の手続きについては、下記２を参照すること。
国際出願番号　PCT／JP2009／064524	国際出願日（日.月.年）　19. 08. 2009
優先日（日.月.年）　19. 08. 2008	
国際特許分類（IPC）Int.Cl. 補充欄参照	
出願人（氏名又は名称） 株式会社クラレ	

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　04. 11. 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） 神野　将志 電話番号　03－3581－1101　内線　3443	411　3345

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／JP2009／064524

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／JP2009／064524

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	1-15	有
	請求項		無
進歩性（ＩＳ）	請求項	1-15	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1-15	有
	請求項		無

2. 文献及び説明

文献１：JP 2003-275531 A（新日本製鐵株式会社）2003.09.30
文献２：JP 2003-342260 A（大阪瓦斯株式会社）2003.12.03
文献３：JP 2004-74026 A（新日本製鐵株式会社）2004.03.11
文献４：JP 61-122245 A（日本エステル株式会社）1986.06.10
文献５：JP 2003-170294 A（千住金属工業株式会社）2003.06.17

上記文献は国際調査報告で引用された文献である。

請求の範囲１－１５に係る発明は、引用文献１－５に対して新規性及び進歩性を有する。

引用文献１－５には、本願の式（Ｉ）又は（ＩＩ）と、特定の金属及び該金属に二座配位可能な有機配位子とからなる金属錯体が記載も示唆もされていない。

第Ⅷ欄　国際出願に対する意見

請求の範囲、明細書及び図面の明瞭性又は請求の範囲の明細書による十分な裏付についての意見を次に示す。

請求項１、１５に規定された化合物は、「構造式内で水酸基が互いに最も遠い位置にあり、かつ水酸基の隣接位にカルボキシル基を有し、かつ環状に共役しているπ電子を１０個以上有する芳香族ヒドロキシモノカルボン酸化合物」を含む金属錯体に関する発明であり、請求項１、１５に係る発明は、化学構造により発明が特定されていないうえ、どのような置換基がどのような骨格に置換しているかも理解することができない。

上記の定義には広範な化合物が含まれるだけでなく、化合物が明確に特定されない。また、このような化合物に対し、明細書にＰＣＴ第５条の意味において開示され、ＰＣＴ第６条の意味において裏付けられているのはそのうちのわずかな化合物にすぎない。

上記のとおり、本国際出願は、請求の範囲全般にわたって有意義な国際調査報告を行うことができる程度に明細書の記載がされていない。

したがって、本国際出願については明細書の記載を考慮して、

請求項２及び３に規定された金属錯体に関するものに限定して先行技術文献調査を行った。

補充欄

いずれかの欄の大きさが足りない場合

第　　欄の続き

C07C59/52(2006.01)i, B01J20/22(2006.01)i, C07D213/06(2006.01)i,
C07D213/22(2006.01)i, C07D213/68(2006.01)i, C07D213/72(2006.01)i,
C07D213/75(2006.01)i, C07F1/08(2006.01)n

Request for Participation in the
Patent Prosecution Highway Program
U.S. Patent Application No. 13/059,766
Attorney Docket No. 375764US99PCT

APPENDIX B

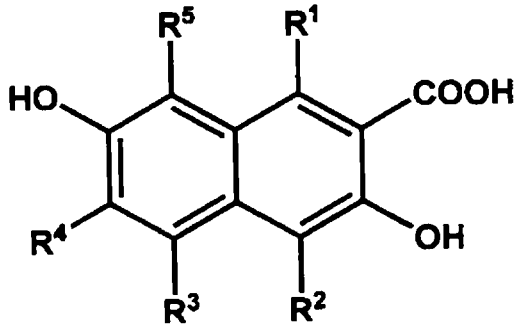
Claims of International Application No. PCT/JP09/064524 Indicated to Have Novelty, Inventive Step, and Industrial Applicability

請求の範囲

[請求項1] 構造式内で水酸基が互いに最も遠い位置にあり、かつ水酸基の隣接位にカルボキシル基を有し、かつ環状に共役しているπ電子を１０個以上有する芳香族ジヒドロキシモノカルボン酸化合物と、クロム、モリブデン、タングステン、マンガン、鉄、ルテニウム、コバルト、ロジウム、ニッケル、パラジウム、銅、亜鉛及びカドミウムから選択される少なくとも１種の金属と、該金属に二座配位可能な有機配位子とからなる金属錯体。

[請求項2] 該芳香族ジヒドロキシモノカルボン酸化合物が下記一般式（Ｉ）；

[化1]

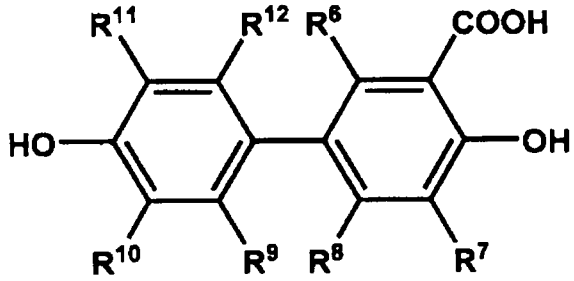


(I)

（式中、R^1、R^2、R^3、R^4及びR^5はそれぞれ同一または異なって水素原子、置換基を有していてもよいアルキル基、アリール基、アラルキル基、アルコキシ基、アリールオキシ基、アラルキルオキシ基、アミノ基、アミド基またはハロゲン原子を示す。）で表される芳香族ジヒドロキシモノカルボン酸化合物（Ｉ）と、クロム、モリブデン、タングステン、マンガン、鉄、ルテニウム、コバルト、ロジウム、ニッケル、パラジウム、銅、亜鉛及びカドミウムから選択される少なくとも１種の金属と、該金属に二座配位可能な有機配位子とからなる請求項１に記載の金属錯体。

[請求項3] 該芳香族ジヒドロキシモノカルボン酸化合物が下記一般式（II）；

[化2]



(II)

（式中、R^6、R^7、R^8、R^9、R^{10}、R^{11}及びR^{12}はそれぞれ同一または異なって水素原子、置換基を有していてもよいアルキル基、アリール基、アラルキル基、アルコキシ基、アリールオキシ基、アラルキルオキシ基、アミノ基、アミド基またはハロゲン原子を示す。）で表される芳香族ジヒドロキシモノカルボン酸化合物（II）と、クロム、モリブデン、タングステン、マンガン、鉄、ルテニウム、コバルト、ロジウム、ニッケル、パラジウム、銅、亜鉛及びカドミウムから選択される少なくとも１種の金属と、該金属に二座配位可能な有機配位子とからなる請求項１に記載の金属錯体。

[請求項4] 該二座配位可能な有機配位子が１，４－ジアザビシクロ［２．２．２］オクタン、ピラジン、２，５－ジメチルピラジン、４，４'－ビピリジル、２，２'－ジメチル－４，４'－ビピリジン、１，２－ビス（４－ピリジル）エチン、１，４－ビス（４－ピリジル）ブタジイン、１，４－ビス（４－ピリジル）ベンゼン、３，６－ジ（４－ピリジル）－１，２，４，５－テトラジン、２，２'－ビ－１，６－ナフチリジン、フェナジン、ジアザピレン、トランス－１，２－ビス（４－ピリジル）エテン、４，４'－アゾピリジン、１，２－ビス（４－ピリジル）エタン、１，２－ビス（４－ピリジル）－グリコール及びＮ－（４－ピリジル）イソニコチンアミドから選択される少なくとも１種である請求項１に記載の金属錯体。

[請求項5] 芳香族ジヒドロキシモノカルボン酸化合物（Ｉ）が３，７－ジヒドロキシ－２－ナフトエ酸である請求項２に記載の金属錯体。

[請求項6] 芳香族ジヒドロキシモノカルボン酸化合物（II）が４，４’－ジヒドロキシ－３－ビフェニルカルボン酸である請求項３に記載の金属錯体。

[請求項7] 該金属が銅である請求項１に記載の金属錯体。

[請求項8] 請求項１に記載の金属錯体からなる吸着材。

[請求項9] 該吸着材が、二酸化炭素、水素、一酸化炭素、酸素、窒素、炭素数１～５の炭化水素、希ガス、硫化水素、アンモニア、硫黄酸化物、窒素酸化物、シロキサン、水蒸気または有機蒸気を吸着するための吸着材である請求項８に記載の吸着材。

[請求項10] 請求項１に記載の金属錯体からなる吸蔵材。

[請求項11] 該吸蔵材が、二酸化炭素、水素、一酸化炭素、酸素、窒素、炭素数１～４の炭化水素、希ガス、硫化水素、アンモニア、水蒸気または有機蒸気を吸蔵するための吸蔵材である請求項１０に記載の吸蔵材。

[請求項12] 請求項１に記載の金属錯体からなる分離材。

[請求項13] 該分離材が、二酸化炭素、水素、一酸化炭素、酸素、窒素、炭素数１～４の炭化水素、希ガス、硫化水素、アンモニア、硫黄酸化物、窒素酸化物、シロキサン、水蒸気または有機蒸気を分離するための分離材である請求項１２に記載の分離材。

[請求項14] 該分離材が、メタンと二酸化炭素、水素と二酸化炭素、窒素と二酸化炭素または空気中の二酸化炭素を分離するための分離材である請求項１２に記載の分離材。

[請求項15] 構造式内で水酸基が互いに最も遠い位置にあり、かつ水酸基の隣接位にカルボキシル基を有し、かつ環状に共役しているπ電子を１０個以上有する芳香族ジヒドロキシモノカルボン酸化合物と、クロム塩、モリブデン塩、タングステン塩、マンガン塩、鉄塩、ルテニウム塩、コバルト塩、ロジウム塩、ニッケル塩、パラジウム塩、銅塩、亜鉛塩及びカドミウム塩から選択される少なくとも１種の金属塩と、該金属に二座配位可能な有機配位子とを溶媒中で反応させ、析出させる、請

求項１に記載の金属錯体の製造方法。

Request for Participation in the
Patent Prosecution Highway Program
U.S. Patent Application No. 13/059,766
Attorney Docket No. 375764US99PCT

APPENDIX C

English-Language Translation of Written Opinion Issued by the International Bureau in PCT/JP09/064524

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 08-210581-G	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/064524	19.08.2009	19.08.2008

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

Applicant
KURARAY 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/JP2009/064524

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/JP2009/064524

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	1-15	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:

Document 1: JP 2003-275531 A (Nippon Steel Corp.), 30 September 2003

Document 2: JP 2003-342260 A (Osaka Gas Co., Ltd.), 03 December 2003

Document 3: JP 2004-74026 A (Nippon Steel Corp.), 11 March 2004

Document 4: JP 61-122245 A (Nippon Ester Co., Ltd.), 10 June 1986

Document 5: JP 2003-170294 A (Senju Metal Industry Co., Ltd.), 17 June 2003

The documents above are cited in the ISR.

The invention as in claims 1-15 is novel and involves an inventive step in relation to documents 1-5.

Formula (I), formula (II), and a metallic complex comprising a specific metal and an organic ligand capable of bidentate coordination with said metal are not described or suggested in any of documents 1-5.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/064524

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

A compound defined in claims 1 and 15 is an invention related to a metallic complex including "an aromatic hydroxy monocarboxylic acid compound which has hydroxyl groups located at the farthest positions from each other in the structural formula, carboxyl groups at the locations adjacent to the hydroxyl groups, and has 10 or more circularly conjugated π electrons"; however, the invention as in claims 1 and 15 is not specified by chemical structure, and moreover, it cannot be understood what kind of substituent and what kind of skeleton are used to substitute the skeleton.

The abovementioned definition not only includes broad range of compounds, but also fails to clearly delineate the compound. In addition, among the abovementioned compounds, only a few compounds are disclosed in the description within the meaning of PCT Rule 5, and are supported within the meaning of PCT Rule 6.

As described above, the present international application does not provide a description to the extent that the meaningful ISR can be achieved in all aspects of the claims.

Therefore, as for the present international application, a prior art document search has been conducted on the matters limited to the metallic complex defined in claims 2 and 3, in consideration of the indications in the description.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/064524

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**

Continuation of: International Patent Classification (IPC)

C07C59/52(2006.01)i, B01J20/22(2006.01)i,
C07D213/06(2006.01)i, C07D213/22(2006.01)i,
C07D213/68(2006.01)i, C07D213/72(2006.01)i,
C07D213/75(2006.01)i, C07F1/08(2006.01)n

APPENDIX D

English-Language Translation of Claims of International Application No. PCT/JP09/064524 Indicated to Have Novelty, Inventive Step, and Industrial Applicability and Statement that Translation is Accurate

Translation of
the Allowable Claims of the PCT Application

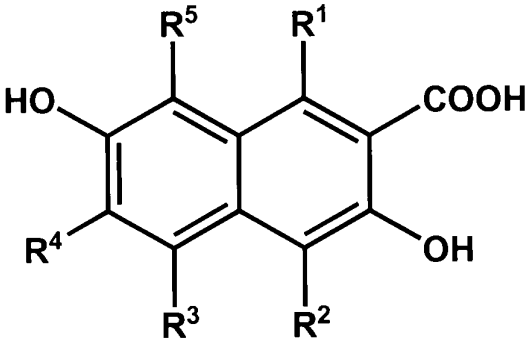
[Claim 1]

A metal complex comprising an aromatic dihydroxy monocarboxylic acid compound having hydroxyl groups at the farthest positions from each other in the structural formula of the aromatic dihydroxy monocarboxylic acid compound, having a carboxyl group at a position adjacent to the hydroxyl group, and having 10 or more circularly conjugated π electrons, at least one metal selected from chromium, molybdenum, tungsten, manganese, iron, ruthenium, cobalt, rhodium, nickel, palladium, copper, zinc, and cadmium, and an organic ligand capable of bidentate binding to the metal.

[Claim 2]

The metal complex according to Claim 1, wherein the aromatic dihydroxy monocarboxylic acid compound is represented by the following formula (I):

[Chemical formula 1]



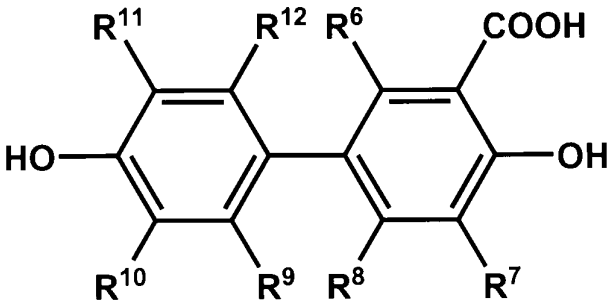
(I)

(where, R^1, R^2, R^3, R^4 and R^5 may be the same or different and each independently represents a hydrogen atom, an alkyl group which may have a substituent, an aryl group, an aralkyl group, an alkoxy group, an aryloxy group, an aralkyloxy group, an amino group, an amide group, or a halogen atom), at least one metal selected from chromium, molybdenum, tungsten, manganese, iron, ruthenium, cobalt, rhodium, nickel, palladium, copper, zinc, and cadmium, and an organic ligand capable of bidentate binding to the metal.

[Claim 3]

The metal complex according to Claim 1, wherein the aromatic dihydroxy monocarboxylic acid compound is represented by the following formula (II):

[Chemical formula 2]



(II)

(where, R^6, R^7, R^8, R^9, R^{10}, R^{11} and R^{12} may be the same or different and each independently represents a hydrogen atom, an alkyl group which may have a substituent, an aryl group, an aralkyl group, an alkoxy group, an aryloxy group, an aralkyloxy group, an amino group, an amide group, or a halogen atom), at least one metal selected from chromium, molybdenum, tungsten, manganese, iron, ruthenium, cobalt, rhodium, nickel, palladium, copper, zinc, and cadmium, and an organic ligand capable of bidentate binding to the metal.

[Claim 4]

The metal complex according to Claim 1, wherein the organic ligand capable of bidentate binding to the metal is at least one selected from 1,4-diazabicyclo[2.2.2]octane, pyrazine, 2,5-dimethylpyrazine, 4,4'-bipyridyl, 2,2'-dimethyl-4,4'-bipyridine, 1,2-bis(4-pyridyl)ethyne, 1,4-bis(4-pyridyl)butadiyne, 1,4-bis(4-pyridyl)benzene, 3,6-di(4-pyridyl)-1,2,4,5-tetrazine, 2,2'-bi-1,6-naphthyridine, phenazine, diazapyrene, trans-1,2-bis(4-pyridyl)ethene, 4,4'-azopyridine, 1,2-bis(4-pyridyl)ethane, 1,2-bis(4-pyridyl)glycol, and N-(4-pyridyl)isonicotinamide.

[Claim 5]

The metal complex according to Claim 2, wherein the aromatic dihydroxy monocarboxylic acid compound (I) is

3,7-dihydroxy-2-naphthoic acid.

[Claim 6]

The metal complex according to Claim 3, wherein the aromatic dihydroxy monocarboxylic acid compound (II) is 4,4'-dihydroxy-3-biphenylcarboxylic acid.

[Claim 7]

The metal complex according to Claim 1, wherein the metal is copper.

[Claim 8]

An adsorbent material comprising the metal complex as claimed in Claim 1.

[Claim 9]

The adsorbent material according to Claim 8, which is an adsorbent material for adsorbing thereto carbon dioxide, hydrogen, carbon monoxide, oxygen, nitrogen, hydrocarbons having from 1 to 4 carbon atoms, noble gases, hydrogen sulfide, ammonia, sulfur oxide, nitrogen oxide, siloxanes, water vapor, or organic vapor.

[Claim 10]

A storage material comprising the metal complex as claimed in Claim 1.

[Claim 11]

The storage material according to Claim 10, which is a storage material for storing therein carbon dioxide, hydrogen, carbon monoxide, oxygen, nitrogen, hydrocarbons having from 1 to 4 carbon atoms, noble gases, hydrogen sulfide, ammonia, water vapor, or organic vapor.

[Claim 12]

A separation material comprising the metal complex as claimed in Claim 1.

[Claim 13]

The separation material according to Claim 12, which is a separation material for separating carbon dioxide, hydrogen, carbon monoxide, oxygen, nitrogen, hydrocarbons having from 1 to 4 carbon atoms, noble gases, hydrogen sulfide, ammonia, sulfur oxide, nitrogen oxide, siloxanes, water vapor, or

organic vapor.

[Claim 14]

The separation material according to Claim 12, which is a separation material for separating methane from carbon dioxide, hydrogen from carbon dioxide, nitrogen from carbon dioxide, or carbon dioxide from air.

[Claim 15]

A manufacturing method of the metal complex as claimed in Claim 1, comprising a step of reacting, in a solvent, an aromatic dihydroxy monocarboxylic acid compound having hydroxyl groups at the farthest positions from each other in the structural formula of the aromatic dihydroxy monocarboxylic acid compound, having a carboxyl group at a position adjacent to the hydroxyl group, and having 10 or more circularly conjugated π electrons, at least one metal salt selected from chromium salt, molybdenum salt, tungsten salt, manganese salt, iron salt, ruthenium salt, cobalt salt, rhodium salt, nickel salt, palladium salt, copper salt, zinc salt, and cadmium salt, and an organic ligand capable of bidentate binding to the metal to cause precipitation.

VERIFICATION OF TRANSLATION

Re: U.S. Patent Application Serial No. 13/059,766

I, Yasutaka INUBUSHI, 2045-1, Sakazu, Kurashiki-shi, Okayama 7100801, Japan

hereby declare that:

(1) I prepared the attached English-language translation of the claims of the PCT application No. PCT/JP2009/064524;

(2) the English-language translation is a true and accurate translation to the best of my knowledge and belief; and

(3) all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true and further, that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of translator Yasutaka Inubushi
Yasutaka INUBUSHI

Dated this 27 th day of June, 2011

APPENDIX E

Claims Correspondence Table

Request for Participation in the
Patent Prosecution Highway Program
U.S. Patent Application No. 13/059,766
Attorney Docket No. 375764US99PCT

CLAIMS CORRESPONDENCE TABLE

Claims in US Application	Patentable Claims in PCT Application	Explanation regarding the correspondence
Claim 1	Claim 1	Claim 1 of the US application is substantively identical to claim 1 of the PCT application.
Claim 2	Claim 2	Claim 2 of the US application is substantively identical to claim 2 of the PCT application.
Claim 3	Claim 3	Claim 3 of the US application is substantively identical to claim 3 of the PCT application.
Claim 4	Claim 4	Claim 4 of the US application is substantively identical to claim 4 of the PCT application.
Claim 5	Claim 5	Claim 5 of the US application is substantively identical to claim 5 of the PCT application.
Claim 6	Claim 6	Claim 6 of the US application is substantively identical to claim 6 of the PCT application.
Claim 7	Claim 7	Claim 7 of the US application is substantively identical to claim 7 of the PCT application.
Claim 8	Claim 8	Claim 8 of the US application is substantively identical to claim 8 of the PCT application.
Claim 9	Claim 9	Claim 9 of the US application is substantively identical to claim 9 of the PCT application.
Claim 10	Claim 10	Claim 10 of the US application is substantively identical to claim 10 of the PCT application.
Claim 11	Claim 11	Claim 11 of the US application is substantively identical to claim 11 of the PCT application.
Claim 12	Claim 12	Claim 12 of the US application is substantively identical to claim 12 of the PCT application.
Claim 13	Claim 13	Claim 13 of the US application is substantively identical to claim 13 of the PCT application.
Claim 14	Claim 14	Claim 14 of the US application is substantively identical to claim 14 of the PCT application.
Claim 15	Claim 15	Claim 15 of the US application is substantively identical to claim 15 of the PCT application.
Claim 16	Claim 1	Claim 16 depends from and is narrower in scope than claim 1 and thus "sufficiently corresponds."
Claim 17	Claim 1	Claim 17 depends from and is narrower in scope than claim 1 and thus "sufficiently corresponds."

APPENDIX F

Statement Regarding Observations in Box VIII of Written Opinion Issued by the International Bureau in PCT/JP09/064524

DOCKET NO: 375764US99PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF	:
YASUTAKA INUBUSHI, ET AL.	:
SERIAL NO: 13/059,766	:
FILED: FEBRUARY 18, 2011	:
FOR: METAL COMPLEX AND MANUFACTURING METHOD THEREFOR	:

STATEMENT REGARDING OBSERVATIONS IN BOX VIII OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The Notice "Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and the Japanese Patent Office based on Patent Cooperation Treaty Work Products," 1351 O.G. 209 (February 23, 2010), indicates that Applicants must provide an explanation of why the claims are not subject to the observations in Box VIII of the latest work product in the international phase of the corresponding PCT application.

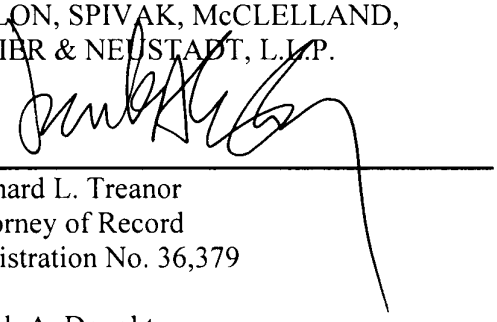
The Written Opinion issued in International Application No. PCT/JP09/064524 (the International application of which the present application is the U.S. national stage) includes observations in Box VIII. In particular, it is asserted that claims 1 and 15 are unclear because specific chemical structures are not recited. However, Applicants submit that claims 1 and 15 of the present application, which correspond to claims 1 and 15 of the PCT application, are fully compliant with the definiteness requirement of 35 U.S.C. §112, second paragraph. That is, one of ordinary skill in the art, viewing the specification and claims of the

present application, could readily determine the metes and bounds of claims 1 and 15, without the need for explicit recitation of a chemical formulae.

In view of the foregoing, Applicants submit that the present application is eligible to participate in Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and the European Patent Office based on Patent Cooperation Treaty Work Products.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Jacob A. Doughty
Registration No. 46,671

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 07/09)

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 21 2011

PCT LEGAL ADMINISTRATION

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

In re Application of	:	DECISION
LEE et al.	:	
Application No.: 13/059,769	:	
PCT No.: PCT/KR2008/004928	:	
Int. Filing Date: 22 August 2008	:	
Priority Date: 20 August 2008	:	
Attorney Docket No.: PLU0096US	:	
For: METHOD AND APPARATUS . . . THE INTERFERENCE SIGNAL	:	

This decision is in response to applicants' petition under 37 CFR 1.497(d) filed on 09 May 2011.

BACKGROUND

On 22 August 2008, applicants filed international application PCT/KR2008/004928, which designated the United States and claimed a priority date of 20 August 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 22 February 2011 (20 February 2011 being a Sunday and 21 February 2011 being a Federal holiday).

On 18 February 2011, applicants filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 15 March 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 09 May 2011, applicants filed the instant petition under 37 CFR 1.497(d).

DISCUSSION

The petition requests that Seung-Woo KIM be added as an inventor.

37 CFR 1.497(d), provides:

> (d) If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or if a change to the inventive entity has been effected under PCT Rule 92*bis* subsequent to the execution of any oath or declaration which was filed in the application under PCT Rule 4.17(iv) or this section and the inventive entity thus changed is different from the inventive entity identified in any such oath or declaration, applicant must submit:
>
> (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 Sec. 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 Sec. 3.73(b) of this chapter); and
>
> (4) Any new oath or declaration required by paragraph (f) of this section.

Items (1) and (2) have been satisfied. Item (4) is not required.

Item (3) has not been satisfied. A written consent of the purported assignees has been provided. However, a proper showing under 37 CFR 3.73(b) is also required if an assignment has been executed. See MPEP § 324. Such a showing has not been made. Attention is also drawn to Form PTO/SB/96 "STATEMENT UNDER 37 CFR 3.73(b)" available at www.uspto.gov.

CONCLUSION

The request under 37 CFR 1.497(d) is **DISMISSED** without prejudice for the reasons set forth above.

If reconsideration on the merits of this petition is desired, a proper reply must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.497(d)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper reply 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
PCT 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

OCT 20 2011

PCT LEGAL ADMINISTRATION

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

In re Application of	:	DECISION
LEE et al.	:	
Application No.: 13/059,769	:	
PCT No.: PCT/KR2008/004928	:	
Int. Filing Date: 22 August 2008	:	
Priority Date: 20 August 2008	:	
Attorney Docket No.: PLU0096US	:	
For: METHOD AND APPARATUS . . . THE INTERFERENCE SIGNAL	:	

This is a decision on applicants' renewed petition under 37 CFR 1.497(d) filed in the United States Patent and Trademark Office (USPTO) on 04 August 2011.

BACKGROUND

On 22 August 2008, applicants filed international application PCT/KR2008/004928, which designated the United States and claimed a priority date of 20 August 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 22 February 2011 (20 February 2011 being a Sunday and 21 February 2011 being a Federal holiday).

On 18 February 2011, applicants filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 15 March 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 09 May 2011, applicants filed a petition under 37 CFR 1.497(d).

On 21 June 2011, a decision was mailed dismissing without prejudice applicants' petition under 37 CFR 1.497(d).

On 04 August 2011, applicants filed the instant renewed petition under 37 CFR 1.497(d).

DISCUSSION

The petition requests that Seung-Woo KIM be added as an inventor.

37 CFR 1.497(d), provides:

> (d) If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or if a change to the inventive entity has been effected under PCT Rule 92*bis* subsequent to the execution of any oath or declaration which was filed in the application under PCT Rule 4.17(iv) or this section and the inventive entity thus changed is different from the inventive entity identified in any such oath or declaration, applicant must submit:
>
> (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 Sec. 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 Sec. 3.73(b) of this chapter); and
>
> (4) Any new oath or declaration required by paragraph (f) of this section.

As noted in the decision mailed 04 August 2011, items (1) and (2) have been satisfied and item (4) is not required.

Item (3) has now been satisfied. A written consent of the assignees has been provided as has a proper showing under 37 CFR 3.73(b).

The declaration of inventors filed 09 May 2011 is in compliance with 37 CFR 1.497(a)-(d).

CONCLUSION

The request under 37 CFR 1.497(d) is **GRANTED** for the reasons set forth above.

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 including processing the application in the name of Yong Bong LEE, Sung Soo JUNG, and Seung-Woo KIM as inventors.

/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

Wood, Phillips, Katz, Clark & Mortimer
500 W. Madison Street
Suite 3800
Chicago IL 60661

MAILED

MAR 08 2011

PCT LEGAL ADMINISTRATION

In re Application of :
DRUMM, Owen :
Application No.: 13/059,772 : DECISION ON PETITION
PCT No.: PCT/EP2009/005739 : UNDER 37 CFR 1.137(b)
Int. Filing Date: 07 August 2009 :
Priority Date: 07 August 2008 :
Attorney Docket no.: FRK10569P00050US :
For: OPTICAL CONTROL SYSTEM WITH :
MODULATED EMITTERS

The petition to revive under 37 CFR 1.137(b) filed 18 February 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 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 applicant has submitted the basic national fee and 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 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: (571) 272-3298

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:	13/059,772	Filing date:	February 18, 2011
First Named Inventor:	Owen Drumm		
Title of the Invention:	Optical Control System with Modulated Emitters		

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/EP2009/005739

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

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

(continued)

Application No.:	13/059,772
First Named Inventor:	Owen Drumm

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	Claim 1 of the US Application is the same as claim 1 in the PCT Application.
2	2	Claim 2 of the US Application is the same as claim 2 in the PCT Application.
3	3	Claim 3 of the US Application is the same as claim 3 in the PCT Application.
4	4	Claim 4 of the US Application is the same as claim 4 in the PCT Application.
5	5	Claim 5 of the US Application is the same as claim 5 in the PCT Application.
6	6	Claim 6 of the US Application is the same as claim 6 in the PCT Application.
7	7	Claim 7 of the US Application is the same as claim 7 in the PCT Application, except multiple dependencies have been removed.
8	8	Claim 8 of the US Application is the same as claim 8 in the PCT Application.
9	9	Claim 9 of the US Application is the same as claim 9 in the PCT Application, except multiple dependencies have been removed.
10	10	Claim 10 of the US Application is the same as claim 10 in the PCT Application, except multiple dependencies have been removed.
11	11	Claim 11 of the US Application is the same as claim 11 in the PCT Application.

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

Signature /Andrew P. Whitehead/	Date December 2, 2011
Name (Print/Typed) Andrew P. Whitehead	Registration Number 62,447

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

MAR 15 2012

OFFICE OF PETITIONS

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW CA 94041

In re Application of:
Owen Drumm
Application No. 13/059,772
Filed: February 18, 2011
Attorney Docket No. 28528-20020

: 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 16, 2011 and the supplemental petition filed February 13, 2012, to make the above-identified application special.

The request and petition are **GRANTED.**

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, 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 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.
13/059,779	05/05/2011	Shinji Kato	87818(302716)	2887

21874 7590 07/26/2011

EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER	
ART UNIT	PAPER NUMBER
1765	

MAIL DATE	DELIVERY MODE
07/26/2011	PAPER

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

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

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

July 26, 2011 BC

In re application of	:	DECISION ON REQUEST TO
Shinji Kato et al.	:	PARTICIPATE IN PATENT
Serial No. 13/059,779	:	PROSECUTION HIGHWAY
Filed: February 18, 2011	:	PROGRAM AND
Attorney Docket No: 87818(302716)	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed February 18, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

(5) Applicant must submit:
   a. Documentation of prior office action:

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

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

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

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

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

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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

Wood, Phillips, Katz, Clark & Mortimer
500 W. Madison Street
Suite 3800
Chicago IL 60661

MAILED

MAR 17 2011

PCT LEGAL ADMINISTRATION

In re Application of :
DRUMM, Owen :
Application No.: 13/059,792 : DECISION ON PETITION
PCT No.: PCT/EP2009/005738 : UNDER 37 CFR 1.137(b)
Int. Filing Date: 07 August 2009 :
Priority Date: 07 August 2008 :
Attorney Docket no.: FRK10569P00060US :
For: OPTICAL CONTROL SYSTEM WITH :
FEEDBACK CONTROL

The petition to revive under 37 CFR 1.137(b) filed 18 February 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 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 applicant has submitted the basic national fee and 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 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: (571) 272-3298

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:	13/059,792	Filing date:	February 18, 2011
First Named Inventor:	Owen Drumm		
Title of the Invention:	Optical Control System with Feedback Control		

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/EP2009/005738

The international filing date of the corresponding PCT application(s) is/are: August 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.:	13/059,792
First Named Inventor:	Owen Drumm

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

☒ Is attached

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

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

☒ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-4	1-4, respectively	Claims 1-4 are the same, respectively, in the US and EP Applications.
5	5	Claim 5 is the same in the US and EP Applications, except multiple dependencies have been removed.
6-8	6-8, respectively	Claims 6-8 are the same, respectively, in the US and EP Applications.
9	9	Claim 9 is the same in the US and EP Applications except multiple dependencies have been removed.
10	10	Claim 10 of the US Application is the same as claim 10 in the EP Application.
11	11	Claim 11 is the same in the US and EP Applications except multiple dependencies have been removed.
12-13	12-13, respectively	Claims 12-13 are the same, respectively, in the US and EP Applications.
14-15	14-15, respectively	Claim 14-15 are the same, respectively, in the US and EP Applications except multiple dependencies have been removed.
16	16	Claim 16 of the US Application is the same as claim 16 in the EP Application.
17-20	17-20, respectively	Claim 17-20 are the same, respectively, in the US and EP Applications except multiple dependencies have been removed.
21-22	21-22, respectively	Claims 21-22 are the same, respectively, in the US and EP Applications.
23	23	Claim 23 is the same in the US and EP Applications except multiple dependencies have been removed.
24	24	Claim 24 of the US Application is the same as claim 24 in the EP Application.

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

Signature /Andrew P. Whitehead/	Date December 5, 2011
Name (Print/Typed) Andrew P. Whitehead	Registration Number 62,447

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

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW CA 94041

MAILED

MAR 07 2012

OFFICE OF PETITIONS

In re Application of:
Owen Drumm
Application No. 13/059,792
Filed: February 18, 2011
Attorney Docket No. 28528-20018

: 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 16, 2011 and the supplemental petition filed February 13, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, 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
www.uspto.gov

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
500 W. MADISON STREET
SUITE 3800
CHICAGO IL 60661

MAILED

MAR 14 2011

PCT LEGAL ADMINISTRATION

In re Application of :
DRUMM :
Application No.: 13/059,817 :
PCT No.: PCT/EP2009/05736 : DECISION ON PETITION
Int. Filing Date: 07 August 2009 :
Priority Date: 07 August 2008 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: FRK10569P00070US :
For: METHOD AND APPARATUS FOR DETECTING : A MULTITOUCH EVENT IN AN OPTICAL : TOUCH-SENSITIVE DEVICE :

The petition to revive under 37 CFR 1.137(b) filed 18 February 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" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. 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 (US/DO/EO) for continued processing.

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:	13/059,817	Filing date:	February 18, 2011
First Named Inventor:	Owen Drumm		
Title of the Invention:	Method and Apparatus for Detecting a Multitouch Event in an Optical Touch-Sensitive 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/EP2009/005736

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

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.:	13/059,817
First Named Inventor:	Owen Drumm

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

☒ Is attached

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

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

☒ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-4	1-4, respectively	Claims 1-4 in the US Application are the same as claims 1-4, respectively, in the PCT Applications.
5-6	5-6, respectively	Claims 5-6 in the US Application are the same as claims 5-6, respectively, in PCT Application, except multiple dependencies have been removed.
7	7	Claim 7 of the US Application is the same as claim 7 in the PCT Application.
8-9	8-9, respectively	Claims 8-9 in the US Application are the same as claims 8-9, respectively, in the PCT Application except multiple dependencies have been removed.
10-13	10-13, respectively	Claims 10-13 in the US Application are the same as claims 10-13, respectively, in the PCT Application.
14	14	Claim 14 in the US Application is the same as claim 14 in the PCT Application, except multiple dependencies have been removed.
15	15	Claim 7 of the US Application is the same as claim 7 in the PCT Application.
16-20	16-20, respectively	Claims 16-20 in the US Application are the same as claims 16-20, respectively, in the PCT Application, except multiple dependencies have been removed.
21	21	Claim 21 of the US Application is the same as claim 21 in the PCT Application.
22	22, respectively	Claim 22 of the US Application is the same as claim 22 in the PCT Application, except multiple dependencies have been removed.
23	23	Claim 23 of the US Application is the same as claim 23 in the PCT Application.
24-27	24-27, respectively	Claims 24-27 of the US Application are the same as claims 24-27, respectively, in the PCT Application, except multiple dependencies have been removed.
28	28	Claim 28 of the US Application is the same as claim 28 in the PCT Application.

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

Signature /Andrew P. Whitehead/	Date December 2, 2011
Name (Print/Typed) Andrew P. Whitehead	Registration Number 62,447

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

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW CA 94041

MAILED
MAR 08 2012
OFFICE OF PETITIONS

In re Application of:
Owen Drumm
Application No. 13/059,817
Filed: February 18, 2011
Attorney Docket No. 28528-20019

: 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 16, 2011 and the supplemental petition filed February 13, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, 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 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

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:	13059820	Filing date:	October 14, 2009
First Named Inventor:	Adly T. Fam		
Title of the Invention:	GENERATING PARTIAL SUMS		

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/US2009/060705

The international filing date of the corresponding PCT application(s) is/are: October 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-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.:	13059820
First Named Inventor:	Adly T. Fam

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
1-5	1-5	claims are identical, respectively
8	8	claims are identical
10	10	claims are identical
11	11,12,14	Features from PCT claims 11, 12, and 14 have been incorporated into one claim 11
16	16	claims are identical
17	17	claims are identical
20	20	claims are identical
23-28	23-28	claims are identical, respectively
36	36	claims are identical
37	37,38	Features from PCT claims 37 and 38 have been incorporated into one claim 37
41-43	41-43	claims are identical, respectively
47	47	claims are identical
72	72	claims are identical

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

Signature /Indranil Sarkar/	Date 02/18/2011
Name (Print/Typed) Indranil Sarkar	Registration Number L0608

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.
13/059,820	03/31/2011	Adly T. Fam	25870-0002US1	3069

26161 7590 08/25/2011
FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER	
ART UNIT	PAPER NUMBER
2193	

NOTIFICATION DATE	DELIVERY MODE
08/25/2011	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):

PATDOCTC@fr.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

FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

In re Application of: Adly T. FAM
Application No. 13/059,820
Atty Docket #: **25870-0002US1**
Filed: March 31, 2011
For: **GENERATING PARTIAL SUMS**

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 **(PCT-PPH)** pilot program and the petition under 37 CFR 1.102(a), filed February 18, 2011 to make the above- identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application is
(a) a national stage entry of the corresponding PCT application
Or
(b) a national application which forms the basis for the priority claim in the corresponding PCT application
Or
(c) *a* national stage entry of another PCT application (which can be filed in any competent receiving office) which claims priority to the corresponding PCT application

Or
(d) a national application claiming foreign domestic priority to the corresponding PCT application.
Applications subject to a secrecy order (35U.S.C.181) are excluded and not subject to participation in the PCT-PPH pilot program.
Or
(e) a continuing application (continuation, divisional, or continuation-in-part) of the U.S. application which satisfies one of the above (a) to (d) scenarios.

(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. In case any observation is described in Box VIII of the WO/ISA, or the WO/IPEA, or the IPER which forms the basis for the PCT-PPH request, applicant must identify and explain why the claim(s) is/are not subject to any observation described in Box VIII irrespective of whether an amendment is submitted to correct the observation described in Box VIII. The U.S. application will not be eligible to participate in the PCT-PPH pilot program if applicant does not identify and explain why the claim(s) is/are not subject to the observation described in Box VIII.

Applicant may not file a request to participate in the PCT-PPH pilot program on the basis of an International Search Report (ISR) only.

(3) Applicant must:

a. Ensure all the claims in the U.S. application 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 and

b. Submit a claims correspondence table in English;

The USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the 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) Substantive Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of:

a. the latest international work product, WO/ISA, or WO/IPEA or PER, 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, unless the U.S. application and the corresponding PCT application satisfy the relationship noted in (l)(a) above.

(6) Applicant must submit a copy of:

a. 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,
b. an English translation of the claims and
c. a statement that the English translation is accurate.

If the claims in the U.S. application are identical to the claims from the corresponding PCT application, and are in the English language, applicant may just indicate such in the PCT-PPH request and it will not be necessary for applicant to submit a copy of the claims from the corresponding PCT application.

(7) Applicant must submit:

a. An IDS listing the documents cited in the work products 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,(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 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

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

MAILED
MAY 02 2011
PCT LEGAL ADMINISTRATION

In re Application of RILEY et al :
U.S. Application No.: 13/059,828 :
PCT Application No.: PCT/AU2009/000914 :
Int. Filing Date: 17 July 2009 :
Priority Date Claimed: 18 July 2008 : DECISION
Attorney Docket No.: 28594/46085 :
For: COMPOSITIONS COMPRISING TEA TREE OIL AND METHODS FOR THE PREVENTION AND TREATMENT OF CANCER :

This is in response to applicant's petition under 37 CFR 1.137(b) filed 18 February 2011.

BACKGROUND

On 17 July 2009, applicant filed international application PCT/AU2009/000914, which claimed priority of an earlier Australia 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 19 January 2011, international application PCT/AU2009/000914 became abandoned as to the United States for failure to timely pay the basic national fee.

On 18 February 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

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:	February 18, 2011
First Named Inventor:	IJZERMAN		
Title of the Invention:	A3 ADENOSINE RECEPTOR ALLOSTERIC MODULATORS		

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/IL2009/000791

The international filing date of the corresponding PCT application(s) is/are: 12 August 2009 (12.08.2009)

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.:	
First Named Inventor:	IJZERMAN

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
48	20	Substantially Similar
49	21-22	Substantially Similar
50-61	23-34	(respectively) Substantially Similar
62	19	Substantially Similar
63-65	37-39	(respectively) Substantially Similar
66	1 and 37	Substantially Similar
67	40	Substantially Similar

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

Signature /Susanne M. Hopkins/	Date February 18, 2011
Name (Print/Typed) Susanne M. Hopkins	Registration Number 33,247

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.
13/059,836	02/18/2011	Adriaan P. Ijzerman	31315U	3136

20529 7590 05/10/2011
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
1614	

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

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

MAY 10 2011

THE NATH LAW GROUP
112 SOUTH WEST STREET
ALEXANDRIA, VA 22314

In re Application of	:	DECISION ON REQUEST TO
IJZERMAN, ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/059,836	:	PROSECUTION HIGHWAY
Filed: February 18, 2011	:	PROGRAM AND PETITION
Attorney Docket No. 31315U	:	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 February 18, 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:

(2) and (3) An observation is described in Box VIII of the WO/ISA for claims 20, 25, 31, 32 and 34 of the corresponding PCT application and applicant has not identified and explained why the claims is/are not subject to the observation. This explanation must be provided irrespective of whether an amendment is submitted to correct the observation described in Box VIII. The U.S. application will not be eligible to participate in the PCT-PPH pilot program if applicant does not identify and explain why the claim(s) is/are not subject to the observation described in Box VIII.

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

Mail Stop Amendment
Attorney Docket No. 31315U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

IJZERMAN et al.		Conf. No.:	3136
Appl. No.:	13/059,836	Examiner:	TBD
Filing Date:	February 18, 2011	Art Unit:	1614

Title: **A3 ADENOSINE RECEPTOR ALLOSTERIC MODULATORS**

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

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

Dear Commissioner:

This Amendment is submitted responsive to the Decision on Request to Participate in Patent Prosecution Highway Program and Petition to Make Special Under 37 CFR 1.102(a) mailed on May 10, 2011. Accordingly this paper is timely filed.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 12 of this paper.

A **Conclusion** appears at page 15 of this paper.

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.
13/059,836	02/18/2011	Adriaan P. Ijzerman	31315U	3136

20529 7590 07/20/2011

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
1614	

MAIL DATE	DELIVERY MODE
07/20/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

JUL 20 2011

THE NATH LAW GROUP
112 SOUTH WEST STREET
ALEXANDRIA, VA 22314

In re Application of	:	DECISION ON REQUEST TO
IJZERMAN, ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/059,836	:	PROSECUTION HIGHWAY
Filed: February 18, 2011	:	PROGRAM AND PETITION
Attorney Docket No. 31315U	:	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 February 18, 2011, to make the above-identified application special. Applicant's response, filed June 10, 2011, overcomes the grounds for dismissal identified in the decision mailed May 10, 2011.

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.

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 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 at the http://www.uspto.gov/ebc/index.html.

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

Cecilia Tsang
Supervisory Patent Examiner
TC 1600

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 01/31/2015. 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 JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/059,857	First Named Inventor:	Takafumi Suzuki
Filing Date:	February 18, 2011	Attorney Docket No.:	2011-0245A
Title of the Invention:	ALUMINUM HYDROXIDE GEL PARTICLE AND PRODUCTION METHOD THEREOF		

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/JP2009/064321

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

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 April 26, 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 April 26, 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.

PTO/SB/20PCT-JP (05-10)
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 JPO AND THE USPTO

(continued)

Application No.:	13/059,857	First Named Inventor:	Takafumi Suzuki

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
3	3	
4	4	
5	5	
6	6	
7	7	
8	5	
9	6	
10	6	
11	7	
12	7	
13	7	

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

Signature	/Amy E. Schmid/ Digitally signed by /Amy E. Schmid/ DN: cn=/Amy E. Schmid/, o, ou, email=aschmid@wenderoth.com, c=US Date: 2012.04.20 14:00:35 -04'00'	Date	April 20, 2012
Name (Print/Typed)	Amy E. Schmid	Registration Number	55,965

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

OSHA LIANG, L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON, TX 77010

MAILED

MAR 14 2012

OFFICE OF PETITIONS

In re Application of
Ingemar Jonsson
Application No. 13/059,861
Filed: February 18, 2011
Attorney Docket No. 17782/002001

DECISION ON PETITION
TO WITHDRAW FROM
RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR §§ 1.36(b) or 37 CFR 10.40, filed February 8, 2012.

The request is **APPROVED**.

The request was signed by Thomas K. Scherer on behalf of himself and all the attorneys/agents associated with Customer Number 22511. Therefore, Thomas K. Scherer and all the attorneys/agents associated with Customer Number 22511 have been withdrawn.

Applicant is reminded that there are no attorneys/agents of record at this time.

All future communications from the Office will be directed to the address listed below until otherwise properly notified by the applicant.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

cc: Ingemar Jonsson
P.O. Box 3060
Helsingborg, **SWEDEN**

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/059,861	02/18/2011	Ingemar Jonsson	17782/002001

CONFIRMATION NO. 3256

22511
OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON, TX 77010

POWER OF ATTORNEY NOTICE

Date Mailed: 03/06/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/08/2012.

- 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.

/amsmith/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

THE NATH LAW GROUP
112 South West Street
Alexandria VA 22314

MAILED

JUN 20 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
RAJAMANI, et al.	:	
U.S. Application No.: 13/059,866	:	DECISION
PCT No.: PCT/EP2009/060835	:	
International Filing Date: 21 August 2009	:	
Priority Date: 21 August 2008	:	
Attorney's Docket No.: 31340U	:	
For: BLADE SECTION FOR A WIND TURBINE BLADE	:	

This decision is in response to applicant's "PETITION UNDER 37 CFR 1.181" filed 03 May 2011 in the United States Patent and Trademark Office (USPTO). Applicant seeks a refunding of $1690.00 in fees.

On 30 March 2011, applicant filed a request for refund of fees based on an "inadvertent payment of multiple dependent claim fee and additional claim fees.

On 08 April 2011, applicant was mailed a communication informing applicant that the request for refund had been denied. Specifically, the office noted that claim 10 of the preliminary amendment was a multiple dependent claim and authorization to charge additional fees was given on the filed Form PTO-1390 transmittal letter.

On 03 May 2011, applicant filed the second request for refund discussed herein indicating that a second preliminary amendment amending claim 10 to remove multiple dependency had been filed on 25 March 2011.

DISCUSSION

The Manual of Patent Examining Procedure (MPEP) section 1893.01 (c) explains that:

> 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.

In the present case, applicant authorized the charging of all necessary fees upon entering the U.S. national stage. Therefore, the fees were properly charged. As shown above, it is not possible to refund previously paid fees based on a subsequently filed preliminary amendment and as such, it is not possible to grant applicant's request for refund and the request is **DISMISSED**.

Any further correspondence with respect to this matter should be directed 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 or electronically filed utilizing the USPTO's EFS-Web electronic filing system.

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-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:	13/059,875	Filing date:	February 18, 2011
First Named Inventor:	Kenji IWANO		
Title of the Invention:	HEARING AID AND HEARING AID SYSTEM		

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/JP2009/003931

The international date of the corresponding PCT application(s) is/are: August 18, 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.:	13/059,875
First Named Inventor:	Kenji IWANO

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 February 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 February 18, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
2	2	rewritten into independent form
3	3	no change
4	4	no change
5	5	no change
6	6	written into independent form
7	7	no change
8	8	no change
9	9	no change
10	10	amended to depend from claim 2 only
11	11	amended to include all elements recited in claim 2
12	12	no change
13	13	no change
14	14	amended to depend from claim 11 only
15	15	no change
16	16	amended to depend from claim 2 only
17	17	no change
18	18	no change
19	19	no change
20	10	corresponding to PCT claim 10 but depending from claim 6 only

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

Signature /Kerry Culpepper/Reg. # 45,672	Date April 1, 2011
Name (Print/Typed) Kerry Culpepper	Registration Number 45,672

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.
13/059,875	02/18/2011	Kenji Iwano	P54036-02	3355

42212 7590 05/18/2011
PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON, DC 20036

EXAMINER	
ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
05/18/2011	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):

ppc@us.panasonic.com
Dhiren.Odedra@us.panasonic.com
idogawa.y@jp.panasonic.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

PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON DC 20036

In re Application of	:	
Iwano, Kenji et al.	:	DECISION ON REQUEST TO
Application No. 13/059,875	:	PARTICIPATE IN PATENT
Filed: February 18, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. **P54036-02**	:	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 April 01, 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;
(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 571-272-7272.

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

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

/John Peng/

_____

John Peng
Quality Assurance Specialist
Technology Center 2600
Communications

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

SEP 13 2011

PCT LEGAL ADMINISTRATION

KOLISCH HARTWELL, P.C.
200 PACIFIC BUILDING
520 SW YAMHILL STREET
PORTLAND OR 97204

In re Application of :
CLEATHERO, Ian Charles :
Application No.: 13/059,900 :
PCT No.: PCT/GB2009/050984 :
Int. Filing Date: 05 August 2009 : DECISION
Priority Date: 18 August 2008 :
Docket No.: HGF309 :
For: AUTOINJECTOR WITH MIXING MEANS :

This decision responds to applicants' submission of a declaration of the inventor, filed 14 July 2011.

BACKGROUND

On 15 June 2011, the Office mailed Notification of Defective Response indicating, *inter alia*, 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 14 July 2011, applicants filed a new declaration of the inventor and the surcharge.

DISCUSSION

The 14 July 2011 declaration complies with 37 CFR 1.497(a)-(b).

CONCLUSION

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

KRAMER & AMADO, P.C.
1725 DUKE STREET
SUITE 240
ALEXANDRIA VA 22314

MAILED

MAY 05 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
SHINDE	:	
Application No.: 13/059,911	:	
PCT No.: PCT/IN2009/000273	:	
Int. Filing Date: 08 May 2009	:	PETITION UNDER
Priority Date: 08 May 2008	:	
Attorney's Docket No.: GNA 3014	:	
For: METHOD AND SYSTEMS... A DELAY LINE	:	37 CFR 1.137(b)

This decision 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 on 18 February 2011.

BACKGROUND

On 08 May 2009, this international application was filed, claiming an earliest priority date of 08 May 2008.

The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 08 November 2010. This international application became abandoned with respect to the United States at midnight on 08 November 2010 for failure to pay the required basic national fee.

On 18 February 2011, applicant filed the instant petition under 37 CFR 1.137(b) and Transmittal letter for entry into the national stage in the United States, which was accompanied by the petition fee, basic national fee, and a declaration via PCT rule 4.17(iv).

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application; (2) the petition fee as set forth in § 1.17(m); and (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 § 1.20 (d)) required pursuant to paragraph (c) of this section.

Petitioner has provided: (1) the proper reply by submitting the basic national filing fee, (2) the petition fee set forth in §1.17(m) and (3) the proper statement under 137(b)(3). In this application, no terminal disclaimer is required.

Accordingly, the petition is deemed to satisfy requirements (1), (2), (3), and (4) under 37 CFR 1.137(b).

DECISION

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-6459

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:	13/059,917	Filing date:	February 18, 2011
First Named Inventor:	Toshiyuki TERADA, et al.		
Title of the Invention:	GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM, AND INFORMATION STC		

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/JP2009/060176

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.:	13/059,917
First Named Inventor:	Toshiyuki TERADA, 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 February 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 February 18, 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 is identical to Claim 1 of PCT application
2	2	US Claim 2 is identical to Claim 2 of PCT application
3	3	US Claim 3 is identical to Claim 3 of PCT application
4	4	US Claim 4 is identical to Claim 4 of PCT application
5	5	US Claim 5 is identical to Claim 5 of PCT application
6	6	US Claim 6 is identical to Claim 6 of PCT application
7	7	US Claim 7 is identical to Claim 7 of PCT application
8	8	US Claim 8 is identical to Claim 8 of PCT application
9	9	US Claim 9 has been canceled
10	10	US Claim 10 is substantially identical to Claim 10 of PCT applica

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

Signature /Alan J. Kasper/	Date May 4, 2011
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/JP2009/060176

K. Kawamura

Kuniaki KAWAMURA

April 25, 2011

Date

The claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application No. PCT/JP2009/060176

1. A game device which executes a sport game played between a first team and a second team using a moving object, the game device comprising:

storage means for storing positions, in a game space, of player characters belonging to the first team, player characters belonging to the second team, and the moving object; and

display control means for displaying a partial area of the game space on a game screen based on a position of a reference player character selected from among the player characters belonging to the first team and the player characters belonging to the second team, or the position of the moving object, wherein

the display control means comprises:

acquiring means for acquiring, in a case where the first team is in possession of the moving object, a movement destination candidate or a pass target candidate of a player character belonging to the first team based on the positions of the player characters belonging to the second team; and

control means for controlling the partial area based on the position of the reference player character or the position of the moving object, and the movement destination candidate or the pass target candidate acquired by the

acquiring means.

2. The game device according to Claim 1, wherein

the game screen represents a scene of the game space viewed from a virtual camera; and

the control means controls the partial area by controlling a state of the virtual camera based on the position of the reference player character or the position of the moving objet, and the movement destination candidate or the pass target candidate acquired by the acquiring means.

3. The game device according to Claim 2, wherein

the state of the virtual camera is controlled based on a distance between the position of the reference player character or the position of the moving object, and the movement destination candidate or the pass target candidate acquired by the acquiring means.

4. The game device according to Claim 1, wherein

the control means comprises:

first control means for controlling the partial area based on the position of the reference player character or the position of the moving object;

second control means for controlling the partial area based on the position of the reference player character or the position of the moving object, and the movement destination candidate or the pass target candidate acquired by

the acquiring means; and

switching means for switching between a state in which the control is executed by the first control means and a state in which the control is executed by the second control means.

5. The game device according to Claim 4, wherein

the switching means switches from the state in which the control is executed by the first control means to the state in which the control is executed by the second control means if the movement destination candidate or the pass target candidate acquired by the acquiring means is not included in the partial area in a case where the control is executed by the first control means.

6. The game device according to Claim 5, further comprising:

means for storing match status information indicating a match status, wherein

the switching means comprises:

means for switching from the state in which the control is executed by the first control means to the state in which the control is executed by the second control means based on a given probability, if the movement destination candidate or the pass target candidate acquired by the acquiring means is not included in the partial area in the case where the control is executed by the first control means; and

means for controlling the probability based on the match status information.

7. The game device according to Claim 1, wherein

the game screen comprises a plurality of portion areas, and

the display control means restricts display of the partial area of the game space to a portion area, among the plurality of portion areas, other than a portion area corresponding to the movement destination candidate or the pass target candidate acquired by the acquiring means.

8. A method for controlling a game device which executes a sport game played between a first team and a second team using a moving object, the method comprising:

a step of reading stored content of a storage which stores positions, in a game space, of player characters belonging to the first team, player characters belonging to the second team, and the moving object; and

a display control step in which a partial area of the game space is displayed on a game screen based on a position of a reference player character selected from among the player characters belonging to the first team and the player characters belonging to the second team, or the position of the moving object, wherein

the display control step comprises:

an acquiring step in which, in a case where the

first team is in possession of the moving object, a movement destination candidate or a pass target candidate of a player character belonging to the first team is acquired based on the positions of the player characters belonging to the second team; and

a control step in which the partial area is controlled based on the position of the reference player character or the position of the moving object, and the movement destination candidate or the pass target candidate acquired at the acquiring step.

9. A program for causing a computer to function as a game device which executes a sport game played between a first team and a second team using a moving object, the program for causing the computer to function as:

means for reading stored content of a storage which stores positions, in a game space, of player characters belonging to the first team, player characters belonging to the second team, and the moving object; and

display control means for displaying a partial area of the game space on a game screen based on a position of a reference player character selected from among the player characters belonging to the first team and the player characters belonging to the second team, or the position of the moving object, wherein

the display control means comprises:

acquiring means for acquiring, in a case where the

first team is in possession of the moving object, a movement destination candidate or a pass target candidate of a player character belonging to the first team based on the positions of the player characters belonging to the second team; and

control means for controlling the partial area based on the position of the reference player character or the position of the moving object, and the movement destination candidate or the pass target candidate acquired by the acquiring means.

10. A computer-readable information storage medium which stores a program for causing a computer to function as a game device which executes a sport game played between a first team and a second team using a moving object, the program for causing the computer to function as:

means for reading stored content of a storage which stores positions, in a game space, of player characters belonging to the first team, player characters belonging to the second team, and the moving object; and

display control means for displaying a partial area of the game space on a game screen based on a position of a reference player character selected from among the player characters belonging to the first team and the player characters belonging to the second team, or the position of the moving object, wherein

the display control means comprises:

acquiring means for acquiring, in a case where the

first team is in possession of the moving object, a movement destination candidate or a pass target candidate of a player character belonging to the first team based on the positions of the player characters belonging to the second team; and

control means for controlling the partial area based on the position of the reference player character or the position of the moving object, and the movement destination candidate or the pass target candidate acquired by the acquiring means.

請求の範囲

[請求項1]　第１チームと第２チームとの間で移動体を用いて行われるスポーツのゲームを実行するゲーム装置において、

前記第１チームに所属する選手キャラクタと、前記第２チームに所属する選手キャラクタと、前記移動体と、のゲーム空間における位置を記憶する記憶手段と、

前記第１チーム又は前記２チームに所属する選手キャラクタのうちから選択される基準選手キャラクタ、又は前記移動体の位置に基づいて、前記ゲーム空間の一部領域をゲーム画面に表示する表示制御手段と、

を含み、

前記表示制御手段は、

前記第１チームが前記移動体を保持している場合、前記第２チームに所属する選手キャラクタの位置に基づいて、前記第１チームに所属する選手キャラクタの移動先候補又はパス目標候補を取得する取得手段と、

前記基準選手キャラクタ又は前記移動体の位置と、前記取得手段によって取得された前記移動先候補又は前記パス目標候補と、に基づいて、前記一部領域を制御する制御手段と、を含む、

ことを特徴とするゲーム装置。

[請求項2]　請求項１に記載のゲーム装置において、

前記ゲーム画面は、前記ゲーム空間を仮想カメラから見た様子を表し、

前記制御手段は、前記基準選手キャラクタ又は前記移動体の位置と、前記取得手段によって取得された前記移動先候補又は前記パス目標候補と、に基づいて、前記仮想カメラの状態を制御することによって、前記一部領域を制御する、

ことを特徴とするゲーム装置。

[請求項3]　請求項２に記載のゲーム装置において、

前記基準選手キャラクタ又は前記移動体の位置と、前記取得手段によって取得された前記移動先候補又は前記パス目標候補と、の間の距離に基づいて、前記仮想カメラの状態を制御する、

ことを特徴とするゲーム装置。

[請求項4]　請求項１に記載のゲーム装置において、

前記制御手段は、

前記基準選手キャラクタ又は前記移動体の位置に基づいて、前記一部領域を制御する第１制御手段と、

前記基準選手キャラクタ又は前記移動体の位置と、前記取得手段によって取得された前記移動先候補又は前記パス目標候補と、に基づいて、前記一部領域を制御する第２制御手段と、

前記第１制御手段による制御が実行される状態と、前記第２制御手段による制御が実行される状態と、を切り替える切替手段と、を含む、

ことを特徴とするゲーム装置。

[請求項5]　請求項４に記載のゲーム装置において、

前記切替手段は、前記第１制御手段による制御が実行される状態において、前記取得手段によって取得された前記移動先候補又は前記パス目標候補が前記一部領域に含まれない場合に、前記第１制御手段による制御が実行される状態から、前記第２制御手段による制御が実行される状態に切り替えることを特徴とするゲーム装置。

[請求項6]　請求項５に記載のゲーム装置において、

戦況を示す戦況情報を記憶する手段を含み、

前記切替手段は、

前記第１制御手段による制御が実行される状態において、前記取得手段によって取得された前記移動先候補又は前記パス目標候補が前記一部領域に含まれない場合、所与の確率に基づいて、前記第１制御手

段による制御が実行される状態から、前記第２制御手段による制御が実行される状態に切り替える手段と、

前記戦況情報に基づいて前記確率を制御する手段と、を含む、

ことを特徴とするゲーム装置。

[請求項7]　請求項１に記載のゲーム装置において、

前記ゲーム画面は複数の部分領域を含み、

前記表示制御手段は、前記複数の部分領域のうちの、前記取得手段によって取得された前記移動先候補又は前記パス目標候補に対応する部分領域以外の部分領域への前記ゲーム空間の前記一部領域の表示を制限する、

ことを特徴とするゲーム装置。

[請求項8]　第１チームと第２チームとの間で移動体を用いて行われるスポーツのゲームを実行するゲーム装置の制御方法において、

前記第１チームに所属する選手キャラクタと、前記第２チームに所属する選手キャラクタと、前記移動体と、のゲーム空間における位置を記憶してなる記憶手段の記憶内容を読み出すステップと、

前記第１チーム又は前記２チームに所属する選手キャラクタのうちから選択される基準選手キャラクタ、又は前記移動体の位置に基づいて、前記ゲーム空間の一部領域をゲーム画面に表示する表示制御ステップと、

を含み、

前記表示制御ステップは、

前記第１チームが前記移動体を保持している場合、前記第２チームに所属する選手キャラクタの位置に基づいて、前記第１チームに所属する選手キャラクタの移動先候補又はパス目標候補を取得する取得ステップと、

前記基準選手キャラクタ又は前記移動体の位置と、前記取得ステップによって取得された前記移動先候補又は前記パス目標候補と、に基

づいて、前記一部領域を制御する制御ステップと、を含む、

ことを特徴とするゲーム装置の制御方法。

[請求項9] 第１チームと第２チームとの間で移動体を用いて行われるスポーツのゲームを実行するゲーム装置としてコンピュータを機能させるためのプログラムであって、

前記第１チームに所属する選手キャラクタと、前記第２チームに所属する選手キャラクタと、前記移動体と、のゲーム空間における位置を記憶してなる記憶手段の記憶内容を読み出す手段、及び、

前記第１チーム又は前記２チームに所属する選手キャラクタのうちから選択される基準選手キャラクタ、又は前記移動体の位置に基づいて、前記ゲーム空間の一部領域をゲーム画面に表示する表示制御手段、

として前記コンピュータを機能させ、

前記表示制御手段は、

前記第１チームが前記移動体を保持している場合、前記第２チームに所属する選手キャラクタの位置に基づいて、前記第１チームに所属する選手キャラクタの移動先候補又はパス目標候補を取得する取得手段と、

前記基準選手キャラクタ又は前記移動体の位置と、前記取得手段によって取得された前記移動先候補又は前記パス目標候補と、に基づいて、前記一部領域を制御する制御手段と、を含む、

ことを特徴とするプログラム。

[請求項10] 第１チームと第２チームとの間で移動体を用いて行われるスポーツのゲームを実行するゲーム装置としてコンピュータを機能させるためのプログラムを記録したコンピュータ読み取り可能な情報記憶媒体であって、

前記第１チームに所属する選手キャラクタと、前記第２チームに所属する選手キャラクタと、前記移動体と、のゲーム空間における位置

を記憶してなる記憶手段の記憶内容を読み出す手段、及び、

前記第１チーム又は前記２チームに所属する選手キャラクタのうちから選択される基準選手キャラクタ、又は前記移動体の位置に基づいて、前記ゲーム空間の一部領域をゲーム画面に表示する表示制御手段、

として前記コンピュータを機能させ、

前記表示制御手段は、

前記第１チームが前記移動体を保持している場合、前記第２チームに所属する選手キャラクタの位置に基づいて、前記第１チームに所属する選手キャラクタの移動先候補又はパス目標候補を取得する取得手段と、

前記基準選手キャラクタ又は前記移動体の位置と、前記取得手段によって取得された前記移動先候補又は前記パス目標候補と、に基づいて、前記一部領域を制御する制御手段と、を含む、

ことを特徴とするプログラムを記録したコンピュータ読み取り可能な情報記憶媒体。

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2009/060176

A. CLASSIFICATION OF SUBJECT MATTER
A63F13/00(2006.01)i, *G06T17/40*(2006.01)i

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

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
A63F13/00-13/12, A63F9/24, G06T17/40

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Jitsuyo Shinan Koho 1922-1996 Jitsuyo Shinan Toroku Koho 1996-2009
Kokai Jitsuyo Shinan Koho 1971-2009 Toroku Jitsuyo Shinan Koho 1994-2009

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

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2001-70632 A (Namco Ltd.), 21 March, 2001 (21.03.01), Full text; Figs. 1 to 13 (Family: none)	1-10
A	JP 3833445 B2 (Namco Bandai Games Inc.), 11 October, 2006 (11.10.06), Full text; Figs. 1 to 16 & JP 2001-353358 A	1-10
A	JP 2007-260157 A (Konami Digital Entertainment Co., Ltd.), 11 October, 2007 (11.10.07), Full text; Figs. 1 to 12 (Family: none)	1-10

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

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of 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
03 August, 2009 (03.08.09)	11 August, 2009 (11.08.09)
Name and mailing address of the ISA/ Japanese Patent Office	Authorized officer
Facsimile No.	Telephone No.

Form PCT/ISA/210 (second sheet) (April 2007)

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 KN-0658	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/060176	International filing date *(day/month/year)* 03 June 2009 (03.06.2009)	Priority date *(day/month/year)* 22 August 2008 (22.08.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONAMI DIGITAL ENTERTAINMENT CO., 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 5 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 March 2011 (08.03.2011)
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)

	Date of mailing *(day/month/year)*
Applicant's or agent's file reference KN-0658	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/060176	03.06.2009	22.08.2008

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/JP2009/060176

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/JP2009/060176

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 2001-70632 A (Namco Ltd.), 21 March 2001, entire text, fig. 1 to 13

Document 2: JP 3833445 B2 (Namco Bandai Games Inc.), 11 October 2006, entire text, fig. 1 to 16

Document 3: JP 2007-260157 A (Konami Digital Entertainment Co., Ltd.), 11 October 2007, entire text, fig. 1 to 12

The invention as in claims 1-10 is not described in any of the documents cited in the ISR and would not be obvious to a person skilled in the art.

In particular, none of the documents describes "a game device for carrying out a sports game played between a first team and a second team using a moving body," comprising "a display control means for displaying a partial region of the aforementioned game space on a game screen on the basis of the position of a reference player character selected from among the player characters belonging to the aforementioned first team or the aforementioned second team or the position of the aforementioned moving body," wherein "the aforementioned display control means comprises an acquiring means for

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

acquiring the destination candidates or pass target candidates of player characters belonging to the aforementioned first team on the basis of the positions of the player characters belonging to the aforementioned second team in the case where the aforementioned first team holds the aforementioned moving body, and a control means for controlling the aforementioned partial region on the basis of the position of the aforementioned reference player character or the aforementioned moving body and on the basis of the aforementioned destination candidates or the aforementioned pass target candidates acquired by the aforementioned acquiring means."

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.
13/059,917	05/04/2011	Toshiyuki Terada	Q123277	3677

23373 7590 08/01/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
08/01/2011	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):

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:
TERADA, TOSHIYUKI, et al
Serial No.: 13/059917
Filed: 05/04/2011
Attorney Docket No. : Q123277
Title: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM, AND INFORMATION STORAGE MEDIUM

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 May 4, 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 PCT applications filed in the IPAU, 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.

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

MAILED

APR 25 2011

PCT LEGAL ADMINISTRATION

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

Muncy, Geissler, Olds & Lowe, PLLC
4000 Legato Road
Suite 310
FAIRFAX VA 22033

In re Application of	:	
HU et al.	:	
Application No.: 13/059,929	:	DECISION ON
PCT No.: PCT/CN2008/001353	:	
Int. Filing Date: 23 July 2008	:	PETITION UNDER
Priority Date: None	:	
Attorney Docket No.: 5300/0159PUS1	:	37 CFR 1.137(b)
For: NEW LOW SIDE EFFECT PHARMACEUTICAL COMPOSITION CONTAINING ISONIAZID	:	

This decision is in response to applicant's submission filed 18 February 2011.

BACKGROUND

On 23 July 2008, applicant filed international application PCT/CN2008/001353 which designated the U.S. and did not claim a priority date. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 28 January 2010. The thirty-month period for paying the basic national fee in the United States expired at midnight on 24 January 2011 (23 January 2011 being a Sunday).

On 18 February 2011, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the U.S. basic national fee, a declaration of the inventor, and a petition under 37 CFR 1.137(b).

DISCUSSION

A petition to revive the present application under 37 CFR 1.137(b) must include:

(1) The required reply;
(2) The petition fee;
(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.

As to item (1), applicant submitted the basic national fee on 18 February 2011.

As to item (2), applicant submitted the petition fee on 18 February 2011.

As to item (3), the required statement has been provided.

A review of the application file reveals that, with the filing of the present petition and accompanying papers, a proper response has been submitted and all of the requirements of 37 CFR 1.137(b) for revival have been satisfied and revival is therefore appropriate.

The declaration of the inventors filed 18 February 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

The petition under 37 CFR 1.137(b) is **GRANTED** for the reasons set forth above.

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

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:	13/059,940	Filing date:	February 18, 2011
First Named Inventor:	Andreas Beck		
Title of the Invention:	Drilling Rig and Mounting Method Therefor		

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/DE09/01124

The international filing date of the corresponding PCT application(s) is/are: 08/10/2009

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.**

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.:	13/059,940
First Named Inventor:	Andreas Beck

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 February 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 February 18, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
13	1	Substantially identical
14	2	Substantially identical, removal of multi-dependency
15	3	Substantially identical, removal of multi-dependency
16	4	Substantially identical, removal of multi-dependency
17	5	Substantially identical
18	6	Substantially identical
19	7	Substantially identical, removal of multi-dependency
20	8	Substantially identical, removal of multi-dependency
21	9	Substantially identical,removal of multi-dependency and preferred mass limit value
22	10	Substantially identical

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

Signature	Date 4/7/11
Name (Print/Typed) Jay G. Durst	Registration Number 41,723

Certificate of Electronic Mailing

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office on the date indicated below.

Danielle McNeal — 4/7/2011

Danielle McNeal — Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 13/059,940 — Examiner:

Filing Date: 08/10/2009 — Group Art Unit:

Inventor: Andreas Beck — Confirmation No.:

For: *Drilling Rig and Mounting Method Therefor*

Attorney Docket No. 696.062 — Customer No. 23598

STATEMENT

Mail Stop – Box Response to Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With respect to the above-identified US national phase filing, and corresponding PCT application (PCT/DE09/01124), Applicant has attached a copy, in English, of the claims indicated in the IPER (EPO) as having novelty, inventive step and industrial applicability. The English translation is accurate.

Also, as we understand, an English translation of the IPER has been communicated to the USPTO. In particular, according to see Chapter 10 of the PCT Application's Guide (*www.wipo.int/pct/en/guide*)(Article 36(1), 36(3)(a), Rule 71.1, 73.2, and 93bis):

10.079. How do the applicant, the International Bureau and the elected Offices receive the international preliminary report on patentability (Chapter II of the PCT) and, where applicable, its translation?

The International Preliminary Examining Authority transmits, on the same day, copies of the international preliminary report on patentability (Chapter II of the PCT) (and any annexes -

> *paragraph 10.076) to the applicant and the International Bureau. The latter transmits copies of the report (including any annexes) to the elected Offices, as well as a translation into English of the body of the report where that is required by any elected Office in accordance with Rule 93bis;...*

Should there be any question regarding the above or the attached, please do not hesitate to contact the undersigned at the below number.

Respectfully submitted,

Jay G. Durst, Reg. No. 41,723

Dated: 4/7/11

BOYLE FREDRICKSON, S.C.
840 North Plankinton Avenue
Milwaukee, WI 53203
Telephone: (414) 225-9755
Facsimile: (414) 225-9753
Attorney Docket No. 528.191

Customer Number **23598**

CLAIMS

13. A drilling rig for use on a drilling platform, comprising:

a drilling mast having at least two mast segments,

a substructure on which the drilling mast is positioned, and

a feed carriage comprising a drilling motor with a receiving device for placing drilling rods,

wherein the drilling mast provided with the feed carriage is adapted to be constructed in that at least one of the mast segments is displaced upwardly by means of the feed carriage that is fixed with respect to the substructure, and that the at least one mast segment is placed in the substructure prior to the upward displacement by means of the feed carriage.

14. The drilling rig according to claim 13, wherein the segment adapted to be displaced upwardly by means of the feed carriage comprises at least one gear rod for engagement with the feed carriage.

15. The drilling rig according to claim 13, wherein the substructure comprises a recess into which a mast segment is adapted to be placed and above which the mast segment is adapted to be fixed to the substructure.

16. The drilling rig according to claim 13, comprising four mast segments, at least three of which are adapted to be displaced upwardly by means of the feed carriage.

17. A mounting method for a drilling mast having at least two mast segments on a substructure, comprising the steps of:

providing of the substructure,

fixing of a feed carriage with respect to the substructure,

providing of a mast segment of the drilling mast below the feed carriage, and

displacing the mast segment upwardly by means of the feed carriage that is provided at the drilling mast when the drilling mast is mounted the geed carriage comprising a drilling motor with a receiving device for placing the drilling rods.

18. The mounting method according to claim 17, wherein, prior to the providing of the mast segment that will be referred to as second mast segment in the following, a first mast segment is positioned on the feed carriage.

19. The mounting method according to claim 17, wherein the upward displacement of the mast segment is adapted to be performed via gear rods positioned on at least one mast segment.

20. The mounting method according to claim 17, wherein the substructure is adapted to be displaced with respect to the drilling platform.

21. The mounting method according to claim 17, for a substructure of a drilling rig having at least two levels, wherein the substructure is adapted to be displaced with respect to the drilling platform, and wherein the substructure is assembled level by level from individual elements, the respective masses of which do not exceed a mass limit value of less than 25 t.

22. The mounting method according to claim 21, wherein the substructure is assembled level by level along with a hydraulic supply device adapted to be displaced jointly with the substructure in at least one direction.

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

PCT

INTERNATIONALER VORLÄUFIGER BERICHT ÜBER DIE PATENTIERBARKEIT

(Kapitel II des Vertrags über die internationale Zusammenarbeit auf dem Gebiet des Patentwesens)

Aktenzeichen des Anmelders oder Anwalts ST0426	**WEITERES VORGEHEN** siehe Formblatt PCT/IPEA/416	
Internationales Aktenzeichen PCT/DE2009/001124	Internationales Anmeldedatum *(Tag/Monat/Jahr)* 10.08.2009	Prioritätsdatum *(Tag/Monat/Jahr)* 20.08.2008
Internationale Patentklassifikation (IPC) oder nationale Klassifikation und IPC INV. E21B15/00		
Anmelder Max Streicher Gmbh & Co. Kg AA		

1. Bei diesem Bericht handelt es sich um den internationalen vorläufigen Prüfungsbericht, der von der mit der internationalen vorläufigen Prüfung beauftragten Behörde nach Artikel 35 erstellt wurde und dem Anmelder gemäß Artikel 36 übermittelt wird.
2. Dieser BERICHT umfaßt insgesamt 5 Blätter einschließlich dieses Deckblatts.
3. Außerdem liegen dem Bericht ANLAGEN bei; diese umfassen
   a. ☒ *(an den Anmelder und das Internationale Büro gesandt)* insgesamt 2 Blätter; dabei handelt es sich um
      ☒ Blätter mit der Beschreibung, Ansprüchen und/oder Zeichnungen, die geändert wurden und diesem Bericht zugrunde liegen, und/oder Blätter mit Berichtigungen, denen die Behörde zugestimmt hat (siehe Regel 70.16 und Abschnitt 607 der Verwaltungsvorschriften).
      ☐ Blätter, die frühere Blätter ersetzen, die aber aus den in Feld Nr. 1, Punkt 4 und im Zusatzfeld angegebenen Gründen nach Auffassung der Behörde eine Änderung enthalten, die über den Offenbarungsgehalt der internationalen Anmeldung in der ursprünglich eingereichten Fassung hinausgeht.
   b. ☐ *(nur an das Internationale Büro gesandt)* insgesamt (bitte Art und Anzahl der/des elektronischen Datenträger(s) angeben) , der/die ein Sequenzprotokoll enthält/enthalten, nur in elektronischer Form, wie im Zusatzfeld betreffend das Sequenzprotokoll angegeben (siehe Ziffer 3*bis* des Anhangs C zu den Verwaltungsvorschriften).

4. Dieser Bericht enthält Angaben zu folgenden Punkten:

☒	Feld Nr. I	Grundlage des Berichts
☐	Feld Nr. II	Priorität
☐	Feld Nr. III	Keine Erstellung eines Gutachtens über Neuheit, erfinderische Tätigkeit und gewerbliche Anwendbarkeit
☐	Feld Nr. IV	Mangelnde Einheitlichkeit der Erfindung
☒	Feld Nr. V	Begründete Feststellung nach Artikel 35(2) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung
☐	Feld Nr. VI	Bestimmte angeführte Unterlagen
☒	Feld Nr. VII	Bestimmte Mängel der internationalen Anmeldung
☐	Feld Nr. VIII	Bestimmte Bemerkungen zur internationalen Anmeldung

Datum der Einreichung des Antrags	Datum der Fertigstellung dieses Berichts
2010-06-18	18.01.2011
Name und Postanschrift der mit der internationalen vorläufigen Prüfung beauftragten Behörde Europäisches Patentamt D-80298 München Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Bevollmächtigter Bediensteter Strømmen, Henrik Tel. +49 89 2399-7345

INTERNATIONALER VORLÄUFIGER BERICHT ÜBER DIE PATENTIERBARKEIT

Internationales Aktenzeichen
PCT/DE2009/001124

Feld Nr. I Grundlage des Berichts

1. Hinsichtlich der **Sprache** beruht der Bescheid auf

   ☒ der internationalen Anmeldung in der Sprache, in der sie eingereicht wurde.

   ☐ einer Übersetzung der internationalen Anmeldung in die folgende Sprache , bei der es sich um die Sprache der Übersetzung handelt, die für folgenden Zweck eingereicht worden ist:
   - ☐ internationale Recherche (nach Regeln 12.3 a) und 23.1 b))
   - ☐ Veröffentlichung der internationalen Anmeldung (nach Regel 12.4 a))
   - ☐ internationale vorläufige Prüfung (nach Regeln 55.2 a) und/oder 55.3 a))

2. Hinsichtlich der **Bestandteile*** der internationalen Anmeldung beruht der Bericht auf *(Ersatzblätter, die dem Anmeldeamt auf eine Aufforderung nach Artikel 14 hin vorgelegt wurden, gelten im Rahmen dieses Berichts als "ursprünglich eingereicht" und sind ihm nicht beigefügt)*:

   Beschreibung, Seiten

   1-30 in der ursprünglich eingereichten Fassung

   Ansprüche, Nr.

   1-10 eingereicht mit Schreiben vom 15-12-2010

   Zeichnungen, Blätter

   1/19-19/19 in der ursprünglich eingereichten Fassung

   ☐ eines Sequenzprotokolls - siehe Zusatzfeld betreffend das Sequenzprotokoll.

3. ☐ Aufgrund der Änderungen sind folgende Unterlagen fortgefallen:
   - ☐ Beschreibung: Seite
   - ☐ Ansprüche: Nr.
   - ☐ Zeichnungen: Blatt/Abb.
   - ☐ Sequenzprotokoll *(genaue Angaben)*:
   - ☐ etwaige zum Sequenzprotokoll gehörende Tabellen *(genaue Angaben)*:

4. ☐ Dieser Bericht ist ohne Berücksichtigung (von einigen) der diesem Bericht beigefügten und nachstehend aufgelisteten Änderungen erstellt worden, da diese aus den im Zusatzfeld angegebenen Gründen nach Auffassung der Behörde über den Offenbarungsgehalt in der ursprünglich eingereichten Fassung hinausgehen oder laut Angabe im Zusatzfeld kein Begleitschreiben beigefügt war, in dem die Grundlage für die Änderung in der ursprünglich eingereichten Anmeldung angegeben war (Regel 70.2 c) und c-bis)).
   - ☐ Beschreibung: Seite
   - ☐ Ansprüche: Nr.
   - ☐ Zeichnungen: Blatt/Abb.
   - ☐ Sequenzprotokoll *(genaue Angaben)*:

5. ☐ Dieser Bescheid wurde erstellt unter Berücksichtigung der **Berichtigung eines offensichtlichen Fehlers**, die nach Regel 91 von dieser Behörde genehmigt wurde bzw. dieser Behörde mitgeteilt wurde (Regel 70.2 e)).

6. ☐ Bei der Erstellung dieses Berichts wurde der ergänzende internationale Recherchenbericht/wurden die ergänzenden internationalen Recherchenberichte der folgenden Behörde(n) berücksichtigt (R. 45bis.8 b) und c)).

Feld Nr. 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 1-10
	Nein:	Ansprüche
Erfinderische Tätigkeit (IS)	Ja:	Ansprüche 1-10
	Nein:	Ansprüche
Gewerbliche Anwendbarkeit (IA)	Ja:	Ansprüche: 1-10
	Nein:	Ansprüche:

2. Unterlagen und Erklärungen (Regel 70.7):

siehe Beiblatt

Feld Nr. VII Bestimmte Mängel der internationalen Anmeldung

Es wurde festgestellt, dass die internationale Anmeldung nach Form oder Inhalt folgende Mängel aufweist:

siehe Beiblatt

Es wird auf die folgenden Dokumente verwiesen:

D1 WO 2008/012482 A1 (PSL ENERGY SERVICES LTD [GB]; ROBICHAUX DICKY [GB]; HENDERSON RON [GB]) 31. Januar 2008 (2008-01-31)

D2 US 4 203 576 A (SUTTON JOHN R [US]) 20. Mai 1980 (1980-05-20)

D3 WO 01/49966 A1 (MARITIME HYDRAULICS AS [NO]; JORTVEIT JAN [NO]) 12. Juli 2001 (2001-07-12)

D4 US 5 450 695 A (DESAI VINOD [US]) 19. September 1995 (1995-09-19)

D5 FR 2 822 890 A1 (CAMMELL LAIRD MARSEILLE [FR]) 4. Oktober 2002 (2002-10-04)

Zu Punkt V

Begründete Feststellung hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung

1 D1 wird als nächstliegender Stand der Technik gegenüber dem Gegenstand des Anspruchs 1 angesehen. Es offenbart

Bohranlage (Figuren 13-15) zum Einsatz auf einer Bohrplattform mit einem Bohrmast

(100), der zumindest zwei Mastsegmente aufweist, einem Unterbau (22), an dem der Bohrmast (100) angebracht ist, und

einem Vorschubschlitten (120), der einen Drillmotor mit einer Aufnahmevorrichtung zum Anbringen von Bohrstangen aufweist (Figur 15a).

Der Gegenstand des Anspruchs 1 unterscheidet sich somit von der bekannten Anlage dadurch, dass

der mit dem Vorschubschlitten versehene Bohrmast errichtbar ist, indem zumindest eines der Mastsegmente mittels des in Bezug auf den Unterbau fixierten Vorschubschlittens aufwärts bewegt wird und vor der Aufwärtsbewegung mittels des Vorschubschlittens das zumindest eine Mastsegment in den Unterbaus eingebracht wird.

Anspruch 1 ist daher neu (Artikel 33 (2) PCT).

2 Die mit der vorliegenden Erfindung zu lösende Aufgabe kann darin gesehen werden, effektiver einen eine Bohrmast zu errichten.

3 Die in Anspruch 1 der vorliegenden Anmeldung für diese Aufgabe vorgeschlagene Lösung beruht aus den folgenden Gründen auf einer erfinderischen Tätigkeit (Artikel 33 (3) PCT): Keiner der anderen Dokument offenbarten relevante Anhaltspunkte Auf den sich der Fachmann sich bezeihen könnte um die vorliegende Aufgabe zu lösen.

4 Der die Ansprüche 2-4 sind vom Anspruch 1 abhängig und erfüllen damit ebenfalls die Erfordernisse des PCT in Bezug auf Neuheit und erfinderische Tätigkeit.

5 Was oben gesagt wurde ins auch entsprechend geltend für die Verfahrensansprüche 5-10.

Zu Punkt VII

Bestimmte Mängel in der internationalen Anmeldung

1 Der unabhängige Anspruch 1 ist nicht in der zweiteiligen Form nach Regel 6.3 b) PCT abgefasst.

2 Die Merkmale der Ansprüche sind nicht mit in Klammern gesetzten Bezugszeichen versehen worden (Regel 6.2 b) PCT).

3 Entgegen den Erfordernissen der Regel 5.1 a) ii) PCT werden in der Beschreibung weder der in den Dokumenten D1-D5 offenbarte einschlägige Stand der Technik noch das Dokument selbst angegeben.

ST0426A4
15.12.2010

Neue Ansprüche

1. Bohranlage zum Einsatz auf einer Bohrplattform mit
einem Bohrmast, der zumindest zwei Mastsegmente aufweist,
einem Unterbau, an dem der Bohrmast angebracht ist, und
einem Vorschubschlitten, der einen Drillmotor mit einer Aufnahmevorrichtung zum Anbringen von Bohrstangen aufweist,
wobei der mit dem Vorschubschlitten versehene Bohrmast errichtbar ist, indem zumindest eines der Mastsegmente mittels des in Bezug auf den Unterbau fixierten Vorschubschlittens aufwärts bewegt wird und vor der Aufwärtsbewegung mittels des Vorschubschlittens das zumindest eine Mastsegment in den Unterbaus eingebracht wird.

2. Bohranlage nach Anspruch 1, wobei das mittels des Vorschubschlittens aufwärts bewegbare Segment zumindest eine Zahnstange zum Eingriff mit dem Vorschubschlitten aufweist.

3. Bohranlage nach Anspruch 1, wobei der Unterbau eine Aussparung aufweist, in die ein Mastsegment einbringbar ist und oberhalb von der das Mastsegment am Unterbau befestigbar ist.

4. Bohranlage nach einem der vorhergehenden Ansprüche mit vier Mastsegmenten, von denen zumindest drei durch den Vorschubschlitten aufwärtsbewegbar sind.

5. Montageverfahren für einen zumindest zwei Mastsegmente aufweisenden Bohrmast an einem Unterbau mit den Schritten
Vorsehen des Unterbaus,
Fixieren eines Vorschubschlittens in Bezug auf den Unterbau,
Vorsehen eines Mastsegments des Bohrmastes unterhalb des Vorschubschlittens und

Aufwärtsbewegen des Mastsegments durch den Vorschubschlitten, der bei montiertem Bohrmast am Bohrmast vorgesehen ist und einen Drillmotor mit Aufnahmevorrichtung zum Anbringen der Bohrstangen aufweist.

6. Montageverfahren nach Anspruch 5, wobei vor dem Vorsehen des nachfolgend als zweites Mastsegment bezeichneten Mastsegments ein erstes Mastsegment am Vorschubschlitten angebracht wird.

7. Montageverfahren nach einem der Ansprüche 5 oder 6, wobei das Aufwärtsbewegen des Mastsegments über an zumindest einem Mastsegment angebrachte Zahnstangen ausführbar ist.

8. Montageverfahren nach einem der Ansprüche 5 bis 6, wobei der Unterbau in Bezug auf die Bohrplattform verschiebbar ist.

9. Montageverfahren, nach einem der Ansprüche 5 bis 8, für einen zumindest zwei Etagen aufweisenden Unterbau einer Bohranlage, bei der der Unterbau in Bezug auf die Bohrplattform verschiebbar ist und bei dem der Unterbau etagenweise aus Einzelelementen zusammengebaut wird, deren jeweilige Masse einen Massengrenzwert von unterhalb von 25 t, vorzugsweise 11t, nicht überschreitet.

10. Montageverfahren nach Anspruch 11, wobei der Unterbau etagenweise zusammen mit einer gemeinsam mit dem Unterbau in zumindest eine Richtung gemeinsam verschiebbaren hydraulischen Versorgungseinrichtung zusammengebaut wird.

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.
13/059,940	06/16/2011	Andreas Beck	696.062	3872

23598 7590 09/30/2011

BOYLE FREDRICKSON S.C.
840 North Plankinton Avenue
MILWAUKEE, WI 53203

EXAMINER	
ART UNIT	PAPER NUMBER
3633	

NOTIFICATION DATE	DELIVERY MODE
09/30/2011	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):

docketing@boylefred.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

SEP 2 9 2011

BOYLE FREDRICKSON S.C.
840 North Plankinton Avenue
MILWAUKEE WI 53203

In re application of
Beck et al.
Application No. 13/059,940
Filed: June 16, 2011
For: DRILLING RIG AND MOUNTING METHOD THEREFOR

: **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), April 07, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

In light of the preliminary amendment filed on April 07, 2011, and the petition being properly submitted via EFS-Web as is required, 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 as soon as any pre-exam processing has been completed.

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: 09/28/11

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: AMPT-Diode-USNP	Application Number (if known): 13/059,955	Filing date: 2011-02-18
First Named Inventor: Anatoli Ledenev		
Title: Novel Solar Power Circuits and Powering Methods		

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: a firm Letter of Transmittal and an Electronic Patent Application Fee Transmittal

Signature /Alfred K. Wiedmann Jr./	Date 2011-02-20
Name (Print/Typed) Alfred K. Wiedmann Jr.	Registration Number 48,033

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.

Filed via Electronic Filing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number:	13/059,955
Filed:	18 February 2011
Inventors:	Anatoli Ledenev, Robert M. Porter
Title:	Novel Solar Power Circuits
International Application No:	PCT/US2008/079605, Filed 10 October 2008
Earliest filing date:	10 October 2008
Assignee:	AMPT, LLC
Attorney Docket::	AMPT-Diode-USNP
Customer No.:	33549
Confirmation No:	4091

STATEMENT OF THE BASIS FOR SPECIAL STATUS

The basis for special status is that the invention materially contributes to development of renewable energy resources or energy conservation. Conventional solar power technologies often may suffer from unacceptably high risks of component damage during normal operation, thus decreasing the economic viability and widespread adoption of these technologies. This invention complies with the materiality standard by providing apparatus that prevent or at least mitigate risk of damage to solar power circuits that might otherwise occur during circuit operation, so that solar panel generated power can be reliably provided for use, perhaps for transfer to a power grid or the like.

Dated this 20th day of February, 2011.

Respectfully submitted,
SANTANGELO LAW OFFICES, P.C.

By: /Alfred K. Wiedmann Jr./
Alfred K. Wiedmann Jr.
Attorney of Record
USPTO Reg. No. 48033
125 South Howes, Third Floor
Fort Collins, Colorado 80521
(970) 224-3100

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.
13/059,955	02/18/2011	Anatoli Ledenev	AMPT-Diode-USNP	4091

33549 7590 06/22/2011
SANTANGELO LAW OFFICES, P.C.
125 SOUTH HOWES, THIRD FLOOR
FORT COLLINS, CO 80521

EXAMINER	
ART UNIT	PAPER NUMBER
2836	

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):

CherylS@idea-asset.com
SallyH@idea-asset.com
SantangeloLawOfficesPTOnotices@yahoo.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

SANTANGELO LAW OFFICES, P.C.
125 SOUTH HOWES, THIRD FLOOR
FORT COLLINS CO 80521

In re Application of	:	
LEDENEV et al	:	DECISION ON PETITION
Application No. 13/059,955	:	TO MAKE SPECIAL UNDER
Filed: February 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. AMPT-Diode-USNP	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on February 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 2836 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

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

MAILED
DEC 20 2011
OFFICE OF PETITIONS

Applicant: Defoort, et al.
Appl. No.: 13/059,957
International Filing Date: August 26, 2009
Title: USE OF POLYMERISABLE RESINS WITH LOW VACUUM OUTGASSING FOR THE MANUFACTURE OF COMPOSITE MATERIALS FOR USE IN SPACE
Attorney Docket: BREVA5.001APC
Pub. No.: US 20110207378 A1
Pub. Date: August 25, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on October 25, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains an error wherein one of the inventors name is incorrect.

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 error noted by requestor in one of the inventors name may be an Office mistake, but it is not a material Office error under 37 CFR 1.221(b). The mistake is a minor typographical error and it does not affect the public's ability to appreciate the technical disclosure of the patent application publication, or 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 1130B.

[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).

On May 18, 2011, a Filing Receipt was mailed by the Office, which contained an error in one of the inventors' name. To avoid this type of problem in the future, applicant's representative should correct the error, if applicable and make a request for a corrected filing receipt prior to export of the application to the publisher and publication of the application. It is noted that a request for a corrected Filing Receipt was received by the Office on October 18, 2011, and corrected by the Office on October 20, 2011.

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 Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

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

Knobbe Martens Olson & Bear LLP
2040 Main Street
Fourteenth Floor
Irvine CA 92614

MAILED

NOV 04 2011

PCT LEGAL ADMINISTRATION

In re Application of :
STURZEL et. al. :
U.S. Application No. 13/059,962 :
PCT No.: PCT/EP2009/060960 :
Int. Filing Date: 26 August 2009 : DECISION ON REQUEST
Priority Date: 27 August 2008 :
Attorney Docket No.: BREVA6.002APC :
For: METHOD FOR IDENTIFYING AN :
OBJECT IN A VIDEO ARCHIVE

This decision is issued in response to applicants' "Petition to Correct Inventorship" filed 14 July 2011. Applicants are notifying the Office that the second inventor's name is Frederic JURIE as indicated on the declaration (filed 16 May 2011) rather than Frederic JURIE as indicated on the published international application. Applicants' request has been treated under 37 CFR 1.181. No petition fee is due.

Petitioner states that the correct spelling of the second inventor's name is Frederic JURIE. Applicant's statement is construed as a statement that the spelling error contained in the international application resulted from a typographical or transliteration error; applicants must inform this Office immediately if this is not a proper interpretation of this statement. As indicated in Section 201.03 of the Manual of Patent Examining Procedure, where a typographical or transliteration error in the spelling of an inventor's name is discovered, a petition under 37 CFR 1.48(a) is not required. Accordingly, petitioner's explanation is accepted and noted for the record and the declaration filed 16 May 2011 has been accepted.

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.: 571-272-3298

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	13059963
Filing Date	10-May-2011
First Named Inventor	Michael Young
Art Unit	1787
Examiner Name	CHENG YUAN HUANG
Attorney Docket Number	INND-002/02US 314287-2020
Title	ENHANCED SURFACES, COATINGS, AND RELATED METHODS

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 58249

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

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	Innova Dynamics, Inc.
Address	1700 Owens St., Suite 240
City	San Francisco
State	CA
Postal Code	94158
Country	US

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/William S. Galliani/
Name	William S. Galliani
Registration Number	33885

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 : February 13, 2012

In re Application of :

Michael Young

Application No : 13059963

Filed : 10-May-2011

Attorney Docket No : INND-002/02US 314287-2020

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed February 13, 2012

The request is **APPROVED.**

The request was signed by William S. Galliani (registration no. 33885) on behalf of all attorneys/agents associated with Customer Number 58249 . All attorneys/agents associated with Cusotmer Number 58249 have been withdrawn.

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

Name	Innova Dynamics, Inc.
Name2	
Address 1	1700 Owens St., Suite 240
Address 2	
City	San Francisco
State	CA
Postal Code	94158
Country	US

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

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

Office of Petitions

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

CHRISTOPHER PAUL MITCHELL
888 16TH ST., NW
SUITE 800
WASHINGTON DC 20006

MAILED
JUN 17 2011
PCT LEGAL ADMINISTRATION

In re Application of
LEE, Ki Jong
Application No.: 13/059,981
PCT No.: PCT/KR2008/005155
Filing Date: 2 September 2008
Priority Date: 16 June 2008
ATTY Docket No.: 0714.0206
For: THE PACKING INSTRUMENT FOR A BOOKBINDING SPRING

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

This decision is in response to applicant's PETITION UNDER 37 C.F.R. 1.137(b) filed in the United States Patent and Trademark Office (USPTO) on 20 February 2011.

BACKGROUND

On 2 September 2008, applicant filed international application, PCT/KR2008/005155, which claimed priority of an earlier Korean application filed 16 June 2008. The thirty-month period for paying the basic national fee in the United States expired on 16 December 2010.

On 17 December 2010, international application PCT/KR2008/005155 became abandoned as to the United States for failure to timely pay the basic national fee.

On 20 February 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 in 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 detailed above, applicant's petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being returned to the Office of Patent Application Processing for national stage processing.

Shane Thomas
PCT Legal Detailee
Office of PCT Legal Administration
Tel: (571) 272-6095

Boris Milef
PCT Legal Examiner
PCT Legal Office

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

John Alexander Galbreath
2516 Chestnut Woods Court
Reisterstown MD 21136

MAILED
MAR 0 3 2011
PCT LEGAL ADMINISTRATION

In re Application of :
ENKHBOLD et al. :
Application No.: 13/059,983 :
PCT No.: PCT/IB2008/053002 : DECISION ON PETITION
Int. Filing Date: 25 July 2008 : UNDER 37 CFR 1.137(b)
Priority Date: None :
Attorney Docket No.: E022111-1 :
For: A METHOD OF COAL DELIVERY TO A HEAT POWER PLANT FOR COMBUSTION :

The petition to revive under 37 CFR 1.137(b) filed 21 February 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 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 applicant has submitted the basic national fee and 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 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: (571) 272-3298

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 0 3 2011

PCT LEGAL ADMINISTRATION

John Alexander Galbreath
2516 Chestnut Woods Court
Reisterstown MD 21136

In re Application of :
ENKHBOLD et al. :
Application No.: 13/059,984 :
PCT No.: PCT/IB2008/053003 : DECISION ON PETITION
Int. Filing Date: 25 July 2008 : UNDER 37 CFR 1.137(b)
Priority Date: None :
Attorney Docket No.: E022111-2 :
For: A METHOD OF SOLID FUEL BENEFICIATION AND TRANSPORTATION TO THERMOELECTRIC POWER STATIONS :

The petition to revive under 37 CFR 1.137(b) filed 21 February 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 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 applicant has submitted the basic national fee and 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 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: (571) 272-3298

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.
13/060,042	02/21/2011	Koji Sengoku	SATW-059US	5134

959 7590 09/07/2011

NELSON MULLINS RILEY & SCARBOROUGH LLP
FLOOR 30, SUITE 3000
ONE POST OFFICE SQUARE
BOSTON, MA 02109

EXAMINER	
BROADHEAD, BRIAN J	

ART UNIT	PAPER NUMBER
3665	

MAIL DATE	DELIVERY MODE
09/07/2011	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
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SEP - 7 2011

NELSON MULLINS RILEY & SCARBOROUGH LLP
FLOOR 30, SUITE 3000
ONE POST OFFICE SQUARE
BOSTON MA 02109

In re application of
Sengoku et al.
Application No. 13/060,042
Filed: February 21, 2011
For: NAVIGATION SERVER

: **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 June 02, 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 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 complies with the above requirements. Therefore, the above-identified application has been accorded "special" status.

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 09/07/11

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

FALGUNI SHAH
32 MALLARD COVE
BARRINGTON RI 02806

MAILED
APR 22 2011
OFFICE OF PETITIONS

In re Application of :
SHAH, Surendra H. :
Application No. 13/060,080 : DECISION ON PETITION
Filed: February 22, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed February 22, 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 Surendra Shah, 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: 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:	13/060,114	Filing date:	February 22, 2011
First Named Inventor:	Hiroshi YAMAZAKI		
Title of the Invention:	PHOTOSENSITIVE CONDUCTIVE FILM, METHOD FOR FORMING...		

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/JP2009/063187

The international date of the corresponding PCT application(s) is/are: July 23, 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.:	13/060,114
First Named Inventor:	Hiroshi YAMAZAKI

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 February 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 February 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
6, 9 and 10-19	6, 9 and 10	Claims 6, 9 and 10 of U.S. application are in substance the same as claims 6, 9 and 10 of corresponding PCT application; claims 11-19 of the U.S. application are dependent on one of claims 6, 9 and 10 and thus sufficiently correspond thereto. In the Statement of Industrial applicability in Box No. V of the Written Opinion of the International Searching Authority (Form PCT/ISA/237), the listed claims were erroneously placed on the "No" line, and should be on the "Yes" line. Japanese counsel for Applicants contacted the Examiner on March 9, 2011, and the Examiner acknowledged this mistake.

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

Signature /William I. Solomon/	Date March 14, 2011
Name (Print/Typed) William I. Solomon	Registration Number 28,565

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 OF ACCURACY

Shinji Tagashira

of SOEI PATENT & LAW FIRM
Marunouchi MY PLAZA 9th fl.,
1-1, Marunouchi 2-chome,
Chiyoda-ku, Tokyo 100-0005
Japan

State that I am thoroughly conversant with both the Japanese and English languages and that the attached documents represent a true English translation of the claims in the PCT application PCT/JP2009/063187 filed on July 23, 2009.

Signed this 14th day of March, 2011.

Signature: Shinji Tagashira

Name: Shinji Tagashira

<English translations of the claims in the PCT/JP2009/063187>

CLAIMS

[Claim 1] A photosensitive conductive film comprising a support film, a conductive layer containing conductive fiber formed on the support film, and a photosensitive resin layer formed on the conductive layer.

[Claim 2] The photosensitive conductive film according to claim 1, wherein a minimum light transmittance in a wavelength range of 450 to 650 nm of a laminate of the conductive layer and the photosensitive resin layer is 80% or higher, provided that a total film thickness of the two layers is set at 1 to 10 μm.

[Claim 3] The photosensitive conductive film according to claim 1 or 2, wherein the conductive fiber is silver fiber.

[Claim 4] The photosensitive conductive film according to any one of claims 1 to 3, wherein the photosensitive resin layer comprises a binder polymer, a photopolymerizable compound having an ethylenic unsaturated bond, and a photopolymerization initiator.

[Claim 5] A method for forming a conductive film, comprising:

a lamination step of laminating the photosensitive conductive film according to any one of claims 1 to 4 so that the photosensitive resin layer is tightly attached onto a substrate; and

an exposure step of irradiating a predetermined part of the photosensitive resin layer on the substrate with actinic light.

[Claim 6] A method for forming a conductive pattern comprising:

a step of laminating the photosensitive conductive film according to any one of claims 1 to 4 so that the photosensitive resin layer is tightly attached onto a substrate;

an exposure step of irradiating a predetermined part of the photosensitive resin layer on the substrate with actinic light; and

a development step of developing the exposed photosensitive resin layer to form a conductive pattern.

[Claim 7] A conductive film substrate comprising a substrate and a conductive film formed on the substrate by the method for forming a conductive film according to claim 5.

[Claim 8] The conductive film substrate according to claim 7, wherein a surface resistivity of the conductive film is 2000 Ω/square or less.

[Claim 9] A conductive film substrate comprising a substrate and a conductive pattern formed on the substrate by the method for forming a conductive pattern according to claim 6.

[Claim 10] The conductive film substrate according to claim 9, wherein a surface resistivity of the conductive pattern is 2000 Ω/square or less.

請求の範囲

[請求項1] 支持フィルムと、該支持フィルム上に設けられ導電性繊維を含有する導電層と、該導電層上に設けられた感光性樹脂層と、を備える、感光性導電フィルム。

[請求項2] 前記導電層及び前記感光性樹脂層の積層体は、両層の合計膜厚を１～１０μｍとしたときに４５０～６５０ｎｍの波長域における最小光透過率が８０％以上である、請求項１に記載の感光性導電フィルム。

[請求項3] 前記導電性繊維が銀繊維である、請求項１又は２に記載の感光性導電フィルム。

[請求項4] 前記感光性樹脂層が、バインダーポリマー、エチレン性不飽和結合を有する光重合性化合物及び光重合開始剤を含有する、請求項１～３のいずれか一項に記載の感光性導電フィルム。

[請求項5] 請求項１～４のいずれか一項に記載の感光性導電フィルムを、基板上に前記感光性樹脂層が密着するようにラミネートするラミネート工程と、

前記基板上の前記感光性樹脂層に活性光線を照射する露光工程と、

を備える、導電膜の形成方法。

[請求項6] 請求項１～４のいずれか一項に記載の感光性導電フィルムを、基板上に前記感光性樹脂層が密着するようにラミネートする工程と、

前記基板上の前記感光性樹脂層の所定部分に活性光線を照射する露光工程と、

露光した前記感光性樹脂層を現像することにより導電パターンを形成する現像工程と、

を備える、導電パターンの形成方法。

[請求項7] 基板と、該基板上に請求項５に記載の導電膜の形成方法により形成された導電膜と、を備える、導電膜基板。

[請求項8] 前記導電膜の表面抵抗率が２０００Ω／□以下である、請求項７に記載の導電膜基板。

[請求項9] 基板と、該基板上に請求項６に記載の導電パターンの形成方法により形成された導電パターンと、を備える、導電膜基板。

[請求項10] 前記導電パターンの表面抵抗率が２０００Ω／□以下である、請求項９に記載の導電膜基板。

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 FP09-0351-00	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/JP2009/063187	23.07.2009	22.08.2008

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

Applicant
HITACHI CHEMICAL COMPANY, 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.

Form PCT/ISA/237 (cover sheet) (April 2007)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/063187

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:

Form PCT/ISA/237 (Box No. I) (April 2007)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/JP2009/063187

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	3-10	YES
	Claims	1-2	NO
Inventive step (IS)	Claims	6, 9-10	YES
	Claims	1-5, 7-8	NO
Industrial applicability (IA)	Claims		YES
	Claims	1-10	NO

2. Citations and explanations:

Document 1: JP 2006-69848 A (Fuji Xerox Co., Ltd.), 16 March 2006

Document 2: JP 2008-159581 A (Hitachi Chemical Co., Ltd.), 10 July 2008

Document 3: JP 2007-308688 A (Sumitomo Metal Mining Co., Ltd.), 29 November 2007

Document 4: JP 2006-344479 A (Sumitomo Metal Mining Co., Ltd.), 21 December 2006

Document 5: JP 2007-257963 A (TDK Corp.), 04 October 2007

Document 6: JP 2007-257964 A (TDK Corp.), 04 October 2007

The invention as in claims 1-2 lacks novelty and does not involve an inventive step in the light of document 1 cited in the ISR.

Document 1 describes forming a conductive layer containing a conductive fiber on a supporting film (of plastics or polymer films, paragraph [0034]) and thereafter applying a photosensitive resin layer on the conductive layer (fig. 1(C)).

The photosensitive resin layer applied on the conductive layer described in document 1 can be said to form a

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/JP2009/063187

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

photosensitive resin layer provided on a conductive layer.

The invention as in claim 3 does not involve an inventive step in the light of documents 1 and 2 cited in the ISR.

Using a metal fiber as a conductive fiber for forming a conductive layer is well known as described in document 2 (paragraph [0032]) for example.

The invention as in claim 4 does not involve an inventive step in the light of documents 1-4 cited in the ISR.

A photosensitive material containing a binder polymer, a photopolymerizing compound having an ethylene unsaturated bond, and a photopolymerization initiator is well known as described in documents 3 and 4.

The invention as in claims 1-4 does not involve an inventive step in the light of documents 5, 6, 1 and 2 cited in the ISR.

Documents 5 and 6 respectively describe a photosensitive conductive film provided with a supporting film, a conductive layer provided on the supporting film, and a photosensitive resin layer provided on the conductive layer.

Since forming a conductive layer from a conductive layer containing a conductive fiber is well known as described in documents 1 and 2, a person skilled in the art could easily conceive of forming the conductive layer from a conductive layer containing a conductive fiber in the constitution described in document 5 or 6.

The invention as in claims 5 and 7-8 does not involve an inventive step in the light of documents 5, 6, 1 and 2 cited in the ISR.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/063187

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

Documents 5 and 6 respectively describe laminating a photosensitive conductive film in such a way that the aforementioned photosensitive resin layer is closely attached onto a substrate, and forming a conductive film by applying an active light beam onto the aforementioned photosensitive resin layer on the aforementioned substrate (document 5: paragraphs [0064] to [0066]; document 6: paragraphs [0063] to [0065]).

The invention as in claims 6 and 9-10 is novel and involves an inventive step in relation to any of the documents cited in the ISR.

The "method for forming a conductive pattern" described in claim 6 and the "conductive film substrate" described in claims 9-10 are not described or suggested in any of the documents cited in the ISR.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/063187

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

While the present invention is for making it possible to easily form on a substrate a conductive pattern having a sufficient adhesiveness to the substrate and having a sufficiently low surface resistivity at a sufficient resolution, claim 1 only specifies "a photosensitive conductive film provided with a supporting film, a conductive layer which is provided on the supporting film and contains a conductive fiber, and a photosensitive resin layer provided on the conductive layer", and that the photosensitive conductive film is closely attached to the substrate and forms a conductive pattern is not clear, and thus the invention as in claim 1 does not provide the effect described in the description.

Therefore, the invention as in claim 1 is not described in the description, and the description cannot be said to disclose the invention in a manner sufficiently clear and complete for the invention as in claim 1 to be carried out by a person skilled in the art.

The same applies to the invention as in claims 2-5, 7 and 8.

Form PCT/ISA/237 (Box VIII) (April 2007)

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/060,114	03/11/2011	Hiroshi Yamazaki	1303.51488X00	5899

20457 7590 05/03/2011

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER	
ART UNIT	PAPER NUMBER
2835	

MAIL DATE	DELIVERY MODE
05/03/2011	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.

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

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON VA 22209-3873

In re Application of	
Hiroshi YAMAZAKI	**: DECISION ON REQUEST TO**
Application No.: 13/060,114	**: PARTICIPATE IN THE PATENT**
Filed: 11 March 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 1303.51488X00	**: PROGRAM AND PETITION**
For: PHOTOSENSITIVE	**: TO MAKE SPECIAL UNDER**
CONDUCTIVE FILM, METHOD ...	**: 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 14 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.

(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 (1-5) and (7) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirement (6).

Regarding the requirement of condition (6), applicant has failed to submit an original language copy of the Written Opinion (ISA/237).

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

1303.51488X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	H. YAMAZAKI
Serial No.:	13/060,114
Filed:	FEBRUARY 22, 2011
For:	PHOTOSENSITIVE CONDUCTIVE FILM, METHOD FOR FORMING CONDUCTIVE FILM, METHOD FOR FORMING CONDUCTIVE PATTERN, AND CONDUCTIVE FILM SUBSTRATE
Group AU:	TBA
Examiner:	TBA
Confirm. No.:	5899

SUPPLEMENTAL REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 102(a)

Mail Stop: Request PPH Program
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

June 3, 2011

SIR:

The Decision mailed May 3, 2011, on Applicants' Request to Participate in the Patent Prosecution Highway Program and Petition to Make Special under 37 CFR 102(a), filed March 14,2 011, is noted. In this Decision, the Request and Petition were dismissed, in that while Requirements (1-5) and (7), referred to in this Decision, are considered to have been met, the Request to Participate in the PPH Pilot Program and Petition failed to satisfy Requirement (6), i.e., that Applicants 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. Specifically, the Decision indicates that Applicants have failed to submit an original language copy of the Written Opinion (PCT/ISA/237).

In response thereto, enclosed please find an original language copy of the Written Opinion (PCT/ISA/237).

In view of the present submission, and in light of the submissions in the Request and Petition filed March 14, 2011, it is respectfully submitted that all requirements for a grantable Request to Participate in the PCT-PPH Pilot Program and Petition to Make Special have been met. In this regard, note that an English translation of the enclosed Written Opinion has previously been submitted in the above-identified application, with the Request and Petition filed March 14, 2011. Accordingly, granting of the Request to Participate in the PCT-PPH Pilot Program and Petition to Make Special, in due course, is respectfully requested.

To the extent necessary, Applicant hereby petitions for an extension of time under 37 CFR 1.136. Kindly charge any shortage of fees due in connection with the filing of this paper, including any extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Account No. 01-2135 (case 1303.51488X00), and please credit any overpayments to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By **/William I. Solomon/**
William I. Solomon
Registration No. 28,565

WIS/ksh
1300 17th Street N., Suite 1800
Arlington, Virginia 22209
Tel: 703-312-6600
Fax: 703-312-6666

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
長谷川　芳樹

様

あて名
〒104-0061
日本国東京都中央区銀座一丁目１０番６号銀座ファーストビル　創英国際特許法律事務所

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）	27. 10. 2009
出願人又は代理人 の書類記号　FP09-0351-00	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／JP2009／063167	（日.月.年）　29. 07. 2009	（日.月.年）　22. 08. 2008

国際特許分類（IPC）Int.Cl. H01B5/14(2006.01)i, G02F1/1343(2006.01)i, G06F3/041(2006.01)i, G06F3/045(2006.01)i, H01B13/00(2006.01)i

出願人（氏名又は名称）
日立化成工業株式会社

1．この見解書は次の内容を含む。

- [x] 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
- [x] 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
- [x] 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 20. 10. 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）　4X　9062 原　賢一 電話番号　03－3581－1101　内線　3477

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/JP2009/063187

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容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/JP2009/063187

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	3-10	有
	請求項	1-2	無
進歩性（IS）	請求項	6,9-10	有
	請求項	1-5,7-8	無
産業上の利用可能性（IA）	請求項		有
	請求項	1-10	無

2. 文献及び説明

文献１：JP 2006-69848 A（富士ゼロックス株式会社）2006.03.16
文献２：JP 2008-159581 A（日立化成工業株式会社）2008.07.10
文献３：JP 2007-308688 A（住友金属鉱山株式会社）2007.11.29
文献４：JP 2006-344479 A（住友金属鉱山株式会社）2006.12.21
文献５：JP 2007-257963 A（ＴＤＫ株式会社）2007.10.04
文献６：JP 2007-257964 A（ＴＤＫ株式会社）2007.10.04

・請求項１－２に係る発明は、国際調査報告で引用した文献１により、新規性及び進歩性を有しない。
引用文献１には、支持フィルム（プラスチックやポリマー膜、段落【００３４】）上に導電性繊維を含有する導電層を形成した後、該導電層上に感光性樹脂層を塗布することが記載されている（図１（C））。
引用文献１に記載のものにおいて、導電層上に塗布された感光性樹脂層は、導電層上に設けられた感光性樹脂層を形成していると云える。

・請求項３に係る発明は、国際調査報告で引用した文献１、２により、進歩性を有しない。
導電層を形成する導電性繊維として、金属繊維を用いることは、例えば、引用文献２（段落【００３２】）に記載されるように周知である。

・請求項４に係る発明は、国際調査報告で引用した文献１～４により、進歩性を有しない。
バインダーポリマー、エチレン性不飽和結合を有する光重合性化合物及び光重合開始剤を含有する感光性材料は、引用文献３、４に記載されるように周知である。

第Ⅵ欄　国際出願に対する意見

請求の範囲、明細書及び図面の明瞭性又は請求の範囲の明細書による十分な裏付についての意見を次に示す。

本願発明は、基板上に、基板との接着性が十分であり且つ表面抵抗率が十分小さい導電パターンを十分な解像度で簡便に形成することを可能とするものであるところ、請求項１には、単に、「支持フィルムと、該支持フィルム上に設けられ導電性繊維を含有する導電層と、該導電層上に設けられた感光性樹脂層と、を備える、感光性導電フィルム。」とのみ規定され、基板と接着されるものであることや、導電パターンを形成するものであることが明らかでないから、請求項１に係る発明は、明細書に記載の効果を奏するものではない。

してみると、請求項１に係る発明は、明細書に記載されたものではないし、明細書には、請求項１に係る発明を当業者が容易に実施できる程度に記載がなされているとは云えない。

請求項２～５、７、８に係る発明についても、同様である。

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

・請求項１－４に係る発明は、国際調査報告で引用した文献５、６、１、２により、進歩性を有しない。
引用文献５、又は６には、支持フィルムと、該支持フィルム上に設けられる導電層と、該導電層上に設けられた感光性樹脂層とを備える感光性導電フィルムが記載されている。
導電層を、導電性繊維を含有する導電層で形成することは、引用文献１、２に記載されるように周知であるから、引用文献５、又は６に記載のものにおいて、導電層を、導電性繊維を含有する導電層で形成することは、当業者ならば容易に想到し得ると云える。

・請求項５、７－８に係る発明は、国際調査報告で引用した文献５、６、１、２により、進歩性を有しない。
引用文献５、又は６には、感光性導電フィルムを、基板上に前記感光性樹脂層が密着するようにラミネートし、前記基板上の前記感光性樹脂層に活性光線を照射させ導電膜を形成することが記載されている（引用文献５：段落【００６４】～【００６６】、引用文献６：段落【００６３】～【００６５】）。

・請求項６、９－１０は、国際調査報告で引用したいずれの文献に対しても、新規性及び進歩性を有する。
請求項６に記載の「導電パターンの形成方法」及び請求項９－１０に記載の「導電膜基板」は、国際調査報告で引用したいずれの文献にも記載されていないし、また、示唆もされていない。

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.
13/060,114	03/11/2011	Hiroshi Yamazaki	1303.51488X00	5899

20457 7590 06/07/2011

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER
THOMPSON, TIMOTHY J

ART UNIT	PAPER NUMBER
2835	

MAIL DATE	DELIVERY MODE
06/07/2011	PAPER

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

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

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

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON VA 22209-3873

In re Application of	
Hiroshi YAMAZAKI	**: DECISION ON REQUEST TO**
Application No.: 13/060,114	**: PARTICIPATE IN THE PATENT**
Filed: 11 March 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 1303.51488X00	**: PROGRAM AND PETITION**
For: PHOTOSENSITIVE	**: TO MAKE SPECIAL UNDER**
CONDUCTIVE FILM, METHOD ...	**: 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 14 March 2011 and renewed 03 June 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

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: Feb. 22, 2011 Name: Douglas A. Oguss Signature: [signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of:	Alan R. Leewood, et al.	
Appln. No.:	Unassigned	Examiner: Unassigned
Filed:	Herewith September 2, 2009 (I.A. Filing Date)	Group Art Unit No.: Unassigned
For:	STENT HAVING LESS INVASIVE ENDS AND IMPROVED RADIAL FORCE	Confirmation No.: Unassigned
Attorney Docket No.: 12730/655 (PA-6423-PCT/US)		

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE AND THE USPTO

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached is a Request For Participation In The PCT-PPH Pilot Program between the EPO and the USPTO. Applicants have calculated no fee due, however the Commissioner is hereby authorized to charge any deficiencies in fees to Deposit Account 23-1925.

Respectfully submitted,

Dated: Feb. 22, 2011

[signature]

Douglas A. Oguss, Reg. No. 48,469
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
PO BOX 10395
CHICAGO, IL 60610
(312) 321-4200

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:	Unassigned	Filing date:	Herewith
First Named Inventor:	Alan R. Leewood		
Title of the Invention:	STENT HAVING LESS INVASIVE ENDS AND IMPROVED RADIAL FORCE		

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/US2009/004940

The international filing date of the corresponding PCT application(s) is/are: September 2, 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.:	Unassigned
First Named Inventor:	Alan R. Leewood

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)

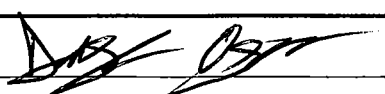
☒ Are attached.

☐ 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
18	1	
19	2	
20	3	
21	4	
22	5	
23	6	
24	7	
25	8	
26	9	
27	10	
28	11	
29	12	
30	13	
31	14	
32	15	
33	16	
34	17	

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

Signature 	Date Feb. 22, 2011
Name (Print/Typed) Douglas A. Oguss	Registration Number 48,469

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: Feb. 22, 2011 Name: Douglas A. Oguss Signature: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of:	Alan R. Leewood, et al.	
Appln. No.:	Unassigned	Examiner: Unassigned
Filed:	Herewith September 2, 2009 (I.A. Filing Date)	Group Art Unit No.: Unassigned
For:	STENT HAVING LESS INVASIVE ENDS AND IMPROVED RADIAL FORCE	Confirmation No.: Unassigned
Attorney Docket No.: 12730/655 (PA-6423-PCT/US)		

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE AND THE USPTO

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached is a Request For Participation In The PCT-PPH Pilot Program between the EPO and the USPTO. Applicants have calculated no fee due, however the Commissioner is hereby authorized to charge any deficiencies in fees to Deposit Account 23-1925.

Respectfully submitted,

Dated: Feb. 22, 2011

_____
Douglas A. Oguss, Reg. No. 48,469
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
PO BOX 10395
CHICAGO, IL 60610
(312) 321-4200

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:	Unassigned	Filing date:	Herewith
First Named Inventor:	Alan R. Leewood		
Title of the Invention:	STENT HAVING LESS INVASIVE ENDS AND IMPROVED RADIAL FORCE		

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/US2009/004940

The international filing date of the corresponding PCT application(s) is/are: September 2, 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.:	Unassigned
First Named Inventor:	Alan R. Leewood

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
18	1	
19	2	
20	3	
21	4	
22	5	
23	6	
24	7	
25	8	
26	9	
27	10	
28	11	
29	12	
30	13	
31	14	
32	15	
33	16	
34	17	

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

Signature	Date Feb. 22, 2011
Name (Print/Typed) Douglas A. Oguss	Registration Number 48,469

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.
13/060,204	03/14/2011	Alan R. Leewood	12730/655 (PA-6423-PCT/US	6533

48003 7590 05/06/2011

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
PO BOX 10395
CHICAGO, IL 60610

EXAMINER	
ART UNIT	PAPER NUMBER
3738	

MAIL DATE	DELIVERY MODE
05/06/2011	PAPER

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

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

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

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
PO BOX 10395
CHICAGO IL 60610

In re Application of	:	
LEEWOOD, ALAN R. et al	:	DECISION ON REQUEST TO
Application No. 13/060,204	:	PARTICIPATE IN PATENT
Filed: Feb. 22, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. 12730/655 PA-6423-PCT	:	PILOT PROGRAM AND PETITION
For: STENT HAVING LESS INVASIVE ENDS AND IMPROVED RADIAL FORCE	:	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 14, 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.

Other inquiries concerning the examination or status of the application should be directed to Corrine McDermott, the SPE of Art Unit 3738 at 571-272-4754 for Class 623/1.150 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

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

MAILED

APR 17 2012

OFFICE OF PETITIONS

In re Application of :
MACKENZIE et al. :
Application No.: 13/060,230 :
PCT No.: PCT/GB09/02119 :
Int. Filing Date: 02 September 2009 :
Priority Date: 04 September 2008 :
Atty. Docket No.: 007547.00021 :
For: **DIABETES T CELL RECEPTORS** :

DECISION

This is a decision on applicants' "PETITION UNDER 37 C.F.R. 1.47(a)" filed in the U.S. Patent and Trademark Office (USPTO) on 11 October 2011.

BACKGROUND

On 02 September 2009, applicants filed international application No. PCT/GB09/02119 which claimed a priority date of 04 September 2008, and which designated the United States.

The deadline for submission of a copy of the international application (unless previously communicated by the International Bureau) and payment of the basic national fee was set to expire 30 months from the priority date, i.e. 04 March 2011.

On 22 February 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 15 March 2011, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that, *inter alia,* an oath or declaration in compliance with 37 CFR 1.497 and a surcharge for providing the oath or declaration later than 30 months from the priority date were required.

On 11 October 2011, applicants filed the present petition which requests that the application be accepted without the signature of the joint inventor, Dr. Neill MacKenzie, on the

grounds that he refused to execute the application papers. The petition was accompanied by, *inter alia,* a declaration of the inventors executed by Bent Jakobsen, Daniel Williams and Brian Cameron, a Declaration of Alan James Walls and the requisite petition and late declaration fees.

DISCUSSION

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 items (1)and (2) set forth above.

Concerning item (1) above, the petition asserts that the present application should be accepted for entry into the national stage based on the refusal of the co-inventor to join in the present application for patent. In this regard, section 409.03(d) of the Manual Of Patent Examining Procedure (MPEP), under the heading "REFUSAL TO JOIN" states, in part:

> 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.

A review of the application file reveals that item (1) cannot be said to have been satisfied at this time. Petitioner's evidence presented to support the proof of pertinent facts of Dr. Neill MacKenzie's refusal to join in the application is insufficient. Alan James Walls's Declaration

state "contacted Dr. MacKenzie several times by email and telephone seeking his signature ... . Those contacts failed to persuade Dr. MacKenzie to sign the Declaration." The reason for Dr. MacKenzie's unwillingness to sign the declaration is not stated. MPEP 409.03(d) requires that whenever a nonsigning inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the petition.

With regard to item (2), 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. The declaration presented does not make reference that the affiant is a joint inventor together with each of the other three inventors indicating them by name. Specifically, in the declaration executed by inventors Williams and Cameron, inventors MacKenzie and Jakobsen are not listed. Likewise, in the declaration executed by inventor Jakobsen, inventors Williams and Cameron are not listed.

Therefore, in that applicants have not satisfied items (1) and (2) above, the petition under 37 CFR 1.47(a) may not be properly granted at this time.

CONCLUSION

For the reasons above the petition is **DISMISSED** without prejudice.

The Notice of Acceptance of Application under 35 USC 371 and 37 CFR 1.495 mailed October 27, 2011 and the Filing Receipt mailed October 27, 2011 were issued in error and are VACATED.

If reconsideration on the merits of this petition is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a)". No additional petition fee is required.

Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Mail Stop PCT, PO Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.

Telephone inquiries should be directed to Jose' G Dees at (571) 272-1569

Jose' G. Dees
Petitions Examiner
Office of Petitions
Fax: (571) 273-8300

Richard R. Cole
PCT Legal Examiner
Office of PCT Legal Administration

Doc Code: PPH.PET.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.:	13/060,232	Filing Date:	February 22, 2011
First Named Inventor:	Naohide MATSUMURA		
Attorney Docket No.:	148650		
Title of the Invention:	ELECTRICALLY POWERED 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 is: PCT/JP2009/054730

The international date of the corresponding PCT application(s) is/are: March 12, 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.:	13/060,232
First Named Inventor:	Naohide MATSUMURA

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 February 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 February 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Claim 1	Claim 1	Claim 1 of the U.S. Application sufficiently corresponds to claim 1 of the PCT Application.
Claim 2	Claim 2	Claim 2 of the U.S. Application sufficiently corresponds to claim 2 of the PCT Application.
Claim 3	Claim 3	Claim 3 of the U.S. Application sufficiently corresponds to claim 3 of the PCT Application.
Claim 4	Claim 4	Claim 4 of the U.S. Application sufficiently corresponds to claim 4 of the PCT Application.
Claim 5	Claim 5	Claim 5 of the U.S. Application sufficiently corresponds to claim 5 of the PCT Application, except that multiple dependencies have been removed.
Claim 6	Claim 5	Claim 6 of the U.S. Application sufficiently corresponds to claim 5 of the PCT Application, except that multiple dependencies have been removed.
Claim 7	Claim 5	Claim 7 of the U.S. Application sufficiently corresponds to claim 5 of the PCT Application, except that multiple dependencies have been removed.
Claim 8	Claim 5	Claim 8 of the U.S. Application sufficiently corresponds to claim 5 of the PCT Application, except that multiple dependencies have been removed.

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

Signature	Date July 14, 2011
Name (Print/Typed) James A. Oliff	Registration Number 27,075
Name (Print/Typed) Ryan M. Crockett	Registration Number 62,945

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.

I. List of Required Documents

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER)

- Written Opinion of the International Searching Authority (with English translation)

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
深見　久郎

様

あて名
〒530-0005
日本国大阪府大阪市北区中之島二丁目２番７号　中之島セントラルタワー２２階　深見特許事務所

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）	０９．０６．２００９
出願人又は代理人 の書類記号　908706W001	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／ＪＰ２００９／０５４７３０	（日.月.年）　１２．０３．２００９	（日.月.年）

国際特許分類（ＩＰＣ）Int.Cl. B60L5/00(2006.01)i, B60K1/04(2006.01)i, H02J7/00(2006.01)i

出願人（氏名又は名称）
トヨタ自動車株式会社

１．この見解書は次の内容を含む。

- ☑ 第Ⅰ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ⅴ欄　ＰＣＴ規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☐ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則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
２６．０５．２００９

名称及びあて先	特許庁審査官（権限のある職員）		
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	東　勝之	３Ｈ	９２５０
	電話番号　０３－３５８１－１１０１　内線　３３１６		

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／ＪＰ２００９／０５４７３０

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／ＪＰ２００９／０５４７３０

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	１－５	有
	請求項		無
進歩性（ＩＳ）	請求項	１－５	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	１－５	有
	請求項		無

2．　文献及び説明

文献１：JP 2008-54424 A（三菱重工業株式会社）2008.03.06，全文，全図
（ファミリーなし）
文献２：JP 2004-229421 A（トヨタ自動車株式会社）2004.08.12，全文，全図
（ファミリーなし）
文献３：JP 10-109548 A（スズキ株式会社）1998.04.28，全文，全図
（ファミリーなし）
文献４：JP 2001-177917 A（トヨタ自動車株式会社）2001.06.29，
段落００２９、００３０，第３図（ファミリーなし）

請求項１－５に係る発明は、国際調査報告に引用されたいずれの文献にも記載されておらず、当業者にとって自明なものでもない。

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: Mr. Hisao Fukami

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	09. 06. 2009
Applicant's or agent's file reference: 908706WO01	**FOR FURTHER ACTION**: See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/054730	12. 03. 2009	

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. B60L5/00(2006.01)i, B60K1/04(2006.01)i, H02J7/00(2006.01)i

Applicant: TOYOTA JIDOSHA KABUSHIKI KAISHA

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

- [X] 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
- [X] 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
the Japan Patent Office	26. 05. 2009	Katsuyuki AZUMA
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/054730

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/JP2009/054730

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**

1. Statement

Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP2008-54424 A (Mitsubishi Heavy Industries, Ltd.), 06 March, 2008 (06. 03. 08), Full text; all drawings (Family none)
Document 2: JP2004-229421 A (Toyota Motor Corp.), 12 August, 2004 (12. 08. 04), Full text; all drawings (Family none)
Document 3: JP10-109548 A (Suzuki Motor Corp.), 28 April, 1998 (28. 04. 98), Full text; all drawings (Family none)
Document 4: 2001-177917 A (Toyota Motor Corp.), 29 June, 2001 (29. 06. 01), Paragraph Nos. [0029], [0030]; Fig. 3 (Family none)

The invention according to claims 1 to 5 is neither described in any of the references cited in the International Search Report, nor obvious to a person having ordinary skill in the art.

I. List of Required Documents

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability

- All claims which were indicated as having novelty, inventive step and industrial applicability (in Japanese)

請求の範囲

[1]
車両外部の電源から供給される電力によって走行可能な電動車両であって、
金属製のアンダーボディ(10)の下部に配設され、前記電源の送電用共鳴器(60)と電磁場を介して共鳴することにより前記送電用共鳴器から受電するように構成された受電用共鳴器(20)と、
前記受電用共鳴器によって受電された電力を蓄える蓄電装置(40)と、
前記受電用共鳴器とともに前記アンダーボディの下部において配線され、前記受電用共鳴器によって受電された電力を前記蓄電装置へ送電するように構成された電力ケーブル(30)とを備える電動車両。
[2]
前記蓄電装置は、前記アンダーボディの上部に配設され、電磁波を遮蔽可能な部材(42)によって覆われる、請求の範囲1に記載の電動車両。
[3]
前記部材は、金属製である、請求の範囲2に記載の電動車両。
[4]
前記蓄電装置は、前記アンダーボディの下部に配設される、請求の範囲1に記載の電動車両。
[5]
前記受電用共鳴器によって受電された交流電力を整流するように構成された整流器(35)をさらに備え、
前記整流器は、前記アンダーボディの下部に配設される、請求の範囲1から4のいずれかに記載の電動車両。

I. List of Required Documents

c. English translation of the documents in b. along with a statement that the English translation is accurate

- All claims which were indicated as having novelty, inventive step and industrial applicability (English translation)

- Statement that the English Translation of the claims is accurate

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Naohide MATSUMURA

Application No.: 13/060,232

Filed: February 22, 2011 Docket No.: 148650

For: Electrically Powered Vehicle

STATEMENT THAT THE ENGLISH LANGUAGE TRANSLATION OF PATENTABLE CLAIMS OF THE PCT APPLICATION IS ACCURATE

I Yutaka Horii, 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 patentable claims of the PCT application.

July 6, 2011
Date

Signature

Yutaka Horii
Name

CLAIMS

1. An electrically powered vehicle capable of traveling with power supplied from a power supply outside of the vehicle, comprising:

a power receiving resonator (20) provided under an underbody (10) made of metal, and configured to receive power from a power transferring resonator (60) of said power supply by resonating with said power transferring resonator through an electromagnetic field;

a power storage device (40) for storing the power received by said power receiving resonator; and

a power cable (30) provided under said underbody together with said power receiving resonator, and configured to transfer the power received by said power receiving resonator to said power storage device.

2. The electrically powered vehicle according to claim 1, wherein

said power storage device is provided over said underbody, and covered with a member (42) capable of shielding an electromagnetic wave.

3. The electrically powered vehicle according to claim 2, wherein

said member is made of metal.

4. The electrically powered vehicle according to claim 1, wherein

said power storage device is provided under said underbody.

5. The electrically powered vehicle according to any of claims 1 to 4, further comprising a rectifier (35) configured to rectify AC power received by said power receiving resonator, wherein

said rectifier is provided under said underbody.

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.
13/060,232	02/22/2011	Naohide Matsumura	148650	6811

25944 7590 10/03/2011

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER	
ART UNIT	PAPER NUMBER
3617	

NOTIFICATION DATE	DELIVERY MODE
10/03/2011	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):

OfficeAction25944@oliff.com
jarmstrong@oliff.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

SEP 30 2011

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re application of	:	**DECISION ON REQUEST TO**
Naohide Matsumura	:	**PARTICIPATE IN PATENT**
Application No. 13/060,232	:	**PROSECUTION HIGHWAY**
Filed: February 22, 2011	:	**PROGRAM AND PETITION**
For: ELECTRICALLY POWERED VEHICLE	:	**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), July 14, 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, 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 as soon as any pre-exam processing has been completed.

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: 09/29/11

UNITED STATES PATENT AND TRADEMARK OFFICE

I, Charles Edward SITCH BA, Managing Director of RWS Group Ltd UK Translation Division, of Europa House, Chiltern Park, Chiltern Hill, Chalfont St Peter, Buckinghamshire, United Kingdom, declare:

1. That I am a citizen of the United Kingdom of Great Britain and Northern Ireland.

2. That the translator responsible for the attached translation is well acquainted with the German and English languages.

3. That the attached is, to the best of RWS Group Ltd knowledge and belief, a true and accurate translation into the English language of the accompanying copy of claims filed with the International application for a patent on August 17, 2009 under the number PCT/EP2009/60593.

4. That I believe that all the statements made herein of my own knowledge are true and that all statements made on information and belief are true; and further that these statements were 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 patent application in the United States of America or any patent issuing thereon.

For and on behalf of RWS Group Ltd
Signed this 20th day of May 2011

Patent Claims

1. A method for controlling a steam power plant having a generator (12) and a turbine (14), with the steps:
- provision (34) of a first signal (S1) which indicates a diminution in the actual power (PEL) of the generator (12),
- generation (36) of a second signal (KU) which indicates a short circuit interruption, as a function of the first signal (S1),
- resetting (38) of the second signal (KU) after a predetermined first time span (TKU) and blocking (38) of the second signal for a predetermined second time span (TSPKU),
- stopping and subsequent starting (40) of the turbine (14) as a function of the second signal (KU),
- generation (42) of a third signal (LAW) which indicates load shedding, as a function of the first signal (S1), and
- permanent stopping (44) of the turbine (14) as a function of the third signal (LAW).

2. The method as claimed in claim 1, in which the first signal is provided when the actual power (PEL) of the generator (12) has diminished abruptly by the amount of a predetermined value (GPLSP), or the actual power (PEL) of the generator (12) has fallen to a predetermined negative value (GPNEG) and the actual power (PEL) of the generator (12) has become lower than double its own requirements (GP2EB) and the difference between a desired power (PSW) and the actual power (PEL) of the generator (12) has become higher than double its own requirements (GP2EB).

3. The method as claimed in claim 1 or 2, in which the predetermined first time span (TKU) amounts to between 100 ms and 200 ms, in particular to 150 ms.

4. The method as claimed in one of claims 1 to 3, in which the predetermined second time span (TSPKU) amounts to between 4 s and 10 s, in particular to 7 s.

5. The method as claimed in one of claims 1 to 4, in which the generation of the third signal (LAW) which indicates load shedding takes place as a function of the first signal and of a predetermined third time span (TLAW).

6. The method as claimed in claim 5, in which the predetermined third time span (TLAW) amounts to between 1.5 s and 2.5 s, in particular to 2 s.

7. The method as claimed in one of claims 1 to 6, in which the generation of the third signal (LAW) which indicates load shedding takes place as a function of a load switch for the generator (GLSE).

8. A device for controlling a steam power plant having a generator and a turbine, with:
- a means (20) for providing (34) a first signal (S1) which indicates a diminution in the actual power (PEL) of the generator (12),
- a means (22) for generating (36) a second signal (KU) which indicates a short circuit interruption, as a function of the first signal (S1),
- a means (24) for resetting (38) the second signal (KU) after a predetermined first time span (TKU) and for blocking (38) the second signal (KU) for a predetermined second time span (TSPKU),
- a means for stopping (40) and subsequently starting (40) the turbine (14) as a function of the second signal (KU),

- a means (28) for generating (42) a third signal (LAW) which indicates load shedding, as a function of the first signal (S1), and
- a means for the permanent stopping (44) of the turbine (14) as a function of the third signal (LAW).

PATENT COOPERATION TREATY

PCT/EP2009/060593

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)

(PCT Rules 44*bis*.3(c) and 72.2)

To:

SIEMENS AKTIENGESELLSCHAFT
Postfach 22 16 34
80506 München
ALLEMAGNE

CT IP SU ... M Mch P
rec. MAR 1 4 2011
IP
time limit

IMPORTANT NOTIFICATION

Date of mailing *(day/month/year)* 10 March 2011 (10.03.2011)	
Applicant's or agent's file reference 2008P06457WO	
International application No. PCT/EP2009/060593	International filing date *(day/month/year)* 17 August 2009 (17.08.2009)
Applicant SIEMENS AKTIENGESELLSCHAFT et al	

1. **Transmittal of the translation to the applicant.**

☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. **Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, EP, 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, OA, OM, PE, 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

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer
Agnes Wittmann-Regis

e-mail: pt06.pct@wipo.int

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 2008P06457WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/EP2009/060593	International filing date *(day/month/year)* 17 August 2009 (17.08.2009)	Priority date *(day/month/year)* 25 August 2008 (25.08.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant SIEMENS AKTIENGESELLSCHAFT		

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 8 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 01 March 2011 (01.03.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Agnes Wittmann-Regis e-mail: pt06.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)

Date of mailing *(day/month/year)*	See form PCT/ISA/210
Applicant's or agent's file reference 2008P06457WO	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/EP2009/060593	17.08.2009	25.08.2008

International Patent Classification (IPC) or both national classification and IPC
F01K13/02

Applicant
SIEMENS AKTIENGESELLSCHAFT

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/EP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2009/060593

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/EP2009/060593

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	1-8	YES
	Claims		NO
Inventive step (IS)	Claims	1-8	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-8	YES
	Claims		NO

2. Citations and explanations:

Reference is made to the following documents:

D1: EP 0 465 137 A1 (GEN ELECTRIC [US]) 8 January 1992 (1992-01-08)

D2: DE 44 11 327 C1 (VER ENERGIEWERKE AG [DE]) 30 March 1995 (1995-03-30)

D3: WO 2008/099894 A1 (MITSUBISHI HEAVY IND LTD [JP]) 21 August 2008 (2008-08-21)

D4: DE 195 45 520 A1 (ELECTRICITE DE FRANCE [FR]) 13 June 1996 (1996-06-13)

D5: ACKENHEIL R ET AL: "PRIMARY FREQUENCY CONTROL FOR COMBINED CYCLE POWER PLANTS''VGB POWERTECH, VGB POWERTECH, ESSEN, DE, Vol.86, No.3, 1 January 2006 (2006-01-01), pages 76-78, XP001241930ISSN: 1435-3199

Indépendent claims 1 and 8:

The following observations still apply regardless of the lack of clarity mentioned in Box VIII:

Document D2 is considered to be the prior art closest to the subject matter of claim 1 and discloses:

a method and a circuit arrangement for generating a signal for controlling the stand-alone operating mode of a power generating unit arranged in a power grid, wherein signals are produced for all technical and engineering measurements and states, the signals are summated as a function of limit values, and a stand-alone operation signal is produced.

Therefore the subject matter of claim 1 differs mainly from this known method in that signals are produced that indicate a short-circuit interruption and a load-shedding situation. The turbine is stopped and then started or stopped permanently depending on which signal is produced. The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can therefore be considered that of creating a method for regulating a steam power plant comprising a generator and a turbine, in which a voltage stability and frequency stability in the associated grid are guaranteed for both a load-shedding situation and a short-circuit interruption.

The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) for the following reasons:

In the method described in independent claim 1, the turbine is initially always stopped both for a short-circuit interruption and for a load-shedding situation,

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

and it is not until the next period of time that a check is made as to whether it is possible to distinguish between a short-circuit interruption and a load-shedding situation. During this period of time, the turbine is placed back in start mode as a precaution, so that it starts up as soon as the short-circuit interruption is identified and equally the load-shedding situation is not identified.

A similar argument also applies to independent claim 8.

Dependent claims 2 to 7:

Dependent claims 2 to 7 are dependent on claim 1 and therefore likewise meet the requirements of the PCT in respect of novelty and inventive step.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2009/060593

Box No. VII **Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

Contrary to the requirements of PCT Rule 5.1(a)(ii), the description does not cite D1, D2, D3, D4 and D5 or indicate the relevant prior art disclosed therein.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2009/060593

Box No. VIII **Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The application fails to comply with the requirements of PCT Article 6 because claims 1 and 8 are unclear. The expression "depending on the first/second/third signal" is unclear. It is not clear what kind of dependence associated with producing a signal, stopping and then starting the turbine, or permanently stopping the turbine is intended. It is unclear from the expression used whether it means, e.g. the existence of a strong signal, of a weak signal or even of a signal at all or whether it means any other dependence.

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:	13/060,308	Filing date:	February 23, 2011
First Named Inventor:	Martin Bennauer		
Title of the Invention:	Method and Device for Controlling a Steam Power Plant		

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/EP2009/60593

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

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.:	13/060,308
First Named Inventor:	Martin Bennauer

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 February 23, 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 February 23, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
9	1	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
10	2	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
11	3	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
12	3	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
13	4	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
14	4	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
15	5	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
16	6	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
17	6	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
18	7	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
19	8	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
20	2	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
21	3	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
22	3	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
23	4	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
24	4	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
25	5	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
26,27	6	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011
28	7	U.S. claim per Preliminary Amendment filed on Feb. 23, 2011

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

Signature /Tina Gonka/	Date May 20, 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.

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.
13/060,308	02/23/2011	Martin Bennauer	2008P06457WOUS	7782

22116 7590 06/07/2011

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER	
ART UNIT	PAPER NUMBER
2839	

MAIL DATE	DELIVERY MODE
06/07/2011	PAPER

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

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

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

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of
BENNAUER et al.
Application No.: 13/060,308
Filed: 23 February 2011
Attorney Docket No.: 2008P06457WOUS
For: METHOD AND DEVICE FOR CONTROLLING A STEAM POWER PLANT

: 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 20 May 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 (3-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirement (2).

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 Written Opinion (ISA/237).

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

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:	Herewith - US National Phase Entry of PCT/KR2010/005164	Filing date:	Not Yet Assigned
First Named Inventor:	KIM et al.		
Title of the Invention:	APPARATUS AND METHOD FOR AUGMENTED REALITY		

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/KR2010/005164

The international filing date of the corresponding PCT application(s) is/are:
6 August 2010 (06.08.2010)

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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.:	HEREWITH
First Named Inventor:	Kim 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
1	1, 2	Claim 1 has similar scope as PCT claim 2
2		Claim has no corresponding claim in the PCT
3, 4	3, 4	Claims have similar scope, amended to change dependency
5	5	Both claims are the same
6	6	Claim has similar scope
7	7	Both claims are the same
8, 9, 10	8, 9, 10	Claims have similar scope
11		Claim has no corresponding claim in the PCT, similar scope as PCT claim 2
12, 13, 14	12, 13, 14	Claims have similar scope
15	15	Claim 15 has an additional limitation not included in PCT claim 15, similar scope as PCT claim 2
16	16	Claim has similar scope
17, 18	17, 18	Claims have similar scope, amended to change dependency
19	19	Both claims are the same
20		Claim has no corresponding claim in the PCT

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

Signature /Aaron F. Bourgeois/	Date February 23, 2011
Name (Print/Typed) Aaron F. BOURGEOIS	Registration Number 57936

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.
13/060,316	02/23/2011	Jae-hyung Kim	IDF-0015	7822

23377 7590 08/24/2011
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER	
WANG, ANDREW J	

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
08/24/2011	ELECTRONIC

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

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

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

eofficemonitor@woodcock.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

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA PA 19104-2891

In re Application of	
KIM et al.	**: DECISION ON REQUEST TO**
Application No.: 13/060,316	**: PARTICIPATE IN THE PATENT**
Filed: 23 March 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: IDF-0015	**: PROGRAM AND PETITION**
For: APPARATUS AND METHOD FOR AUGMENTED REALITY	**: 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 23 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.

(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), (2), and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (3).

Regarding the requirement of condition (3), applicant has failed to submit a copy of the claims from the PCT.

Regarding the requirement of condition (4), it cannot be determined if requirement (4) has been met since requirement (3) has not been met. Applicant is responsible for ensuring that the claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application.

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
Quality Assurance Specialist
Technology Center 2600

DOCKET NO.: IDF-0015 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Jae-hyung KIM et al.
Confirmation No.: 7822
Application No.: 13/060,316
Group Art Unit: 2628
Filing Date: February 23, 2011
Examiner: WANG, ANDREW J
For: APPARATUS AND METHOD FOR AUGMENTED REALITY

FILED VIA EFS

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

REQUEST FOR RECONSIDERATION OF DECISION TO DISMISS ON A REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR § 1.102(a)

The request to participate in patent prosecution highway program ("Request") and petition to make special under 37 CFR § 1.102(a) ("Petition") of the above-identified application were dismissed in a decision dated August 24, 2011 ("Decision"). The Decision states that applicants' Request and Petition met all of the requirements to participate in the PPH program except that the Request and Petition did not include a copy of the claims from the PCT application that have novelty, inventive step, and industrial applicability, and therefore it could not be determined whether all the claims in the U.S. application sufficiently correspond or are amended to sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. *Decision, page 2.* For the reasons that follow, applicants respectfully request reconsideration of the Decision.

On February 23, 2011, applicants filed the specification, claims, abstract, and drawings of the PCT application, including a listing of claims 1-20 on pages numbered 15-16. These claims include the same claims that were filed, examined, and found to have novelty, inventive step, and industrial applicability in the PCT application. Thus, applicants submit that claims 1-20 on pages numbered 15-16 filed with the specification, abstract, and drawings

on February 23, 2011 include a copy of the claims found to have novelty, inventive step, and industrial applicability in the PCT application.

On September 13, 2011, applicants' undersigned attorney and Examiner Lee W. Young discussed the Decision in a telephonic interview. Applicants' undersigned attorney would like to thank the examiner for taking the time to discuss the Decision. During the interview, Examiner Young indicated that the deficiencies in applicants' Request and Petition would be overcome by filing the present request for reconsideration of the Decision, including a statement that claims 1-20 that were filed on February 23, 2011 include a copy of the allowable claims from the PCT application. Inasmuch as applicants stated the same in the preceding paragraph, applicants submit that this request for reconsideration of the Decision should overcome any deficiencies in applicants' original Request and Petition.

Applicants believe that the present remarks are responsive to each of the points raised by the examiner in the Decision. Should the examiner have any questions or concerns that might be efficiently resolved by way of a telephonic interview, the examiner is invited to call applicants' undersigned attorney, Aaron F. Bourgeois, at 404-459-0050.

Date: September 14, 2011

/Aaron F. Bourgeois/
Aaron F. Bourgeois
Registration No. 57,936

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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.
13/060,316	02/23/2011	Jae-hyung Kim	IDF-0015	7822

23377 7590 09/23/2011
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER	
WANG, ANDREW J	

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
09/23/2011	ELECTRONIC

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

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

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

eofficemonitor@woodcock.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

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA PA 19104-2891

In re Application of	
KIM et al.	**: DECISION ON REQUEST TO**
Application No.: 13/060,316	**: PARTICIPATE IN THE PATENT**
Filed: 23 March 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: IDF-0015	**: PROGRAM AND PETITION**
For: APPARATUS AND METHOD FOR AUGMENTED REALITY	**: 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 23 March 2011 and renewed 14 September 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 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
Quality Assurance Specialist
Technology Center 2600

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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	N.A.	Filing date:	HEREWITH
First Named Inventor:	Tan		
Title of the Invention:	Dual and Single Layer Dosage Forms		

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/US10/31991

The international filing date of the corresponding PCT application(s) is/are: 22 Apr 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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.:	N.A.
First Named Inventor:	Tan

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	Same
2	2	Same
3	3	Same
4	4	Same, except US claim is singly dependent;
5	5	Same
6	1	Same, except US claim is singly dependent;
		By dependence clearly within the scope of PCT Claim 1
7	1	Same, except US claim is singly dependent;
		By dependence clearly within the scope of PCT Claim 1
8	1	Same, except US claim is singly dependent;
		By dependence clearly within the scope of PCT Claim 1
9	1	Same, except US claim is singly dependent;
		By dependence clearly within the scope of PCT Claim 1
10	1	Same; By dependence clearly within the scope of PCT Claim 1
11	1	Same; By dependence clearly within the scope of PCT Claim 1
12	1	Same; By dependence clearly within the scope of PCT Claim 1
13	13	Same
See Attached	See Attached	See Attached Continuation Sheet

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

Signature /Arthur E Jackson/	Date 23 Feb 2010
Name (Print/Typed) Arthur E Jackson	Registration Number 34,354

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.

CONTINUATION SHEET:

II Claims Correspondence Table

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
15	15	Same, except US claim is singly dependent
16	4	Same, except US claim is singly dependent
17	4	Same, except US claim is singly dependent
18	6	Same, except US claim is singly dependent
19	6	Same, except US claim is singly dependent
20	6	Same, except US claim is singly dependent

MISC. NOTES

PCT claims 6-9 are said in Box No. VII of the Written Opinion to have defects in their multiple dependency. PCT claim 10-12 are noted in Box No. III as having the same defect. None of the corresponding US claims (6-12, 19-20) have multiple dependency, and all are ultimately dependent from, and hence are narrower than, US claim 1 (which corresponds to PCT claim 1).

PCT claims 14 and 15 are noted in Box No. VIII of the Written Opinion to be improperly dependent on claim 13. Corresponding US claim 15 has been corrected to refer to a dosage form rather than a method. Claim 15 is by dependency within the scope of patentable PCT claim 13. US claim 14 is canceled.

191359

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: 65504-016US1	Application Number (if known): 13/060,334	Filing date: February 23, 2011
First Named Inventor: Sean Dennis Simpson		
Title: METHODS OF SUSTAINING CULTURE VIABILITY		

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 February 23, 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.: 65504-016US1
Client Ref. No.: TIS 508247USPR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Sean Dennis Simpson et al.	Art Unit	: Not yet Assigned
Serial No.	: 13/060,334	Examiner	: Not yet Assigned
Filed	: February 23, 2011		
Title	: METHODS OF SUSTAINING CULTURE VIABILITY		

MAIL STOP AMENDMENT
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.

In broad terms, the invention relates to the use of a gas fermentation process to capture carbon from waste gases from various industrial processes, such as ferrous metal products manufacturing, non-ferrous products manufacturing, petroleum refining processes, gasification of biomass, gasification of coal, electric power production, carbon black production, ammonia production, methanol production and coke manufacturing.

The methods and systems claimed are 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 any of the foregoing processes. Such industrial processes contribute significantly to greenhouse gas emissions and the methods described herein 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.

[1] 74 Fed. Reg. 234 (December 8, 2009), page 64666 et seq., and 75 Fed. Reg. 98 (May 21, 2010).

Also provided by the invention are methods for increasing the efficiency of the carbon capture process by sustaining viability of a microbial culture.

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 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. 65504-016US1. No other fees are believed to be due. However, to the extent any fees are due, or if a refund is forthcoming, please adjust the above-mentioned deposit account referencing the above-mentioned attorney docket number.

Respectfully submitted,

Date: February 23 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
Facsimile: (617) 500-2499
document in prolaw.doc
200201.doc

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.
13/060,334	08/03/2011	Sean Dennis Simpson	65504-016US1	7973

69713 7590 09/16/2011

OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE, MA 02138

EXAMINER	
ART UNIT	PAPER NUMBER
1653	

NOTIFICATION DATE	DELIVERY MODE
09/16/2011	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

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

SEP 16 2011

OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE MA 02138

In re Application of

SIMPSON, Sean *et al.*	:	DECISION ON PETITION
Application No. 13/060334	:	TO MAKE SPECIAL UNDER
Filed: February 23, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 65504-016US1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 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.

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 1653 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

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.:	13/060,352	Filing Date:	February 23, 2011
First Named Inventor:	Masaru SASAKI et al.		
Attorney Docket No.:	148686		
Title of the Invention:	NONCONTACT ELECTRIC POWER RECEIVING DEVICE, NONCONTACT ELECTRIC POWER TRANSMITTING DEVICE, NONCONTACT ELECTRIC POWER FEEDING SYSTEM, AND 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/JP2009/055255

The international date of the corresponding PCT application(s) is/are: March 18, 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 translation of the document in a. above is attached. A statement that the English translation is accurate is attached for the claims which were indicated as having novelty, inventive step and industrial applicability which are already in the U.S. application as indicated in item 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.

U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO (continued)

Application No.:	13/060,352
First Named Inventor:	Masaru SASAKI 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 February 23, 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 February 23, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 sufficiently corresponds to PCT claim 1
2	2	Claim 2 sufficiently corresponds to PCT claim 2
3	3	Claim 3 sufficiently corresponds to PCT claim 3
4	4	Claim 4 sufficiently corresponds to PCT claim 4
5	5	Claim 5 sufficiently corresponds to PCT claim 5
6	6	Claim 6 sufficiently corresponds to PCT claim 6 and removes multiple dependency
7	7	Claim 7 sufficiently corresponds to PCT claim 7
8	8	Claim 8 sufficiently corresponds to PCT claim 8
9	9	Claim 9 sufficiently corresponds to PCT claim 9
10	10	Claim 10 sufficiently corresponds to PCT claim 10
11	11	Claim 11 sufficiently corresponds to PCT claim 11
12	12	Claim 12 sufficiently corresponds to PCT claim 12 and removes multiple dependency
13	13	Claim 13 sufficiently corresponds to PCT claim 13
14	14	Claim 14 sufficiently corresponds to PCT claim 14
15	15	Claim 15 sufficiently corresponds to PCT claim 15

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

Signature	Date July 7, 2011
Name (Print/Typed) James A. Oliff	Registration Number 27,075
Name (Print/Typed) Adam D. Brooke	Registration Number 58,922

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.

I. List of Required Documents

a. A copy of the latest international work products (WO/ISA, WO/IPEA, or IPER) of the corresponding PCT application

- Written Opinion of the International Searching Authority (in English and Japanese).

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: Mr. Hisao Fukami

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)* 16. 06. 2009	
Applicant's or agent's file reference 909049WO01	FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/JP2009/055255	International filing date *(day/month/year)* 18. 03. 2009
Priority date *(day/month/year)*	
International Patent Classification (IPC) or both national classification and IPC Int. Cl. H02J17/00(2006.01)i, B60L5/00(2006.01)i, B60L11/18(2006.01)i, B60M7/00(2006.01)i, H02J7/00(2006.01)i	
Applicant TOYOTA JIDOSHA KABUSHIKI KAISHA	

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

- [x] 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
- [x] 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
the Japan Patent Office	08. 06. 2009	Akira ISHIKAWA
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/055255

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/JP2009/055255

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

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:

Document 1: JP2003-070170 A (Matsushita Electric Works, Ltd.), 07 March, 2003 (07. 03. 03), Claim 1; Figs. 12, 13 (Family none)

Document 2: JP2008-295274 A (Sony Ericsson Mobile Communications Japan, Inc.), 04 December, 2008 (04. 12. 08), Claim 1; Figs. 9, 10, 29 & US 2008/0297107 A1 & EP 1998343 A2

Document 3: JP2009-501510 A (Massachusetts Institute of Technology), 15 January, 2009 (15. 01. 09), Full text & US 2007/0222542 A1 & US 2008/0278264 A1 & EP 1902505 A & WO 2007/008646 A2 & CA 2615123 A & KR 10-2008-0031398 A & CN 101258658 A

The invention according to claims 1 to 15 is not disclosed in any of the documents cited in the International Search Report, and involves novelty and unobviousness.
In particular, none of the documents discloses the feature that electrical equipment including an electric power receiving antenna and an electric load is installed within a coil case which houses an electric power receiving unit receiving electric power by electromagnetic resonance.

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
深見　久郎
様

あて名
〒530-0005
日本国大阪府大阪市北区中之島二丁目２番７号　中之島セントラルタワー２２階　深見特許事務所

深 09.6.17 見

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）	16. 06. 2009
出願人又は代理人 の書類記号　909049W001	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／JP2009／055255	（日.月.年）　18. 03. 2009	（日.月.年）

国際特許分類（IPC）Int.Cl. H02J17/00(2006.01)i, B60L5/00(2006.01)i, B60L11/18(2006.01)i, B60M7/00(2006.01)i, H02J7/00(2006.01)i

出願人（氏名又は名称）
トヨタ自動車株式会社

１．この見解書は次の内容を含む。

- [x] 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
- [x] 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
08. 06. 2009

名称及びあて先	特許庁審査官（権限のある職員）	5T	3986
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	石川　晃 電話番号　03－3581－1101　内線　3568		

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/JP2009/055255

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／JP2009／055255

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	1-15	有
	請求項		無
進歩性（ＩＳ）	請求項	1-15	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1-15	有
	請求項		無

2. 文献及び説明

文献１：JP 2003-070170 A（松下電工株式会社）2003.03.07, 【請求項１】【図１２】【図１３】（ファミリーなし）

文献２：JP 2008-295274 A（ソニー・エリクソン・モバイルコミュニケーションズ株式会社）2008.12.04, 【請求項１】【図９】【図１０】【図２９】 & US 2008/0297107 A1 & EP 1998343 A2

文献３：JP 2009-501510 A（マサチューセッツ インスティテュート オブ テクノロジー）2009.01.15, 全文 & US 2007/0222542 A1 & US 2008/0278264 A1 & EP 1902505 A & WO 2007/008646 A2 & CA 2615123 A & KR 10-2008-0031398 A & CN 101258658 A

請求項１－１５に係る発明は、国際調査報告で引用された何れの文献にも開示されておらず、新規性、進歩性を有する。

特に、電磁共鳴によって受電する受電ユニットを収納するコイルケース内に、受電アンテナと電気負荷とを含む電気機器が配設される構成は、何れの文献にも開示されていない。

I. List of Required Documents

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability of the corresponding PCT application

- Not attached - Already Filed

I. List of Required Documents

c. English translation of the document in a. is provided.

A statement that the English translation is accurate is attached for the claims which were indicated as having novelty, inventive step and industrial applicability which are already in the U.S. application as indicated in item b. above.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masaru SASAKI et al.

Application No.: 13/060,352

Filed: February 23, 2011 Docket No.: 148686

For: Noncontact Electric Power Receiving Device, Noncontact Electric Power Transmitting Device, Noncontact Electric Power Feeding System, and Vehicle

STATEMENT THAT THE ENGLISH LANGUAGE TRANSLATION OF PATENTABLE CLAIMS OF THE PCT APPLICATION IS ACCURATE

I Yutaka Horii, 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 patentable claims of the PCT application.

July 6, 2011
Date

Signature

Yutaka Horii
Name

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the International work products (WO/ISA, WO/IPEA, or IPER) of the corresponding PCT application

- The references cited in the Written Opinion were submitted in an Information Disclosure Statement filed on February 23, 2011.

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.
13/060,352	02/23/2011	Masaru Sasaki	148686	8163

25944 7590 08/29/2011

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER	
ART UNIT	PAPER NUMBER
2836	

NOTIFICATION DATE	DELIVERY MODE
08/29/2011	ELECTRONIC

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

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

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

OfficeAction25944@oliff.com
jarmstrong@oliff.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

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

AUG 29 2011

In re Application of
SASAKI et al.
Application No.: 13/060352
Filed: 23 June 2011
Attorney Docket No.: 148686
For: NONCONTACT ELECTRIC POWER RECEIVING DEVICE, NONCONTACT ELECTRIC POWER TRANSMITTING DEVICE, NONCONTACT ELECTRIC POWER FEEDING SYSTEM, AND VEHICLE

: 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 07 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, 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

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: 65504-017US1	Application Number (if known): 13/060,357	Filing date: February 23, 2011
First Named Inventor: Bjorn Daniel Heijstra		
Title: ALCOHOL PRODUCTION PROCESS		

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 February 23, 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.: 65504-017US1
Client Ref. No.: TIS 508675USPR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Bjorn Daniel Heijstra et al.	Art Unit	: Not yet Assigned
Serial No.	: 13/060,357	Examiner	: Not yet Assigned
Filed	: February 23, 2011		
Title	: ALCOHOL PRODUCTION PROCESS		

MAIL STOP AMENDMENT
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.

In broad terms, the invention relates to the use of a gas fermentation process to capture carbon and produce useful products such as biofuels/fuel alcohols. More specifically, a carbon monoxide-containing gas that is obtained as a waste product of an industrial process is used as a substrate during anaerobic fermentation in a bioreactor to produce one or useful products such as ethanol.

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 enable the carbon to be captured to generate useful products. This reduces the emission

[1] 74 Fed. Reg. 234 (December 8, 2009), page 64666 et seq., and 75 Fed. Reg. 98 (May 21, 2010).

of the greenhouse gases and limits the damaging effects that they have on the environment.

Also provided by the invention are methods for increasing the efficiency of the carbon capture process by reducing alcohol toxicity effects.

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 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. 65504-017US1. No other fees are believed to be due. However, to the extent any fees are due, or if a refund is forthcoming, please adjust the above-mentioned deposit account referencing the above-mentioned attorney docket number.

Respectfully submitted,

Date: February 23, 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
Facsimile: (617) 500-2499

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.
13/060,357	06/29/2011	Bjorn Daniel Heijstra	65504-017US1	8178

69713 7590 08/03/2011
OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE, MA 02138

EXAMINER	
ART UNIT	PAPER NUMBER
1653	

NOTIFICATION DATE	DELIVERY MODE
08/03/2011	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):

INFO@ORTPATENT.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

AUG 03 2011

OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE MA 02138

In re Application of :

HEIJSTRA, BJORN *et al.*	:	DECISION ON PETITION
Application No. 13/060357	:	TO MAKE SPECIAL UNDER
Filed: June 29, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 65504-017US1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 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.

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 1653 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

FAY SHARPE LLP
1228 EUCLID AVENUE, 5TH FLOOR
THE HALLE BUILDING
CLEVELAND, OH 44115

MAILED

APR 29 2011

PCT LEGAL ADMINISTRATION

In re Application of TRYGGVASON et al :
U.S. Application No.: 13/060,358 :
PCT Application No.: PCT/IB2009/006404 :
Int. Filing Date: 18 June 2009 : DECISION
Priority Date Claimed: 18 June 2008 :
Attorney Docket No.: LCTI 200004US01 :
For: ANTIBODIES AGAINST DOMAINS OF :
LAMININ-332 :

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 23 February 2011.

BACKGROUND

On 18 June 2009, applicant filed international application PCT/IB2009/006404, which claimed priority of an earlier United States application filed 18 June 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 23 December 2009. The thirty-month period for paying the basic national fee in the United States expired on 20 December 2010.

On 21 December 2010, international application PCT/IB2009/006404 became abandoned as to the United States for failure to timely pay the basic national fee.

On 23 February 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

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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

27955
TOWNSEND & BANTA
c/o PORTFOLIO IP
P.O. Box 52050
Minneapolis, MN 55402

MAILED

SEP 07 2011

PCT LEGAL ADMINISTRATION

In re Application of :
YOKOI *et al* :
U.S. Application No.: 13/060,395 :
PCT No.: PCT/JP2009/065057 : **DECISION**
Int. Filing Date: 28 August 2009 :
Priority Date: 29 August 2008 :
Attorney Docket No.: NAK-109-USA-PCT :
For: STENT :

This decision is in response to the petition under 37 CFR 1.182 filed 11 July 2011.

BACKGROUND

On 23 February 2011, applicants filed papers using the USPTO EFS-Web system as the national stage of PCT/US2009/065057. Several other papers filed at this time listed the international application as PCT/JP2009/065057.

On 12 May 2011, a communication was mailed notifying applicants of the problem and requesting a petition to correct the PCT number.

On 11 July 2011, applicants filed the subject petition which was accompanied by a $400.00 petition fee.

DISCUSSION

Applicants' petition under 37 CFR 1.182 to correct the PCT number in the above-captioned national stage application to PCT/JP2009/065057 due to an error made upon initial filing. The $400.00 petition fee has been paid.

A review of the above-captioned application file verifies that the wrong PCT number was designated when filing the application electronically using the USPTO EFS-Web. The transmittal letter and ADS record the international application as PCT/JP009/065057. WIPO records show that the PCT number corresponding to the title and first-named inventor is PCT/JP2009/065057.

Thus, it is clear that the subject application was intended to be filed as the

national stage of PCT/JP2009/065057 but for a clerical error made upon filing.

CONCLUSION

Applicants' petition under 37 CFR 1.182 is **GRANTED**.

USPTO records have been changed to reflect that the above-captioned application is the national stage of PCT/JP2009/065057, which claims foreign priority to JP 2008-220876, filed 29 August 2008.

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

Barry G Magidoff, Esq., Paul J. Sutton, Esq.
Sutton Magidoff LLP
909 Third Avenue - 27 FL
New York NY 10022

MAILED

MAR 28 2011

PCT LEGAL ADMINISTRATION

In re Application of :
HUSSEIN :
Application No.: 13/060,407 :
PCT No.: PCT/EG2006/000024 : DECISION ON PETITION
Int. Filing Date: 25 June 2006 :
Priority Date: 07 August 2006 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: 115826.010200 :
For: COPPER (I) COMPLEX :

The petition to revive under 37 CFR 1.137(b) filed 23 February 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" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. 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 (US/DO/EO) for continued processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

WSGR Docket No.: 37403-701831

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:	13/060,425	Filing date:	February 23, 2011
First Named Inventor:	DIETRICH STEPHAN, et al.		
Title of the Invention:	METHODS FOR STRATIFYING AND ANNOTATING CANCER DRUG TREATMENT OPTIONS		

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/US2009/056101

The international filing date of the corresponding PCT application(s) is/are: September 4, 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
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.:	13/060,425
First Named Inventor:	DIETRICH STEPHAN, 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
1-75	1-75	All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application

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

Signature	Date 8 April 2011
Name (Print/Typed) Jeffrey Seidel, Ph.D.	Registration Number 61,063

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.
13/060,425	06/02/2011	Dietrich Stephan	37403-701.831	8961

21971 7590 08/12/2011

WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

EXAMINER	
ART UNIT	PAPER NUMBER
1639	

MAIL DATE	DELIVERY MODE
08/12/2011	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.

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

AUG 12 2011

WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

In re Application of
STEPHAN ET AL.
Application No. 13/060,425
Filed: June 2, 2011
Attorney Docket No. 37403-701.831

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 Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed April 8, 2011, 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 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 the 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:

(5) Applicant has not submitted a copy of the 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; and

(8)The claims correspondence table does not indicate how all the claims in the U.S. application sufficiently correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

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

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.
13/060,425	06/02/2011	Dietrich Stephan	37403-701.831	8961

21971 7590 09/19/2011
WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

EXAMINER	
MAHATAN, CHANNING S	
ART UNIT	PAPER NUMBER
1636	
MAIL DATE	DELIVERY MODE
09/19/2011	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

SEP 19 2011

WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

In re Application of	:	DECISION ON REQUEST TO
STEPHAN ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/060,425	:	PROSECUTION HIGHWAY
Filed: June 2, 2011	:	PROGRAM AND PETITION
Attorney Docket No. 37403-701.831	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the reconsider to participate in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed August 19, 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 the 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 met all requirements. 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 J. Tsang
Supervisory Patent Examiner
TC 1600

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.
13/060,428	02/23/2011	Eiji Ishiyama	PA21125PCT/US	9052

21254 7590 06/15/2011

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER	
ART UNIT	PAPER NUMBER
2482	

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.

MAILED

JUN 15 2011

DIRECTOR OFFICE
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

MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA VA 22182-3817

In re Application of: ISHIYAMA, E. et. al.
Application No. **13/060,428**
Filed: February 23, 2011
Atty No. PA21125PCT/US
Title of Invention: THREE DIMENSIONAL DISPLAY DEVICE AND METHOD AS WELL AS PROGRAM

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed **April 12, 2011,** to make the above-identified application special.

The petition is **DISMISSED.**

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

(1) The U.S. application is
(a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or
(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application (i) validly claims priority to an application filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim, or
(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application (i) validly claims priority to an application filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application;

(2) Applicant must submit a copy of:
a. The allowable/patentable claim(s) from the Japanese application(s);
b. An English translation of the allowable/patentable claim(s), if the claims were published in a language other than English); and
c. A statement that the English translation is accurate;

(3) Applicant must:
a. Ensure that all the claims in the U.S. application sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
b. Submit a claim 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 action(s) (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the Japanese application(s) containing the allowable/patentable claim(s);
b. An English language translation of the JPO office action(s) (if the office action(s) are not in the English language); and
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 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); and

(7) All petitions to make special filed with a PPH request *on or after* May 25, 2010 will be treated as a request that the Director order their application be advanced out of turn to expedite the business of the Office under 37 CFR 1.102(a), and the petition fee set forth in 37 CFR 1.17(h) **will not** be required. Petitions to make special filed with a PPH request **prior** *to* May 25, 2010 will be treated under 37 CFR 1.102(d) and the petition fee set forth in 37 CFR 1.17(h) **will** be required. (see Fed. Reg. vol. 75, No. 100, 05/25/10).

The request to participate in the PPH program and petition failed to meet the requirement of items six (6) and seven (7) above.

All the claims (1-5, 11-17) in the U.S. application (as amended 04/12/11) do not sufficiently correspond to sufficiently correspond to the allowable/patentable claim(s) (1-10) in the JPO application(s) (filed 02/23/11). More specifically, claims 2-4, 11-12 do not correspond to any of the claims (1-10) allowable/patentable claim(s) in the JPO application(s). Claim 5 in the U.S. application does not sufficiently correspond to the allowable/patentable claim 5 in the JPO application in that the former claim recites "deforming image parts at an upper area and a lower area of the end portion..." which is distinct from the later claim reciting "deforming an image part of the end portion area...". Claim 13 in the U.S. application does not sufficiently

correspond to the allowable/patentable claim 6 in the JPO application in that the former claim recites "setting an end portion area of a predetermined range at at least a part of a periphery of the images to modify, ", modifying a disparity between corresponding pixels in the end portion area of the images so that the disparity is gradually decreased toward the end of the images..." including limitations, such as deforming image parts at a left area and a right area of the end portion area of a reference image serving as a reference among the images based on the disparity; modifying at least one of the images by modifying the image other than the reference image with the deformed image parts of the end portion area, which are not recited in allowable/patentable claim 6 in the JPO application. Petitioner is urged to review to review the remainder of the claims for other and/or similar distinctions.

Petitions to make special filed with a PPH request **prior** *to* May 25, 2010 will be treated under 37 CFR 1.102(d) and the petition fee set forth in 37 CFR 1.17(h) **will** be required. (see Fed. Reg. vol. 75; No. 100, 05/25/10). However, given petitioner's authorization to "charge any Deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481" on remarks filed 04/23/11, the aforementioned account will be charged to corresponding fee set forth in 37 CFR 1.17(h).

Accordingly, the Petition is **DISMISSED**.

Applicant is given a time period of ONE MONTH or THIRTY DAYS, whichever is longer, to correct the deficiencies. NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.

If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Responses must be submitted by EFS-Web using the document description "Petition to make special under Pat Pros Hwy".

Any inquiry regarding this decision should be directed the undersigned whose telephone number is (571) 272-3902. If attempts to reach the undersigned by telephone are unsuccessful, alternatively, Kim Huynh, Quality Assurance Specialist, can be reached at (571) 272-4147. 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.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/060,428	02/23/2011	Eiji Ishiyama	PA21125PCT/US	9052

21254 7590 07/27/2011

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER	
ART UNIT	PAPER NUMBER
2482	

MAIL DATE	DELIVERY MODE
07/27/2011	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.

MAILED

JUN 26 2011

DIRECTOR OFFICE
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

MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA VA 22182-3817

In re Application of: ISHIYAMA, E. et. al.
Application No. **13/060,428**
Filed: February 23, 2011
Atty No. PA21125PCT/US
Title of Invention: THREE DIMENSIONAL DISPLAY DEVICE AND METHOD AS WELL AS PROGRAM

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

This is a decision on renew petition to participate in the Patent Prosecution Highway (PPH) program under 37 CFR 1.102(d), filed **July 15, 2011,** to make the above-identified application special. The original petition, submitted upon filing of the application on April 12, 2011, was dismissed in the decision mailed on June 15, 2011.

The petition is **GRANTED.**

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

(1) The U.S. application is
   (a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or
   (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application (i) validly claims priority to an application filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim, or
   (c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application (i) validly claims priority to an application filed in the JPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of: (a) the allowable/patentable claim(s) from the Japanese application(s), (b) an English translation of the allowable/patentable claim(s), if the claims were published in a language other than English); and (c) a statement that the English translation is accurate.

(3) All the claims in the U.S. application must sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and Applicant must submit a claim 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 action(s) (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the Japanese application(s) containing the allowable/patentable claim(s), (b) an English language translation of the JPO office action(s) (if the office action(s) are not in the English language) and (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 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).

(7) The required petition fee under 37 CFR 1.17(h).

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

Telephone inquiries concerning this decision should be directed to 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

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:	13/060,448	Filing date:	FEBRUARY 24, 2011
First Named Inventor:	MICHAEL J. P. LAWMAN		
Title of the Invention:	ANTIMICROBIAL PROTEIN COMPOSITIONS AND PRODUCTION THEREFOR FROM MARINE BACTERIA		

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/US2009/054766

The international filing date of the corresponding PCT application(s) is/are: AUGUST 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-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.:	13/060,448
First Named Inventor:	MICHAEL J. P. LAWMAN

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 April 5, 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 April 5, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-5, 9-13	none	Canceled US claims 1-5 and 9-13 correspond to claims 1-5, 9-13 in PCT
6-8, 14	6-8, 14	US claims 6-8, 14 correspond to claims 6-8, 14 in PCT

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

Signature Barbara S. Kitchell	Date April 6, 2011
Name (Print/Typed) BARBARA S. KITCHELL, PH.D.	Registration Number 33928

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.
13/060,448	02/24/2011	Michael Lawman	SJC.101CXC1	9372

23557 7590 05/24/2011
SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE, FL 32614

EXAMINER	
ART UNIT	PAPER NUMBER
1654	

NOTIFICATION DATE	DELIVERY MODE
05/24/2011	ELECTRONIC

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

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

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

euspto@slepatents.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

MAY 2 4 2011

SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO BOX 142950
GAINESVILLE, FL 32614

In re Application of	:	DECISION ON REQUEST TO
LAWMAN ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/060,448	:	PROSECUTION HIGHWAY
Filed: February 24, 2011	:	PROGRAM AND PETITION
Attorney Docket No. SJC.101CXC1	:	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 6, 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.

The request to participate in the PCT-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 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 at the http://www.uspto.gov/ebc/index.html.

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

Cecilia Tsang
Supervisory Patent Examiner
TC 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:	13/060450	Filing date:	September 4, 2009
First Named Inventor:	D. DiCanio		
Title of the Invention:	An Objective Model Of Apparent Age, Methods Of Use		

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: US2009/56043

The international filing date of the corresponding PCT application(s) is/are: September 4, 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
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.:	13/060450
First Named Inventor:	D. DiCanio

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 April 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 April 13, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-16	1-16	claims are identical

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

Signature /Peter Giancana/	Date April 21, 2011
Name (Print/Typed) Peter Giancana	Registration Number 44706

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.
13/060,450	04/21/2011	Daniel H. Maes	07.36	9380

23487 7590 08/18/2011

THE ESTEE LAUDER COS, INC
155 PINELAWN ROAD
STE 345 S
MELVILLE, NY 11747

EXAMINER	
ART UNIT	PAPER NUMBER
3629	

MAIL DATE	DELIVERY MODE
08/18/2011	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.

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

AUG 1 8 2011

THE ESTEE LAUDER COS, INC
155 PINELAWN ROAD
STE 345 S
MELVILLE NY 11747

In re application of:	:	**DECISION ON REQUEST TO**
MAES, Daniel H., et al	:	**PARTICIPATE IN PATENT**
Application No.: 13/060,450	:	**PROSECUTION HIGHWAY**
Filed: April 21, 2011	:	**PROGRAM AND PETITION**
For: OBJECTIVE MODEL OF APPARENT AGE, METHODS AND USE	:	**TO MAKE SPECIAL UNDER 37 C.F.R. 1.102(d)**

This is a decision on the request to participate in the pilot Patent Prosecution Highway (PPH) program between the USPTO and the KIPO based on PCT treaty work products and the petition under 37 C.F.R. § 1.102(d), filed April 21, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in this PPH pilot program and petition to make special require (see 1355 OG 319):

> (1) The relationship between the corresponding U.S. application for which participation in the PCT-PPH pilot program is requested and the PCT application satisfies one of the following requirements:
>
> (a) The U.S. application is a national stage entry of the corresponding PCT application.
>
> (b) The U.S. application is a national application which forms the basis for the priority claim in the corresponding PCT application.
>
> (c) The U.S. application is a national stage entry of another PCT application (which can be filed in any competent receiving office) which claims priority to the corresponding PCT application.
>
> (d) The U.S. application is a national application claiming foreign/domestic priority to the corresponding PCT application.
>
> (e) The U.S. application is a continuing application (continuation, divisional, or continuation-in-part) of the U.S. application which satisfies one of the above (a) through (d) scenarios.

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. In case any observation is described in Box VIII of the WO/ISA, WO/IPEA, or IPER which forms the basis for the PCT-PPH request, applicant must identify and explain why the claim(s) is/are not subject to any observation described in Box VIII irrespective of whether an amendment is submitted to correct the observation described in Box VIII. The U.S. application will not be eligible to participate in the PCT-PPH pilot program if applicant does not identify and explain why the claim(s) is/are not subject to the observation described in Box VIII.

(3) Claim Correspondence:

(a) All of the claims in each U.S. application for which a request for participation in the PCT-PPH pilot program is made must sufficiently correspond to or be amended to sufficiently correspond to one or more of those claims indicated as having novelty, inventive step and industrial applicability and be free of any observation described in Box VIII in the latest work product of the corresponding PCT application.

(b) Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format requirements, the claims in the U.S. application are of the same or similar scope as the 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, or the claims in the U.S. application are narrower in scope than the 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.

(c) In this regard, a claim that is narrower in scope occurs when a claim 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 is amended to be further limited by an additional feature that is supported in the written description of the U.S. application. The claim(s) with the narrower scope must be written in dependent form in the U.S. application for which participation in the PCT-PPH pilot program is requested.

(4) Substantive examination of the U.S. application for which participation in the PCT-PPH pilot program is requested has not begun.

(5) Applicant must file a request for participation in the PCT-PPH pilot 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) Unless already filed in the U.S. application for which participation in the PCT-PPH pilot program is requested, applicant must submit a copy of the 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. A statement that the English translation is accurate is not required. Where the required documents have been previously filed in the U.S. application, applicant may simply refer to these documents and indicate in the request for participation in the PCT-PPH pilot program when these documents were previously filed in the U.S. application. Where the U.S. application and the corresponding PCT application satisfy the relationship noted in (1)(a) above, applicant need not submit a copy of the latest international work product along with an English translation thereof since a copy of these documents is already contained in the file wrapper of the U.S. application.

(7) Unless already filed in the U.S. application for which participation in the PCT-PPH pilot program is requested, applicant must submit a copy of 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. Where the required documents have been previously filed in the U.S. application, applicant may simply refer to these documents and indicate in the request for participation in the PCT-PPH pilot program when these documents were previously filed in the U.S. application. If the claims in the U.S. application for which participation in the PCT-PPH pilot program is requested are identical to the claims from the corresponding PCT application, and are in the English language, applicant may just indicate such in the PCT-PPH request and it will not be necessary for applicant to submit a copy of the claims from the corresponding PCT application.

(8) Applicant is required to submit a claims correspondence table in English. The claims correspondence table must indicate how all the claims in the U.S. application sufficiently correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

(9) Applicant must submit an information disclosure statement (IDS) listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the PCT application corresponding to the U.S. application for which participation in the PCT-PPH pilot program is requested (unless such an IDS has already been filed in the U.S. application, in which case applicant may simply refer to the previously filed

IDS and indicate in the request for participation in the PCT-PPH pilot program when the IDS was previously filed in the U.S. application). Applicant must submit copies of all the documents cited in the international work products of the PCT application corresponding to the U.S. application (unless the copies have already been filed in the U.S. application, in which case applicant may simply refer to the previously filed copies of the documents and indicate in the request for participation in the PCT-PPH pilot program when the copies were previously filed in the U.S. application) except U.S. patents or U.S. patent application publications.

(10) The request for participation in the PCT-PPH pilot program and all the supporting documents must be submitted to the USPTO via EFS-Web and indexed with the following document description: "Petition to make special under PCT-Patent Pros Hwy."

In light of the petition and supporting documents filed April 21, 2011, the request to participate in the PPH program complies with the above requirements and 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 Robert Weinhardt, Business Practice Specialist, at (571) 272-6633.

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

Robert Weinhardt
Business Practice Specialist
Technology Center 3600

RW/8/16/11

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:	13/060,478	Filing date:	February 24, 2011
First Named Inventor:	Masao Akuzawa		
Title of the Invention:	INFORMATION PROCESSING APPARATUS, METHOD OF CONTROLLING THE SAME AND 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/JP2010/070952

The international date of the corresponding PCT application(s) is/are: November 17, 2010

I. List of Required Documents:

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

☐ Is attached.

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

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

☐ Is attached.

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

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

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.:	13/060,478
First Named Inventor:	Masao Akuzawa

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 March 21, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Both claims are same.
2	2	Both claims are same.
3	3	Both claims are same.
4	4	Both claims are same.
5	5	Both claims are same.
6	6	Both claims are same.
7	7	Both claims are same.

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

Signature /John Wakeley/	Date October 28, 2011
Name (Print/Typed) John Wakeley	Registration Number 60,418

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

FITZPATRICK CELLA HARPER & SCINTO
1290 AVENUE OF THE AMERICAS
NEW YORK, NY 10104-3800

MAILED
FEB 10 2012
OFFICE OF PETITIONS

In re Application of
Masao Akuzawa
Application No.: 13/060,478
Filed: February 24, 2011
Attorney Docket No.: 00862.178457.
For: INFORMATION PROCESSING APPARATUS, METHOD OF CONTROLLING THE SAME AND STORAGE MEDIUM

: 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 October 28, 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 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
Petition Examiner
Office of Petitions

PATENT
Customer No. 22,852
Attorney Docket No. 05435.0109-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Phase Application of International Application No. PCT/JP2009/065946 of:	)	Group Art Unit: Not Yet Assigned
Toshifumi YANAI	)	Examiner: Not Yet Assigned
Application No.: Not Yet Assigned	)	Confirmation No.: Not Yet Assigned
Filed: February 24, 2011	)	
For: FRAME MOLDING FASTENING STRUCTURE	)	

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

Sir:

REQUEST FOR PARTICIPATION IN AND TO MAKE U.S. APPLICATION SPECIAL UNDER THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM

Applicant hereby requests participation in the Patent Cooperation Treaty - Patent Patent Prosecution Highway (PCT-PPH) Pilot Program and petitions to make the above-identified application special under the PCT-PPH pilot program.

As required by the "Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and the Japan Patent Office based on Patent Cooperation Treaty Work Products," dated January 23, 2010 by David J. Kappos, Applicant submits that this U.S. application is a national stage application of the corresponding PCT application, and attaches (1) a Request/Petition Form

PTO/SB/20PCT-JP with a claims correspondence table; (2) the latest work product in the International Phase of the corresponding PCT application (i.e., the Written Opinion mailed on December 28, 2009 in PCT/JP2009/065946), with an English translation thereof; (3) a listing of all claims which were indicated as having novelty, inventive step, and industrial applicability in the latest work product in the International Phase of the corresponding PCT application, with an English translation thereof and a statement that the English translation is accurate; (4) a Preliminary Amendment with amendments to the pending U.S. claims to make them sufficiently correspond to the claims which were indicated as having novelty, inventive step, and industrial applicability in the latest work product in the International Phase of the corresponding PCT application; and (5) an Information Disclosure Statement.

Please charge any required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 24, 2011

By: _____
James W. Edmondson
Reg. No. 33,871

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:	Not Yet Assigned	Filing date:	February 24, 2011
First Named Inventor:	Toshifumi YANAI		
Title of the Invention:	FRAME MOLDING FASTENING STRUCTURE		

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/JP2009/065946

The international date of the corresponding PCT application(s) is/are: September 11, 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.

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.:	Not Yet Assigned
First Named Inventor:	Toshifumi YANAI

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)

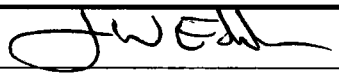
☑ Are attached.

☐ 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	U.S. claim 1 sufficiently corresponds to patentable claim 6 of the PCT application, which is a combination of PCT claims 1, 4, & 6.
2	2, 6	U.S. claim 2 sufficiently corresponds to claim 2 of the PCT application. U.S. claim 2 also sufficiently corresponds to patentable claim 6 of the PCT application because U.S. claim 2 is a dependent claim that is narrower in scope than patentable claim 6 of the PCT application.
3	3, 6	U.S. claim 3 sufficiently corresponds to claim 3 of the PCT application, except U.S. claim 3 is not a multiple dependent claim. U.S. claim 3 also sufficiently corresponds to patentable claim 6 of the PCT application because U.S. claim 3 is a dependent claim that is narrower in scope than patentable claim 6 of the PCT application.
4,6	N/A	U.S claims 4 and 6 are canceled
5	5,6	U.S. claim 5 sufficiently corresponds to claim 5 of the PCT application. U.S. claim 5 also sufficiently corresponds to patentable claim 6 of the PCT application because U.S. claim 5 is a dependent claim that is narrower in scope than patentable claim 6 of the PCT application.
7	3, 6	U.S. claim 7 sufficiently corresponds to claim 3 of the PCT application, except U.S. claim 7 is not a multiple dependent claim. U.S. claim 7 also sufficiently corresponds to patentable claim 6 of the PCT application because U.S. claim 7 is a dependent claim that is narrower in scope than patentable claim 6 of the PCT application.

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

Signature 	Date February 24, 2011
Name (Print/Typed) James W. Edmondson	Registration Number 33,871

I, Akira Yamada, hereby state that I am knowledgeable in the Japanese and English languages and that the attached document is, to the best of my 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/JP2009/065946 and of the claims attached to that Written Opinion of the International Searching Authority.

February 10, 2011

Date

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

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）	２８．１２．２００９
出願人又は代理人 の書類記号　P3P2009244	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／ＪＰ２００９／０６５９４６	（日.月.年）　１１．０９．２００９	（日.月.年）　２６．０９．２００８

国際特許分類（ＩＰＣ）Int.Cl. B60R13/04(2006.01)i, B60J1/02(2006.01)i, B60J10/04(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
１５．１２．２００９

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） 石川　健一	3D	3507
	電話番号　０３－３５８１－１１０１　内線　３３４１		

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／JP2009／065946

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／ＪＰ２００９／０６５９４６

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	３－６	有
	請求項	１，２	無
進歩性（ＩＳ）	請求項	６	有
	請求項	１－５	無
産業上の利用可能性（ＩＡ）	請求項	１－６	有
	請求項		無

2．　文献及び説明

文献１：日本国実用新案登録出願3-90939号（日本国実用新案登録出願公開5-32042号）の願書に添付した明細書及び図面の内容を記録したCD-ROM（株式会社東郷製作所，三恵技研工業株式会社）1993.04.27，図１（ファミリーなし）

文献２：JP 5-155248 A（東海興業株式会社）1993.06.22，段落【００１８】（ファミリーなし）

文献３：日本国実用新案登録出願1-30610号（日本国実用新案登録出願公開2-121419号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（日産車体株式会社）1990.10.02，第３図（ファミリーなし）

請求項１，２に係る発明は、国際調査報告で引用された文献１に記載されているので、新規性、進歩性を有さない。文献１（図１）には、モール片ＭＣ（第１のモール）に第１ジョイント部Ｊ１（固定部）、モール片ＭＳ（第２のモール）へ差し込まれる第２ジョイント部Ｊ２（差込部）からなり合成樹脂材で成形したモール片の接続構造（締結構造）が開示されている。

請求項３に係る発明は、文献１および国際調査報告で引用された文献２により進歩性を有さない。文献２（段落【００１８】）には、ファースナーにガラス繊維を折り込んだ材料を用いる技術が開示されている。

請求項４、５に係る発明は、文献１および国際調査報告で引用された文献３により進歩性を有さない。文献３（第３図）には、モールディング１２が端部１９ａに被着される技術が開示されている。

請求項６に係る発明は、国際調査報告で引用されたいずれの文献にも、記載も示唆もされていないし、当業者にとって自明なことでもない。

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)*	28. 12. 2009
Applicant's or agent's file reference: P3P2009244	FOR FURTHER ACTION: See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/065946	11. 09. 2009	26. 09. 2008

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. B60R13/04(2006. 01)i, B60J1/02(2006. 01)i, B60J10/04(2006. 01)i

Applicant
AISIN SEIKI KABUSHIKI KAISHA

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

- [X] 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
- [X] 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, Chiyoda-ku, Tokyo 100-8915	15. 12. 2009	Kenichi Ishikawa
Facsimile No.		Telephone No. 03-3581-1101Ext.3341

Form PCT/ISA/237 (cover sheet) (July 2009)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/065946

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/JP2009/065946

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	3-6	YES
	Claims	1, 2	NO
Inventive step (IS)	Claims	6	YES
	Claims	1-5	NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations:

Document 1 :CD-ROM of the specification and drawings annexed to the request of Japanese Utility Model Application No. 90939/1991 (Laid-open No. 32042/1993) (Togo Seisakusyo Corp., Sankei Giken Kogyo Co., Ltd.), 27 April 1993 (27. 04. 1993), fig. 1
(Family: none)

Document 2 :JP 5-155248 A (Tokai Kogyo Co., Ltd.), 22 June 1993 (22.06.1993), paragraph [0018]
(Family: none)

Document 3 :Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 30610/1989 (laid-open No. 121419/1990) (Nissan Shatai Co., ltd), 02 October 1990 (02. 10. 1990), fig. 3
(Family: none)

The inventions according to claims 1 and 2 are described in Document 1 cited in the International Search Report, and therefore does not involve novelty and inventive step. Document 1 (fig 1) discloses a molding chip coupling configuration (fastening structure) that includes a first joint portion J1 (fixed portion) fixed to a molding chip MC (first molding) and a second joint portion J2 (insertion portion) inserted into a molding chip MS (second molding), and molded by synthetic resin.

The invention according to claim 3 does not involve inventive step over Document 1 and Document 2 cited in the International Search Report. Document 2 (paragraph [0018]) discloses a technique using material containing glass fibers for a fastener.

The inventions according to claims 4 and 5 do not involve inventive step over Document 1 and Document 3, which is cited in the International Search Report. Document 3 (fig 3) discloses a technique in which an end portion 19a is covered by a molding 12.

The invention according to claim 6 is not described and suggested in any of the documents cited in the International Search Report, and is not obvious for one ordinally skilled in the art.

請求の範囲

[請求項1] 第１のモールと、第２のモールと、前記第１及び第２のモール同士を締結するためのブラケットとを備え、該ブラケットが前記第１のモールに固定される固定部と前記第２のモールに差込まれる差込部とを含む、フレームモールの締結構造であって、

前記差込部は本体と樹脂部材とを含み、前記本体は、前記第２のモールに対する前記差込部の差込み方向に直交する断面の一端側に位置する第１部分と、該第１部分の反対側の端部に位置する第２部分とを有し、前記樹脂部材は前記第１部分と前記第２部分との少なくともいずれか一方に設けられるとともに前記第２のモールの内面に当接する、ことを特徴とする締結構造。

[請求項2] 前記樹脂部材は、前記内面に当接するリブを有する請求項１に記載の締結構造。

[請求項3] 前記樹脂部材は、ガラス繊維を含有する請求項１又は２に記載の締結構造。

[請求項4] 前記第２のモールは前記差込み方向に直交する断面において第１端部と第２端部とを有し、該第１端部は略Ｌ字形状の内面を形成する少なくとも二つの面を有し、前記樹脂部材は前記第１端部の二つの面に対向する二つの面を有する請求項１に記載の締結構造。

[請求項5] 前記樹脂部材の二つの面にはリブがそれぞれ設けられる請求項４に記載の締結構造。

[請求項6] 前記差込部の本体は金属製であって、該本体の前記第１部分にのみ樹脂部材が設けられ、前記第２部分は前記第２端部の内面に当接する請求項４に記載の締結構造。

TRANSLATION OF PATENTABLE CLAIMS IN PCT APPLICATION OF PCT/JP2009/065946

1. A frame molding fastening structure comprising:

a first molding;

a second molding; and

a bracket that fastens the first and second moldings to each other, the bracket including a fixed portion fixed to the first molding and an insertion portion inserted into the second molding;

wherein the insertion portion includes a main body and a resin member, the main body includes a first portion, which is located at one end side of a cross-section perpendicular to an insertion direction of the insertion portion relative to the second molding, and a second portion, which is located at an end portion at an opposite side of the first portion, and the resin member is arranged in at least either one of the first portion and the second portion to abut an inner surface of the second molding.

2. The fastening structure according to claim 1, wherein the resin member includes a rib that abuts the inner surface.

3. The fastening structure according to claim 1 or 2, wherein the resin member contains glass fibers.

4. The fastening structure according to claim 1, wherein the second molding includes a first end portion and a second end portion in a cross-section perpendicular to the insertion direction, the first end portion includes at least two surfaces forming a generally L-shaped inner surface, and the resin member includes two surfaces facing toward the two

surfaces of the first end portion.

5. The fastening structure according to claim 4, wherein the two surfaces of the resin member each include a rib.

6. The fastening structure according to claim 4, wherein the main body of the insertion portion is formed from metal, the resin member is arranged in only the first portion of the main body, and the second portion abuts the inner surface of the second end portion.

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.
13/060,524	02/24/2011	Toshifumi Yanai	05435.0109-00000	9998

22852 7590 05/06/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
3612	

MAIL DATE	DELIVERY MODE
05/06/2011	PAPER

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

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

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

MAY 6 2011

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

In re application of	:	**DECISION ON REQUEST TO**
Yanai Toshifumi	:	**PARTICIPATE IN PATENT**
Application No. 13/060,524	:	**PROSECUTION HIGHWAY**
Filed: February 24, 2011	:	**PROGRAM AND PETITION**
For: FRAME MOLDING FASTENING STRUCTURE	:	**TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 24, 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, 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

MB/MB: 05/06/11

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

71799
Mr. Jackson Chen
6535 N. State Hwy. 161
Irving, TX 75039

MAILED

APR 20 2011

PCT LEGAL ADMINISTRATION

In re Application of
ISHIKAWA *et al*
Application No.: 13/060,608
PCT No.: PCT/JP2009/004210
Int. Filing Date: 28 August 2009
Priority Date: 29 August 2008
Attorney's Docket No.: J-11-0083
For: TEXT MINING APPARATUS, TEXT MINING METHOD, AND COMPUTER-READABLE RECORDING MEDIUM

DECISION

This application is before the Office of PCT Legal Administration for matters arising under 35 U.S.C. 371.

BACKGROUND

On 24 February 2011, applicants filed papers to enter the national stage of PCT/JP2009/004210 using the USPTO EFS-Web system at 16:09:50 listing attorney docket number J-11-0083. No fees were paid with this submission. This application was given U.S. application number 13/060,585.

A second set of national stage papers for PCT/JP2009/004210 was filed using the USPTO EFS-Web system at 16:34:44 on the same day using the same attorney docket number. The second filing was denoted as U.S. application number 13/060,608. Fees totaling $980.00 were submitted with this application.

On 21 March 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) and filing receipt for U.S. Application No. 13/060,608.

DISCUSSION

As is evident from the above recited facts, two sets of papers to enter the national stage were submitted for international application PCT/JP2009/004210. The end result for an international application designating the United States of America is a single U.S. national stage application.

The language of 35 U.S.C. 363 and 371 refers to the national stage of the PCT

in the singular only; thus, only one national stage application may develop from an international application. Both filings on 24 February 2011 indicate that the filing is a "U.S. National Stage under 35 USC 371" of PCT/JP2009/004210. No conflicting instructions appear in the application papers.

Therefore, the submission of two sets of national stage papers to enter the United States was improper.

CONCLUSION

Both applications will be **MERGED** into one national stage application for PCT/JP2009/004210 denoted as U.S. application No. **13/060,608**.

Applicants must use only U.S. application No. **13/060,608** for all correspondence to the national stage application of PCT/JP2009/004210.

Applicants are advised that U.S. application No. 13/060,585 is no longer a valid U.S. National stage application. No refund is warranted.

This application is being forwarded to the Office of Patent Application Processing for continued processing.

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

JUL 15 2011

PCT LEGAL ADMINISTRATION

NXP, B.V.
NXP INTELLECTUAL PROPERTY & LICENSING
M/S41-SJ
1109 MCKAY DRIVE
SAN JOSE CA 95131

In re Application of: LAMBERT et al.
U.S. Application No.: 13/060,612
PCT No.: PCT/IB2009/053712
International Filing Date: 24 August 2009
Priority Date: 25 August 2008
Attorney's Docket No.: 81354692 US05
For: APPARATUS AND METHOD FOR TIMING OF SIGNALS

PETITION UNDER 37 CFR 1.497(d) TO CORRECT INVENTORSHIP

This decision is issued in response to applicant's "Request for Correction of Invnetorship under 37 CFR 1.1497(d)" filed 12 May 2011.

BACKGROUND

On 24 August 2009, applicant filed international application PCT/IB2009/053712. The international application named J. Lambert as the sole applicant/inventor. The deadline for submission of the basic national fee was to expire thirty months from the priority date, i.e., 25 February 2011.

On 24 February 2011, applicant filed a request for entry into the national stage in the United States of America under 35 U.S.C. 371. Filed with the request were, the requisite basic national fee, a copy of the international application, and a preliminary amendment.

On 22 March 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring an oath or declaration in compliance with 37 CFR 1.497 and the surcharge fee required under 37 CFR 1.492(h). The notification set a two-month time limit in which to respond.

On 12 May 2011, applicant filed the present request under 37 CFR 1.497(d).

DISCUSSION

The present submission seeks to correct the inventorship so as to add inventor Hein van den Heuvel and Gertjan Groot Hulze to the application. Additionally, the present submission seeks to correct the inventorship so as to delete inventor J. Lambert from the

application. Where, as here, the inventorship in the national stage declaration is not consistent with the inventorship in the international application, applicant must correct the inventorship pursuant to 37 CFR 1.497(d), which states the following:

> (d) If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or if a change to the inventive entity has been effected under PCT Rule 92bis subsequent to the execution of any oath or declaration which was filed in the application under PCT Rule 4.17(iv) or this section and the inventive thus changed is different from the inventive entity identified in any such oath or declaration, applicant must submit:
>
> > (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; and
> >
> > (3) If an assignment has been executed by any of the original named inventors, the written consent of the assignees (see § 3.73(b) of this chapter); and
> >
> > (4) any new oath or declaration required by paragraph (f) of this subsection.

Applicant has submitted a statement from the persons being added (Hein van den Heuvel and Gertjan Groot Hulze) as inventors in compliance with 37 CFR 1.497(d)(1). Additionally, applicant has submitted a statement from the person being deleted (J. Lambert) as an inventor in compliance with 37 CFR 1.497(d)(1). The $130 processing fee required under 37 CFR 1.497(d)(2) has been submitted. And applicant has submitted written confirmation that no assignment has been executed. Lastly, applicant has submitted a declaration executed by Hein van den Heuvel and Gertjan Groot Hulze. Therefore, applicant's request to correct inventorship under 37 CFR 1.497(d) is granted.

CONCLUSION

The request under 37 CFR 1.497(d) is GRANTED. The application is being returned to the United States Designated/Elected Office for further processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	WMS Gaming, Inc., et al.	Filed:	Sep 7, 2009
Docket No.:	100.059WO1	Int'l. Appln. No.	PCT/US09/56147

Title: WAGERING GAME ESTABLISHMENT DATA IMPORT/EXPORT ARCHITECTURE

AMENDMENT AND RESPONSE UNDER ARTICLE 34

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

In response to the Written Opinion by the International Preliminary Examining Authority mailed 02 November 2009, please consider the following remarks.

Applicant requests that the following amendments be made and the following remarks be considered in the above-identified international patent application.

The Applicant files herewith a Chapter II Demand for Examination with respect to the above.

IN THE CLAIMS

Please amend the claims by substituting the enclosed replacement pages 18-25 for corresponding pages 18-21 presently on file. The amended claims are related to the pending claims as follows:

Replacement pages	Claims Before Response to Written Opinion	Claims After Response to Written Opinion
18	1-7	1-7 (Cancelled)
		21-23 (New)
19	8-11	8-11 (Cancelled)
		24-26 (New)
20	12-18	12-18 (Cancelled)
		27-30 (New)
21	19-20	19-20 (Cancelled)
		31-32 (New)
22		33-36 (New)
23		37-39 (New)
24		40-43 (New)
25		44 (New)

REMARKS

Applicant provides the following remarks in response to the International Preliminary Examination Authority's Written Opinion (mailed 02 November 2009).

Novelty

The Written Opinion asserts that the claims 1-20 had novelty.

Inventive Step

The Written Opinion asserts that "Claims 1-20 lack inventive step under PCT Article 33(3) as being obvious over US 2004/0248645 A1 to Blackburn et al. (hereinafter 'Blackburn') in view of US 2007/10168463 A1 (Rothschild). " Claims 1-20 have been cancelled in favor of new claims 21-44. Blackburn discloses a customer data center providing accounting services to a customer property. Blackburn discloses using UDDI to discover the accounting services. Blackburn does not disclose or suggest establishing a data feed between secured machines in a wagering game establishment and an online community. Rothschild discloses listing media content and placing the content onto a community website. Rothschild does not disclose or suggest establishing a data feed between secured machines in a wagering game establishment and an online community.

Industrial Applicability

The Written Opinion asserts that "Claims 1-20 have industrial applicability as defined by PCT Article 33(4), because the subject matter can be made or used in industry."

CONCLUSION

In view of the above remarks, Applicant believes that all the pending claims satisfy the criteria set forth in PCT Articles 33(2), 33(3), and 33(4) with respect to novelty, inventive step and industrial applicability. Thus, Applicant respectfully requests issuance of a favorable International Preliminary Examination Report (IPER). If the Examiner does not issue a favorable IPER, Applicant expressly requests the opportunity to make additional amendments under Rule 66.4, perhaps in response to an additional Written Opinion issued under the same rule. Applicant would also like to conduct a telephone interview under Rule 66.6, if such would be beneficial. Applicant submits that these additional communications, if needed, should facilitate issuance of a favorable IPER and provide efficiencies in subsequent regional and national phase examination.

Respectfully submitted,

WMS Gaming, Inc., et al.

By their Representatives,

DeLizio Gilliam, PLLC
15201 Mason Road
Suite 1000-312
Cypress, TX 77433
281-758-0025

Date 6 July 2010 By /Steven R. Gilliam, #51734/
Steven R. Gilliam
Reg. No. 51734

This paper or fee is being filed on the date indicated above using the USPTO's electronic filing system EFS-Web, and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CLAIMS

21. A method of establishing a data feed from a data source on an online wagering game community server for a wagering game machine within a wagering game establishment, the method comprising:

evaluating a request for the data feed against import rules that regulate data imported into the wagering game establishment, wherein the request originates from the machine within the wagering game establishment;

determining that the data source and the request are valid based, at least in part, on said evaluating the request for the data feed against the import rules;

forwarding the validated request to a first machine operating as a data liaison external to the wagering game establishment, wherein the data liaison subscribes to the data source for the data feed based, at least in part, on the validated request;

a data import/export controller ensuring that the data feed forwarded from the data liaison complies with the import rules to generate an import rules compliant data feed, wherein the data liaison forwarded the data feed to a second machine operating as the data import/export controller within the wagering game establishment; and

supplying the import rules compliant data feed to the wagering game machine in the wagering game establishment.

22. The method of claim 21 further comprising the data import/export controller and the data liaison agreeing upon a communication protocol and a security protocol in advance.

23. The method of claim 21, wherein said supplying the import rules compliant data feed to the wagering game machine in the wagering game establishment comprises:

the data import/export controller forwarding the import rules compliant data feed to a player account server, wherein the data feed comprises online wagering game community of a player represented by a player account managed by the player account server; and

the player account server forwarding the import rules compliant data feed to the wagering game machine, wherein the player account indicates the player as logged into the wagering game machine.

24. The method of claim 23 further comprising at least one of trading an achievement represented by the import rules compliant data feed for a service within the wagering game establishment, exchanging online wagering game community credit represented by the import rules compliant data feed for credit within the wagering game establishment, enhancing a wagering game presented by the wagering game machine with the import rules compliant data feed, presenting a secondary game represented by the import rules compliant data feed, and displaying the import rules compliant data feed.

25. The method of claim 21, wherein the data import/export controller ensuring that the data feed forwarded from the data liaison complies with the import rules to generate the import rules compliant data feed comprises at least one of determining that the data feed corresponds to a player registered with a developer of the wagering game machine, limiting the data feed to a bandwidth specified by the import rules, expurgating data of the data feed that does not comport with a data format specified by the import rules, selecting particular fields from the data feed that can be imported, limiting the data feed to a size specified by the import rules, and limiting the data feed to an amount of time specified by the import rules.

26. A method of establishing a data feed from a data source on a first server within a wagering game establishment to a first machine external to the wagering game establishment via a data liaison and a second server of an online wagering game community, the method comprising:

evaluating a request for the data feed against export rules that regulate data exported from the wagering game establishment, wherein the request originates from the first

machine external to the wagering game establishment and the request indicates the online wagering game community;

determining that the data feed to the first machine is permitted based, at least in part, on said evaluating the request for the data feed against the export rules;

a data import/export controller subscribing to the data source for the data feed, wherein the data import/export controller is within the wagering game establishment;

the data import/export controller receiving the data feed;

the data import/export controller applying the export rules to the data feed to generate an export rules compliant data feed; and

the data import/export controller forwarding the export rules compliant data feed to a second machine operating as the data liaison, wherein the second machine operating as the data liaison is external to the wagering game establishment and forwards the export rules compliant data feed to the second server.

27. The method of claim 26, wherein the data source comprises at least one of a player account and wagering gaming data from a wagering game machine.

28. The method of claim 26, wherein the data import/export controller applying the export rules to the data feed to generate the export rules compliant data feed comprises expurgating units of the data feed in accordance with the export rules.

29. The method of claim 28, wherein said expurgating the units of the data feed in accordance with the export rules comprises one of removing and scrambling one of a player identifier used by the wagering game establishment and notes about a player maintained by the wagering game establishment.

30. The method of claim 26, wherein the data import/export controller applying the export rules to the data feed to generate the export rules compliant data feed comprises applying different levels of encryption for different aspects of player data indicated by the data feed.

31. The method of claim 26, wherein the data import/export controller applying the export rules to the data feed to generate the export rules compliant data feed comprises locating a first indication of the data liaison and a second indication of the online wagering game community in a hierarchical data structure of data liaison indications and online wagering game community indications, wherein positions of the first indication and the second indication correspond to security measures specified by the export rules.

32. A machine-readable storage medium having program instructions for establishing a data feed from a data source on an online wagering game community server for a wagering game machine within a wagering game establishment, the program instructions comprising:

program instructions to evaluate a request for the data feed against import rules that regulate data imported into the wagering game establishment, wherein the request originates from the machine within the wagering game establishment;

program instructions to determine that the data source and the request are valid based, at least in part, on evaluation of the request for the data feed against the import rules;

program instructions to forward the validated request to a first machine operating as a data liaison external to the wagering game establishment, wherein the data liaison subscribes to the data source for the data feed based, at least in part, on the validated request;

program instructions to ensure that the data feed forwarded from the data liaison complies with the import rules to generate an import rules compliant data feed, wherein the data liaison forwarded the data feed to a second machine operating as the data import/export controller within the wagering game establishment; and

program instructions to supply the import rules compliant data feed to the wagering game machine in the wagering game establishment.

33. The machine-readable storage medium of claim 32, wherein the program instructions further comprise program instructions to agree upon a communication protocol and a security protocol with the data liaison.

34. The machine-readable storage medium of claim 32, wherein the program instructions to supply the import rules compliant data feed to the wagering game machine in the wagering game establishment comprises the program instructions to:

forward the import rules compliant data feed to a player account server, wherein the data feed comprises online wagering game community data of a player represented by a player account managed by the player account server.

35. The machine-readable storage medium of claim 34, wherein the program instructions further comprising program instructions to, at least one of, trade an achievement represented by the import rules compliant data feed for a service within the wagering game establishment, exchange online wagering game community credit represented by the import rules compliant data feed for credit within the wagering game establishment, enhance a wagering game presented by the wagering game machine with the import rules compliant data feed, present a secondary game represented by the import rules compliant data feed, and display the import rules compliant data feed.

36. The machine-readable storage medium of claim 32 , wherein the program instructions to ensure that the data feed forwarded from the data liaison complies with the import rules to generate the import rules compliant data feed comprises the program instructions to, at least one of, determine that the data feed corresponds to a player registered with a developer of the wagering game machine, limit the data feed to a bandwidth specified by the import rules, expurgate data of the data feed that does not comport with a data format specified by the import rules, select particular fields from the data feed that can be imported, limit the data feed to a size specified by the import rules, and limit the data feed to an amount of time specified by the import rules.

37. A machine-readable storage medium having program instructions for establishing a data feed from a data source on a first server within a wagering game establishment to a first machine external to the wagering game establishment via a data liaison and a second server of an online wagering game community, the program instructions comprising:

program instructions to evaluate a request for the data feed against export rules that regulate data exported from the wagering game establishment, wherein the request originates from the first machine external to the wagering game establishment and the request indicates the online wagering game community;

program instructions to determine that the data feed to the first machine is permitted based, at least in part, on evaluation of the request for the data feed against the export rules;

program instructions to subscribe to the data source for the data feed;

program instructions to receive the data feed;

program instructions to apply the export rules to the data feed to generate an export rules compliant data feed; and

program instructions to forward the export rules compliant data feed to a second machine operating as the data liaison, wherein the second machine operating as the data liaison is external to the wagering game establishment and forwards the export rules compliant data feed to the second server.

38. The machine-readable storage medium of claim 37, wherein the data source comprises at least one of a player account and wagering gaming data from a wagering game machine.

39. The machine-readable storage medium of claim 37, wherein the program instructions to apply the export rules to the data feed to generate the export rules compliant data feed comprises the program instructions to expurgate units of the data feed in accordance with the export rules.

40. The machine-readable storage medium of claim 39, wherein the program instructions to expurgate units of the data feed in accordance with the export rules comprises the program instructions to, one of, remove and scramble one of a player identifier used by the wagering game establishment and notes about a player maintained by the wagering game establishment.

41. The machine-readable storage medium of claim 37, wherein the program instructions to apply the export rules to the data feed to generate the export rules compliant data feed comprises the program instructions to apply different levels of encryption for different aspects of player data indicated by the data feed.

42. The machine-readable storage medium of claim 37, wherein the program instructions to apply the export rules to the data feed to generate the export rules compliant data feed comprises the program instructions to locate a first indication of the data liaison and a second indication of the online wagering game community in a hierarchical data structure of data liaison indications and online wagering game community indications, wherein positions of the first indication and the second indication correspond to security measures specified by the export rules.

43. An apparatus comprising:

a processor;

a network interface operable to receive a request for a data feed, wherein the request originates from a first machine accessing an online community that is external to and separate from a network of a wagering game establishment;

means for establishing the data feed between a data source in the network and a data import/export controller in the network;

means for enforcing export rules on the data feed received at the import/export controller to generate an export rules compliant data feed; and

means for forwarding the export rules compliant data feed to a second machine operating as a data liaison between the wagering game establishment and the online

community, wherein the second machine forwards the export rules compliant data feed to a server of the online community.

44. The apparatus of claim 43, wherein the data source comprises at least one of a player account and wagering gaming data from a wagering game machine.

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
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 IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/060,630	Filing date:	02-24-2011
First Named Inventor:	Damon E. Gura		
Title of the Invention:	WAGERING GAME ESTABLISHMENT DATA IMPORT/EXPORT ARCHITECTURE		

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.

PCT/US09/56147

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

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

7-SEP-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-US (09-10)
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 IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/060,630
First Named Inventor:	Damon E. Gura

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 02/24/2011

(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 02/24/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
21-44	21-44	same claims

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

Signature /Steven R. GIlliam, #51734/	Date 11-April-2011
Name (Print/Typed) Steven R. Gilliam	Registration Number 51734

Privacy Act Statement

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

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

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

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
STEVEN R. GILLIAM
DELIZIO GILLIAM, PLLC
15201 MASON ROAD SUITE 1000-318
CYPRESS, TX 77433

RECEIVED
MAR 18 2011
DeLizio Gilliam, PLLC

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	14 MAR 2011

Applicant's or agent's file reference	IMPORTANT NOTIFICATION
100.059WO1	

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US09/56147	07 September 2009 (07.09.2009)	08 September 2008 (08.09.2008)

Applicant

WMS GAMING, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide.*

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/ US	Authorized officer
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	/Paul A. D'Agostino/
Facsimile No.	Telephone No. (571) 272-3700

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 100.059WO1	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/US09/56147	International filing date *(day/month/year)* 07 September 2009 (07.09.2009)	Priority date *(day/month/year)* 08 September 2008 (08.09.2008)

International Patent Classification (IPC) or national classification and IPC

IPC: **G06F 17/00**(2006.01),**19/00**(2011.01)
USPC: 463/42

Applicant

WMS GAMING, INC.

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 31 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *(sent to the applicant and to the International Bureau)* a total of 8 sheets, as follows:
      ☒ 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 Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) _____ , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. 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

Date of submission of the demand	Date of completion of this report
06 July 2010 (06.07.2010)	08 March 2011 (08.03.2011)
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No.	Authorized officer /Paul D'Agostino/ Telephone No. (571) 272-3700

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US09/56147

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into English, which is the language of a translation furnished for the purposes of:

☐ international search (under Rules 12.3(a) and 23.1(b))

☐ publication of the international application (under Rule 12.4(a))

☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:
pages 1-17 as originally filed/furnished
pages* NONE received by this Authority on
pages* NONE received by this Authority on

☒ the claims:
pages NONE as originally filed/furnished
pages* NONE as amended (together with any statement) under Article 19
pages* 18-25 received by this Authority on 06 July 2010 (06.07.2010)
pages* NONE received by this Authority on

☒ the drawings:
pages 1-8 as originally filed/furnished
pages* NONE received by this Authority on
pages* NONE received by this Authority on

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

☐ the description, pages
☒ the claims, Nos. 1-20
☐ the drawings, sheets/figs
☐ the sequence listing (*specify*):
☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages
☐ the claims, Nos.
☐ the drawings, sheets/figs
☐ the sequence listing (*specify*):
☐ any table(s) related to the sequence listing (*specify*):

5. ☐ This report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).

* *If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US09/56147

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 21-44	YES
	Claims NONE	NO
Inventive Step (IS)	Claims 21-44	YES
	Claims NONE	NO
Industrial Applicability (IA)	Claims 21-44	YES
	Claims NONE	NO

2. Citations and Explanations (Rule 70.7)

1. Claims 21-44 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest establishing a data feed between secured machines in a wager game establishment.

2. Claims 21-44 meet the criteria set out in PCT Article 33(4), and thus has industrial applicability because the subject matter claimed can be made or used in industry.

---------- NEW CITATIONS ----------

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
STEVEN R. GILLIAM
DELIZIO GILLIAM, PLLC
15201 MASON ROAD SUITE 1000-312
CYPRESS, TX 77433

PCT

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	
Applicant's or agent's file reference 100.059WO1	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US09/56147	07 September 2009 (07.09.2009)	08 September 2008 (08.09.2008)

Applicant

WMS GAMING, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide.*

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/ US	Authorized officer
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	/Paul A. D'Agostino/
Facsimile No.	Telephone No. (571) 272-3700

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 100.059WO1	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/US09/56147	International filing date *(day/month/year)* 07 September 2009 (07.09.2009)	Priority date *(day/month/year)* 08 September 2008 (08.09.2008)
International Patent Classification (IPC) or national classification and IPC IPC: **G06F 17/00**(2006.01),**19/00**(2011.01) USPC: 463/42		
Applicant WMS GAMING, INC.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *(sent to the applicant and to the International Bureau)* a total of 8 sheets, as follows:
      ☒ 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 Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) _____ , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. 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

Date of submission of the demand	Date of completion of this report
06 July 2010 (06.07.2010)	08 March 2011 (08.03.2011)
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No.	Authorized officer /Paul D'Agostino/ Telephone No. (571) 272-3700

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US09/56147

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into English, which is the language of a translation furnished for the purposes of:

☐ international search (under Rules 12.3(a) and 23.1(b))

☐ publication of the international application (under Rule 12.4(a))

☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:
pages 1-17 as originally filed/furnished
pages* NONE received by this Authority on
pages* NONE received by this Authority on

☒ the claims:
pages NONE as originally filed/furnished
pages* NONE as amended (together with any statement) under Article 19
pages* 18-25 received by this Authority on 06 July 2010 (06.07.2010)
pages* NONE received by this Authority on

☒ the drawings:
pages 1-8 as originally filed/furnished
pages* NONE received by this Authority on
pages* NONE received by this Authority on

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

☐ the description, pages
☒ the claims, Nos. 1-20
☐ the drawings, sheets/figs
☐ the sequence listing (*specify*):
☐ any table(s) related to the sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages
☐ the claims, Nos.
☐ the drawings, sheets/figs
☐ the sequence listing (*specify*):
☐ any table(s) related to the sequence listing (*specify*):

5. ☐ This report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).

** If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US09/56147

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 21-44	YES
	Claims NONE	NO
Inventive Step (IS)	Claims 21-44	YES
	Claims NONE	NO
Industrial Applicability (IA)	Claims 21-44	YES
	Claims NONE	NO

2. Citations and Explanations (Rule 70.7)

1. Claims 21-44 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest establishing a data feed between secured machines in a wager game establishment.

2. Claims 21-44 meet the criteria set out in PCT Article 33(4), and thus has industrial applicability because the subject matter claimed can be made or used in industry.

---------- NEW CITATIONS ----------

CLAIMS

21. A method of establishing a data feed from a data source on an online wagering game community server for a wagering game machine within a wagering game establishment, the method comprising:

evaluating a request for the data feed against import rules that regulate data imported into the wagering game establishment, wherein the request originates from the machine within the wagering game establishment;

determining that the data source and the request are valid based, at least in part, on said evaluating the request for the data feed against the import rules;

forwarding the validated request to a first machine operating as a data liaison external to the wagering game establishment, wherein the data liaison subscribes to the data source for the data feed based, at least in part, on the validated request;

a data import/export controller ensuring that the data feed forwarded from the data liaison complies with the import rules to generate an import rules compliant data feed, wherein the data liaison forwarded the data feed to a second machine operating as the data import/export controller within the wagering game establishment; and

supplying the import rules compliant data feed to the wagering game machine in the wagering game establishment.

22. The method of claim 21 further comprising the data import/export controller and the data liaison agreeing upon a communication protocol and a security protocol in advance.

23. The method of claim 21, wherein said supplying the import rules compliant data feed to the wagering game machine in the wagering game establishment comprises:

the data import/export controller forwarding the import rules compliant data feed to a player account server, wherein the data feed comprises online wagering game community of a player represented by a player account managed by the player account server; and

the player account server forwarding the import rules compliant data feed to the wagering game machine, wherein the player account indicates the player as logged into the wagering game machine.

24. The method of claim 23 further comprising at least one of trading an achievement represented by the import rules compliant data feed for a service within the wagering game establishment, exchanging online wagering game community credit represented by the import rules compliant data feed for credit within the wagering game establishment, enhancing a wagering game presented by the wagering game machine with the import rules compliant data feed, presenting a secondary game represented by the import rules compliant data feed, and displaying the import rules compliant data feed.

25. The method of claim 21, wherein the data import/export controller ensuring that the data feed forwarded from the data liaison complies with the import rules to generate the import rules compliant data feed comprises at least one of determining that the data feed corresponds to a player registered with a developer of the wagering game machine, limiting the data feed to a bandwidth specified by the import rules, expurgating data of the data feed that does not comport with a data format specified by the import rules, selecting particular fields from the data feed that can be imported, limiting the data feed to a size specified by the import rules, and limiting the data feed to an amount of time specified by the import rules.

26. A method of establishing a data feed from a data source on a first server within a wagering game establishment to a first machine external to the wagering game establishment via a data liaison and a second server of an online wagering game community, the method comprising:

evaluating a request for the data feed against export rules that regulate data exported from the wagering game establishment, wherein the request originates from the first

machine external to the wagering game establishment and the request indicates the online wagering game community;

determining that the data feed to the first machine is permitted based, at least in part, on said evaluating the request for the data feed against the export rules;

a data import/export controller subscribing to the data source for the data feed, wherein the data import/export controller is within the wagering game establishment;

the data import/export controller receiving the data feed;

the data import/export controller applying the export rules to the data feed to generate an export rules compliant data feed; and

the data import/export controller forwarding the export rules compliant data feed to a second machine operating as the data liaison, wherein the second machine operating as the data liaison is external to the wagering game establishment and forwards the export rules compliant data feed to the second server.

27. The method of claim 26, wherein the data source comprises at least one of a player account and wagering gaming data from a wagering game machine.

28. The method of claim 26, wherein the data import/export controller applying the export rules to the data feed to generate the export rules compliant data feed comprises expurgating units of the data feed in accordance with the export rules.

29. The method of claim 28, wherein said expurgating the units of the data feed in accordance with the export rules comprises one of removing and scrambling one of a player identifier used by the wagering game establishment and notes about a player maintained by the wagering game establishment.

30. The method of claim 26, wherein the data import/export controller applying the export rules to the data feed to generate the export rules compliant data feed comprises applying different levels of encryption for different aspects of player data indicated by the data feed.

31. The method of claim 26, wherein the data import/export controller applying the export rules to the data feed to generate the export rules compliant data feed comprises locating a first indication of the data liaison and a second indication of the online wagering game community in a hierarchical data structure of data liaison indications and online wagering game community indications, wherein positions of the first indication and the second indication correspond to security measures specified by the export rules.

32. A machine-readable storage medium having program instructions for establishing a data feed from a data source on an online wagering game community server for a wagering game machine within a wagering game establishment, the program instructions comprising:

program instructions to evaluate a request for the data feed against import rules that regulate data imported into the wagering game establishment, wherein the request originates from the machine within the wagering game establishment;

program instructions to determine that the data source and the request are valid based, at least in part, on evaluation of the request for the data feed against the import rules;

program instructions to forward the validated request to a first machine operating as a data liaison external to the wagering game establishment, wherein the data liaison subscribes to the data source for the data feed based, at least in part, on the validated request;

program instructions to ensure that the data feed forwarded from the data liaison complies with the import rules to generate an import rules compliant data feed, wherein the data liaison forwarded the data feed to a second machine operating as the data import/export controller within the wagering game establishment; and

program instructions to supply the import rules compliant data feed to the wagering game machine in the wagering game establishment.

33. The machine-readable storage medium of claim 32, wherein the program instructions further comprise program instructions to agree upon a communication protocol and a security protocol with the data liaison.

34. The machine-readable storage medium of claim 32, wherein the program instructions to supply the import rules compliant data feed to the wagering game machine in the wagering game establishment comprises the program instructions to:

forward the import rules compliant data feed to a player account server, wherein the data feed comprises online wagering game community data of a player represented by a player account managed by the player account server.

35. The machine-readable storage medium of claim 34, wherein the program instructions further comprising program instructions to, at least one of, trade an achievement represented by the import rules compliant data feed for a service within the wagering game establishment, exchange online wagering game community credit represented by the import rules compliant data feed for credit within the wagering game establishment, enhance a wagering game presented by the wagering game machine with the import rules compliant data feed, present a secondary game represented by the import rules compliant data feed, and display the import rules compliant data feed.

36. The machine-readable storage medium of claim 32 , wherein the program instructions to ensure that the data feed forwarded from the data liaison complies with the import rules to generate the import rules compliant data feed comprises the program instructions to, at least one of, determine that the data feed corresponds to a player registered with a developer of the wagering game machine, limit the data feed to a bandwidth specified by the import rules, expurgate data of the data feed that does not comport with a data format specified by the import rules, select particular fields from the data feed that can be imported, limit the data feed to a size specified by the import rules, and limit the data feed to an amount of time specified by the import rules.

37. A machine-readable storage medium having program instructions for establishing a data feed from a data source on a first server within a wagering game establishment to a first machine external to the wagering game establishment via a data liaison and a second server of an online wagering game community, the program instructions comprising:

program instructions to evaluate a request for the data feed against export rules that regulate data exported from the wagering game establishment, wherein the request originates from the first machine external to the wagering game establishment and the request indicates the online wagering game community;

program instructions to determine that the data feed to the first machine is permitted based, at least in part, on evaluation of the request for the data feed against the export rules;

program instructions to subscribe to the data source for the data feed;

program instructions to receive the data feed;

program instructions to apply the export rules to the data feed to generate an export rules compliant data feed; and

program instructions to forward the export rules compliant data feed to a second machine operating as the data liaison, wherein the second machine operating as the data liaison is external to the wagering game establishment and forwards the export rules compliant data feed to the second server.

38. The machine-readable storage medium of claim 37, wherein the data source comprises at least one of a player account and wagering gaming data from a wagering game machine.

39. The machine-readable storage medium of claim 37, wherein the program instructions to apply the export rules to the data feed to generate the export rules compliant data feed comprises the program instructions to expurgate units of the data feed in accordance with the export rules.

40. The machine-readable storage medium of claim 39, wherein the program instructions to expurgate units of the data feed in accordance with the export rules comprises the program instructions to, one of, remove and scramble one of a player identifier used by the wagering game establishment and notes about a player maintained by the wagering game establishment.

41. The machine-readable storage medium of claim 37, wherein the program instructions to apply the export rules to the data feed to generate the export rules compliant data feed comprises the program instructions to apply different levels of encryption for different aspects of player data indicated by the data feed.

42. The machine-readable storage medium of claim 37, wherein the program instructions to apply the export rules to the data feed to generate the export rules compliant data feed comprises the program instructions to locate a first indication of the data liaison and a second indication of the online wagering game community in a hierarchical data structure of data liaison indications and online wagering game community indications, wherein positions of the first indication and the second indication correspond to security measures specified by the export rules.

43. An apparatus comprising:

a processor;

a network interface operable to receive a request for a data feed, wherein the request originates from a first machine accessing an online community that is external to and separate from a network of a wagering game establishment;

means for establishing the data feed between a data source in the network and a data import/export controller in the network;

means for enforcing export rules on the data feed received at the import/export controller to generate an export rules compliant data feed; and

means for forwarding the export rules compliant data feed to a second machine operating as a data liaison between the wagering game establishment and the online

community, wherein the second machine forwards the export rules compliant data feed to a server of the online community.

44. The apparatus of claim 43, wherein the data source comprises at least one of a player account and wagering gaming data from a wagering game machine.

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.
13/060,630	02/24/2011	Damon E. Gura	100.059US1	1649

65375 7590 05/09/2011

WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER	
ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
05/09/2011	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):

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.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

WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of	:	
GURA, DAMON E. et al	:	DECISION ON REQUEST TO
Application No. 13/060,630	:	PARTICIPATE IN PATENT
Filed: Feb. 24, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. 100.059US1	:	PROGRAM AND PETITION
For: WAGERING GAME ESTABLISHMENT	:	TO MAKE SPECIAL
DATA IMPORT/EXPORT ARCHITECTURE	:	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 11, 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.

Other inquiries concerning the examination or status of the application should be directed to David Lewis, the SPE of Art Unit 3714 at 571-272-7673 for Class 463/42 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

MAILED

APR 29 2011

PCT LEGAL ADMINISTRATION

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

AXINN, VELTROP & HARKRIDER LLP
Attn. Michael A. Davitz
114 West 47th Street
New York NY 10036

In re Application of O CONNOR et al.	:	DECISION ON
Application No.: 13/060,633	:	
PCT No.: PCT/EP09/58858	:	PETITION UNDER
Int. Filing: 10 July 2009	:	
Priority Date: 10 July 2008	:	37 CFR 1.137(b)
Attorney Docket No: 3065-016	:	
For: DIAGNOSTIC KIT FOR ASPERCILLUS FUMIGATUS SPECIES	:	

The petition to revive under 37 CFR 1.137(b) filed 24 February 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 been provided. The required petition fee of $810 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.

This application is being forwarded to the United States Designated/Elected Office for further processing. The Notification of Missing Requirements, mailed on 15 March 2011, remains in effect.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286
Facsimile: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

SEP 08 2011

PCT LEGAL ADMINISTRATION

AXINN, VELTROP & HARKRIDER LLP
Attn. Michael A. Davitz
114 West 47th Street
New York NY 10036

In re Application of O CONNOR et al.
Application No.: 13/060,633
PCT No.: PCT/EP09/58858
Int. Filing: 10 July 2009
Priority Date: 10 July 2008
Attorney Docket No: 3065-016
For: DIAGNOSTIC KIT FOR ASPERCILLUS FUMIGATUS SPECIES

: DECISION ON
:
: PETITION UNDER
:
: 37 CFR 1.181
:
:
:

This is a decision on applicant's "Request to Vacate Notification of Abandonment" filed on 31 May 2011 in the United States Patent and Trademark Office (USPTO). This is responsive to applicant's 14 June 2011 "Supplemental Request to Vacate Notification of Abandonment" and 29 July 2011 "Petition under 37 CFR 1.181 to Withdraw Holding of Abandonment". As set forth below, Applicant's request for an extension of time is granted.

BACKGROUND

On 10 July 2009, applicant filed an international application PCT/EP09/58858, which claimed a priority date of 10 July 2008. Thus, the thirty month period was set to expire on 10 January 2011.

On 24 February 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*, the basic national fee and a petition to revive, which was granted on 29 April 2011.

On 15 March 2011, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), along with the surcharge for filing the oath or declaration after the thirty month period, was required. The notice set a two month time period within which to reply or by 15 May 2011. Extensions of time were available (five additional months) under 37 CFR 1.136(a).

On 31 May 2011, the USPTO mailed a Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to respond to the Notification of Missing Requirements within the time period set therein.

On the same day, 31 May 2011, applicant filed a petition requesting that the USPTO withdraw the holding of abandonment because the time period within which to respond to the

Notification of Missing Requirements had not yet expired. On 03 June 2011, applicant filed a request for a two month extension of time.

On 09 June 2011, applicant filed an executed declaration and the surcharge for filing the declaration after the thirty month period. On 14 June 2011, applicant filed a "Supplemental Request to Vacate Notification of Abandonment".

On 29 July 2011, applicant filed a "Petition under 37 CFR 1.181 to Withdraw Holding of Abandonment".

DISCUSSION

The Notification of Abandonment mailed in the instant application indicated that the application was abandoned for failure to respond within the time period set in the Notification of Missing Requirements. A review of the Notification of Missing Requirements reveals that applicant had two months from the mail date of the Notification, or by 15 May 2011, within which to respond with extensions of time (up to five months) available under 37 CFR 1.136(a) (or until 15 October 2011). Since applicant could request extensions of time, the 31 May 2011 Notification of Abandonment was mailed in error and is hereby **VACATED**.

A review of executed declaration reveals that it is acceptable and in compliance with 37 CFR 1.497(a) and (b). The $65 surcharge for filing the declaration after the thirty month period was paid. Applicant submitted a request for a two month extension of time ($245). However, only a one month extension of time is required ($65); thus, the difference in fee for the second month will be refunded to applicant.

Applicant's request to withdraw holding of abandonment under 37 CFR 1.181 is GRANTED.

CONCLUSION

The petition under 37 CFR 1.181 to withdraw the holding of abandonment is **GRANTED**.

The 15 May 2011 Notification of Abandonment is hereby **VACATED**. The executed declaration, submitted on 09 June 2011, is acceptable and in compliance with 37 CFR 1.497(a) and (b).

The extension of time fee of ($180) will be refunded.

The application will be 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 09 June 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

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

26936
SHOEMAKER AND MATTARE, LTD.
10 Post Office Road, Suite 100
Silver Spring, MD 20910

MAILED

APR 20 2011

PCT LEGAL ADMINISTRATION

In re Application of :
FACCIN, Francesco :
U.S. Application No.: 13/060,635 :
PCT No.: PCT/IB2009/053443 :
Int. Filing Date: 06 August 2009 :
Priority Date: 20 August 2008 :
Docket No.: 6617 :
For: ARM-REST ADJUSTABLE IN INCLINATION, IN PARTICULAR FOR VEHICLES :

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicant's petition to revive under 37 CFR 1.137(b) filed with the national stage papers on 24 February 2011 is hereby **GRANTED** as follows:

The proper fees and the petition fee for a small entity have been paid. Applicant made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. All requirements of 37 CFR 1.137(b) are complete.

A declaration in compliance with 37 CFR 1.497(a) and (b) and a $65.00 surcharge fee was filed 10 March 2011.

This application is being forwarded to the United States Designated/Elected Office for further processing in accordance with this decision.

James Thomson

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

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

MAILED
MAY 06 2011
OFFICE OF PETITIONS

In re Application of :
Hans L. Melgaard :
Application No. 13/060,651 :DECISION ON PETITION
Filed: March 23, 2011 :TO MAKE SPECIAL UNDER
Attorney Docket No. 19571.88.2 : 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 18, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the attorney of record, Adonis Neblett, that the sole inventor is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

This application file is being referred to the Office of Patent Application Processing for further processing in accordance with this decision.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the processing of the application should be addressed to the Office of Patent Application Processing at (571) 272-4000.

Andrea Smith
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
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:	13/060,666	Filing date:	2011-02-24
First Named Inventor:	Shailendra Kumar DUBEY		
Title of the Invention:	A PROCESS FOR PRODUCING (S)-3-[(1-DIMETHYLAMINO)ETHYL] PHENYL-N-ETHYL-N-METHYL-CARBAMATE VIA NOVEL INTERMEDIATES		

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/IB2009/006639

The international filing date of the corresponding PCT application(s) is/are: 2009-08-25

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.:	13/060,666
First Named Inventor:	Shailendra Kumar DUBEY

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 2011-02-24

(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 2011-02-24

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-50	1-50	Claims 1-50 in the US Application are identical to claims 1-50 in the corresponding PCT application.

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

Signature /David A. Jones/ Reg. #50004	Date 2011-04-21
Name (Print/Typed) DAVID A. JONES	Registration Number 50004

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

APR 29 2011

PCT LEGAL ADMINISTRATION

BLANK ROME LLP
WATERGATE
600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON DC 20037

In re Application of DOGRA et al.
Application No.: 13/060,673 : DECISION ON
PCT No.: PCT/US09/53011 :
Int. Filing: 06 August 2009 : PETITION UNDER
Priority Date: 07 August 2008 :
Attorney Docket No: 116686.00583 : 37 CFR 1.137(b)
For: ROBOTIC LOCALIZING AID FOR HIGH INTENSITY FOCUSED ULTRASOUND DELIVERY :

The petition to revive under 37 CFR 1.137(b) filed 24 February 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 been provided. The required petition fee of $810 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.

This application is being forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements, indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), is required along with the surcharge for filing the oath or declaration after the thirty-month period.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286
Facsimile: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

SEP 19 2011

PCT LEGAL ADMINISTRATION

BLANK ROME LLP
WATERGATE
600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON DC 20037

In Re Application of
NG (deceased) et al.
Application No.: 13/060,673
PCT No.: PCT/US09/53011
Int. Filing Date: 06 August 2009
Priority Date: 07August 2008
Attorney Docket No.:116686-00583
For: ROBOTIC LOCALIZING AID FOR HIGH INTENSITY FOCUSED ULTRASOUND DELIVERY

DECISION on

REQUEST UNDER

37 CFR 1.42

This is a decision on applicant's submission of an executed declaration, treated as a request under 37 CFR 1.42, filed in the United States Patent and Trademark Office (USPTO) on 11 July 2011 in the above referenced application.

BACKGROUND

On 06 August 2009, applicant filed international application No. PCT/US09/53011 which claimed a priority date of 07 August 2007 and which designated the United States.

Thereafter, 07 January 2011, before the expiration of the thirty month period, applicant filed, *inter alia*, for entry into the national stage along with the basic national fee.

On 12 May 2011, a Notification of Missing Requirements was mailed to applicant indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the oath or declaration, after the expiration of the thirty month period, was required.

On 11 July 2011, applicant filed executed declarations.

DISCUSSION

37 CFR § 1.42 requires that in the case of the death of the inventor, the legal representative of the deceased inventor may make the necessary oath or declaration, and apply for and obtain a patent.

37 CFR 1.497(a)(3) requires that the declaration identify each inventor and the country of citizenship of each inventor. 37 CFR 1.497(b)(2) requires the declaration to state the relationship of the person (under 37 CFR 1.42) making the declaration for a deceased inventor. 37 CFR 1.497(b)(2) further states that, if the person signing the oath or declaration is the legal representative of a deceased inventor, the oath or declaration

must state that the person is a legal representative and indicate the citizenship, residency and mailing address of the legal representative.

The declaration submitted on 11 July 2011 is executed by Yunn Shiow Lim, identifying Lim as heir of Wan S. Ng, deceased inventor. It is not clear that Lim is the sole heir or whether there are other heirs of the deceased inventor. The declaration must include the signatures of all the heirs. What is required is a statement by either those signing the declaration or the attorney which sets forth that Lim is, in fact, the sole heir of the deceased inventor. This statement should also set forth that no legal representative of the deceased's estate has been appointed or is statutorily required to be appointed. Accordingly, it is inappropriate, at this time, to accord the application status under 37 CFR 1.42.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **DISMISSED WITHOUT PREJUDICE**.

Applicant is required to correct the above-noted defects including the furnishing of a oath/declaration in compliance with 37 CFR 1.42 and 1.497 within TWO (2) MONTHS from the mail date of this Decision.

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.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office

Telephone: 571-272-3286
Facsimile: 571-273-0459

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 22 2011

PCT LEGAL ADMINISTRATION

BLANK ROME LLP
WATERGATE
600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON DC 20037

In Re Application of	:	
NG (deceased) et al.	:	
Application No.: 13/060,673	:	DECISION on
PCT No.: PCT/US09/53011	:	
Int. Filing Date: 06 August 2009	:	REQUEST UNDER
Priority Date: 07August 2008	:	
Attorney Docket No.:116686-00583	:	37 CFR 1.42
For: ROBOTIC LOCALIZING AID FOR HIGH	:	
INTENSITY FOCUSED ULTRASOUND DELIVERY	:	

This is a decision on applicant's request under 37 CFR 1.42, filed in the United States Patent and Trademark Office (USPTO) on 21 October 2011 in the above referenced application.

BACKGROUND

On 06 August 2009, applicant filed international application No. PCT/US09/53011 which claimed a priority date of 07 August 2007 and which designated the United States.

Thereafter, 07 January 2011, before the expiration of the thirty month period, applicant filed, *inter alia*, for entry into the national stage along with the basic national fee.

On 12 May 2011, a Notification of Missing Requirements was mailed to applicant indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the oath or declaration, after the expiration of the thirty month period, was required.

On 11 July 2011, applicant filed executed declarations. On 19 September 2011, a decision dismissing the request for status under 37 CFR 1.42 was mailed indicating that clarification was required regarding identification of any additional heirs of the deceased inventor.

DISCUSSION

37 CFR § 1.42 requires that in the case of the death of the inventor, the legal representative of the deceased inventor may make the necessary oath or declaration, and apply for and obtain a patent.

37 CFR 1.497(a)(3) requires that the declaration identify each inventor and the country of citizenship of each inventor. 37 CFR 1.497(b)(2) requires the declaration to

state the relationship of the person (under 37 CFR 1.42) making the declaration for a deceased inventor. 37 CFR 1.497(b)(2) further states that, if the person signing the oath or declaration is the legal representative of a deceased inventor, the oath or declaration must state that the person is a legal representative and indicate the citizenship, residency and mailing address of the legal representative.

The declaration submitted on 11 July 2011 is executed by Yunn Shiow Lim, identifying Lim as heir of Wan Ng, deceased inventor. From the submission filed on 21 October 2011, it is clear that Lim is the sole heir and executrix for the deceased inventor Wan Ng. Accordingly, it is appropriate, at this time, to accord the application status under 37 CFR 1.42.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **GRANTED**.

The application will be forwarded to the United States Designated/Elected Office for further processing in accord with this decision. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 11 July 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office

Telephone: 571-272-3286
Facsimile: 571-273-0459

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

LIFE TECHNOLOGIES CORPORATION
C/O INTELLEVATE
P.O. BOX 52050
MINNEAPOLIS MN 55402

MAILED

APR 11 2011

PCT LEGAL ADMINISTRATION

In re Application of
CHANG et al.
Application No.: 13/060,682
PCT No.: PCT/US2009/040698
Int. Filing Date: 15 April 2009
Priority Date: 15 April 2008
Attorney Docket No.: LT00013 US
For: PIPETTE TIP FOR ELECTROPORATION DEVICE

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 24 February 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 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 applicant has submitted the basic national fee and 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 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: (571) 272-3298

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

SEP 28 2011

PCT LEGAL ADMINISTRATION

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

Solaris Intellectual Property Group, PLLC
401 Holland Lane, Suite 407
Alexandria VA 22314

In re Application of YAMAMOTO et al.

Application No.: 13/060,693	:	DECISION ON
PCT No.: PCT/JP09/65641	:	
Int. Filing Date: 08 September 2009	:	DECLARATION
Priority Date: 08 September 2008	:	
Attorney Docket No: CO-F03381-01	:	
For: SPHEROID COMPOSITE, SPHEROID-CONTAINING HYDROGEL AND PROCESSES FOR PRODUCTION OF SAME	:	

This is a decision on Applicant's "Explanation of Submission" to correct the fourth inventor's name to MASASHI YAMAMOTO, filed on 17 June 2011 in the United States Patent and Trademark Office (USPTO). Applicant's request for a one month extension of time is granted.

BACKGROUND

On 25 February 2011, applicant filed a transmittal letter concerning a filing under 35 U.S.C. 371 accompanied by the basic national fee.

On 18 March 2011, a Notification of Missing Requirements was mailed to applicant indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), and the surcharge for providing the oath or declaration after the thirty month period, was required.

On 7 June 2011, applicant filed a response to the Notification of Missing Requirements along with a declaration executed by the inventors. The published international application identified the fourth inventor as Miyabi YAMAMOTO. However, the declaration submitted on 17 June 2011 identified the inventor as Masashi YAMAMOTO and was executed as such.

DISCUSSION

A review of the application file reveals that the given name of the fourth inventor as listed on the published international application is "Miyabi YAMAMOTO". The declaration, filed on 17 June 2011, identified and was signed by "Masashi YAMAMOTO". Applicant explains that the inventor's name was misspelled and incorrectly identified in the international application. The explanation is acceptable and noted for the record. The USPTO records will be corrected to reflect the name of the fourth inventor as Masashi YAMAMOTO. The declaration, submitted on 17 June 2011, meets the requirements of 37 CFR 1.497(a) and (b) and is acceptable.

CONCLUSION

For the above reasons, the request to correct the respective inventor's name to Masashi YAMAMOTO is **GRANTED**. The declaration, submitted on 17 June 2011, meets the requirements of 37 CFR 1.497(a) and (b) and is acceptable.

The application will be 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 17 June 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration

Telephone: (571)272-3286
Facsimile: (571)273-0459

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:	13060732	Filing date:	February 25, 2011
First Named Inventor:	Prijo Alho-Lehto		
Title of the Invention:	IMPROVED EDIBLE COMPOSITIONS AND METHOD FOR PREPARING IT		

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/FI2009/000080

The international filing date of the corresponding PCT application(s) is/are: August 31, 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.:	13060732
First Named Inventor:	Prijo Alho-Lehto

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	Amended to correct typographical error
2	2	Original
3-10	3-10	Amended to remove multiple dependent claims
11	11	Original
12	12	Amended to remove multiple dependent claims
13-16	13-16	Original
17	17	Amended to put claim into U.S. format
18	18	Original
19-22	19-22	Amended to to remove multiple dependent cliams
23-26	23-26	Original

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

Signature /John E. Nemazi/	Date April 8, 2011
Name (Print/Typed) John E. Nemazi	Registration Number 30876

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.
13/060,732	02/25/2011	Pirjo Alho-Lehto	RAIS0103PUSA	1594

22045 7590 05/23/2011

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER	
ART UNIT	PAPER NUMBER
1781	

MAIL DATE	DELIVERY MODE
05/23/2011	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

MAY 23 2011

CT

In re application of	:	DECISION ON REQUEST TO
Pirjo Alho-Lehto et al	:	PARTICIPATE IN PATENT
Serial No. 13/060,732	:	PROSECUTION HIGHWAY
Filed: February 25, 2011	:	PROGRAM AND
For: IMPROVED EDIBLE COMPOSITIONS	:	PETITION TO MAKE SPECIAL
AND METHOD FOR PREPARING IT	:	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 April 9, 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 must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, USPTO, KIPO or NBPR;

(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) Applicant must submit a claims correspondence table in English and all the independent 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 the latest international work product is not in the English language; and

(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 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

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

MAY 12 2011

PCT LEGAL ADMINISTRATION

HOYNG MONEGIER LLP
Rembrandt Tower 31st Floor
Amstelplein 1
Amsterdam 1096 HA NL NETHERLANDS

In re Application of NAFID et al.	:	DECISION ON
Application No.: 13/060,733	:	
PCT No.: PCT/IB09/53281	:	PETITION UNDER
Int. Filing: 28 July 2009	:	
Priority Date: 31 July 2008	:	37 CFR 1.137(b)
Attorney Docket No: 13840.0003.USPO	:	
For: METHOD FOR PROCESSING A MIXTURE OF CELLULOSE/PLASTIC WASTE PARTICLES TO FORM A FUEL	:	

The petition to revive under 37 CFR 1.137(b) filed 25 February 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 been provided. The required petition fee of $810 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.

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 25 February 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286
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.
13/060,751	02/25/2011	Hitoshi Ando	IWP0029US	1674

23413 7590 05/13/2011

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford, CT 06103

EXAMINER	
ART UNIT	PAPER NUMBER
2629	

NOTIFICATION DATE	DELIVERY MODE
05/13/2011	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):

usptopatentmail@cantorcolburn.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

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

In re Application of	:	
ANDO, HITOSHI et al	:	DECISION ON REQUEST TO
Application No. 13/060,751	:	PARTICIPATE IN PATENT
Filed: February 25, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. **IWP0029US**	:	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 February 25, 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 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 is deficient as follows:

Petitioner has not complied with item 2 in that although a translation of the claims from each of the JPO applications containing the allowable/patentable claims has been submitted, the petition fails to include a copy of the actual allowable/patentable claims from JPO application No. 2008-215288 and JPO application No. 2008-215306.

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.

Any response must be submitted via EFS-web.

Telephone inquiries concerning this decision should be directed to Doris To at 571-272-7629.

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

/Doris To/

Doris To
Quality Assurance Specialist
Technology Center 2600
Communications

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.
13/060,751	02/25/2011	Hitoshi Ando	IWP0029US	1674

23413 7590 05/26/2011

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford, CT 06103

EXAMINER	
ART UNIT	PAPER NUMBER
2629	

NOTIFICATION DATE	DELIVERY MODE
05/26/2011	ELECTRONIC

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

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

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

usptopatentmail@cantorcolburn.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

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

In re Application of	:	
ANDO, HITOSHI, et al.	:	DECISION ON REQUEST TO
Application No. 13/060,751	:	PARTICIPATE IN PATENT
Filed: February 25, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. **IWP0029US**	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 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 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 now comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Doris To at 571-272-7629.

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

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

/Doris To/

Doris To
Quality Assurance Specialist
Technology Center 2600
Communications

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: 76-1010 HMI0001-PCT-US	Application Number (if known): 13/060,817	Filing date: February 25, 2011
First Named Inventor: Randy S. Storch		
Title: ENERGY DISTRIBUTION MANAGEMENT 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 /Steven P. Arnheim/	Date February 28, 2011
Name (Print/Typed) Steven P. Arnheim	Registration Number 43,475

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 & TRADEMARK OFFICE

Appln. No.	:	13/060,817	Confirmation No. 2100
Applicant	:	Randy S. Storch et al.	
Filed	:	February 25, 2011	
Title	:	ENERGY DISTRIBUTION MANAGEMENT SYSTEM	
TC/A.U.	:	TBA	
Examiner	:	TBA	
Attorney Docket No.:		76-1010 HMI0001-PCT-US	
Customer No.	:	36163	

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

STATEMENT OF ELIGIBILITY
FOR THE GREEN TECHNOLOGY PILOT PROGRAM

Applicant respectfully submits that the above-identified patent application meets the requirements set forth in the Notice published on December 8, 2009 in the Federal Register (75 Fed. Reg. 69049), regarding accelerated examination under the Green Technology Pilot Program, as modified by the Federal Register Notices published on May 21, 2010 (75 Fed. Reg. 28554) and November 10, 2010 (75 Fed. Reg. 69049).

Specifically, the above identified patent application includes claims that are directed to a single invention that materially contributes to the more efficient utilization and conservation of energy resources. The claims recite an energy management system for monitoring and controlling energy consumption of a facility and for controlling and managing energy management of a series of load zones. In particular, the claims recite smart devices configured to control energy consumption of loads, such as electrical dimmers, switches, lights, and computers (see, e.g., page 21, line 1 of the

present specification). In response to instructions to reduce energy consumption, e.g., from a utility company during a load shedding event, the smart devices may be configured to control the loads to decrease energy consumption of the loads.

The disclosed and claimed energy management systems therefore materially contribute "to the more efficient utilization and conservation of energy resources," as described in the December 8, 2009 Federal Register Notice. Furthermore, Applicant notes that the claimed energy management systems directly relate to the reduction of energy consumption in industrial equipment and household appliances, which are the specific examples mentioned in the December 8, 2009 Federal Register Notice. The industrial equipment and household appliances may be considered examples of the loads recited in the claims of this application.

Applicant therefore respectfully submits that the disclosed and claimed energy management systems are eligible for the Green Technology Pilot Program, and respectfully requests that this application be granted special status under that Program.

Should the Office of Petitions have any questions or determine that any further action is desirable to place this petition in better condition for grant, the Office of Petitions is encouraged to contact the Applicant's representative at the number listed below.

Respectfully submitted,

PLUMSEA LAW GROUP, LLC

Date: February 28, 2011

By: /Steven P. Arnheim/
Steven P. Arnheim
Registration Number: 43,475
Telephone number: 301-365-9040

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.
13/060,817	03/30/2011	Randy S. Storch	76-1010 HM10001-PCT-US	2100

36163 7590 05/10/2011

PLUMSEA LAW GROUP, LLC
10411 MOTOR CITY DRIVE
SUITE 320
BETHESDA, MD 20817

EXAMINER	
ART UNIT	PAPER NUMBER
2121	

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

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

PLUMSEA LAW GROUP, LLC
10411 MOTOR CITY DRIVE
SUITE 320
BETHESDA MD 20817

In re Application of:
STORCH, Randy et al.
Application No. 13/060,817
Filed: March 30, 2011
Attorney Docket No. **76-1010 HMI0001-PCT-US**
Title: **ENERGY DISTRIBUTION MANAGEMENT SYSTEM**

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 February 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition

must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

The application is being forwarded to the Technology Center Art Unit 2121 for action on the merits commensurate with this decision.

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

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100

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.
13/060,861	04/06/2011	Yin Bo	VWS-280US	2311

83583 7590 06/09/2011

Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER
GONZALEZ, JULIO C

ART UNIT	PAPER NUMBER
2839	

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):

amalik@whepatent.com
eobrien@whepatent.com
USPTODOCK@whepatent.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

Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati OH 45202

In re Application of	**: DECISION ON REQUEST TO**
BO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/060,861	**: PROSECUTION HIGHWAY**
Filed: 06 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: VWS-280US	**: TO MAKE SPECIAL UNDER**
For: METHOD AND A CONTROLLING ARRANGEMENT FOR CONTROLLING AN AC GENERATOR	**: 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 21 April 2011, to make the above-identified application special.

The request and petition are **DISSMISSED**.

Discussion

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

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or

iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the DKPTO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DKPTO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the DKPTO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the DKPTO application is a first action allowance then no office action from the DKPTO is necessary should be indicated on the request/petition form;
   b. An English language translation of the DKPTO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the DKPTO examiner in the DKPTO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the requirements above.

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 (2) and possibly condition (3).

Regarding the requirement of condition (3), applicant has failed to ensure that all the claims in the U.S. application sufficiently correspond to the allowable/patentable claims in the DKPTO application. For example, DKPTO claim 12 requires at least one sensing device and a flux estimator while US claim 30 only requires a sensor block. The scope of these claims is clearly different.

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) with 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 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

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.
13/060,861	04/06/2011	Yin Bo	VWS-280US	2311

83583 7590 07/13/2011
Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER	
GONZALEZ, JULIO C	

ART UNIT	PAPER NUMBER
2839	

NOTIFICATION DATE	DELIVERY MODE
07/13/2011	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):

amalik@whepatent.com
eobrien@whepatent.com
USPTODOCK@whepatent.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

Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati OH 45202

In re Application of	**: DECISION ON REQUEST TO**
BO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/060,861	**: PROSECUTION HIGHWAY**
Filed: 06 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: VWS-280US	**: TO MAKE SPECIAL UNDER**
For: METHOD AND A CONTROLLING ARRANGEMENT FOR CONTROLLING AN AC GENERATOR	**: 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 21 April 2011 and renewed on 21 June 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 DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or

iii. contains no priority claim;

2. Applicant must submit a copy of:
    a. The allowable/patentable claim(s) from the DKPTO application(s);
    b. An English translation of the allowable/patentable claim(s) and
    c. A statement that the English translation is accurate;
3. Applicant must:
    a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DKPTO application(s) and
    b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
    a. Documentation of prior office action:
        i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the DKPTO application(s) containing the allowable/patentable claim(s) or
        ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
        iii. if the DKPTO application is a first action allowance then no office action from the DKPTO is necessary should be indicated on the request/petition form;
    b. An English language translation of the DKPTO Office action from (5)(a)(i)-(ii) above
    c. A statement that the English translation is accurate;
6. Applicant must submit:
    a. An IDS listing the documents cited by the DKPTO examiner in the DKPTO office action (unless already submitted in this application)
    b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

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

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

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: 65504-018US1	Application Number (if known): 13/060,862	Filing date: February 25, 2011
First Named Inventor: Will David Barker		
Title: ALCOHOL PRODUCTION PROCESS		

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 February 28, 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.: 65504-018US1
Client Ref. No.: SHR 508371USPR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Will David Barker et al.	Art Unit	: Not yet Assigned
Serial No.	: 13/060,862	Examiner	: Not yet Assigned
Filed	: February 25, 2011		
Title	: ALCOHOL PRODUCTION PROCESS		

MAIL STOP AMENDMENT
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.

In broad terms, the invention relates to the use of a gas fermentation process to capture carbon and produce useful products such as biofuels or fuel alcohols. More specifically, a carbon monoxide-containing gas that is obtained as a waste product of an industrial process is used as a substrate during anaerobic fermentation in a bioreactor to produce one or useful products such as ethanol.

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 industrial processes selected from ferrous metal products manufacturing, non-ferrous products manufacturing, petroleum refining processes, gasification of biomass, gasification of coal, electric power production, carbon black production, ammonia production, methanol production and coke manufacturing. These waste gas streams significant quantities of carbon dioxide – a greenhouse gas. It will be appreciated that such industrial plants contribute significantly

[1] 74 Fed. Reg. 234 (December 8, 2009), page 64666 et seq., and 75 Fed. Reg. 98 (May 21, 2010).

to greenhouse gas emissions and the methods described herein 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.

Also provided by the invention are methods for increasing the efficiency of the carbon capture process by reducing alcohol toxicity effects.

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 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. 65504-018US1. No other fees are believed to be due. However, to the extent any fees are due, or if a refund is forthcoming, please adjust the above-mentioned deposit account referencing the above-mentioned attorney docket number.

Respectfully submitted,

Date: February 28, 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
Facsimile: (617) 500-2499

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.
13/060,862	05/17/2011	Will David Barker	65504-018US1	2316

69713 7590 06/09/2011

OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE, MA 02138

EXAMINER	
ART UNIT	PAPER NUMBER
1641	

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):

INFO@ORTPATENT.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

JUN 0 9 2011

OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE MA 02138

In re Application of

BARKER, Will *et al.*	:	DECISION ON PETITION
Application No. 13/060862	:	TO MAKE SPECIAL UNDER
Filed: February 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 65504-018US1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 28, 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 1641 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-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:	13/060,880	Filing date:	February 25, 2011
First Named Inventor:	Wolfgang Zacharias		
Title of the Invention:	Intermediate Housing Floor for a Fluid Kinetic 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, 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/EP2009/60922

The international date of the corresponding PCT application(s) is/are: August 25, 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.

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.:	13/060,880
First Named Inventor:	Wolfgang Zacharias

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 February 25, 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 February 25, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
12	1	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
13	2	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
14	3	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
15	4	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
16	5	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
17	6	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
18	7	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
19	8	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
20	9	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
21	10,1	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
22	11	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
23	2	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
24	3	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
25	4	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
26	5	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
27	6	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
28	7	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
29	8	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11
30	9	U.S. Claim as filed in Preliminary Amendment filed on 2/25/11

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

Signature /Tina Gonka/	Date May 20, 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.

UNITED STATES PATENT AND TRADEMARK OFFICE

I, Charles Edward SITCH BA, Managing Director of

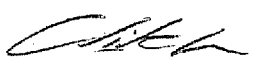
RWS Group Ltd UK Translation Division, of Europa House, Chiltern Park, Chiltern Hill, Chalfont St Peter, Buckinghamshire, United Kingdom, declare:

1. That I am a citizen of the United Kingdom of Great Britain and Northern Ireland.

2. That the translator responsible for the attached translation is well acquainted with the German and English languages.

3. That the attached is, to the best of RWS Group Ltd knowledge and belief, a true and accurate translation into the English language of the accompanying copy of claims filed with the International application for a patent on August 25, 2009 under the number PCT/EP2009/60922.

4. That I believe that all the statements made herein of my own knowledge are true and that all statements made on information and belief are true; and further that these statements were 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 patent application in the United States of America or any patent issuing thereon.



For and on behalf of RWS Group Ltd
Signed this 20th day of May 2011

Patent Claims

1. An intermediate housing floor for a fluid kinetic machine (1), having a part joint (19), at which the intermediate housing floor (13, 14) can be divided during the mounting into and/or dismantling from the fluid kinetic machine (1), and which part joint (19) is formed by at least two part joint faces (20, 21) which overlap one another on mutually facing sections (17, 18) of the intermediate housing floor (13, 14), a recess (22, 30) being provided in the region of the overlap in at least the one part joint face (20, 21), in which recess (22, 30) a coating (23, 31) is accommodated which protrudes from the one part joint face (20, 21) as a projection (29) in the dismantled state of the intermediate housing floor (13, 14), in which state the intermediate housing floor (13, 14) is divided at the part joint (19), with the result that, in the mounted state of the intermediate housing floor (13, 14), the coating (22, 30) bears against the other part joint face (20, 21) which faces the one part joint face (20, 21), as a result of which the part joint (19) is sealed, the one recess (22) being provided in the one part joint face (20) in the region of the overlap and the other recess (30) being provided in the other part joint face (21), in which recesses (22, 30) in each case one of the coatings (23, 30) is accommodated, the coatings (23, 30) being arranged so as to overlap one another.

2. The intermediate housing floor as claimed in claim 1, the coating being a honeycomb layer (23).

3. The intermediate housing floor as claimed in claim 2, the honeycomb layer (23) being soldered into the recess (22).

4. The intermediate housing floor as claimed in one of claims 1 to 3, the coating being a flame-sprayed or plasma-sprayed coating (30).

5. The intermediate housing floor as claimed in claim 4, the sprayed layer (30) having an Ni-Al-Cr basis.

6. The intermediate housing floor as claimed in claim 1, the coating of the one part joint face (20) being the honeycomb layer (23) and the coating of the other part joint face (21) being the sprayed layer (30).

7. The intermediate housing floor as claimed in claim 6, the layer thickness (32) of the sprayed layer (30) of the other part joint face (21) being dimensioned to be at least as large as the projection (29) of the honeycomb layer (23), with the result that the honeycomb layer (23) is pressed into the sprayed layer (30) in the mounted state of the intermediate housing floor (13, 14).

8. The intermediate housing floor as claimed in one of claims 1 to 7, the intermediate housing floor (13, 14) being formed from a lower half (17) and an upper half (18) which, in the mounted state, form the part joint (19) in a plane, in which the rotational axis (24) of the fluid kinetic machine (1) lies.

9. The intermediate housing floor as claimed in claim 8, the one part joint face (20) with the honeycomb layer (23) being provided on the lower half (17), and the other part joint face (21) with the sprayed layer (31) being provided on the upper half (18).

10. A fluid kinetic machine having an intermediate housing floor (13, 14) as claimed in one of claims 1 to 9.

11. The fluid kinetic machine as claimed in claim 10, the fluid kinetic machine being a radial turbocompressor (1) which has a radial turbocompressor stage (8) with an annular diffuser (10), a deflection channel (11) and a return channel (12) which are formed by at least two intermediate housing floors (13, 14).

PATENT COOPERATION TREATY

PCT/EP2009/060922

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)

(PCT Rules 44*bis*.3(c) and 72.2)

To:

SIEMENS AKTIENGESELLSCHAFT
Postfach 22 16 34
80506 München
ALLEMAGNE

CT IP SUAM Mich P
rec. MAR 21 2011
IP
time limit

Date of mailing *(day/month/year)*	
17 March 2011 (17.03.2011)	
Applicant's or agent's file reference 2008P10236WO	**IMPORTANT NOTIFICATION**
International application No. PCT/EP2009/060922	International filing date *(day/month/year)* 25 August 2009 (25.08.2009)
Applicant SIEMENS AKTIENGESELLSCHAFT et al	

1. **Transmittal of the translation to the applicant.**

☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. **Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, EP, 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, OA, OM, PE, 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

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer
Yolaine Cussac

e-mail: pt05.pct@wipo.int

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 2008P10236WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/EP2009/060922	International filing date *(day/month/year)* 25 August 2009 (25.08.2009)	Priority date *(day/month/year)* 03 September 2008 (03.09.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant SIEMENS AKTIENGESELLSCHAFT		

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 08 March 2011 (08.03.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Yolaine Cussac e-mail: pt05.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)

Date of mailing *(day/month/year)*	**See form PCT/ISA/210**
Applicant's or agent's file reference **2008P10236WO**	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/EP2009/060922	**25.08.2009**	**03.09.2008**

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

F04D1/06 F04D29/08 F04D29/16 F04D29/42 F04D29/44 F04D29/62

Applicant

SIEMENS AKTIENGESELLSCHAFT

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/EP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2009/060922

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/EP2009/060922

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	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations:

1 Reference is made to the following documents:

D1: WO 2005/045251 A1 (NUOVO PIGNONE SPA [IT]; SARRI FRANCO [IT]) 19 May 2005 (2005-05-19)

D2: DE 38 35 341 A1 (PROIZV OB NEVSKIJ Z IM V I [SU]) 19 April 1990 (1990-04-19)

D3: DATABASE WPI Week 198051 Thomson Scientific, London, GB; AN 1980-M2281 C- & SU 732 556 A1 (NEVSKII ZAVOD MFG) 15 May 1980 (1980-05-15)

2 Claim 1

2.1 D1 is considered to be the prior art closest to the subject matter of claim 1 and discloses (the references between parentheses relate to said document) an intermediate housing floor for a flow machine comprising a partial joint at which the intermediate housing floor 16, 18 can be divided during installation and/or demounting into/from the flow machine and which is formed of at least two overlapping partial joint surfaces on facing sections of the intermediate housing floor 16, 18 (page 6, line 22 to page 7, line 3; claim 1;

figure 1).

The same features are also known from D2 (column 10, line 39 to column 11, line 49; figures 1 and 2) or D3 (abstract; figure 1).

Therefore, the subject matter of claim 1 differs from the known intermediate housing floor in that a trough is provided in the area of overlap in at least the one partial joint surface, the trough being provided with a coating, said coating protruding from the one partial joint surface as a protrusion in the demounted state of the intermediate housing floor in which the intermediate housing floor is divided at the partial joint so that in the installed state of the intermediate housing floor the coating abuts the other partial joint surface facing the one partial joint surface, whereby the partial joint is sealed, wherein in the area of overlap in the one partial joint surface the one trough and in the other partial joint surface the other trough are provided, in each of which one of the coatings is provided, wherein the coatings are arranged such as to overlap each other.

Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)).

2.2 The problem addressed by the present invention can therefore be considered that of providing an intermediate housing floor for a flow machine and

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 flow machine having an intermediate housing floor, wherein the flow machine is highly efficient.

None of the search report citations discloses an intermediate housing floor having a partial joint surface in which a trough is provided which is supplied with a coating. Therefore, a person skilled in the art would not arrive at the proposed solution even by a combination of all the indicated documents. Further, no documents leads a person skilled in the art to the solution presented in the application in an obvious manner.

Therefore, the solution proposed in claim 1 of the present application to said problem involves an inventive step (PCT Article 33(3)).

3 Claims 2-11 are dependent on claim 1 and therefore likewise meet the requirements of the PCT in respect of novelty and inventive step.

4 The following should also be considered:

a) Independent claim 1 has not been drafted in the two-part form (PCT Rule 6.3(b)). However, in the present case, the two-part form appears to be appropriate. The features known in combination from the prior art (D1 or D2 or D3) should have been summarized in the preamble (PCT Rule 6.3(b)(i)) and the remaining features specified in the characterizing part (PCT Rule 6.3(b)(ii)).

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
b)	Contrary to the requirements of PCT Rule 5.1(a)(ii), the description does not cite D1-D3 or indicate the relevant prior art disclosed therein.

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.
13/060,880	02/25/2011	Wolfgang Zacharias	2008P10236WOUS	2416

22116 7590 05/24/2011

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
05/24/2011	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.

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

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of	:	
ZACHARIAS, WOLFGANG	:	DECISION ON REQUEST TO
Application No. 13/060,880	:	PARTICIPATE IN PATENT
Filed: Feb. 25, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No 2008P10236WOUS	:	PILOT PROGRAM AND PETITION
For: INTERMEDIATE HOUSING FLOOR FOR A FLUID KINETIC MACHINE	:	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 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 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 Ed Look, the SPE of Art Unit 3745 and (571)272-4820 for Class 415/182 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

Atty. Dkt. No. 040302-0894

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Tetsuro NAITO et al.
Title:	EXHAUST GAS PURIFYING CATALYST AND METHOD FOR MANUFACTURING THE SAME
Appl. No.:	13/060,918
International Filing Date:	6/8/2009
371(c) Date:	2/25/2011
Examiner:	Cam N. Nguyen
Art Unit:	1736
Confirmation Number:	2581

CLAIMS CORRESPONDENCE TABLE
(PARTS II AND III OF REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) BETWEEN THE JPO AND THE USPTO)

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

Sir:

The claims of the present U.S. national stage application, as currently amended, sufficiently correspond to the patentable claims of counterpart JP national stage application No. 2010-527730.

Applicants submit that the present U.S. claims sufficiently correspond to the counterpart Japanese application claim set. The following table demonstrates that correspondence.

Claims in US Application As Amended	Patentable Claims in JPO Application
1. An exhaust gas purifying catalyst, comprising: rhodium; a zirconium-containing oxide which supports rhodium, and comprises: at least one element selected from the group consisting of calcium, lanthanum, cerium, neodymium and yttrium; and zirconium; and a NOx absorbing material comprising at least one selected from the group consisting of magnesium, barium, sodium, potassium and cesium, wherein a degree of dispersion of rhodium is 20% or more after baking at 900 °C in air for three hours.	1. An exhaust gas purifying catalyst, comprising: rhodium; a zirconium-containing oxide which supports rhodium, and comprises: at least one element selected from the group consisting of calcium, lanthanum, cerium, neodymium and yttrium; and zirconium; and a NOx absorbing material comprising at least one selected from the group consisting of magnesium, barium, sodium, potassium and cesium, wherein a degree of dispersion of rhodium is 20% or more after baking at 900 °C in air for three hours.
2. The exhaust gas purifying catalyst according to claim 1, wherein the zirconium-containing oxide comprises zirconium and lanthanum, and a content ratio of zirconium to lanthanum (Zr:La) is 99.5:0.5 to 95:5 in a molar basis.	2. The exhaust gas purifying catalyst according to claim 1, wherein the zirconium-containing oxide comprises zirconium and lanthanum, and a content ratio of zirconium to lanthanum (Zr:La) is 99.5:0.5 to 95:5 in a molar basis.
3. The exhaust gas purifying catalyst according to claim 1, wherein a supported amount of rhodium is 3% by mass or less.	3. The exhaust gas purifying catalyst according to claim 1 or 2 , wherein a supported amount of rhodium is 3% by mass

	or less
4. The exhaust gas purifying catalyst according to claim 1, further comprising: platinum, wherein platinum is supported on an oxide containing cerium and aluminum, and at least some platinum is supported on cerium.	4. The exhaust gas purifying catalyst according to any one of claims 1 to 3 , further comprising: platinum, wherein platinum is supported on an oxide containing cerium and aluminum, and at least some platinum is supported on cerium.
5. The exhaust gas purifying catalyst according to claim 4, wherein a plurality of catalyst layers are provided, a content of cerium contained in the catalyst layers is 20 to 40% by mass as ceria (CeO_2), and a content of ceria contained in an outermost layer in the plurality of the catalyst layers is 20 to 40% by mass with respect to a total content of ceria.	5. The exhaust gas purifying catalyst according to claim 4, wherein a plurality of catalyst layers are provided, a content of cerium contained in the catalyst layers is 20 to 40% by mass as ceria (CeO_2), and a content of ceria contained in an outermost layer in the plurality of the catalyst layers is 20 to 40% by mass with respect to a total content of ceria.
6. Cancelled	6. A method for manufacturing an exhaust gas purifying catalyst, comprising: mixing a zirconium-containing oxide that comprises: at least one element selected from the group consisting of calcium, lanthanum, cerium, neodymium and yttrium; and zirconium with water, thereby preparing an aqueous liquid of the zirconium-

	containing oxide; and supporting rhodium on the zirconium-containing oxide by mixing the aqueous liquid of the zirconium-containing oxide with an aqueous solution of a rhodium salt, wherein a pH of a mixed liquid of the aqueous solution of the rhodium salt and the aqueous liquid of the zirconium-containing oxide is adjusted to 7 or more.
7. Cancelled	7. The method for manufacturing an exhaust gas purifying catalyst according to claim 6, wherein a pH of the aqueous solution of the rhodium salt and a pH of the aqueous liquid of the zirconium-containing oxide are both adjusted to 7 or more.
8. Cancelled	8. The method for manufacturing an exhaust gas purifying catalyst according to claim 6 or 7 , wherein the rhodium salt is hexammine rhodium salt.

Respectfully submitted,

Date October 13, 2011

By _____

Glenn Law
Attorney for Applicants
Registration No. 34,371

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

Doc Code: PPH.PET.652

Document Description: Petition to make special under Patent Pros Hwy

PTO/SB/20JP (07-11)
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 PROSECUTION HIGHWAY (PPH) PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/060,918	Filing Date:	February 25, 2011
First Named Inventor:	Tetsuro NAITO		
Attorney Docket No.:	040302-0894		
Title of the Invention:	EXHAUST GAS PURIFYING CATALYST AND METHOD FOR MANUFACTURING THE SAME		

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 JPO 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 JPO application number(s) is/are: JP 2010-527730 (This is the JP National Phase of PCT/JP2009/060443)
PCT/JP2009/060443

The filing date of the JPO application(s) is/are: June 8, 2009 (JP 2010-527730)
June 8, 2009 (PCT/JP2009/060443)

I. List of Required Documents:

a. **A copy of the latest JPO office actions (other than "Decision to Grant a Patent"*) in the above-identified JPO application(s)**

☐ Is attached.

☑ Is not attached because the JPO application was allowed in a first office action.

*It is not necessary to submit a copy of the "Decision to Grant a Patent" and an English translation thereof.

b. **A copy of all claims which were determined to be patentable by the JPO in the above-identified JPO application(s)**

☑ Is attached.

c. **English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language). An accuracy statement for the English translation of the documents in a. above is not required if the English translation is a machine translation provided by the JPO.**

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☐ Is attached.

☑ Has already been filed in the above-identified U.S. application on February 25, 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 February 25, 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.

PTO/SB/20JP (07-11)
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 PROSECUTION HIGHWAY (PPH) BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

(continued)

Application No.:	13/060,918
First Named Inventor:	Tetsuro NAITO

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JPO Application	Explanation regarding the correspondence
1	1	Identical or almost identical language, see attached claim chart
2	2	Identical or almost identical language, see attached claim chart
3	3	Identical or almost identical language, see attached claim chart
4	4	Identical or almost identical language, see attached claim chart
5	5	Identical or almost identical language, see attached claim chart
Cancelled	6	
Cancelled	7	
Cancelled	8	

III. All the claims in the US application sufficiently correspond to the patentable/allowable claims in the JPO application.

Signature	Date October 13, 2011
Name (Print/Typed) Glenn Law	Registration Number 34,371

Atty. Dkt. No. 040302-0894

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Tetsuro NAITO et al.
Title:	EXHAUST GAS PURIFYING CATALYST AND METHOD FOR MANUFACTURING THE SAME
Appl. No.:	13/060,918
International Filing Date:	6/8/2009
371(c) Date:	2/25/2011
Examiner:	Cam N. Nguyen
Art Unit:	1736
Confirmation Number:	2581

TRANSMITTAL OF DOCUMENTS
REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) BETWEEN THE JPO AND THE USPTO

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

Sir:

Transmitted herewith are the following documents.

[X] Request for Participation in the Patent Prosecution Highway (PPH) between the JPO and the USPTO (11 pgs)

[X] Preliminary Amendment Accompanying Request for Participation in the Patent Prosecution Highway (PPH) between the JPO and the USPTO (4 pgs)

[X] Response to Restriction Requirement (2 pages)

Applicants submit that the present U.S. claim set sufficiently corresponds to the counterpart Japanese application claim set.

Respectfully submitted,

Date October 13, 2011

By _____

Glenn Law
Attorney for Applicants
Registration No. 34,371

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

JNIS-1605-PCT-JP

JP Allowed Claims in Japanese

【特許請求の範囲】

【請求項１】

ロジウムと、

カルシウム、ランタン、セリウム、ネオジム及びイットリウムから成る群より選ばれる少なくとも１種の元素と、ジルコニウムとを含有し、前記ロジウムを担持するジルコニウム含有酸化物と、

マグネシウム、バリウム、ナトリウム、カリウム及びセシウムから成る群より選ばれる少なくとも１種のＮＯｘ吸着材と、

を含有し、

前記ロジウムの分散度が、空気中９００℃で３時間焼成した後において２０％以上であることを特徴とする排気ガス浄化用触媒。

【請求項２】

前記ジルコニウム含有酸化物が、ジルコニウムと、ランタンとを含有し、

前記ジルコニウムとランタンとの含有比（Ｚｒ：Ｌａ）が、モル基準で９９．５：０．５～９５：５であることを特徴とする請求項１に記載の排気ガス浄化用触媒。

【請求項３】

前記ロジウムの担持量が３質量％以下であることを特徴とする請求項１又は２に記載の排気ガス浄化用触媒。

【請求項４】

更に白金を含有し、

前記白金が、セリウムと、アルミニウムとを含有する酸化物に担持されており、

前記白金の少なくとも一部が前記セリウム上に担持されていることを特徴とする請求項１乃至３のいずれか一項に記載の排気ガス浄化用触媒。

【請求項５】

複数の触媒層を有し、触媒層中にセリウムがセリア（CeO_2）として２０～４０質量％含まれ、且つ、前記複数の触媒層のうちの最表層に含まれるセリア量がセリア全体の２０～４０質量％であることを特徴とする請求項４に記載の排気ガス浄化用触媒。

【請求項６】

カルシウム、ランタン、セリウム、ネオジム及びイットリウムから成る群より選ばれる少なくとも１種の元素とジルコニウムとを含有するジルコニウム含有酸化物と、水とを混合し、前記ジルコニウム含有酸化物の水溶液を調製する工程と、

前記ジルコニウム含有酸化物の水溶液と、ロジウム塩の水溶液とを混合し、前記ジルコニウム含有酸化物にロジウムを担持する工程と、

を有し、

前記ロジウム塩の水溶液と、前記ジルコニウム含有酸化物の水溶液とを混合したときのｐＨを７以上にすることを特徴とする排気ガス浄化用触媒の製造方法。

【請求項７】

前記ロジウム塩の水溶液のｐＨ及び前記ジルコニウム含有酸化物の水溶液のｐＨが共に７以上であることを特徴とする請求項６に記載の排気ガス浄化用触媒の製造方法。

【請求項８】

前記ロジウム塩は、ヘキサアンミンロジウム塩であることを特徴とする請求項６又は７に記載の排気ガス浄化用触媒の製造方法。

VERIFICATION OF TRANSLATION

I, Takayoshi Matsumoto

of c/o Miyoshi & Miyoshi Patent Attorneys, Toranomon Kotohira Tower, 1-2-8, Toranomon , Minato-ku, Tokyo 105-0001 Japan

declare as follows:

1. That I am well acquainted with both the English and Japanese languages, and
2. That the attached document is a true and accurate translation made by me to the best of my knowledge and belief of:-
3. The allowed claims of Japanese Patent Application No. 2010-527730.

October 6, 2011

Takayoshi Matsumoto

Takayoshi Matsumoto

ENGLISH TRANSLATION OF JP ALLOWED CLAIMS

1. An exhaust gas purifying catalyst, comprising:

rhodium;

a zirconium-containing oxide which supports rhodium, and comprises: at least one element selected from the group consisting of calcium, lanthanum, cerium, neodymium and yttrium; and zirconium; and

a NOx absorbing material comprising at least one selected from the group consisting of magnesium, barium, sodium, potassium and cesium,

wherein a degree of dispersion of rhodium is 20% or more after baking at 900 °C in air for three hours.

2. The exhaust gas purifying catalyst according to claim 1,

wherein the zirconium-containing oxide comprises zirconium and lanthanum, and

a content ratio of zirconium to lanthanum (Zr:La) is 99.5:0.5 to 95:5 in a molar basis.

3. The exhaust gas purifying catalyst according to claim 1 or 2, wherein a supported amount of rhodium is 3% by mass or less.

4. The exhaust gas purifying catalyst according to any one of claims 1 to 3, further comprising:

platinum,

wherein platinum is supported on an oxide containing cerium and aluminum, and

at least some platinum is supported on cerium.

5. The exhaust gas purifying catalyst according to claim 4,

wherein a plurality of catalyst layers are provided,

a content of cerium contained in the catalyst layers is 20 to 40% by mass as ceria (CeO_2), and

a content of ceria contained in an outermost layer in the plurality of the catalyst layers is 20 to 40% by mass with respect to a total content of ceria.

6. A method for manufacturing an exhaust gas purifying catalyst, comprising:

mixing a zirconium-containing oxide that comprises: at least one element selected from the group consisting of calcium, lanthanum, cerium, neodymium and yttrium; and zirconium with water, thereby preparing an aqueous liquid of the zirconium-containing oxide; and

supporting rhodium on the zirconium-containing oxide by mixing the aqueous liquid of the zirconium-containing oxide with an aqueous solution of a rhodium salt,

wherein a pH of a mixed liquid of the aqueous solution of the rhodium salt and the aqueous liquid of the zirconium-containing oxide is adjusted to 7 or more.

7. The method for manufacturing an exhaust gas purifying catalyst according to claim 6, wherein a pH of the aqueous solution of the rhodium salt and a pH of the aqueous liquid of the zirconium-containing oxide are both adjusted to 7 or more.

8. The method for manufacturing an exhaust gas purifying catalyst according to claim 6 or 7, wherein the rhodium salt is hexammine rhodium salt.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED
JAN 3 1 2012
OFFICE OF PETITIONS

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

In re Application of : DECISION ON REQUEST TO
Tetsuro NAITO et al. : PARTICIPATE IN PPH PROGRAM
Application No. 13/060,918 : AND PETITION TO MAKE SPECIAL
Filed: February 25, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 040302-0894 :
For: EXHAUST GAS PURIFYING CATALYST AND METHOD FOR MANUFACTURING THE SAME

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 13, 2011 to make the above-identified application special.

The petition and request are **DENIED**.

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.

Requirements (1) to (3), and (5) to (6) above are considered to have been met. However, the request to participate in the PPH program and petition fail to meet requirement (4).

Regarding the requirement of condition (4), as a non-final Office action was mailed in the instant application on December 20, 2011, examination is deemed to have begun.

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.

Anthony Knight
Director
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.
13/060,921	02/25/2011	Kenji Kobayashi	1553-052	2600

22429 7590 07/18/2011
LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
1746	

MAIL DATE	DELIVERY MODE
07/18/2011	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.

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

JUL 18 2011

CST

In re application of	:	DECISION ON REQUEST TO
Kenji Kobayashi	:	PARTICIPATE IN PATENT
Serial No. 13/060,921	:	PROSECUTION HIGHWAY
Filed: February 25, 2011	:	PROGRAM AND
For: MOUNTING APPARATUS AND MOUNTING METHOD	:	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 June 14, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

(5) Applicant must submit:
- a. Documentation of prior office action:
  - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
  - ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
  - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form: Further, if a copy of the documents from a or b 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 JPO 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 JPO examiner in the JPO office action (unless already submitted in this application)
- b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

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

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

Any inquiry regarding this decision should be directed to 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

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.
13/060,925	02/25/2011	Kenji Kobayashi	110216	2613

38834 7590 06/29/2011

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
ART UNIT	PAPER NUMBER
1745	

NOTIFICATION DATE	DELIVERY MODE
06/29/2011	ELECTRONIC

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

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

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

patentmail@whda.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

CST

June 28, 2011

In re application of	:	DECISION ON REQUEST TO
Kenji Kobayashi et al	:	PARTICIPATE IN PATENT
Serial No. 13/060,925	:	PROSECUTION HIGHWAY
Filed: February 25, 2011	:	PROGRAM AND
For: SHEET PEELING APPARATUS	:	PETITION TO MAKE SPECIAL
AND PEELING METHOD	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed May 26, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

(5) Applicant must submit:
- a. Documentation of prior office action:
  - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
  - ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
  - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form:

  Further, if a copy of the documents from a or b 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 JPO 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 JPO examiner in the JPO office action (unless already submitted in this application)
- b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

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

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

Any inquiry regarding this decision should be directed to 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

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:		Filing date:	2/25/2011
First Named Inventor:	Douglas Gribben		
Title of the Invention:	Subreflector Tracking Method, Apparatus and System for Reflector Antenna		

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/US09/68589

The international date of the corresponding PCT application(s) is/are: 12/17/2009

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
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.:	
First Named Inventor:	Douglas Gribben

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	direct
2	2	direct
3	3	direct
4	4	direct
5	5	direct
6	6	direct
7	7	direct
8	8	direct
9	9	direct
10	10	direct

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

Signature /Andrew Babcock, Reg. #44517/	Date 2/25/2011
Name (Print/Typed) Andrew Babcock	Registration Number 44517

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.
13/060,940	02/25/2011	Douglas Alan Gribben	11008	2711

31424 7590 05/06/2011

BABCOCK IP, PLLC
P.O.BOX 488
BRIDGMAN, MI 49106

EXAMINER	
ART UNIT	PAPER NUMBER
3662	

MAIL DATE	DELIVERY MODE
05/06/2011	PAPER

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

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

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

MAY - 6 2011

BABCOCK IP, PLLC
P.O.BOX 488
BRIDGMAN MI 49106

In re application of
Douglas Gribben
Application No. 13/060,940
Filed: February 25, 2011
For: SUBREFLECTOR TRACKING METHOD, APPARATUS AND SYSTEM FOR REFLECTOR ANTENNA

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 February 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 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;
(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, 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 as soon as any pre-exam processing has been completed.

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: 05/06/11

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

MAILED

JUL 20 2011

PCT LEGAL ADMINISTRATION

SEEO, INC.
3906 Trust Way
Hayward CA 94545

In re Application of: HSIEH, Bing, et al.
U.S. Application No.: 13/060,944
PCT No.: PCT/US2009/054709
International Filing Date: 22 August 2009
Priority Date: 25 August 2008
Attorney's Docket No.: SE-007US
For: POLYMER ELECTROLYTE MATERIALS BASED ON BLOCK COPOLYMERS

DECISION ON REQUEST UNDER 37 CFR 1.497(d)

This decision is issued in response to the "Amendment To Correct Inventorship" filed on 23 May 2011, considered herein under 37 CFR 1.497(d). Deposit Account No. 50-4571 will be charged the required $130 processing fee.

BACKGROUND

On 22 August 2009, applicants filed international application PCT/US2009/054709. The application claimed a priority date of 25 August 2008, and it designated the United States. The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 25 February 2011. The published international application identified two applicant/inventors for the United States: Bing HSIEH and Hany Basam EITOUNI.

On 25 February 2011, applicants filed materials requesting entry into the national stage in the United States including, among other materials, payment of the basic national fee and a declaration executed by the two inventors of record and a third inventor, Mohit SINGH.

On 23 March 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497, the surcharge for filing the oath or declaration later than thirty months after the priority date, and the examination fee. The Notification indicated that the declaration filed on 25 February 2011 was not acceptable because it included the additional inventor, Mohit SINGH.

On 23 May 2011, applicants filed a response to the Notification of Missing Requirements that included payment of the required surcharge and examination fee, a revised declaration, and the "Amendment To Correct Inventorship" considered herein. The submission requests that Mohit SINGH be added to the present application as an additional inventor of record.

DISCUSSION

Section 1893.01(e) of the MPEP states the following regarding changes in the inventorship of an international application entering the national stage (emphasis added):

> The inventorship of an international application entering the national stage under 35 U.S.C. 371 is that inventorship set forth in the international application, which includes any changes effected under PCT Rule 92*bis*. See 37 CFR 1.41(a)(4). Accordingly, **an oath or declaration that names an inventive entity different than that set forth in the international application will not be accepted for purposes of entering the U.S. national phase unless the requirements under 37 CFR 1.497(d) are satisfied.** These requirements include: (A) 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; (B) the processing fee set forth in 37 CFR 1.17(i); and (C) the written consent of the assignee if an assignment has been executed by any of the original named inventors (see 37 CFR 3.73(b)).

The declaration filed by applicants on 25 February 2011, and the revised declaration filed on 23 May 2011, name an inventive entity different than that set forth in the international application. Specifically, Mohit SINGH has been included as an additional inventor. Accordingly, applicants must satisfy the requirements of 37 CFR 1.497(d) before the declaration can be accepted.

Applicants' present submission includes the required statement of non-deceptive intent from the inventor to be added, Mohit SINGH, and payment of the required processing fee. Requirements (A) and (B) are therefore satisfied.

With respect to requirement (C), applicants have submitted a document entitled "Consent To Correction Of Inventorship By Assignee" in which a person identified as authorized to act on behalf of assignee Seeo, Inc. expressly consents to the addition of Mohit SINGH as an additional inventor. However, the consent document was not accompanied by a statement in compliance with 37 CFR 3.73(b), as also required (see MPEP section 324; Form PTO/SB/96). Because the assignee's consent has not been submitted in compliance with 37 CFR 3.73(b), requirement (C) of a grantable request under 37 CFR 1.497(d) is not satisfied on the present record.

Based on the above, applicants have failed to submit all the requirements of a grantable request under 37 CFR 1.497(d) to add Mohit SINGH as an additional inventor herein. The request is therefore appropriately dismissed.

CONCLUSION

Applicants' request to correct inventorship under 37 CFR 1.497(d) is **DISMISSED** without prejudice.

The inventorship of record herein remains that set forth in the international application, that is, Bing HSIEH and Hany Basam EITOUNI.

The declaration filed by applicants, which includes Mohit SINGH as an additional inventor, is defective on the present record for failure to properly identify the inventors of record herein.

If reconsideration on the merits of the petition is desired, a proper response must be filed within **TWO (2) MONTHS** of the mail date of the present decision. Any request for reconsideration should be entitled "Renewed Request Under 37 CFR 1.497(d)" and must include the materials required to complete the requirement (C) of a grantable request, as discussed above and in the MPEP.

Failure to file a proper and timely response will result in abandonment of the application. Extensions of time under the provision of 37 CFR 1.136(a) are available.

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.

/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

MAILED

SEP 30 2011

PCT LEGAL ADMINISTRATION

SEEO, INC.
3906 Trust Way
Hayward CA 94545

In re Application of: HSIEH, Bing, et al.
U.S. Application No.: 13/060,944
PCT No.: PCT/US2009/054709
International Filing Date: 22 August 2009
Priority Date: 25 August 2008
Attorney's Docket No.: SE-007US
For: POLYMER ELECTROLYTE MATERIALS BASED ON BLOCK COPOLYMERS

DECISION ON RENEWED REQUEST UNDER 37 CFR 1.497(d)

This decision is issued in response to applicants' "Renewed Request Under 37 C.F.R. 1.497(d)" filed 20 September 2011. Applicants have previously paid the required processing fee.

BACKGROUND

The procedural background for the present application was set forth in the decision mailed 20 July 2011. The decision dismissed without prejudice applicants' request to correct inventorship under 37 CFR 1.497(d), finding that applicants had failed to satisfy all the requirements of a grantable request. Specifically, applicants had failed to provide the consent of the assignee in the form required under 37 CFR 3.73(b).

On 20 September 2011, applicants filed the "Renewed Request Under 37 C.F.R. 1.497(d)" considered herein.

DISCUSSION

Applicants' previously submitted a statement of consent to the requested change of inventorship executed by a representative of the assignee, Seeo, Inc., and the present renewed petition is accompanied by an executed "Statement Under 37 CFR 3.73(b)" (Form PTO/SB/96) from the assignee. These materials, in combination, provide the consent of the assignee in compliance with 37 CFR 3.73(b). Accordingly, applicants have now satisfied the final outstanding requirement for a grantable request to correct inventorship under 37 CFR 1.497(d). The requested addition of Mohit SINGH as an additional inventor of record in the present application is therefore appropriately granted.

Based on the above correction, the declaration filed 25 February 2011 is now acceptable in compliance with 37 CFR 1.497(d).

CONCLUSION

Applicants' renewed request to correct inventorship under 37 CFR 1.497(d) is **GRANTED**.

The inventorship of record herein is corrected to add Mohit SINGH as an additional inventor of record.

This 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 25 February 2011.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

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: 099636-0102	Application Number (if known): 13/060,972	Filing date: 02/25/2011
First Named Inventor: KARNI, Jacob		
Title: SOLAR RECEIVER 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	Date 2/25/2011
Name (Print/Typed) Keith D. Lindenbaum	Registration Number 40,365

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.

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.
13/060,972	02/25/2011	Jacob Karni	099636-0102	2847

26371 7590 04/28/2011

FOLEY & LARDNER LLP
777 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202-5306

EXAMINER	
ART UNIT	PAPER NUMBER
3749	

MAIL DATE	DELIVERY MODE
04/28/2011	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

FOLEY & LARDNER LLP
777 EAST WISCONSIN AVENUE
MILWAUKEE WI 53202-5306

In re Application of	:	
KARNI, JACOB	:	DECISION ON PETITION
Application No. 13/060,972	:	TO MAKE SPECIAL UNDER
Filed: Feb. 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 099636-0102	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Feb. 25, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is granted.

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

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

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

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

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

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

Telephone 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

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:		Filing date:	
First Named Inventor:	Katie Harris		
Title of the Invention:	METHOD FOR UNDERTAKING MARKET RESEARCH OF A TARGET POPULATION		

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/AU2010/000964

The international filing date of the corresponding PCT application(s) is/are: 30 July 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☐ Is attached.

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

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

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.:	
First Named Inventor:	Katie Harris

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	US claims as per those considered in WO

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

Signature /Frank Abramonte/	Date February 25, 2011
Name (Print/Typed) Frank Abramonte	Registration Number 38,066

Privacy Act Statement

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

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

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

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

Shelston IP
Level 21
60 Margaret Street
SYDNEY NSW 2000

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)* 19 OCT 2010
Applicant's or agent's file reference 62886WOP00	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/AU2010/000964	30 July 2010	4 August 2009

International Patent Classification (IPC) or both national classification and IPC
Int. Cl.

G06Q 30/00 (2006.01)

Applicant

ZEBRA RESEARCH PTY LTD et al

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

[X]	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
[X]	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
AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. +61 2 6283 7999	12 October 2010	**XAVIER SIMON** AUSTRALIAN PATENT OFFICE (ISO 9001 Quality Certified Service) Telephone No. +61 2 6283 2623

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/AU2010/000964

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established 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 (under 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/AU2010/000964

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 - 20**	**YES**
	Claims	**NONE**	**NO**
Inventive step (IS)	Claims	**1 - 20**	**YES**
	Claims	**NONE**	**NO**
Industrial applicability (IA)	Claims	**1- 20**	**YES**
	Claims	**NONE**	**NO**

2. Citations and explanations:

The following documents identified in the International Search Report have been considered for the purposes of this report:

D1: US 2004/0117239 A1
D2: WO 2001/054034 A1
D3: US 2002/0035503 A1
D4: US 2002/0087967 A1

NOVELTY (N)

None of the prior art documents discloses a computer implemented method for undertaking market research of a target population, the method including the steps of providing an online facility for cultivating an online community and obtaining market research response data from that online community, the community having a plurality of members, the community being a subset of the target population; identifying data indicative of a first dataset relating to the community, wherein the first dataset collectively includes first demographic data for each member of the community; using a microprocessor, comparing the first dataset with a demographic dataset, thereby to create a demographic profile for the community with a demographic profile for the target population, thereby to generate data indicative of the representativeness of the community relative to the target population. Therefore, the subject matter of claim 1 is new and meets the requirements of Article 33(2) of the PCT with regard to novelty.

Similar reasoning applies to claims 2 – 20.

Therefore, the subject matter of claims 1-20 is new and meets the requirements of Article 33(2) of the PCT with regard to novelty.

...../Continued in Supplemental Box 1

Supplemental Box 1

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

INVENTIVE STEP (IS)

None of the above prior art documents either individually or in combination obviously suggests to a person skilled in the art a computer implemented method for undertaking market research of a target population, the method including the steps of providing an online facility for cultivating an online community and obtaining market research response data from that online community, the community having a plurality of members, the community being a subset of the target population; identifying data indicative of a first dataset relating to the community, wherein the first dataset collectively includes first demographic data for each member of the community; using a microprocessor, comparing the first dataset with a demographic dataset, thereby to create a demographic profile for the community with a demographic profile for the target population, thereby to generate data indicative of the representativeness of the community relative to the target population. Therefore, the subject matter of claim 1 is not obvious and meets the requirements of Article 33(3) of the PCT with regard to inventive step.

Similar reasoning applies to claims 2 – 20.

Therefore, the subject matter of claims 1-20 is not obvious and meets the requirements of Article 33(3) of the PCT with regard to inventive step.

INDUSTRIAL APPLICABILITY (IA)

The invention defined in claims 1 – 20 is considered to meet the requirements of Industrial Applicability under Article 33(4) of the PCT because it can be made by, or used in, industry.

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.
62886WOP00		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/AU2010/000964	30 July 2010	4 August 2009

Applicant

ZEBRA RESEARCH PTY LTD et al

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

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

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

1. **Basis of the report**

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

☒ The international application in the language in which it was filed.

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

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

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

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

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

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

☒ the text is approved as submitted by the applicant.

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

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

☒ the text is approved as submitted by the applicant.

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

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

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

☒ as suggested by the applicant.

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

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

b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU2010/000964

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl.

G06Q 30/00 (2006.01)

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)

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 practicable, search terms used)
WPI, EPODOC: IPC G06Q 30/00 & Keywords (market research, market opinion, market survey, economic research, opinion research, demographics, community, profile, representativeness, degree compliant) and like terms

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2004/0117239 A1 (MITTAL et al) 17 June 2004 See abstract, para 0002, prara 0025, para 0045, para 0046, para 0050, para 0051, para 0052, para 0059, para 0070, para 00760, fig 8	
A	WO 2001/054034 A1 (ANGARA E-COMMERCE SERVICES, INC) 26 July 2001 See whole document	
A	US 2002/0035503 A1 (MATSUMOTO) 21 March 2002 See abstract	
A	US 2002/0087967 A1 (CONKWRIGHT et al) 4 July 2002 See whole document	

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

* Special categories of cited documents:

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

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

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of 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
12 October 2010	19 OCT 2010
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. +61 2 6283 7999	Authorized officer **XAVIER SIMON** AUSTRALIAN PATENT OFFICE (ISO 9001 Quality Certified Service) Telephone No : +61 2 6283 2623

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/AU2010/000964

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member					
US	2004117239	US	7769623	US	2008154707		
WO	0154034	AU	29654/01				
US	2002035503	JP	2002092290	US	7178726		
US	2002087967	AU	34456/01	EP	1257962	US	7139723
		US	2002133490	US	7146329	US	2003110109
		US	7194421	US	2003105694	US	7197472
		US	2003149649	US	7236941	US	2003105693
		US	7302419	US	2003055759	US	7383243
		US	2003172374	US	7739140	WO	0152173
		WO	03052667				

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX

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

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 5400
SEATTLE WA 98104

MAILED

DEC 21 2011

OFFICE OF PETITIONS

In re Application of
KATIE HARRIS
Application No.: 13/061,046
Filed: February 25, 2011
Attorney Docket No.: 990055.401USPC
For: METHOD FOR UNDERTAKING MARKET RESEARCH OF A TARGET POPULATION

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on February 25, 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 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.

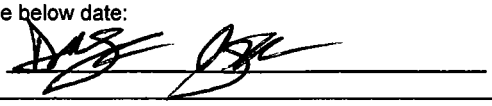
All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

David Bucci
Petitions Examiner
Office of Petitions

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: Feb. 25, 2011 Name: Douglas A. Oguss Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of:	David E. Hartley, et al.	
Appln. No.:	Unassigned	Examiner: Unassigned
Filed:	Herewith August 25, 2009 (I.A. Filing Date)	Group Art Unit No.: Unassigned
For:	THORACIC AORTA STENT GRAFT WITH ACCESS REGION	Confirmation No.: Unassigned
Attorney Docket No.: 12730/695 (PA-6480-PCT/US)		

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE AND THE USPTO

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached is a Request For Participation In The PCT-PPH Pilot Program between the EPO and the USPTO. Applicants have calculated no fee due, however the Commissioner is hereby authorized to charge any deficiencies in fees to Deposit Account 23-1925.

Respectfully submitted,

Dated: Feb. 25, 2011

Douglas A. Oguss, Reg. No. 48,469
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
PO BOX 10395
CHICAGO, IL 60610
(312) 321-4200

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:	Unassigned	Filing date:	Herewith
First Named Inventor:	David E. Hartley		
Title of the Invention:	THORACIC AORTA STENT GRAFT WITH ACCESS REGION		

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/US2009/004827

The international filing date of the corresponding PCT application(s) is/are: August 25, 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.

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

(continued)

Application No.:	Unassigned
First Named Inventor:	David E. Hartley

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
5	33	
8	34	
18	35	
19	36	
20	37	
21	38	
22	39	
25	40	
26	41	
27	42	

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

Signature	Date February 25, 2011
Name (Print/Typed) Douglas A. Oguss	Registration Number 48,469

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

MORRISON & FOERSTER LLP
12531 HIGH BLUFF DRIVE
SUITE 100
SAN DIEGO CA 92130-2040

MAILED

JUN 14 2011

PCT LEGAL ADMINISTRATION

In re Application of :
ZUK, et al. :
U.S. Application No.: 13/061,087 :
PCT No.: PCT/US2009/055437 : DECISION
Int. Filing Date: 28 August 2009 :
Priority Date: 29 August 2008 :
Attorney Docket No.: 391442007800 :
For: CXCR4 ANTAGONISTS FOR KIDNEY INJURY :

This decision is in response to counsel's "Request For Withdrawal as Attorney or Agent And Change of Correspondence Address" filed 04 May 2011 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 28 August 2009, applicant filed the above-captioned international application, which claimed a priority date of 29 August 2008 and designated the United States. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee expired at midnight on 29 February 2011.

On 25 February 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, payment of the U.S. basic national fee, a preliminary amendment and an application data sheet.

On 24 March 2011, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide an oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. Applicant was afforded two months to file the proper reply and informed that this period could be extended pursuant to 37 CFR 1.136(a).

On 04 May 2011, Kate H. Murashige filed the present request for permission to withdraw as attorney of record.

On 24 May 2011, applicant responded to the Form PCT/DO/EO/905 with an executed combined declaration and power of attorney of the inventors, a statement under 37 CFR 3.73(b) showing assignees ownership of the application and ability to prosecute and a power of attorney and change of correspondence address executed by an officer of the corporate assignee.

DISCUSSION

The criteria for effecting a proper withdrawal of attorney are spelled out in Section 402.06 of the Manual of Patent Examining Procedure (M.P.E.P.) which reads, in part, as follows:

In the event that a notice of withdrawal is filed by an attorney or agent of record... appropriate procedure will be followed pertaining to the withdrawal. The withdrawal is effective when approved rather than when received. To expedite the handling of requests for permission to withdraw as attorney, under 37 CFR 1.36, the request should be submitted in triplicate (original and two copies) and indicate thereon the present mailing addresses of the attorney who is withdrawing and of the applicant. The examining group number should also appear on all such requests. Because the Office does not recognize law firms, each attorney of record must sign the notice of withdrawal, or the notice of withdrawal must contain a clear indication of one attorney signing on behalf of another. The Commissioner of Patents and Trademarks usually requires that there be at least thirty days between approval of the withdrawal and the latter of the expiration date of a time response period or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a). This is so that the applicant will have sufficient time to obtain other representation or take other action. Since all of the criteria delineated in Section 402.06 of the M.P.E.P. have been complied with the request to withdraw the Power of Attorney/Agent is **GRANTED**.

CONCLUSION

In view of the above discussion, counsel's Request for Withdrawal is **GRANTED**.

A review of the application file finds that applicant has satisfied all of the requirements of 35 U.S.C. 371 for entry into the national stage in the United States. This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

cc:
Genzyme Corporation
500 Kendall Street
Cambridge, MA 02142

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: 4331.1004-002	Application Number (if known): 13/061,116	Filing date: December 11, 2009
First Named Inventor: Johan van Walsem		
Title: Solar Biofactory, Photobioreactors, Passive Thermal Regulation Systems And Methods For Producing Products		

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 2-25-2011
Name (Print/Typed) Michael Gottselig	Registration Number 57,941

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.

DEB/MG/atc/cma
February 25, 2011

PATENT APPLICATION
Attorney's Docket No.: 4331.1004-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Johan van Walsem, Frederick M. Morgan, Stuart A. Jacobson, Rainer Ponzel, James R. McIntire, Scott A. Michonski, and Andrew H. Posner

Application No.: 13/061,116

U.S. National Stage of International Application No.: PCT/US2009/006516

International Filing Date: December 11, 2009

Examiner:

Group:

Confirmation No: 3690

For: Solar Biofactory, Photobioreactors, Passive Thermal Regulation Systems And Methods For Producing Products

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

Date _____ Signature _____

Typed or printed name of person signing certificate

STATEMENTS OF SPECIAL STATUS FOR ELIGIBILITY REQUIREMENT UNDER GREEN TECHNOLOGY PILOT PROGRAM

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

Sir:

Applicants' basis for Special Status is that Applicants' invention materially contributes to the development of renewable energy resources and energy conservation. Applicants' invention materially contributes to the development of renewable energy resources, as well as the

conservation of energy resources, by providing photobioreactors and methods for the renewable generation of fuels and chemicals, for example, hydrocarbons and ethanol (a combustible fuel) from solar energy and carbon dioxide using phototrophic microorganisms.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By _____

Michael Gottselig
Registration No. 57,941
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: February 25, 2011

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.
13/061,116	02/25/2011	Johan van Walsem	4331.1004-002	3690

21005 7590 04/11/2011

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

EXAMINER	
ART UNIT	PAPER NUMBER
1651	

MAIL DATE	DELIVERY MODE
04/11/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APR 1 1 2011

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD MA 01742-9133

In re Application of	:	
VAN WALSEM, Johan *et al.*	:	DECISION ON PETITION
Application No. 13/061116	:	TO MAKE SPECIAL UNDER
Filed: February 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 4331.1004-002	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 25, 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 1651 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 (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: 4331.1011-003	Application Number (if known): 13/061,122	Filing date: July 28, 2010
First Named Inventor: Zhu, Yizu		
Title: Fractional Condensation Processes, Apparatuses and 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 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 2-25-2011
Name (Print/Typed) Michael Gottselig	Registration Number 57,941

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.

DEB/MG/atc/cma
February 25, 2011

PATENT APPLICATION
Attorney's Docket No.: 4331.1011-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yizu Zhu and Johan van Walsem

Application No.: 13/061,122

U.S. National Stage of International Application No.: PCT/US2010/043574

International Filing Date: July 28, 2010

Examiner:

Group:

Confirmation No: 3713

For: Fractional Condensation Processes, Apparatuses And Systems

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

Date _____ Signature _____

Typed or printed name of person signing certificate _____

STATEMENTS OF SPECIAL STATUS FOR ELIGIBILITY REQUIREMENT UNDER GREEN TECHNOLOGY PILOT PROGRAM

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

Sir:

Applicants' basis for Special Status is that Applicants' invention materially contributes to the development of renewable energy resources and energy conservation. Applicants' invention materially contributes to the development of renewable energy resources, as well as the conservation of energy resources by providing processes for recovering ethanol from dilute ethanol mixtures produced by an engineered phototroph. The engineered phototrophs produce

ethanol from solar energy and carbon dioxide in a photobioreactor. As supported in paragraphs [0047] and [0048] of the application as originally filed, it is of particular concern that recovery of ethanol from feed mixtures that contain ethanol in dilute concentration (such as typically obtained from photobioreactors) can require substantial energy, and the ethanol recovery processes of the present invention have been found, experimentally and/or with modeling, to recover ethanol with high purity and recovery yield with substantially reduced energy costs. Accordingly, the invention claimed in the present application materially contributes to the development of solar energy as an energy resource, and materially contributes to the conservation of energy by reducing the energy required for ethanol recovery from dilute ethanol mixtures.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By _____
Michael Gottselig
Registration No. 57,941
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133
Date: February 25, 2011

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.
13/061,122	02/25/2011	Yizu Zhu	4331.1011-003	3713

21005 7590 05/31/2011

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

EXAMINER	
ART UNIT	PAPER NUMBER
1621	

MAIL DATE	DELIVERY MODE
05/31/2011	PAPER

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

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

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

MAY 3 1 2011

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD MA 01742-9133

In re Application of	:	
ZHU, Isu *et al.*	:	DECISION ON PETITION
Application No. 13/061122	:	TO MAKE SPECIAL UNDER
Filed: February 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 4331.1011-003	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 25, 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 1621 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Doc Code: PET.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	13061132
Filing Date	01-Jun-2011
First Named Inventor	Monali Joshi
Art Unit	2811
Examiner Name	LYNNE GURLEY
Attorney Docket Number	TRUC-015/01US 309245-2075
Title	Composite Semiconductor Substrates for Thin-Film Device Layer Transfer

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 58249

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

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	The Regents of the University of California
Address	1111 Franklin Street
City	Oakland
State	CA
Postal Code	94607-5200
Country	US

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/William S. Galliani/
Name	William S. Galliani
Registration Number	33885

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 : February 13, 2012

In re Application of :

Monali Joshi

Application No : 13061132

Filed : 01-Jun-2011

Attorney Docket No : TRUC-015/01US 309245-2075

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed February 13, 2012

The request is **APPROVED.**

The request was signed by William S. Galliani (registration no. 33885) on behalf of all attorneys/agents associated with Customer Number 58249 . All attorneys/agents associated with Cusotmer Number 58249 have been withdrawn.

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

Name The Regents of the University of California

Name2

Address 1 1111 Franklin Street

Address 2

City Oakland

State CA

Postal Code 94607-5200

Country US

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

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

Office of Petitions

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

BARDMESSER LAW GROUP, P.C.
1025 CONNECTICUT AVENUE, N.W.
SUITE 1000
WASHINGTON DC 20006

MAILED

APR 07 2011

PCT LEGAL ADMINISTRATION

In re Application of :
TRUNIN, et al. :
Application No.: 13/061,147 :
PCT No.: PCT/RU2009/000427 : DECISION ON PETITION
Int. Filing Date: 24 August 2009 :
Priority Date: 28 August 2008 : UNDER 37 CFR 1.42
Attorney Docket No.: 2505.0090000 :
For: METHOD FOR PREPARING SUCCINIC ACID :

This application is before the Office of PCT Legal Administration for issues arising under 35 U.S.C. 371. The combined declaration and power of attorney filed 27 February 2011 is being treated as a request for status pursuant to 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 24 August 2009, applicant filed international application PCT/RU2009/000427 which claimed priority to a previous application filed 28 August 2008. A copy of the international application was transmitted to the USPTO from the International Bureau (IB) on 15 April 2010. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States was set to expire at midnight on 28 February 2011.

On 27 February 2011, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, among other items, payment of the requisite basic national fee; an English translation of the international application as filed and an executed combined declaration and power of attorney.

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

> "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 a patent."

An examination of the filed declaration and power of attorney finds that the document lists the address, residence and citizenship for both the deceased inventor Vladimir Izrailevich

Heifets and the legal representative to his estate, Svetlana Yakovlevna. As such, the declaration is in compliance with 37 CFR 1.497(a)-(b).

In light of the above, it is proper to grant applicant's request at this time.

Applicant is advised that there is a discrepancy between the international application number entered into the USPTO's EFS-Web electronic filing system and the Form PTO-1390 transmittal letter which accompanies this application. The international application number keyed into the EFS-Web system was PCT/RU2009/000427. In addition, this number appears on the filed declaration and Application Data Sheet. However, the Form PTO-1390 lists international application number PCT/RU2010/000182. In order to correct the filed transmittal letter and allow the above-captioned application to proceed as the U.S. National stage entry of international application PCT/RU2009/000427 applicant is required to file a petition under 37 CFR 1.182 complete with payment of the requisite $400.00 petition fee and confirm that the correct international application number is PCT/RU2009/000427.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **GRANTED**.

Applicant is hereby afforded **TWO (2) MONTHS** to file a proper response as detailed above. The response should be titled, "Petition Under 37 CFR 1.182."

Any further correspondence with respect to this matter should be directed 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 or electronically filed utilizing the USPTO's EFS-Web electronic filing system.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: 571-272-3294

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

BARDMESSER LAW GROUP, P.C.
1025 CONNECTICUT AVENUE, N.W.
SUITE 1000
WASHINGTON DC 20006

MAILED

MAY 02 2011

PCT LEGAL ADMINISTRATION

In re Application of :
TRUNIN, et al. :
U.S. Application No.: 13/061147 :
PCT No.: PCT/RU2009/000427 (as corrected) :
Int. Filing Date: 24 August 2009 : DECISION ON PETITION
Priority Date: 28 August 2008 : UNDER 37 CFR 1.182
Attorney Docket No.: 2505.0090000 :
For: METHOD FOR PREPARING SUCCINIC ACID :

This decision is issued in response to applicant's "Petition Under 37 CFR 1.182" filed 22 April 2011 in the United States Patent and Trademark Office (USPTO). The petition seeks to correct the international application number for the national stage application papers electronically filed 27 February 2011, so as to allow such materials to be treated as the U.S. national stage of PCT/RU2009/000427. Applicant has provided payment of the required $400 petition fee.

BACKGROUND

On 07 April 2011, applicant was mailed a decision granting applicant's request for status under 37 CFR 1.42 and informing applicant that there was a discrepancy between the international application number keyed into the USPTO's EFS-Web filing system and the international application number listed on the filed documents, i.e. the form PTO-1390 transmittal letter. Applicant was afforded two months to file a petition under 37 CFR 1.182 to correct the error.

On 22 April 2011, applicant filed the petition considered herein.

DISCUSSION

Applicant presently confirms that the correct international application is PCT/RU2009/000427 and the petition further states that an incorrect international application number was listed on the transmittal letter. Applicant's present submission included the required petition fee to correct applicant's clerical error and a corrected form PTO-1390. Accordingly, these materials satisfy the requirements for a grantable petition to correct applicant's error in the bibliographical data filed 27 February 2011 and to permit such materials to be treated as having been directed to international application PCT/RU2009/000427.

CONCLUSION

Applicant's petition under 37 CFR 1.182 is GRANTED.

The materials filed 27 February 2011 assigned U.S. application number 13/061,147 will be treated as the national stage of PCT/RU2009/000427.

The application has an international filing date of 24 August 2009 under 35 U.S.C. 363 and will be given a date of **27 February 2011** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being forwarded to the United States Designated/Elected Office for further processing.

Derek A. Putonen
Attorney-Advisor
Office of PCT Legal Administration
Tel.: 571-272-3294

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

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON VA 22209-3873

MAILED

SEP 09 2011

PCT LEGAL ADMINISTRATION

In re Application of :
TSUJIKAWA, Tomonobu, et al. :
Application No.: 13/061,180 : DECISION ON
PCT No.: PCT/JP2010/053428 :
Int. Filing Date: 03 March 2010 : PETITION
Priority Date: 03 March 2009 :
Attorney Docket No.: 1595.51458X00 : UNDER 37 CFR 1.182
For: NON-AQUEOUS ELECTROLYTE :
BATTERY :

This decision is in response to applicants' response to the Notification of Missing Requirements, filed with the United States Patent and Trademark Office on 08 July 2011. It is being treated as a petition under 37 CFR 1.182.

BACKGROUND

On 28 February 2011, applicants filed a declaration of the inventors.

On 15 March 2011, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required. It noted that while the international application lists inventor KURODA, the name of inventor on the declaration is ISHIZAKI.

On 08 July 2011, applicants filed this petition under 37 CFR 1.182 indicating that the inventor's name is correctly listed on the declaration as Yuki Ishizaki.

DISCUSSION

Applicants have explained that the inventor's name is now Yuki Ishizaki and that her name changed on the occasion of her marriage. The $400 petition fee will be charged to deposit account no. 01-2135, as authorized.

CONCLUSION

Applicant's petition under 37 CFR 1.182 to correct applicant's name is **GRANTED**.

REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:		Filing Date:	February 28, 2011
Confirmation No.:		Attorney Docket No.:	Q123387
First Named Inventor:	Tomonori MASUDA		
Title of the Invention:	DEVICE AND METHOD FOR SETTING INSTRUCTED POSITION DURING THREE-DIMENSIONAL DISPLAY, AS WELL AS PROGRAM		

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 (1) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more corresponding JPO application(s) or to a PCT application that does not contain any priority claim, or (2) is a national stage entry of a PCT application that does not contain any priority claim.

The JPO/PCT application number(s) is/are: 2008-218056

The filing date of the JPO/PCT application(s) is/are: August 27, 2008

I. List of Required Documents:

a. A copy of the latest JPO office actions (other than "Decision to Grant a Patent"*) in the above-identified JPO application(s)

☑ Is attached.

☐ Is not attached because the JPO application was allowed in a first office action.

*It is not necessary to submit a copy of the "Decision to Grant a Patent" and an English translation thereof.

b. A copy of all claims which were determined to be patentable by the JPO in the above-identified JPO application(s)

☑ Is attached.

c. English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language). An accuracy statement for the English translation of the documents in a. above is not required if the English translation is a machine translation provided by the JPO.

d. (1) An information disclosure statement listing the documents cited in the JPO office actions

☑ 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 _____

REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	Tomonori MASUDA

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JPO Application	Explanation regarding the correspondence
1-7	-	Canceled.
8	1	US claim 8 substantially corresponds to JP claim 1.
9	2	US claim 9 substantially corresponds to JP claim 2 except that multiple dependencies have been eliminated.
10	3	US claim 10 substantially corresponds to JP claim 3 except that multiple dependencies have been eliminated.
11	4	US claim 11 substantially corresponds to JP claim 4.
12	6	US claim 12 substantially corresponds to JP claim 5 except that multiple dependencies have been eliminated.
13	6	US claim 13 substantially corresponds to JP claim 6.
14	7	US claim 14 substantially corresponds to JP claim 7 except that the claim has been amended to use US format.

III. All the claims in the US application sufficiently correspond to the patentable/allowable claims in the JPO application.

IV. Payment of Fees:

☑ **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.**

☐ **Credit Card.**

SEND ALL CORRESPONDENCE TO:
The address associated with Customer Number:

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Signature	/John M. Bird/ # 46,027 for:	Date	February 28, 2011
Name (Print/Typed)	Brian W. Hannon	Registration Number	32,778

Certification of Translation

I, Maki Sakamoto, hereby certify that I am competent in both the English and Japanese languages and that I have provided a true and accurate English language translation of the attached claims that were determined to be patentable by the Japanese Patent Office.

Signature of Translator

January 27, 2011

Date

Maki Sakamoto

Name of Translator

【書類名】　　特許請求の範囲

【請求項１】

所定の指示を受け付けるための少なくとも１つの指示領域を含む、２次元表示および３次元表示が可能な指示画像が表示された表示手段の表示面上において、指示された指示位置を検出する指示位置検出手段と、

前記表示手段に表示された前記指示画像の前記指示領域に対応する前記表示手段上の制御範囲を、前記指示画像が前記２次元表示された場合と前記３次元表示された場合とで変更するよう設定する制御範囲設定手段であって、前記指示画像を前記３次元表示した場合において、前記指示領域への指示を受け付けることにより仮の指示位置の情報を取得し、前記指示画像の前記２次元表示時における前記指示領域の位置に対する、前記３次元表示時における前記仮の指示位置との前記表示手段上での水平方向移動量を算出し、該水平方向移動量に基づいて、前記指示画像の前記３次元表示時において、立体視により前記指示領域が視認される位置と、前記制御範囲の位置とを一致させるよう、前記制御範囲の位置を変更する制御範囲設定手段とを備えたことを特徴とする３次元表示における指示位置設定装置。

【請求項２】

前記指示画像の前記２次元表示時における前記指示領域の位置に対する、前記指示画像の前記３次元表示時における前記制御範囲の位置との前記表示手段上における水平方向移動量を記憶する記憶手段をさらに備え、

前記制御範囲設定手段は、前記記憶手段に記憶された前記水平方向移動量に基づいて、前記制御範囲の位置を変更する手段であることを特徴とする請求項１記載の指示位置設定装置。

【請求項３】

前記算出された水平方向移動量を、前記複数の画像を観察する複数の人物のそれぞれと対応づけて記憶する記憶手段と、

前記指示画像を観察する人物を特定する人物特定手段とをさらに備え、

前記制御範囲設定手段は、前記特定された人物に対応する水平方向移動量を前記記憶手段から読み出し、該読み出した水平方向移動量に基づいて、前記制御範囲の位置を変更する手段であることを特徴とする請求項１または２記載の指示位置設定装置。

【請求項４】

前記記憶手段は、前記水平方向移動量を前記複数の人物のそれぞれの生体情報と対応づけて記憶する手段であり、

前記人物特定手段は、前記複数の人物の生体情報を登録する手段であり、

前記制御範囲設定手段は、前記指示画像を観察する人物の生体情報を前記人物特定手段から取得し、該取得した生体情報に対応する水平方向移動量を前記記憶手段から読み出し、該読み出した水平方向移動量に基づいて前記制御範囲の位置を変更する手段であることを特徴とする請求項３項記載の指示位置設定装置。

【請求項５】

前記指示領域は、レーザビームを当てて点数を競うゲームにおける照準の領域であることを特徴とする請求項１から４のいずれか１項記載の指示位置設定装置。

【請求項６】

所定の指示を受け付けるための少なくとも１つの指示領域を含む、２次元表示および３次元表示が可能な指示画像が表示された表示手段の表示面上において、指示された指示位置を指示位置検出手段により検出するステップと、

前記表示手段に表示された前記指示画像の前記指示領域に対応する前記表示手段上の制御範囲を、前記指示画像が前記２次元表示された場合と前記３次元表示された場合とで変更するよう設定するに際し、前記指示画像を前記３次元表示した場合において、前記指示領域への指示を受け付けることにより仮の指示位置の情報を取得するステップと、

前記指示画像の前記２次元表示時における前記指示領域の位置に対する、前記３次元表示時における前記仮の指示位置との前記表示手段上での水平方向移動量を算出するステップと、

該水平方向移動量に基づいて、前記指示画像の前記３次元表示時において、立体視により前記指示領域が視認される位置と、前記制御範囲の位置とを一致させるよう、前記制御範囲の位置を変更するステップとを有することを特徴とする３次元表示における指示位置設定方法。

【請求項７】

所定の指示を受け付けるための少なくとも１つの指示領域を含む、２次元表示および３次元表示が可能な指示画像が表示された表示手段の表示面上において、指示された指示位置を指示位置検出手段により検出する手順と、

前記表示手段に表示された前記指示画像の前記指示領域に対応する前記表示手段上の制

御範囲を、前記指示画像が前記２次元表示された場合と前記３次元表示された場合とで変更するよう設定するに際し、前記指示画像を前記３次元表示した場合において、前記指示領域への指示を受け付けることにより仮の指示位置の情報を取得する手順と、

前記指示画像の前記２次元表示時における前記指示領域の位置に対する、前記３次元表示時における前記仮の指示位置との前記表示手段上での水平方向移動量を算出する手順と、

該水平方向移動量に基づいて、前記指示画像の前記３次元表示時において、立体視により前記指示領域が視認される位置と、前記制御範囲の位置とを一致させるよう、前記制御範囲の位置を変更する手順とを有することを特徴とする３次元表示における指示位置設定方法をコンピュータに実行させることを特徴とするプログラム。

[Document Name] Claims

[Claim 1] An instructed position setting device for setting an instructed position during three-dimensional display, the device comprising:

an instructed position detecting unit for detecting an instructed position instructed on a display surface of a display unit where an instruction image is displayed, the instruction image including at least one instruction area for receiving a predetermined instruction, and the instruction image being displayable two-dimensionally and three-dimensionally; and

a control range setting unit for setting on the display unit a control range corresponding to the instruction area of the instruction image displayed on the display unit such that the control range is changed between when the instruction image is two-dimensionally displayed and when the instruction image is three-dimensionally displayed, wherein when the instruction image is three-dimensionally displayed, the control range setting unit obtains information of a tentative instructed position by receiving an instruction directed to the instruction area, calculates an amount of shift in the horizontal direction on the display unit of the tentative instructed position when the instruction image is three-dimensionally displayed relative to a position of the instruction area when the instruction image is two-dimensionally displayed, and changes a position of the control range based on the amount of shift in the horizontal direction to make the position of the control range coincide with a visually recognized position of the instruction area through stereoscopic viewing when the instruction image is three-dimensionally displayed.

[Claim 2] The instructed position setting device as claimed in claim 1, further comprising:

a storing unit for storing an amount of shift in the horizontal direction on the display unit of the position of the control range when the instruction image is three-dimensionally displayed relative to the position of the instruction area when the instruction image is two-dimensionally displayed,

wherein the control range setting unit changes the position of the control range based on the amount of shift in the horizontal direction stored in the storing unit.

[Claim 3] The instructed position setting device as claimed in claim 1 or 2, further comprising:

a storing unit for storing the calculated amount of shift in the horizontal direction with associating the calculated amount of shift with each of persons viewing the images; and

a person identifying unit for identifying a person viewing the instruction image,

wherein the control range setting unit reads out the amount of shift in the horizontal direction associated with the identified person from the storing unit, and changes the position of the control range based on the read out amount of shift in the horizontal direction.

[Claim 4] The instructed position setting device as claimed in claim 3, wherein

the storing unit stores the amount of shift in the horizontal direction with associating the amount of shift with biometric information of each of the persons viewing the images,

the person identifying unit registers biometric information of the persons, and

the control range setting unit obtains the biometric information of the person viewing the instruction image from the person identifying unit, reads out the amount of shift associated with the obtained biometric information from the storing unit, and changes the position of the control range based on the read out amount of shift in the horizontal direction.

[Claim 5] The instructed position setting device as claimed in any one of claims 1 to 4, wherein the instruction area is an area of sight in a game to compete for scores by directing a laser beam.

[Claim 6] An instructed position setting method for setting an instructed position during three-dimensional display, the method comprising the steps of:

detecting with an instructed position detecting unit an

instructed position instructed on a display surface of a display unit where an instruction image is displayed, the instruction image including at least one instruction area for receiving a predetermined instruction, and the instruction image being displayable two-dimensionally and three-dimensionally;

upon setting on the display unit a control range corresponding to the instruction area of the instruction image displayed on the display unit such that the control range is changed between when the instruction image is two-dimensionally displayed and when the instruction image is three-dimensionally displayed, obtaining information of a tentative instructed position by receiving an instruction directed to the instruction area when the instruction image is three-dimensionally displayed;

calculates an amount of shift in the horizontal direction on the display unit of the tentative instructed position when the instruction image is three-dimensionally displayed relative to a position of the instruction area when the instruction image is two-dimensionally displayed; and

changing a position of the control range based on the amount of shift in the horizontal direction to make the position of the control range coincide with a visually recognized position of the instruction area through stereoscopic viewing when the instruction image is three-dimensionally displayed.

[Claim 7] A program for causing a computer to carry out an instructed position setting method for setting an instructed position during three-dimensional display, the program comprising the procedures of:

detecting with an instructed position detecting unit an instructed position instructed on a display surface of a display unit where an instruction image is displayed, the instruction image including at least one instruction area for receiving a predetermined instruction, and the instruction image being displayable two-dimensionally and three-dimensionally;

upon setting on the display unit a control range corresponding to the instruction area of the instruction image displayed on the

display unit such that the control range is changed between when the instruction image is two-dimensionally displayed and when the instruction image is three-dimensionally displayed, obtaining information of a tentative instructed position by receiving an instruction directed to the instruction area when the instruction image is three-dimensionally displayed;

calculates an amount of shift in the horizontal direction on the display unit of the tentative instructed position when the instruction image is three-dimensionally displayed relative to a position of the instruction area when the instruction image is two-dimensionally displayed; and

changing a position of the control range based on the amount of shift in the horizontal direction to make the position of the control range coincide with a visually recognized position of the instruction area through stereoscopic viewing when the instruction image is three-dimensionally displayed.

Certification of Translation

I, Maki Sakamoto, hereby certify that I am competent in English and Japanese and that I have provided a true and accurate English language translation of the attached Notification of Reasons of Rejection from the Japanese Patent Office.

Signature of Translator

January 27, 2011
Date

Maki Sakamoto
Name of Translator

拒絶理由通知書

特許出願の番号　　特願2008－218056
起案日　　平成22年　9月17日
特許庁審査官　　岩橋　龍太郎　　3790　5E00
特許出願人復代理人　　福尾　勲将　様
適用条文　　第29条第2項、第36条

この出願は、次の理由によって拒絶をすべきものです。これについて意見がありましたら、この通知書の発送の日から60日以内に意見書を提出してください。

理　由

A. この出願は、特許請求の範囲の記載が下記の点で、特許法第36条第6項第2号に規定する要件を満たしていない。

B. この出願の下記の請求項に係る発明は、その出願前に日本国内又は外国において、頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記　　（引用文献等については引用文献等一覧参照）

＜理由Aについて＞

請求項1において、
「前記指示画像が前記2次元表示された場合と前記3次元表示された場合とで前記制御範囲の位置を変更」する処理と、
「前記指示画像の前記3次元表示時において、立体視により前記指示領域が視認される位置と、前記制御範囲の位置とを一致させ」る処理と、
「前記指示画像を前記3次元表示した場合において、前記指示領域への指示を受け付けることにより仮の指示位置の情報を取得し、前記指示画像の前記2次元表示時における前記指示領域の位置に対する、前記3次元表示時における前記仮の指示位置との前記表示手段上での水平方向移動量を算出し、該水平方向移動量に基づいて、前記制御範囲の位置を変更する」処理との関係が不明確であり、「制

御範囲設定手段」の処理の内容を明確に把握できない（それぞれの処理が、独立して行われるものとも解釈でき、不明確な記載となっている。）。

請求項4及び5における同様の記載についても同じである。

よって、請求項1、4、5及び従属する請求項に係る発明は明確でない。

＜理由Bについて＞

・請求項　　1、2、4及び5
・引用文献等　1及び2
・備考
　引用文献1には、所定の指示を受け付けるための少なくとも1つの指示領域を含む、2次元表示および3次元表示が可能な指示画像が表示された表示部の表示面上において、指示された指示位置を検出するタッチパネルが記載されている。
　また、引用文献2（特に、段落【0018】～【0035】、【図1】～【図5】を参照。）には、タッチパネルに触れて選択するオブジェクトの入力座標S12を入力し、記憶部に記憶されている正規のオブジェクトの座標と、入力座標S12との距離dを求め、該距離dに基づきオブジェクトの正規の座標を修正して書換え、使用者の視差を補正する発明が記載されている。
　したがって、指示画像を3次元表示する引用文献1に記載の発明に、引用文献2に記載の、記憶部に記憶されている正規のオブジェクトの座標と、入力座標との距離に基づきオブジェクトの正規の座標を修正して書換える技術を適用することは、当業者が容易に想到し得たものである。

・請求項　　3
・引用文献等　1～3
・備考
　引用文献3には、タッチパネルにおいて、視差を補正するための複数種類の視差情報をユーザ毎に保持する技術が開示されている。

　拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

引 用 文 献 等 一 覧

1.特開2004－280496号公報
2.特開2002－287907号公報
3.特開平10－340159号公報

P.3

－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－

先行技術文献調査結果の記録

・調査した分野　IPC　G06F　3／03－　3／048
　　G06F　3／14－　3／153

・先行技術文献　特開平10－105735号公報
　　特開2000－056929号公報
　　特開平06－309102号公報

　この先行技術文献調査結果の記録は拒絶理由を構成するものではありません。

部長／代理	審査長／代理	審査官	審査官補
	金子 幸一	岩橋 龍太郎	
	8724	3790	

[Translation of Office Action]

NOTICE OF REASONS FOR REJECTION

Patent Application No.:	2008-218056
Drafting Date of Notice:	September 17, 2010
Patent Office Examiner:	Ryutaro Iwasaki (3790 5E00)
Representative Patent Attorney:	Norimasa Fukuo
Applicable Law:	Sections 29(2) and 36

The present application is rejected for the following reasons. If the applicant has any comments, an Argument may be filed within 3 months of the date on which this notification was dispatched.

Reasons

A. The description of claims of the present application fails to satisfy the provisions of the Patent Law Section 36(6)(ii) with respect to the point set forth below.

B. The invention defined in the following claims of the present application would have easily been conceived by a person with ordinary skill in the art to which the invention pertains, on the basis of the teachings in the following publications, which were distributed or made available to the public via electric telecommunication lines in Japan or elsewhere prior to the filing date of the present application, and is therefore unpatentable under the provisions of the Patent Law Section 29(2).

Notes (Please refer to the list of the cited references below)

<With respect to Reason A>
With respect to claim 1, relationships among:
the operation of "changing a position of the control range between when the instruction image is two-dimensionally displayed and when the instruction image is three-dimensionally displayed";
the operation of "when the instruction image is three-dimensionally displayed, making the position of the control range coincide with a visually recognized position of the instruction area through stereoscopic viewing"; and
the operation of "when the instruction image is three-dimensionally displayed, obtaining information of a tentative instructed position by receiving an instruction directed to the instruction area, calculating an amount of shift in the horizontal direction on the display means of the tentative instructed position when the instruction image is three-dimensionally displayed relative to a position of the instruction area when the instruction image is two-dimensionally displayed, and changing the position of the control range based on the amount of shift in the horizontal direction"
are unclear, and thus it is impossible to clearly understand the contents of operations carried out by the "control range setting means". (It is possible to construe that each operation is independently carried out, and thus the description is unclear.)

The same applies to the similar descriptions in claims 4 and 5.

Hence, the inventions defined in claims 1, 4 and 5 and the claims depending therefrom are indefinite.

<With respect to Reason B>
Claims 1, 2, 4 and 5
Cited references 1 and 2
Remarks:
Cited reference 1 discloses a touch panel that detects an instructed position instructed on a display surface of a display means where an instruction image is displayed, the instruction image including at least one instruction area for receiving a predetermined instruction and the instruction image being displayable two-dimensionally and three-dimensionally.

Cited reference 2 (see, in particular, paragraphs 0018 to 0035 and FIGs. 1 to 5) discloses an invention for correcting a parallax for a user by inputting input coordinates S of an object to be selected by the user touching the touch panel, finding a distance d between normal coordinates of the object stored in a storing unit and the input coordinates S, and modifying and rewriting the normal coordinates of the object based on the distance d.

Hence, it would have easily been conceived by a person with ordinary skill in the art to apply, to the invention disclosed in cited reference 1 where the instruction image is three-dimensionally displayed, the technique disclosed in cited reference 2 where the normal coordinates of the object is modified and rewritten based on the distance between the coordinates of the object stored in the storing unit and the input coordinates.

Claim 3
Cited references 1 to 3
Remarks:
Cited reference 3 discloses a technique for use with a touch panel to retain, for each user, a plurality of types of parallax information for correcting a parallax.

In the event that additional reasons for rejection are found, notification thereof will be given.

List of the Cited References

1. Japanese Unexamined Patent Publication No. 2004-280496
2. Japanese Unexamined Patent Publication No. 2002-287907
3. Japanese Unexamined Patent Publication No. H10-340159

Record of Results of Relevant Document Search

Technical fields searched: IPC G06F 3/03-3/048

G06F 3/14-3/153

Document(s) relevant but not relied upon for rejection:
Japanese Unexamined Patent Publication No. H10-105735
Japanese Unexamined Patent Publication No. 2000-056929
Japanese Unexamined Patent Publication No. H06-309105

This Record of Results of Relevant Document Search does not constitute grounds for rejection.

Department Manager/ Deputy	Chief Examiner/ Deputy	Examiner	Assistant Examiner
	Koichi Kaneko	Ryutaro Iwasaki	
	8724	3790	

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.
13/061,199	03/22/2011	Tomonori Masuda	Q123387	4494

23373 7590 11/15/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
CHAUHAN, ULKA J	
ART UNIT	**PAPER NUMBER**
2628	

NOTIFICATION DATE	DELIVERY MODE
11/15/2011	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):

USPTO@sughrue.com
sughrue@sughrue.com
PPROCESSING@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
Tomonori MASUDA
Application No.: 13/061,199
Filed: 22 March 2011
Attorney Docket No.: Q123387
For: DEVICE AND METHOD FOR SETTING INSTRUCTED POSITION DURING THREE-DIMENSIONAL DISPLAY, AS WELL AS PROGRAM

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

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

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and

b. Submit a claims correspondence table in English;

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

5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

      Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;

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);

Conditions (1-5) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (6).

Regarding the requirement of condition (6), applicant has failed to cite and submit a copy of JP 200-056929 which was cited by the JP examiner in the JP action.

The claims correspondence table is inaccurate to the extent that the claim numbering in the preliminary amendment is incorrect (new claims 8, 10, 11, 12, 12, 13, and 12 were presented). A new claims correspondence table is NOT required.

The translation of the JP action is inaccurate at least to the extent that H06-309102 was translated as H06-309105. The correct reference was cited on the IDS. A new translation is NOT required to overcome this inaccuracy.

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 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
Quality Assurance Specialist
Technology Center 2600

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Tomonori MASUDA

Appln. No.: 13/061,199

Confirmation No.: 4494

Filed: March 22, 2011

Docket No: Q123387

Group Art Unit: 2628

Examiner: Ulka J CHAUHAN

For: DEVICE AND METHOD FOR SETTING INSTRUCTED POSITION DURING THREE-DIMENSIONAL DISPLAY, AS WELL AS PROGRAM

COMMENTS ON INFORMATION DISCLOSURE STATEMENT REQUEST FOR PATENT PROSECUTION HIGHWAY (PPH) PROGRAM

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

Sir:

Please find below our comments regarding our submission of documents necessary to enter the PPH, in accordance with the Petition Decision Mailed November 15, 2011.

TABLE OF CONTENTS

REMARKS 2

COMMENTS ON IDS REQUEST FOR PATENT PROSECUTION HIGHWAY (PPH) PROGRAM **Q123387**
Appln No.: 13/061,199

REMARKS

On december 13, 2011, the undersigned spoke with Quality Assurance Specialist Lee Young to confirm that a copy of missing reference JP 2000-056929, along with an English abstract and an IDs listing the document was all that was needed for Applicant to comply with the Petition Decision dated November 15, 2011, and enter the PPH. Mr. Young confirmed that the above-identified information was all that was necessary. Accordingly, these documents are attached. 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,

/Stuart S. Levy/_____
Stuart S. Levy
Registration No. 61,474

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: December 15, 2011

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

MAILED
JAN 25 2012
OFFICE OF PETITIONS

In re Application of
Tomonori MASUDA
Application No.: 13/061,199
Filed: 22 March 2011
Attorney Docket No.: Q123387
For: DEVICE AND METHOD FOR SETTING INSTRUCTED POSITION DURING THREE-DIMENSIONAL DISPLAY, AS WELL AS PROGRAM

: 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 15 December 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 April M. Wise at (571) 272-1642.

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.

/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.
13/061,229	02/28/2011	Masazumi Yamazaki	085393-0505	4676

7590 08/17/2011

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, NW
WASHINGTON, DC 20005-3096

EXAMINER	
FAN, CHIEH M	

ART UNIT	PAPER NUMBER
2611	

NOTIFICATION DATE	DELIVERY MODE
08/17/2011	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

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

MURATA MACHINERY, LTD.
(MURATEC) C/O KEATING & BENNETT LLP
1800 ALEXANDER BELL DRIVE
SUITE 200
RESTON VA 20191

MAILED
APR 04 2012
OFFICE OF PETITIONS

In re Application of:
Yoshifumi Tanimoto
Application No. 13/061,234
Filed: February 28, 2011
Attorney Docket No. 22202.143/gi

: 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 February 9, 2012, 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; (if the claims were published in a language other than English);
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. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the JPO 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:
   d. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   e. Copies of the documents cited in the JPO office action, 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 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
www.uspto.gov

Gardner Groff Greenwald & Villanueva. PC
2018 Powers Ferry Road
Suite 800
Atlanta, GA 30339

MAILED

APR 21 2011

PCT LEGAL ADMINISTRATION

In re Application of
GOMEZ-GONZALES et al.
Application No.: 13/061,282
PCT No.: PCT/ES2009/070327
Int. Filing Date: 31 July 2009
Priority Date: 01 August 2008
Attorney Docket No.: 24P05.1-100
For: PROGRESSIVE SURGICAL DISTRACTION DEVICE FOR ATRAUMATIC ACCESS

DECISION ON PETITION UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 28 February 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 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 applicant has submitted the basic national fee and 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 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: (571) 272-3298

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:	13/061321	Filing date:	February 28, 2011
First Named Inventor:	Jean-Francois KOENIG		
Title of the Invention:	LAMINATED PERFORATED ACOUSTICAL FOAM		

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/US2009/057398

The international date of the corresponding PCT application(s) is/are: September 18, 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 February 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 February 28, 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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	12/326,129
First Named Inventor:	James J. O'Brien

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1 - 20	1 - 20	Claims are identical

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

IV. Payment of Fees:

The petition fee under 37 CFR 1.17(h) as required by 37 CFR 1.102(d) must be paid via EFS-Web (using credit card, authorization to charge a deposit account, or electronic funds transfer).

Signature /Steven W. Mork/	Date April 8, 2011
Name (Print/Typed) Steven W. Mork	Registration Number 48,258

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

The Dow Chemical Company
P.O. BOX 1967
2040 Dow Center
Midland MI 48641

MAILED

SEP 14 2011

PCT LEGAL ADMINISTRATION

In re Application of :
Castro et al :
Application No.: 13/061,321 :
PCT No.: PCT/US09/57398 :
Int. Filing Date: 18 September 2009 : DECISION
Priority Date: 29 September 2008 :
Attorney's Docket No.: 6759US-PCT :
For: BUILDING... FOAM INSULATION :

This decision is in response to the "PETITION FOR REVIEW BY THE PCT LEGAL OFFICE UNDER 37 CFR 1.182" filed on 20 July 2011 to accept entry of the above identified application into the national stage with the corrected PCT number of PCT/US2009/057398. The petition fee of $400.00 has been charged to Deposit Account no.: 04-1512.

BACKGROUND

In a communication from this Office on 07 July 2011, it indicated that applicant needed to correct the PCT serial number as the Transmittal Letter and the Electronic Acknowledge Receipt identified different applications.

On 20 July 2011, petitioner filed a petition under 37 CRF 1.182 stating that at the time of filing the application, the International Application No. on the transmittal letter was incorrectly entered as 61/022915 rather that the correct International Application No. PCT/US2009/057398.

DISCUSSION

Although applicants entered the incorrect application number at the time of filing the application in the transmittal letter, the correct PCT/US2009/057398 was placed on the Electronic Acknowledge Receipt and on the specification. Accordingly, there is sufficient evidence that the correct international application PCT number is PCT/US2009/057398.

Therefore, petition to accept the PCT number of PCT/US2009/057398 for the instant application is granted, and will be reflected in the filing receipt.

DECISION

The petition under 37 CFR 1.182 is **GRANTED**.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
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.
13/061,321	02/28/2011	Jean-Francois Koenig	67597US-PCT	5168

109 7590 10/17/2011

The Dow Chemical Company
P.O. BOX 1967
2040 Dow Center
Midland, MI 48641

EXAMINER	
PHILLIPS, FORREST M	
ART UNIT	PAPER NUMBER
2832	

NOTIFICATION DATE	DELIVERY MODE
10/17/2011	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):

FFUIMPC@dow.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

The Dow Chemical Company
P.O. BOX 1967
2040 Dow Center
Midland MI 48641

OCT 17 2011

In re Application of
KOENIG et al.
Application No.: 13/061,321
Filed: 28 February 2011
Attorney Docket No.: 67597US-PCT
For: LAMINATED PERFORATED ACOUSTICAL FOAM

: 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 08 April 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, 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.

(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.

With respect to requirement (8), it is noted that the claims correspondence table lists PCT and US claims 1-20. However, only claims 1-15 exist and were examined in the PCT case and only claims 1-15 exist in the US case. It appears there is a typographical error in the table.

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

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:	13/061,367	Filing date:	February 28, 2011
First Named Inventor:	Yasuhiro Iguchi		
Title of the Invention:	LIGHT-RECEIVING ELEMENT AND LIGHT-RECEIVING ELEMENT ARRAY		

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/JP2009/063248

The international 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-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.:	13/061,367
First Named Inventor:	Yasuhiro Iguchi

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)

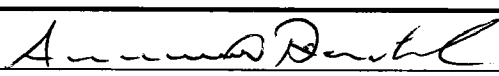
☑ Are attached.

☐ 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	Substantially the same
2	2	Substantially the same
3	3	Substantially the same, but dependency changed to claim 1 only
4	4	Substantially the same
5	5	Substantially the same, but dependency changed to claim 1
6	6	Substantially the same, but dependency changed to claim 4 only
7	7	Substantially the same, but dependency changed to claim 1 only
8	8	Substantially the same, but dependency changed to claim 6 only
9	9	Substantially the same, but changed to refer to claim 1 only

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

Signature 	Date 2/28/2011
Name (Print/Typed) Samuel Borodach	Registration Number 38,388

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.
13/061,367	02/28/2011	Yasuhiro Iguchi	12852-0057US1	5450

26211 7590 04/13/2011
FISH & RICHARDSON P.C. (NY)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER	
ART UNIT	PAPER NUMBER
2811	

NOTIFICATION DATE	DELIVERY MODE
04/13/2011	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):

PATDOCTC@fr.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

FISH & RICHARDSON P.C. (NY)
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

In re Application of
IGUCHI et al.
Application No.: 13/061,367
Filed: 28 February 2011
Attorney Docket No.: 12852-0057US1
For: LIGHT-RECEIVING ELEMENT AND LIGHT-RECEIVING ELEMENT ARRAY

: 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 28 February 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, 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), the file does not appear to have a copy of the 16 claims from the PCT application that have novelty, inventive step, and industrial applicability or an English translation of the claims. There is a statement that the translation of the Article 34 amendment is accurate but no copy of the Article 34 amendment can be found.

Regarding the requirement of condition (4), it cannot be determined if condition (4) is 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.: 12852-0057US1 / 109130-US-00

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Yasuhiro Iguchi et al.
Serial No. : 13/061,367
Filed : February 28, 2011
Title : LIGHT-RECEIVING ELEMENT AND LIGHT-RECEIVING ELEMENT ARRAY

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

RESPONSE TO DECISION OF APRIL 13, 2011

In response to the Decision of April 13, 2011, applicants submit herewith the following:

☒ Verification Statement of the English translation of the Amendments of PCT Application No. PCT/JP2009/063248 made under PCT Article 34 (1 page); and

☒ Copy of the claims (in Japanese) from the PCT application having novelty, inventive step and industrial applicability (4 pages); and

☒ English translation of the claims from the PCT application having novelty, inventive step and industrial applicability (6 pages).

Also enclosed is a copy of an Electronic Acknowledgement Receipt dated February 28, 2011 for this application. Item 13 indicates that all of the foregoing 11 pages were submitted to the USPTO together with the application papers.

Please apply any fees to Deposit Account No. 06-1050, referencing attorney docket no. 12852-0057US1.

Respectfully submitted,

Date: 9/21/11

Samuel Borodach
Reg. No. 38,388

Customer Number 26211
Fish & Richardson P.C.
Telephone: (212) 765-5070
Facsimile: (877) 769-7945

Electronic Acknowledgement Receipt

EFS ID:	9542478
Application Number:	13061367
International Application Number:	PCT/JP2009/063248
Confirmation Number:	5450
Title of Invention:	LIGHT-RECEIVING ELEMENT AND LIGHT-RECEIVING ELEMENT ARRAY
First Named Inventor/Applicant Name:	Yasuhiro Iguchi
Customer Number:	26211
Filer:	Samuel Borodach/Denise Siede
Filer Authorized By:	Samuel Borodach
Attorney Docket Number:	12852-0057US1
Receipt Date:	28-FEB-2011
Filing Date:	
Time Stamp:	16:27:27
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$980
RAM confirmation Number	4243
Deposit Account	061050
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1	Specification	12852-0057US1MarkedUpSpecification.pdf	269354 da8408ca6c100c33a831242133fe431767b27df6	no	36
Warnings:					
Information:					
2	Specification	12852-0057US1SubstituteSpecification.pdf	268436 32ed7724a48611c6e1177f677a0ad4bc3e6555c0	no	36
Warnings:					
Information:					
3		12852-0057us1npl.pdf	1230423 a1f8d4451fb959ff237bef69d4832ac7ccf1884f	yes	12

Multipart Description/PDF files in .zip description

Document Description	Start	End
NPL Documents	1	5
NPL Documents	6	8
NPL Documents	9	12

Warnings:					
Information:					
4	Foreign Reference	WO2010029813.pdf	2244494 fd1f527515f3aa17a624b48504e3e07bcc161959	no	59
Warnings:					
Information:					
5	Foreign Reference	WO2010032553.pdf	2186903 98d761370c3055b6038383e20192743173f5b4bf	no	58
Warnings:					
Information:					
6	Foreign Reference	WO2010073769.pdf	2025210 8e93782932d5d02796e8cfa4fe99720d32c5e3c2	no	59
Warnings:					
Information:					
7	Foreign Reference	WO2010073770.pdf	2021370 619586d04fb85384580bc722cf084b7f61b198e4	no	58
Warnings:					
Information:					

8	Transmittal of New Application	12852-0057US1TRL.pdf	137813 9b19ab0edd24525e659b516f312b878de7a766fc	no	2
Warnings:					
Information:					
9		12852_0057us1APPLNwfigs.pdf	2395082 9fbf5da8216c3c3b878cib6cef57fe722bcf14311	yes	54

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Specification	1	35
Claims	36	39
Abstract	40	40
Drawings-other than black and white line drawings	41	54

Warnings:					
Information:					
10	Miscellaneous Incoming Letter	12852-0057US1VerificationEnglishTransOrigAppln.pdf	32483 3ff48711d8fcda8284b49d8267a7f573fc23fb98	no	1
Warnings:					
Information:					
11	Documents submitted with 371 Applications	12852-0057US1IPERwEnglishTranslation.pdf	268856 27e91ff53fbf5014eba999fe7371d1b8e943446b	no	6
Warnings:					
Information:					
12		12852-0057US1PRELIMAMDTwABST.pdf	291207 ec655e6a758b392ae87ab7d38a1f213305685396	yes	9

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Preliminary Amendment	1	1
Specification	2	3
Claims	4	7
Applicant Arguments/Remarks Made in an Amendment	8	8

	Abstract		9	9	
Warnings:					
Information:					
13		12852-0057US1Art34AMENDMENTwEnglishVERIFICATION.pdf	378102 7a7ed471e93aa174af86abbbe9e3d077380a49d3	yes	11
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Miscellaneous Incoming Letter		1	1	
	Documents submitted with 371 Applications		2	11	
Warnings:					
Information:					
14	Miscellaneous Incoming Letter	12852-0057US1STATEMENTofSUBSTITUTESPECIFICATION.pdf	34735 e95b0044a25d265c97c9e4293bec3162aad3da628	no	1
Warnings:					
Information:					
15	Oath or Declaration filed	12852-0057US1DecPOA.pdf	193559 9bdbfe7389090c55eaf0fa2014170cf29675a68d	no	4
Warnings:					
Information:					
16	Miscellaneous Incoming Letter	12852-0057US1DeclarationJPPriority2008_334907.pdf	26014 0061465fe721af39b4eae6f76aa4792e38bac6e0	no	1
Warnings:					
Information:					
17	Translation of Foreign Priority Documents	12852-0057US1JPPriority2008_334907.pdf	4082303 ec2fa63232d048ecc2c81614acdd804f3a4ce4f6	no	82
Warnings:					
Information:					
18		12852-0057US1IDSwISR.pdf	212344 8a7a859ce357311f655b6867af45607c6e7fd30a	yes	6
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Transmittal Letter		1	2	

	Information Disclosure Statement (IDS) Filed (SB/08)		3		4
	Documents submitted with 371 Applications		5		6
Warnings:					
Information:					
19		12852-0057us1refs.pdf	15766683 9cf0409dc3b42106b678eb92a8d0ebc1e72c17ec	yes	288

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Foreign Reference	1	39
	Foreign Reference	40	52
	Foreign Reference	53	62
	Foreign Reference	63	75
	Foreign Reference	76	110
	Foreign Reference	111	137
	Foreign Reference	138	176
	Foreign Reference	177	221
	Foreign Reference	222	235
	Foreign Reference	236	241
	Foreign Reference	242	278
	Foreign Reference	279	288

Warnings:					
Information:					
20	Application Data Sheet	12852-0057US1ADS.pdf	1444586 9324307dd9bbe80dd92eb185b0266b6a2e41c610	no	5
Warnings:					
Information:					

21	Fee Worksheet (PTO-875)	fee-info.pdf	33179 971b6c44b65bd46178a59af183fbb3095dfad93e	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	35543136	

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.

VERIFICATION

I, Kenji HIRAYAMA

of c/o Osaka Works of SUMITOMO ELECTRIC INDUSTRIES, LTD.
1-3, Shimaya 1-chome, Konohana-ku, Osaka-shi, Osaka, JAPAN

hereby declare that I am conversant with the Japanese and English languages and that I am the translator of the document attached and certify that to the best of my knowledge and belief the following is a true and correct English translation of the amendments of PCT Application No. PCT/JP2009/063248 made under PCT Article 34.

Dated this 9 th day of February , 2011

Signature of translator: Kenji Hirayama
Kenji HIRAYAMA

請求の範囲

[請求項1]（補正後）

ＩＩＩ－Ｖ族化合物半導体基板上に形成され、ｐｎ接合を受光層に含むＩＩＩ－Ｖ族化合物半導体積層構造の受光素子であって、前記受光層がＩＩＩ－Ｖ族化合物半導体の多重量子井戸構造を有し、前記ｐｎ接合は、不純物元素を受光層内に選択拡散して形成したものであり、

前記受光層における前記不純物濃度が、$5\times10^{16}/cm^3$以下であり、前記基板と反対側の前記受光層の面に接して、ＩＩＩ－Ｖ族化合物半導体の拡散濃度分布調整層を備え、前記拡散濃度分布調整層のバンドギャップエネルギが、前記ＩＩＩ－Ｖ族化合物半導体基板のバンドギャップエネルギより小さく、

前記拡散濃度分布調整層の拡散前のｎ型不純物濃度が、$2\times10^{15}/cm^3$以下であり、前記拡散濃度分布調整層は、受光層側の厚み範囲に低い不純物濃度範囲を有する、ことを特徴とする、受光素子。

[請求項2]（補正後）

前記拡散濃度分布調整層は、前記不純物元素の濃度が、前記受光層と接する面と反対の面側にある$1\times10^{18}/cm^3$以上の領域と、前記受光層側にある$2\times10^{16}/cm^3$以下の領域と、前記２つの領域の間にあり前記２つの領域よりも厚みが薄く前記不純物元素の濃度が$2\times10^{16}/cm^3$より大きく、$1\times10^{18}/cm^3$より小さい領域と、を有することを特徴とする、請求項１に記載の受光素子。

[請求項3]（補正後）

前記多重量子井戸構造がタイプ２の量子井戸構造であることを特徴とする、請求項１もしくは２のいずれかひとつに記載の受光素子。

[請求項4]（補正後）

前記ＩＩＩ－Ｖ族化合物半導体積層構造はＩｎＰ基板上に形成されており、前記受光層がＩｎＧａＡｓ／ＧａＡｓＳｂ多重量子井戸構造、またはＧａＩｎＮＡｓ／ＧａＡｓＳｂ多重量子井戸構造であり、不純物元素が

Ｚｎであることを特徴とする、請求項３に記載の受光素子。

[請求項5] （補正後）

前記拡散濃度分布調整層がＩｎＧａＡｓから形成されていることを特徴とする、請求項１～４のいずれかひとつに記載の受光素子。

[請求項6] （補正後）

前記拡散濃度分布調整層上にＩｎＰ窓層を備え、当該拡散濃度分布調整層とＩｎＰ窓層との境界部に、Ｓｂのパイルアップがないことを特徴とする、請求項４または５に記載の受光素子。

[請求項7] （補正後）

前記拡散濃度分布調整層上にＩｎＰ窓層を備え、当該拡散濃度分布調整層およびＩｎＰ窓層において、Ｓｂ濃度が1×10^{18}／cm^3以下であることを特徴とする、請求項１～５のいずれかひとつに記載の受光素子。

[請求項8] （補正後）

前記拡散濃度分布調整層の上にＩｎＰ窓層を備え、該拡散濃度分布調整層とＩｎＰ窓層との境界部に、酸素（Ｏ）、炭素（Ｃ）、水素（Ｈ）、珪素（Ｓｉ）のうちの少なくとも１つがパイルアップされた異成分パイルアップ層があることを特徴とする、請求項６および７のいずれかひとつに記載の受光素子。

[請求項9] （補正後）

請求項１～８のいずれかひとつに記載の受光素子が、前記半導体積層構造を共通にし、かつ前記不純物元素が受光素子ごとに前記受光層内に選択拡散されて形成されており、一次元または二次元配列されていることを特徴とする、受光素子アレイ。

[請求項10] （補正後）

ＩＩＩ－Ｖ族化合物半導体の積層構造を有し、該積層構造内の受光層にｐｎ接合を有する受光素子の製造方法であって、ＩｎＰ基板上に前記受光層を多重量子井戸構造で形成する工程と、前記受光層の上に、該受光層内の不純物濃度を低く調整するために、ＩｎＰ相当のバンドギャップエネルギよ

り小さいバンドギャップエネルギを有する拡散濃度分布調整層を形成する工程と、前記拡散濃度分布調整層を通して該受光層内に不純物元素を選択拡散し、該受光層内の前記不純物濃度を5×10^{16}／cm^3以下とする工程とを備えることを特徴とする、受光素子の製造方法。

[請求項11] （補正後）

前記ＩｎＰ基板上に前記受光層を、少なくとも１つの層にＳｂを含む多重量子井戸構造で形成した後、前記拡散濃度分布調整層を形成する前に、前記積層構造を３００℃以下まで冷却することを特徴とする、請求項１０記載の受光素子の製造方法。

[請求項12] （補正後）

前記ＩｎＰ基板上に前記受光層を形成した後、前記拡散濃度分布調整層を形成する前に、前記積層構造を、前記受光層を形成した成膜室から、当該成膜室につながった待機室に移動して、３００℃以下まで冷却することを特徴とする、請求項１０または１１に記載の受光素子の製造方法。

[請求項13] （補正後）

前記ＩｎＰ基板上に前記受光層を形成した後、前記冷却する前に、受光層の成膜温度より１０℃から５０℃高い範囲の温度に、１０分間以上３０分間以下の時間保持し、その後、前記冷却ないし移動して冷却することを特徴とする、請求項１１または１２に記載の受光素子の製造方法。

[請求項14] （補正後）

前記ＩｎＰ基板上に前記受光層および拡散濃度分布調整層を、分子線エピタキシャル成長（ＭＢＥ）法により５５０℃以下で成膜し、その後、該拡散濃度分布調整層上に、ＩｎＰ窓層を、全有機金属気相エピタキシ（全有機ＭＯＶＰＥ）法により５５０℃以下で成膜することを特徴とする、請求項１０～１３のいずれかひとつに記載の受光素子の製造方法。

[請求項15] （補正後）

前記ＭＢＥ法により前記ＩｎＰ基板上に前記受光層および前記拡散濃度分布調整層を成膜した後、前記積層構造を大気にさらし、次いで、ＭＯ

ＶＰＥの成膜室に装入して、前記ＩｎＰ窓層を成膜することを特徴とする、請求項１４に記載の受光素子の製造方法。

[請求項16]（補正後）

前記受光素子が複数配列された受光素子アレイを製造するために、前記ＩＩＩ－Ｖ族化合物半導体の積層構造を共通にして、前記複数の受光素子に請求項１０～１５のいずれかひとつに記載の受光素子の製造方法を適用し、前記不純物の選択拡散工程では、前記拡散濃度分布調整層を通して該受光層内に、前記複数の受光素子が分離されるように、受光素子ごとに不純物元素を選択拡散し、各受光素子の前記受光層内の前記不純物濃度を５×１０^{16}／ｃｍ^{3}以下とすることを特徴とする、受光素子アレイの製造方法。

[請求項17]（削除）

English translation of permitted claims

1. (Currently amended)

A light-receiving element comprising a group III-V compound semiconductor stacked structure including an absorption layer having a pn-junction therein, the group III-V compound semiconductor stacked structure being formed on a group III-V compound semiconductor substrate, wherein the absorption layer has a multiquantum well structure composed of group III-V compound semiconductors, the pn-junction is formed by selectively diffusing an impurity element into the absorption layer,

the concentration of the impurity element in the absorption layer is $5 \times 10^{16}/cm^3$ or less, a diffusion concentration distribution control layer composed of III-V group semiconductor is disposed in contact with the absorption layer on a side of the absorption layer opposite the side adjacent to the group III-V compound semiconductor substrate,

the bandgap of the diffusion concentration distribution control layer is lower than that of the group III-V compound semiconductor substrate,

the diffusion concentration distribution control layer has an n-type impurity concentration of $2 \times 10^{15}/cm^3$ or less before the diffusion, the diffusion concentration distribution control layer having a portion adjacent to the absorption layer, the portion having a low impurity concentration.

2. (Currently amended)

The light-receiving element according to Claim 1, wherein the diffusion concentration distribution control layer has a first region located adjacent to a surface of the diffusion concentration distribution control layer opposite the surface in contact with the absorption layer, the concentration of the impurity element in the first region being about $1 \times 10^{18}/cm^3$ or more, a second region located adjacent to the absorption layer, the concentration of the impurity element in the second region being $2 \times 10^{16}/cm^3$ or less, and a third region located between the first region and the second region, the third region having a smaller thickness than those of the first and second regions, and the concentration of the impurity element in the third region being more than $2 \times 10^{16}/cm^3$ and less than $1 \times 10^{18}/cm^3$.

3. (Currently amended)

The light-receiving element according to Claim 1 or Claim 2, wherein the multiquantum well structure is a type II quantum well structure.

4. (Currently amended)

The light-receiving element according to Claim 3, wherein the group III-V compound semiconductor stacked structure is formed on an InP substrate, the absorption layer has an InGaAs/GaAsSb multiquantum well structure or a GaInNAs/GaAsSb multiquantum well structure, and the impurity element is Zn.

5. (Currently amended)

The light-receiving element according to any one of Claims 1 to 4, wherein the diffusion concentration distribution control layer is composed of InGaAs.

6. (Currently amended)

The light-receiving element according to Claim 4 or Claim 5, wherein an InP window layer is provided on the diffusion concentration distribution control layer, and there is no pile-up of Sb at the boundary between the diffusion concentration distribution control layer and the InP window layer.

7. (Currently amended)

The light-receiving element according to any one of Claims 1 to 5, wherein an InP window layer is provided on the diffusion concentration distribution control layer, and the Sb concentration is $1 \times 10^{18}/cm^3$ or less in the diffusion concentration

distribution control layer and the InP window layer.

8. (Currently amended)

The light-receiving element according to Claim 6 or Claim 7, wherein an InP window layer is provided on the diffusion concentration distribution control layer, and a heterogeneous component pile-up layer in which at least one of oxygen (O), carbon (C), hydrogen (H), and silicon (Si) is piled up is present at the boundary between the diffusion concentration distribution control layer and the InP window layer.

9. (Currently amended)

A light-receiving element array comprising a plurality of the light-receiving elements according to any one of Claims 1 to 8, wherein the light-receiving elements include the semiconductor stacked structure in common, the impurity element is introduced by selective diffusion in the absorption layer for each of the light-receiving elements, and the light-receiving elements are arranged one-dimensionally or two-dimensionally.

10. (Currently amended)

A method for producing a light-receiving element having a group III-V compound semiconductor stacked structure that includes an absorption layer having a pn-junction therein, the method comprising the steps of:

forming the absorption layer on an InP substrate so as to have a multiquantum well structure;

forming, on the absorption layer, a diffusion concentration distribution control

layer having a bandgap energy smaller than the bandgap energy corresponding to that of InP in order to control the concentration of an impurity element in the absorption layer to be low; and

selectively diffusing the impurity element into the absorption layer through the diffusion concentration distribution control layer to control the concentration of the impurity element in the absorption layer to be $5 \times 10^{16}/cm^3$ or less.

11. (Currently amended)

The method for producing a light-receiving element according to Claim 10, wherein, after the absorption layer is formed on the InP substrate so as to have a multiquantum well structure including at least one layer containing Sb and before the diffusion concentration distribution control layer is formed, the stacked structure is cooled to 300°C or lower.

12. (Currently amended)

The method for producing a light-receiving element according to Claim 10 or Claim 11, wherein, after the absorption layer is formed on the InP substrate and before the diffusion concentration distribution control layer is formed, the stacked structure is moved from a growth chamber in which the absorption layer has been formed to a waiting chamber connected to the growth chamber to cool the stacked structure to 300°C or lower.

13. (Currently amended)

The method for producing a light-receiving element according to Claim 11 or

Claim 12, wherein, after the absorption layer is formed on the InP substrate and before the cooling is conducted, the stacked structure is held at a temperature 10°C to 50°C higher than a deposition temperature of the absorption layer for 10 minutes or more and 30 minutes or less, and the cooling or the moving and cooling are then performed.

14. (Currently amended)

The method for producing a light-receiving element according to any one of Claims 10 to 13, wherein the absorption layer and the diffusion concentration distribution control layer are deposited on the InP substrate at 550°C or lower by a molecular beam epitaxy (MBE) method, and an InP window layer is then deposited at 550°C or lower by an all-metalorganic vapor phase epitaxy (all-MOVPE) method on the diffusion concentration distribution control layer.

15. (Currently amended)

The method for producing a light-receiving element according to Claim 14, wherein, after the absorption layer and the diffusion concentration distribution control layer are deposited on the InP substrate by the MBE method, the stacked structure is exposed to the atmosphere and is then charged in a growth chamber in MOVPE to deposit the InP window layer.

16. (Currently amended)

A method for producing a light-receiving element array, wherein, in order to produce a light-receiving element array in which a plurality of the light-receiving elements are arranged, the group III-V compound semiconductor stacked structure is used in

common and the method for producing a light-receiving element according to any one of Claims 10 to 15 is applied to the plurality of light-receiving elements, in the step of selective diffusion of the impurity element, the impurity element is selectively diffused into the absorption layer for each light-receiving element through the diffusion concentration distribution control layer so that the light-receiving elements are separated from each other to control the concentration of the impurity element in the absorption layer of each light-receiving element to be $5 \times 10^{16}/cm^3$ or less.

17. (Deleted)

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.
13/061,367	02/28/2011	Yasuhiro Iguchi	12852-0057US1	5450

26211 7590 05/11/2011
FISH & RICHARDSON P.C. (NY)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER	
ART UNIT	PAPER NUMBER
2811	

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):

PATDOCTC@fr.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

FISH & RICHARDSON P.C. (NY)
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

In re Application of
IGUCHI et al.
Application No.: 13/061,367
Filed: 28 February 2011
Attorney Docket No.: 12852-0057US1
For: LIGHT-RECEIVING ELEMENT AND LIGHT-RECEIVING ELEMENT ARRAY

: 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 28 February 2011 and renewed on 21 April 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

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

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

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

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

26753
ANDRUS, SCEALES, STARKE & SAWALL, LLP
100 East Wisconsin Avenue, Suite 1100
Milwaukee, WI 53202

MAILED

MAY 12 2011

PCT LEGAL ADMINISTRATION

In re Application of
ANAPLIOTIS *et al*
U.S. Application No.: 13/061,415
PCT No.: PCT/DE2009/001194
Int. Filing Date: 27 August 2009
Priority Date: 02 September 2008
Attorney Docket No.: 3127-00022
For: KNEE ARTHRODESIS IMPLANT

DECISION ON PETITION UNDER 37 CFR 1.497(d)

This is a decision on the "Request for Correction of Inventorship under 35 U.S.C. 371(c)(4)" filed 28 February 2011 which is treated as a petition under 37 CFR 1.497(d).

BACKGROUND

On 28 February 2011, applicants filed papers to enter the national stage of PCT/DE2009/001194 which was accompanied by, *inter alia*, a declaration executed by three inventors, a request to correct the inventorship, and a statement by the inventor being removed.

DISCUSSION

Applicants request to remove Lothar RABENSEIFNER as an inventor in the above-captioned national stage application.

A review of the underlying international application PCT/DE2009/001194 shows that Mr. RABENSEIFNER was already removed as an inventor pursuant to PCT Rule 92*bis*. The International Bureau mailed a Notification of the Recording of a Change (Form PCT/IB/306) on 16 March 2011 removing Mr. RABENSEIFNER as inventor in the international application.

Accordingly, the subject petition under 37 CFR 1.497(d) is not required.

CONCLUSION

Applicants' request under 37 CFR 1.497(d) is **DISMISSED** as **MOOT**.

The declaration filed with the national stage papers on 28 February 2011 is in compliance with 37 CFR 1.497(a) and (b).

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

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

MAY 04 2011

PCT LEGAL ADMINISTRATION

THORPE, NORTH & WESTERN, LLP
P.O BOX 1219
SANDY UT 84091-1219

In re Application of :
JACOBSEN et al. :
U.S. Application No. 13/061,488 :
PCT No.: PCT/US09/55423 :
Int. Filing Date: 28 August 2009 : DECISION
Priority Date: 28 August 2008 :
Atty Docket No.: 2865-20080627.PROV.PCT.US :
For: CONTROL LOGIC FOR BIOMIMETIC :
JOINT ACTUATORS

The above-identified application is before the Office of PCT Legal Administration for consideration of matters under 35 U.S.C. 371.

BACKGROUND

On 28 August 2009, applicant filed international application No. PCT/US09/55423, which claimed a priority date of 28 August 2008. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, or by midnight on 28 February 2011.

On 28 February 2011, applicant filed electronically, via EFS Web, a transmittal letter for entry into the national stage in the United States (Form PTO-1390). The transmittal referenced attorney docket number 2865-20080627.PROV.PCT.US and was accompanied by, *inter alia*, the requisite basic national fee as required by 35 U.S.C. 371(c)(1). The submission, identifying International Application No. PCT/US09/55423, was assigned U.S. application number 13/061,488.

On the same day, through the same legal entity, applicant electronically filed a second transmittal letter for entry into the national stage in the United States bearing the same attorney docket number and referencing the same international application PCT/US09/55423. These papers were assigned U.S. application number 13/061,483.

DISCUSSION

As is evident from the above recited facts, two sets of papers to enter the national stage have been submitted for international application number PCT/US09/55423 (United States application numbers 13/061,483 and 13/061,488). The end result for an international application designating the United States of America is a single U.S. national stage application. Therefore, the submission of two sets of national stage papers to enter the United States was improper.

The documents filed by above-named counsel and assigned application number 13/061,488 were the first of the two filings to be processed by the USPTO, with such U.S. application file being associated with the international application in the USPTO's PALM

system. Accordingly, U.S. application number 13/061,488 is the application file that will continue to be processed as the national stage of PCT/US09/55423. The second set of national stage materials filed on 28 February 2011 and originally assigned U.S. application number 13/061,483 will be placed in the present application file, and U.S. application number 13/061,483 will be discontinued.

Applicants should use application number **13/061,488** in all future communications with the United States Patent and Trademark Office (PTO).

Application number 13/061,483 will be discontinued.

CONCLUSION

U.S. application number 13/061,488 is the national stage of PCT/US09/55423.

Application number 13/061,483 will be discontinued. These papers will be moved to application **13/061,488**.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney-Advisor
PCT Legal Office
Office of PCT Legal Administration
Tel.: 571-272-3286
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.
13/061,498	02/28/2011	Dong Jin Min	8385-10	6435

92382 7590 10/19/2011

Guntin Meles & Gust, PLC
304 Indian Trace, #750
Weston, FL 33326

EXAMINER	
ART UNIT	PAPER NUMBER
2629	

NOTIFICATION DATE	DELIVERY MODE
10/19/2011	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):

docketing@gmgip.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

Guntin Meles & Gust, PLC
304 Indian Trace, #750
Weston FL 33326

In re Application of
Dong Jin MIN
Application No.: 13/061,498
Filed: 28 February 2011
Attorney Docket No.: 8385-10
For: TOUCH-SENSING PANEL INCLUDING ELECTRODE-INTEGRATED WINDOW, AND MANUFACTURING METHOD THEREOF

: 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 29 August 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 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);

This request to participate in the PPH program and petition is assessed as follows:

Requirements (1) and (4-6) above is considered to have been met. However the request to participate in the PPH program fails to meet requirements (2) and (3).

Regarding requirement (2), applicant has failed to submit a Korean language copy of the allowed/patentable claims from KR 10-2008-0083724 and a statement that the translation of the claims filed 29 August 2011 is accurate (assuming the claims are a translation of the claims from KR 10-2008-0083724).

Regarding requirement (3), applicant has failed to ensure that the claims in the U.S. application sufficiently correspond to the allowable/patentable claims in the KR application. Specifically, US claim 9 requires "after forming the sheet layer in the at least one area of the transparent window" but this limitation is not present in KR claim 9.

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 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 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

GUNTIN MELES & GUST, PLC
304 INDIAN TRACE, #750
WESTON FL 33326

MAILED
JAN 18 2012
OFFICE OF PETITIONS

In re Application of:
Dong Jin Min
Application No. 13/061,498
Filed: February 28, 2011
Attorney Docket No. 8385-10

: 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 Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed November 17, 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 KIPO, 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 KIPO, 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 KIPO, 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 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 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:
    d. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
    e. Copies of the documents cited in the KIPO office action, 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 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
www.uspto.gov

ISRAEL NISSENBAUM
1038-56TH ST
BROOKLYN, NY 11219

MAILED
JUN 14 2011
PCT LEGAL ADMINISTRATION

In re Application of DANISHEFSKY et al :
U.S. Application No.: 13/061,508 :
PCT Application No.: PCT/US2009/055221 :
Int. Filing Date: 27 August 2009 : DECISION
Priority Date Claimed: 27 August 2008 :
Attorney Docket No.: MSK-1 :
For: COMPOUNDS, COMPOSITIONS AND :
METHODS FOR REDUCING TOXICITY AND :
TREATING OR PREVENTING DISEASES :

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 11 April 2011.

BACKGROUND

On 27 August 2009, applicant filed international application PCT/US2009/055221, which claimed priority of an earlier United States application filed 27 August 2008. The thirty-month period for paying the basic national fee in the United States expired on 28 February 2011.

On 28 February 2011, applicant filed purported national stage papers in the United States Designated/Elected Office (DO/EO/US). However, the submission was not accompanied by the basic national fee required by 35 U.S.C. 371(c)(1).

On 30 March 2011, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned as to the United States for failure to timely pay the basic national fee.

On 11 April 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

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

Decision Date : January 5, 2012

In re Application of :

Bruce Scharschmidt

Application No : 13061509

Filed : 15-Jun-2011

Attorney Docket No : 643982000130

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed January 5, 2012

The request is **APPROVED.**

The request was signed by Catherine Polizzi (registration no. 40130) on behalf of all attorneys/agents associated with Customer Number 25226 . All attorneys/agents associated with Cusotmer Number 25226 have been withdrawn.

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

Name	UCYCLD Pharma, Inc.
Name2	
Address 1	7720 North Dobson Road
Address 2	
City	Scottsdale
State	AZ
Postal Code	85256
Country	US

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

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

Office of Petitions

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	13061509
Filing Date	15-Jun-2011
First Named Inventor	Bruce Scharschmidt
Art Unit	1629
Examiner Name	
Attorney Docket Number	643982000130
Title	DOSING AND MONITORING PATIENTS ON NITROGEN-SCAVENGING DRUGS

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 25226

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

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	UCYCLD Pharma, Inc.
Address	7720 North Dobson Road
City	Scottsdale
State	AZ
Postal Code	85256
Country	US

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Catherine Polizzi/
Name	Catherine Polizzi
Registration Number	40130

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.
13/061,509	06/15/2011	Bruce Scharschmidt	79532.8002.US00	6572

7590 02/24/2012

PERKINS COIE LLP
POST OFFICE BOX 1208
SEATTLE, WA 98111-1208

EXAMINER	
GOUGH, TIFFANY MAUREEN	
ART UNIT	PAPER NUMBER
1651	
NOTIFICATION DATE	DELIVERY MODE
02/24/2012	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

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.
13/061,556	05/11/2011	Osamu Fukawatase	03284.0122-00000	7170

22852 7590 11/04/2011

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

EXAMINER	
DICKSON, PAUL N	
ART UNIT	**PAPER NUMBER**
3616	

MAIL DATE	DELIVERY MODE
11/04/2011	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

NOV 0 4 2011

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

In re application of	:	**DECISION ON REQUEST TO**
Fukawatase et al	:	**PARTICIPATE IN PATENT**
Application No. 13/061,556	:	**PROSECUTION HIGHWAY**
Filed: May 11, 2011	:	**PROGRAM AND PETITION**
For: KNEE AIRBAG DEVICE	:	**TO MAKE SPECIAL UNDER**
FOR VEHICLE	:	**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 11, 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 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.

In light of the preliminary amendment filed August 11, 2011. The request to participate in the PPH pilot program complies with the above requirements. Therefore, the above-identified application has been accorded "special" status.

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 11/03/11

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:	13/061,572	Filing date:	
First Named Inventor:	Joginder Singh Bajwa		
Title of the Invention:	Salts of N-[6-cis-2,6-Dimethylmorpholin-4-yl)pyridine-3-yl]-2-methyl-4'-(trifluoromethoxy)[1,1'-biphenyl]-3-carboxamide		

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/US2009/056918

The international filing date of the corresponding PCT application(s) is/are: 15 September 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.:	13/061,572
First Named Inventor:	Joginder Singh Bajwa

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 01 March 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 13/061,572

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim is identical
2	2	Claim is identical
	3	Cancelled

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

Signature	Date March 9, 2011
Name (Print/Typed) Matthew Mulkeen	Registration Number 44250

PATENT COOPERATION TREATY

Pharma Intellectual Property
AUG 23 2010
MMC
PCT MD Inv RF LE PA

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

NOVARTIS
Patent Department
One Health Plaza
Bldg. 101 - 2nd Floor
East Hanover, NJ 07936-1080
ETATS-UNIS D'AMERIQUE

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	16.08.2010
Applicant's or agent's file reference: PAT052810-WO-PCT	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2009/056918	15.09.2009	17.09.2008

Applicant: Novartis AG

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:

European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0
Fax: +49 89 2399 - 4465

Authorized Officer

Bonomelli, Federico

Tel. +49 89 2399-8459

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Pharma Intellectual Property
AUG 2 3 2010
F/F | M/D | Inv | RF | LE | PA

Applicant's or agent's file reference	FOR FURTHER ACTION	See Form PCT/IPEA/416
PAT052810-WO-PCT		

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2009/056918	15.09.2009	17.09.2008

International Patent Classification (IPC) or national classification and IPC
INV. C07D413/04

Applicant
Novartis AG

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *sent to the applicant and to the International Bureau)* a total of 1 sheets, as follows:
      ☒ 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 Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

4. 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

Date of submission of the demand	Date of completion of this report
2010-07-14	16.08.2010

Name and mailing address of the international preliminary examining authority:	Authorized officer
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Johnson, Claire Telephone No. +49 89 2399-5932

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US2009/056918

Box No. I Basis of the report

1. With regard to the **language**, this report is based on

   ☒ 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 (under Rules 12.3(a) and 23.1(b))
   - ☐ publication of the international application (under Rule 12.4(a))
   - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-15 as originally filed

Claims, Numbers

1-3 filed with the letter of 14-07-2010

Drawings, Sheets

1-3 as originally filed

☐ a sequence listing - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:
   - ☐ the description, pages
   - ☐ the claims, Nos.
   - ☐ the drawings, sheets/figs
   - ☐ the sequence listing *(specify)*:
   - ☐ any table(s) related to sequence listing *(specify)*:

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
   - ☐ the description, pages
   - ☐ the claims, Nos.
   - ☐ the drawings, sheets/figs
   - ☐ the sequence listing *(specify)*:

5. ☐ 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 70.2 (e)).

6. ☐ Supplementary international search report(s) from Authority(ies) have been received and taken into account in drawing up this report (Rule 45bis.8(b) and (c)).

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-3
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-3
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-3
	No:	Claims	

2. Citations and explanations (Rule 70.7):

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 document:

D1: WO2007/131201

Novelty

D1 discloses the free base of the compound of present claim 1 (see 1st compound listed in claim 5 of D1), as well as pharmaceutically acceptable salts thereof in general (see claim 1) but does not specifically disclose a diphosphate salt thereof. Claims 1-3 fulfil the requirements of novelty.

Inventive step

The compounds of D1 are hedgehog pathway modulators useful in the treatment of proliferative disorders. The technical problem underlying the present claims is taken to be the provision of improved compounds with this activity. According to present example 8, the presently claimed compound has a 16-fold increase in AUC compared with the corresponding free base disclosed in D1. This improvement could not have been forseen by the skilled reader of D1. An inventive step can therefore be acknowledged on the basis of this unexpected improvement. Claims 1-3 fulfil the requirements of inventive step.

Industrial applicability

Claims 1-3 fulfil the requirements of Article 33(4) PCT.

What is claimed is:

1. A diphosphate salt of N-[6-(cis-2,6-dimethylmorpholin-4-yl)pyridine-3-yl]-2-methyl-4'-(trifluoromethoxy)[1,1'-biphenyl]-3-carboxamide.

2. A pharmaceutical composition comprising:

(a) a therapeutically effective amount of a salt according to claim 1; and

(b) at least one pharmaceutically acceptable carrier, diluent, vehicle or excipient.

3. A medicament comprising a therapeutically effective amount of the salt according to claim 1 for use in treating a disease that responds to modulating the activity of the hedgehop signaling pathway.

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.
13/061,572	03/01/2011	Joginder Singh Bajwa	PAT052810-US-PCT	7271

1095 7590 05/10/2011

NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 101/2
EAST HANOVER, NJ 07936-1080

EXAMINER	
ART UNIT	PAPER NUMBER
1629	

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

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

MAY 10 2011

NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 101/2
EAST HANOVER, NJ 07936-1080

In re Application of	:	DECISION ON REQUEST TO
BAJWA ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/061,572	:	PROSECUTION HIGHWAY
Filed: March 1, 2011	:	PROGRAM AND PETITION
Attorney Docket No. PAT052810-US-PCT	:	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 March 9, 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.

The request to participate in the PCT-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 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 at the http://www.uspto.gov/ebc/index.html.

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

Cecilia Tsang
Supervisory Patent Examiner
TC 1600

ATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)

(PCT Rules 44*bis*.3(c) and 72.2)

To:

YOSHIMIYA, Mikio
1st Shitaya Bldg. 8F, 6-11, Ueno 7-chome, Taito-ku,
Tokyo
1100005
JAPON

Date of mailing *(day/month/year)* 26 May 2011 (26.05.2011)	
Applicant's or agent's file reference 08F00097WO	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2009/004809	International filing date *(day/month/year)* 24 September 2009 (24.09.2009)
Applicant Shin-Etsu Handotai Co.,Ltd. et al	

1. **Transmittal of the translation to the applicant.**

☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. **Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, 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, OA, OM, PE, 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

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer

Gijsbertus Beijer

e-mail: pt07.pct@wipo.int

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 08F00097WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/004809	International filing date *(day/month/year)* 24 September 2009 (24.09.2009)	Priority date *(day/month/year)* 21 October 2008 (21.10.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant Shin-Etsu Handotai Co.,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 5 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 17 May 2011 (17.05.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.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)

	Date of mailing *(day/month/year)*
Applicant's or agent's file reference 08F00097WO	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/004809	24.09.2009	21.10.2008

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

Applicant
Shin-Etsu Handotai Co.,Ltd.

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

- [x] 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
- [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/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/004809

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/JP2009/004809

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	1-7	YES
	Claims		NO
Inventive step (IS)	Claims	1-7	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2000-239093 A (Toshiba Ceramics Co., Ltd.), 05 September 2000

Document 2: JP 2004-035352 A (Sumitomo Mitsubishi Silicon Corporation), 05 February 2004

Document 3: JP 02-164789 A (Komatsu Electronic Metals Co., Ltd.), 25 June 1990

The invention as in claims 1-7 is novel and involves an inventive step with respect to documents 1-3 cited in the ISR.

Document 1 (paragraph [0046] and fig. 10) describes disposing two cameras so as to face both ends of a diameter of a single crystal respectively, but the purpose of the configuration is not detecting a diameter.

Document 2 (claims, and fig. 1 and 2) describes disposing two cameras at both ends of a diameter of a single crystal, but in the configuration, neither end of the single crystal is photographed with both cameras.

Document 3 (examples and fig. 1) describes disposing two cameras at both ends of a diameter of a single crystal, but in the configuration, neither end of the single crystal is photographed with both cameras.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/004809

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

The invention as in claims 1-7 is characterized in that two cameras are disposed so as to face both ends of a diameter of a single crystal respectively, and both ends of the single crystal are photographed with two cameras; and even a person skilled in the art could not easily conceive of the feature from documents 1-3.

I. List of Required Documents

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability

- Claims 1-7 (in Japanese)

請求の範囲

[請求項1]
チョクラルスキー法により、ルツボ内に収容したシリコン融液から単結晶を引き上げる際に、単結晶の直径を検出する方法であって、少なくとも、前記単結晶の直胴部形成時における目標直径と同じ距離だけ離れ、前記単結晶と融液面との接点である単結晶の成長点における前記単結晶の直径の両端に、それぞれ正対して設置した2台のカメラを用いて、前記単結晶の成長点の両端をそれぞれ炉外から撮影し、該撮影した画像から前記単結晶の直径を検出することを特徴とする単結晶直径の検出方法。
[請求項2]
前記単結晶の直径は、前記2台のカメラでそれぞれ撮影した画像における前記単結晶の成長点の一端と前記撮影した画像の中心との水平方向の距離をそれぞれ検出し、該検出した距離を合計して、前記単結晶の目標直径に対する前記単結晶の直径のずれ量を求めて検出することを特徴とする請求項1に記載の単結晶直径の検出方法。
[請求項3]
前記単結晶のコーン部形成時には、コーン部直径検出用の1台または2台のカメラを用いて、前記単結晶の直径を検出し、前記単結晶の直胴部形成時には、直胴直径検出用の前記2台のカメラを用いて、前記単結晶の直径の検出を行うことを特徴とする請求項1または請求項2に記載の単結晶直径の検出方法。
[請求項4]
少なくとも、請求項1ないし請求項3のいずれか1項に記載の方法により単結晶の直径を検出し、該検出結果に基づいて、前記単結晶の直径を制御しつつ、単結晶を引き上げて製造することを特徴とする単結晶の製造方法。
[請求項5]
チョクラルスキー法により、ルツボ内に収容したシリコン融液から単結晶を引き上げてシリコン単結晶を製造する単結晶製造装置であって、少なくとも、前記シリコン融液を収容するルツボと、前記単結晶と融液面との接点である単結晶の成長点を炉外から撮影するカメラと、前記単結晶の直径を制御する直径制御装置とを備え、前記カメラが前記単結晶の直胴部形成時における目標直径と同じ距離だけ離れ、前記単結晶の成長点における前記単結晶の直径の両端に、それぞれ正対して2台設置されたものであり、該2台のカメラを用いて、前記単結晶の成長点の両端を撮影した画像から、前記単結晶の直径を検出し、該検出結果に基づいて、前記直径制御装置によって前記単結晶の直径を制御するものであることを特徴とする単結晶製造装置。
[請求項6]
前記単結晶の直径は、前記2台のカメラでそれぞれ撮影した画像における前記単結晶の成長点の一端と前記撮影した画像の中心との水平方向の距離をそれぞれ検出し、該検出した距離を合計して、前記単結晶の目標直径に対する前記単結晶の直径のずれ量を求めて検出するものであることを特徴とする請求項5に記載の単結晶製造装置。
[請求項7]
前記2台のカメラは、前記単結晶の直胴部形成時の直胴直径検出用に設置されたものであり、該カメラの他に、前記単結晶のコーン部形成時のコーン部直径検出用に1台または2台のカメラが設置されたものであることを特徴とする請求項5または請求項6に記載の単結晶製造装置。

I. List of Required Documents

c. English translations of the documents in a. and b. along with a statement that the English translation for the document in b. is accurate

- International Preliminary Report on Patentability and Written Opinion (English translation)
- Claims 1-7 (English translation)
- Statement that the English Translation of Claims 1-7 is accurate

"ATENT 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:

YOSHIMIYA, Mikio
1st Shitaya Bldg. 8F, 6-11, Ueno 7-chome, Taito-ku,
Tokyo
1100005
JAPON

Date of mailing *(day/month/year)*
05 May 2011 (05.05.2011)

Applicant's or agent's file reference
08F00097WO

IMPORTANT NOTICE

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/004809	24 September 2009 (24.09.2009)	21 October 2008 (21.10.2008)

Applicant
Shin-Etsu Handotai 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
Gijsbertus Beijer

e-mail: pt07.pct@wipo.int

ATENT 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 08F00097WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/004809	International filing date *(day/month/year)* 24 September 2009 (24.09.2009)	Priority date *(day/month/year)* 21 October 2008 (21.10.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant Shin-Etsu Handotai Co.,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 4 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 26 April 2011 (26.04.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.pct@wipo.int

Form PCT/IB/373 (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
好宮幹夫

様

あて名
〒110-0005
日本国東京都台東区上野７丁目６番１１号第一下谷ビル８Ｆ

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］

出願人又は代理人の書類記号　08F00097W0	発送日（日.月.年）　17. 11. 2009 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／ＪＰ２００９／００４８０９	（日.月.年）　２４. ０９. ２００９	（日.月.年）　２１. １０. ２００８

国際特許分類（ＩＰＣ）Int.Cl. C30B29/06(2006.01)i, C30B15/26(2006.01)i

出願人（氏名又は名称）
信越半導体株式会社

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
０６. １１. ２００９

名称及びあて先	特許庁審査官（権限のある職員）		
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	吉田　直裕	４Ｇ	３０２８
	電話番号　０３－３５８１－１１０１　内線　３４１６		

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／ＪＰ２００９／００４８０９

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／ＪＰ２００９／００４８０９

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	1－7	有
	請求項		無
進歩性（ＩＳ）	請求項	1－7	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1－7	有
	請求項		無

2.　文献及び説明

文献１：JP 2000-239093 A（東芝セラミックス株式会社）2000.09.05,
文献２：JP 2004-035352 A（三菱住友シリコン株式会社）2004.02.05,
文献３：JP 02-164789 A（小松電子金属株式会社）1990.06.25,

請求項１－７に係る発明は、国際調査報告で引用された文献１－３に対して新規性及び進歩性を有する。

文献１の【００４６】、【図１０】には、単結晶の直径の両端にそれぞれ正対して２台のカメラを設置することが記載されているが、直径を検出するためのものではない。

文献２の特許請求の範囲、図１、図２には、単結晶の直径の両端に２台のカメラを設置することが記載されているが、２台のカメラで単結晶の両端をそれぞれ撮影する構成ではない。

文献３の実施例、図１には、単結晶の直径の両端に２台のカメラを設置することが記載されているが、２台のカメラで単結晶の両端をそれぞれ撮影する構成ではない。

請求項１－７に係る発明は、単結晶の直径の両端にそれぞれ正対して２台のカメラを設置して、２台のカメラで単結晶の両端をそれぞれ撮影する点に特徴を有し、その点は文献１－３から当業者といえども容易に想到し得ないものである。

I. List of Required Documents

a. A copy of the latest International Work Product

- International Preliminary Report on Patentability and Written Opinion (in Japanese)

"ATENT 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:

YOSHIMIYA, Mikio
1st Shitaya Bldg. 8F, 6-11, Ueno 7-chome, Taito-ku,
Tokyo
1100005
JAPON

Date of mailing *(day/month/year)* 05 May 2011 (05.05.2011)	
Applicant's or agent's file reference 08F00097WO	**IMPORTANT NOTICE**
International application No. PCT/JP2009/004809	International filing date *(day/month/year)* 24 September 2009 (24.09.2009)
Priority date *(day/month/year)* 21 October 2008 (21.10.2008)	
Applicant Shin-Etsu Handotai 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

Gijsbertus Beijer

e-mail: pt07.pct@wipo.int

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 08F00097WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/004809	International filing date *(day/month/year)* 24 September 2009 (24.09.2009)	Priority date *(day/month/year)* 21 October 2008 (21.10.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant Shin-Etsu Handotai Co.,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 4 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 26 April 2011 (26.04.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.pct@wipo.int

Form PCT/IB/373 (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
　好宮幹夫

様

あて名
〒110-0005
日本国東京都台東区上野７丁目６番１１号第一下谷ビル８Ｆ

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）	17. 11. 2009
出願人又は代理人 の書類記号　08F00097WO	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／ＪＰ２００９／００４８０９	（日.月.年）　２４．０９．２００９	（日.月.年）　２１．１０．２００８

国際特許分類（ＩＰＣ）Int.Cl. C30B29/06(2006.01)i, C30B15/26(2006.01)i

出願人（氏名又は名称）
信越半導体株式会社

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
06. 11. 2009

名称及びあて先	特許庁審査官（権限のある職員）		
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	吉田　直裕	4G	3028
	電話番号　０３－３５８１－１１０１　内線　３４１６		

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／JP2009／004809

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／ＪＰ２００９／００４８０９

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	1－7	有
	請求項		無
進歩性（ＩＳ）	請求項	1－7	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1－7	有
	請求項		無

2．　文献及び説明

文献１：JP 2000-239093 A（東芝セラミックス株式会社）2000.09.05,
文献２：JP 2004-035352 A（三菱住友シリコン株式会社）2004.02.05,
文献３：JP 02-164789 A（小松電子金属株式会社）1990.06.25,

請求項１－７に係る発明は、国際調査報告で引用された文献１－３に対して新規性及び進歩性を有する。

文献１の【００４６】、【図１０】には、単結晶の直径の両端にそれぞれ正対して２台のカメラを設置することが記載されているが、直径を検出するためのものではない。

文献２の特許請求の範囲、図１、図２には、単結晶の直径の両端に２台のカメラを設置することが記載されているが、２台のカメラで単結晶の両端をそれぞれ撮影する構成ではない。

文献３の実施例、図１には、単結晶の直径の両端に２台のカメラを設置することが記載されているが、２台のカメラで単結晶の両端をそれぞれ撮影する構成ではない。

請求項１－７に係る発明は、単結晶の直径の両端にそれぞれ正対して２台のカメラを設置して、２台のカメラで単結晶の両端をそれぞれ撮影する点に特徴を有し、その点は文献１－３から当業者といえども容易に想到し得ないものである。

Doc Code: PPH.PET.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.:	13/061,586	Filing Date:	March 1, 2011
First Named Inventor:	Hiroshi OHTSUNA et al.		
Attorney Docket No.:	148748		
Title of the Invention:	METHOD FOR DETECTING DIAMETER OF SINGLE CRYSTAL, SINGLE-CRYSTAL MANUFACTURING METHOD BY USING THE SAME AND SINGLE-CRYSTAL MANUFACTURING APPARATUS		

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/JP2009/004809

The international date of the corresponding PCT application(s) is/are: September 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-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.:	13/061,586
First Named Inventor:	Hiroshi OHTSUNA 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 1, 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 March 1, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Claim 1	Claim 1	U.S. claim 1 sufficiently corresponds to PCT claim 1.
Claim 2	Claim 2	U.S. claim 2 sufficiently corresponds to PCT claim 2.
Claim 3	Claim 3	U.S. claim 3 sufficiently corresponds to PCT claim 3. U.S. claim 3 differs from PCT claim 3 in that claim 3 does not include multiple dependencies.
Claim 4	Claim 3	U.S. claim 4 sufficiently corresponds to PCT claim 3. U.S. claim 4 differs from PCT claim 3 in that claim 4 does not include multiple dependencies.
Claim 5	Claim 4	U.S. claim 5 sufficiently corresponds to PCT claim 4. U.S. claim 5 differs from PCT claim 4 in that claim 5 does not include multiple dependencies.
Claim 6	Claim 4	U.S. claim 6 sufficiently corresponds to PCT claim 4. U.S. claim 6 differs from PCT claim 4 in that claim 6 does not include multiple dependencies.
Claim 7	Claim 4	U.S. claim 7 sufficiently corresponds to PCT claim 4. U.S. claim 7 differs from PCT claim 4 in that claim 7 does not include multiple dependencies.
Claim 8	Claim 4	U.S. claim 8 sufficiently corresponds to PCT claim 4. U.S. claim 8 differs from PCT claim 4 in that claim 8 does not include multiple dependencies.
Claim 9	Claim 5	U.S. claim 9 sufficiently corresponds to PCT claim 5.
Claim 10	Claim 6	U.S. claim 10 sufficiently corresponds to PCT claim 6.
Claim 11	Claim 7	U.S. claim 11 sufficiently corresponds to PCT claim 7. U.S. claim 11 differs from PCT claim 7 in that claim 11 does not include multiple dependencies.
Claim 12	Claim 7	U.S. claim 12 sufficiently corresponds to PCT claim 7. U.S. claim 12 differs from PCT claim 7 in that claim 12 does not include multiple dependencies.

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

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.

Signature	Date July 20, 2011
Name (Print/Typed) William P. Berridge	Registration Number 30,024
Name (Print/Typed) Ryan M. Crockett	Registration Number 62,945

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.

TRANSLATED PCT CLAIMS

1. A method for detecting a diameter of a single crystal at the time of pulling the single crystal from a silicon melt contained in a crucible according to the Czochralski method, the method comprising at least:

using two cameras placed in such a manner that the cameras keep the same distance from each other as a target diameter upon forming a straight-body portion of the single crystal and face both ends of the diameter of the single crystal in a growth point of the single crystal respectively, to separately capture both of the ends of the growth point of the single crystal from an outside of a furnace, the growth point being a contact point between the single crystal and a melt surface; and

detecting the diameter of the single crystal on the basis of captured images.

2. The method for detecting a diameter of a single crystal according to claim 1, wherein the diameter of the single crystal is detected by means of detecting each distance in a horizontal direction between one end of the growth point of the single crystal in the respective images captured by the two cameras and a center of the captured images and by summing up the detected distances so that a difference of the diameter of the single crystal with respect to the target diameter of the single crystal is obtained.

3. The method for detecting a diameter of a single crystal according to claim 1 or claim 2, wherein the diameter of the single crystal is detected by using one camera or two cameras for detecting a cone-portion diameter upon forming a cone-portion of the single crystal, and the diameter of the single crystal is detected by using the two cameras for detecting a straight-body diameter upon forming the straight-body portion of the single crystal.

4. A single-crystal manufacturing method including at least: detecting a diameter of a single crystal by the method according to any one of claims 1 to 3; and pulling the single crystal to manufacture while controlling the diameter of the single crystal on the basis of a result of the detection.

5. A single-crystal manufacturing apparatus for manufacturing a silicon single crystal by pulling the single crystal from a silicon melt contained in a crucible according to the Czochralski method, the single-crystal manufacturing apparatus comprising at least:

a crucible for containing the silicon melt;

cameras for capturing a growth point of the single crystal from an outside of a furnace, the growth point being a contact point between the single crystal and a melt surface; and

a diameter-controlling unit for controlling a diameter of the single crystal, wherein

the cameras are placed in such a manner that two cameras keep the same distance from each other as a target diameter upon forming a straight-body portion of the single crystal and face both ends of the diameter of the single crystal in the growth point of the single crystal respectively;

the diameter of the single crystal is detected from shot images of both ends of the growth point of the single crystal; and

the diameter of the single crystal is controlled on the basis of a result of the detection by the diameter-controlling unit.

6. The single-crystal manufacturing apparatus according to claim 5, wherein the diameter of the single crystal is detected by means of detecting each distance in a horizontal direction between one end of the growth point of the single crystal in the respective images captured by the two cameras and a center of the captured images and by summing up the

detected distances so that a difference of the diameter of the single crystal with respect to the target diameter of the single crystal is obtained.

7. The single-crystal manufacturing apparatus according to claim 5 or claim 6, wherein the two cameras are placed for detecting a straight-body diameter upon forming the straight-body portion of the single crystal, and other than the two cameras, one camera or two cameras are placed for detecting a cone-portion diameter upon forming a cone-portion of the single crystal.

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/JP2009/004809 filed on September 24, 2009.

July 20, 2011
Date

Chihiro Yamazaki
Signature

Chihiro Yamazaki
Typed Name

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the JPO office actions

- The references cited in the International Preliminary Report on Patentability and Written Opinion were submitted in an Information Disclosure Statement filed on March 1, 2011.

- The International Preliminary Report on Patentability and Written Opinion is submitted in the attached Information Disclosure Statement.

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.
13/061,586	03/01/2011	Hiroshi Ohtsuna	148748	7380

25944 7590 08/11/2011

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER	
BRATLAND JR, KENNETH A	
ART UNIT	PAPER NUMBER
1714	

NOTIFICATION DATE	DELIVERY MODE
08/11/2011	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):

OfficeAction25944@oliff.com
jarmstrong@oliff.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

AUG 11 2011

WG

In re application of	:	DECISION ON REQUEST TO
Hiroshi Ohtsuna et al.	:	PARTICIPATE IN PATENT
Serial No. 13/061,586	:	PROSECUTION HIGHWAY
Filed: March 1, 2011	:	PROGRAM AND
For: METHOD FOR DETECTING DIAMETER OF SINGLE CRYSTAL, SINGLE-CRYSTAL MANUFACTURING METHOD BY USING THE SAME AND SINGLE-CRYSTAL MANUFACTURING APPARATUS	:	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 July 20, 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 must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work product is not in the English language; and

(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 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 Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

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.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
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.
13/061,666	03/01/2011	Masaki Morita	148758	8043

25944 7590 10/17/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER	
ART UNIT	PAPER NUMBER
3744	

NOTIFICATION DATE	DELIVERY MODE
10/17/2011	ELECTRONIC

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

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

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

OfficeAction25944@oliff.com
jarmstrong@oliff.com

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

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re Application of
MORITA, MASAKI , et al.
Application No. 13/061,666
Filed: March 01, 2011
Attorney Docket No. 148758
For: VEHICULAR CONTROL DEVICE

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 12, 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 Cheryl Tyler, SPE of Art Unit 3744, and 571-272-4834 for Class 165 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

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

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WAHINGTON DC 20005

MAILED
NOV 17 2011
OFFICE OF PETITIONS

Applicants: Kunihiko Sakamoto, et al.
Appl. No.: 13/061,678
International Filing Date: August 5, 2009
Title: HYDRAULIC CIRCUIT FOR WORKING MACHINE
Attorney Docket: 0666.4590000/TGD/JHH/DAG
Pub. No.: US 20110168283 A1
Pub. Date: July 14, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on August 23, 2011, for the above-identified application.

The request is granted.

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

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-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:	13/061,692	Filing date:	2011-03-01
First Named Inventor:	Rosemarie Mang		
Title of the Invention:	Organic 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/AT2009/000313

The international filing date of the corresponding PCT application(s) is/are: 17 August 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.:	13/061,692
First Named Inventor:	Rosemarie Mang

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 1, 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 March 1, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Amended in US Application
2	2	Identical
3-6	3-6	Correspond to multiple dependent claims in the PCT application
7	7	Identical
8-13	8-13	Correspond to multiple dependent claims in the PCT application

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

Signature /David A. Jones/ Reg. #50004	Date 2011- 04-12
Name (Print/Typed) DAVID A. JONES	Registration Number 50004

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.
13/061,708	03/02/2011	Kiyomi Mori	10033-00003	8745

74603 7590 05/17/2011

IPC Intellectual Property Connections, INC.
299 Old County Road, Suite 28
San Carlos, CA 94070

EXAMINER	
ART UNIT	PAPER NUMBER
1767	

NOTIFICATION DATE	DELIVERY MODE
05/17/2011	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):

mingsaun@gmail.com
mingsaun@aol.com
psaundphd@aol.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

May 16, 2011 BC

In re application of	:	DECISION ON REQUEST TO
Kiyomi Mori et al.	:	PARTICIPATE IN PATENT
Serial No. 13/061,708	:	PROSECUTION HIGHWAY
Filed: March 02, 2011	:	PROGRAM AND
Attorney Docket No.: 10033-00003	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed March 03, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

(5) Applicant must submit:
   a. Documentation of prior office action:

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

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

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

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

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

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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.
13/061,713	03/02/2011	Tzahi Sofer	50718	8793

67801 7590 12/14/2011

MARTIN D. MOYNIHAN d/b/a PRTSI, INC.
P.O. BOX 16446
ARLINGTON, VA 22215

EXAMINER	
KOENIG, ANDREW Y	

ART UNIT	PAPER NUMBER
2423	

MAIL DATE	DELIVERY MODE
12/14/2011	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
WASHINGTON, D.C. 20231
www.uspto.gov

MAILED

DEC 14 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

MARTIN D. MOYNIHAN d/b/a/ PRTSI, INC.
P.O. BOX 16446
ARLINGTON, VA 22215

In, re Application of: Tzahi SOFER et al
Application No. 13/061,713
Attorney Docket No. 50718
Filed: 3/2/11
For: METHOD AND SYSTEM FOR ENHANCING AND/OR MONITORING VISUAL CONTENT AND METHOD AND/OR SYSTEM FOR ADDING A DYNAMIC LAYER TO VISUAL CONTENT

DECISION ON PETITION UNDER 37 C.F.R. ∋ 1.84(a)(2) TO ACCEPT COLOR DRAWINGS

This is a decision on the petition under 37 C.F.R. 1.84(a)(2), filed 3/02/11, requesting acceptance of color drawings.

The petition is **GRANTED**.

REGULATIONS AND PRACTICE

37 C.F.R. § 1.84(a)(2) states:

(2) *Color.* On rare occasions, color drawings may be necessary as the only practical medium by which to disclose the subject matter sought to be patented in a utility or design patent application or the subject matter of a statutory invention registration. The color drawings must be of sufficient quality such that all details in the drawings are reproducible in black and white in the printed patent. Color drawings are not permitted in international applications (see PCT Rule 11.13), or in an application, or copy thereof, submitted under the Office electronic filing system. The Office will accept color drawings in utility or design patent applications and statutory invention registrations only after granting a petition filed under this paragraph explaining why the color drawings are necessary. Any such petition must include the following:

(i) The fee set forth in § 1.17(h);

(ii) Three (3) sets of color drawings;

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

DECISION

The petition and preliminary amendment, satisfies conditions (i) - (iii) above; therefore, the petition is **GRANTED**.

The application file is being forwarded to the Examiner of record.

Any inquiry regarding this decision should be directed the undersigned whose telephone number is (571) 272-7527.

/Brian T. Pendleton/

Brian T. Pendleton, SPE
Technology Center 2400
Network, Multiplexing, Cable and Security

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.
13/061,725	03/02/2011	Yoshifumi Tanimoto	22202.144/gi	8872

57459 7590 10/25/2011

MURATA MACHINERY, LTD.
(MURATEC) c/o KEATING & BENNETT LLP
1800 Alexander Bell Drive
SUITE 200
Reston, VA 20191

EXAMINER	
HWANG, JOON H	

ART UNIT	PAPER NUMBER
2447	

NOTIFICATION DATE	DELIVERY MODE
10/25/2011	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):

JKEATING@KBIPLAW.COM
uspto@kbiplaw.com
epreston@kbiplaw.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

MURATA MACHINERY, LTD.
(MURATEC) c/o KEATING & BENNETT LLP
1800 Alexander Bell Drive
SUITE 200
Reston VA 20191

In re Application of: Yoshifumi Tanimoto
Application No. 13/061,725
Filed: March 2, 2011
For: RELAY SERVER, RELAY COMMUNICATION SYSTEM, AND COMMUNICATION APPARATUS

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

MAILED
OCT 24 2011
DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

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;

3. Applicant must
    a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as allowable/patentable claim(s) in the JPO application(s). Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the JPO, or the claims in the USPTO are narrower in scope than the claims in the JPO. In this regard, a claim that is narrower in scope occurs when a JPO claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the JPO is not considered to sufficiently correspond. For example, if the JPO claims only contain claims to a process of manufacturing a product, then the claims in the USPTO are not considered to sufficiently correspond if the USPTO claims introduce product claims that are dependent on the corresponding process claims; and

    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 (if the translation is not a machine translation provided by the JPO);

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

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

Telephone inquiries concerning this decision should be directed to Christopher Grant at 571-272-7294.

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

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

/Christopher Grant/
Christopher Grant
Quality Assurance Specialist
Technology Center 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/061,750	03/02/2011	Kiyomi Mori	10033-00002	9096

74603 7590 05/17/2011
IPC Intellectual Property Connections, INC.
299 Old County Road, Suite 28
San Carlos, CA 94070

EXAMINER	
ART UNIT	PAPER NUMBER
1767	

NOTIFICATION DATE	DELIVERY MODE
05/17/2011	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):

mingsaun@gmail.com
mingsaun@aol.com
psaundphd@aol.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

May 16, 2011 BC

In re application of	:	DECISION ON REQUEST TO
Kiyomi Mori et al.	:	PARTICIPATE IN PATENT
Serial No. 13/061,750	:	PROSECUTION HIGHWAY
Filed: March 02, 2011	:	PROGRAM AND
Attorney Docket No.: 10033-00002	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed March 03, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

(5) Applicant must submit:
   a. Documentation of prior office action:

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

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

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

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

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

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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:	13/061,751	Filing date:	March 2, 2011
First Named Inventor:	Ellen Klegraf et al.		
Title of the Invention:	Process for the Preparation of Ethanedinitrile		

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/EP2009/007992

The international filing date of the corresponding PCT application(s) is/are: November 9, 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.:	13/061,751
First Named Inventor:	Ellen Klegraf 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 25, 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 March 25, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	
10	10	
11	11	
12	12	
13	13	
14	14	
15	15	

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

Signature /ronald j. baron/	Date March 30, 2011
Name (Print/Typed) Ronald J. Baron	Registration Number 29,281

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.
13/061,751	03/02/2011	Ellen Klegraf	1686-128 PCT/US	9098

23869 7590 05/11/2011
HOFFMANN & BARON, LLP
6900 JERICHO TURNPIKE
SYOSSET, NY 11791

EXAMINER	
BOVA, JUSTIN	
ART UNIT	PAPER NUMBER
1736	
MAIL DATE	DELIVERY MODE
05/11/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAY 11 2011

BC

In re application of	:	DECISION ON REQUEST TO
Ellen Klegraf et al.	:	PARTICIPATE IN PATENT
Serial No. 13/061,751	:	PROSECUTION HIGHWAY
Filed: March 02, 2011	:	PROGRAM AND
Attorney Docket No: 1686-128 PCT/US	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed March 30, 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 must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the IPA, JPO, KIPO, EPO, 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 the latest international work

product is not in the English language; and

(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 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

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

BRACEWELL & GIULIANI LLP
P.O. BOX 61389
HOUSTON, TX 77208-1389

MAILED

AUG 04 2011

OFFICE OF PETITIONS

In re Application of
Ernest John Noble
Application No. 13/061,781
Filed: March 2, 2011
Attorney Docket No. 16600.0004FPWO

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 May 5, 2011.

The request is **DISMISSED** as moot.

A review of the file record indicates that the power of attorney to Bracewell & Giuliani, LLP has been revoked by the assignee of the patent application on July 25, 2011. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

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

Telephone inquires concerning this decision should be directed to undersigned at 571-272-1642.

/AMW/
April M. Wise
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
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:	13/061,813	Filing date:	2008-11-13
First Named Inventor:	Wolfgang Wenger et al.		
Title of the Invention:	Process for Removing Hydrogen Cyanide From Ethanedinitrile		

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/EP2009/006658

The international filing date of the corresponding PCT application(s) is/are: September 15, 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.:	13/061,813
First Named Inventor:	Wolfgang Wenger 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 25, 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 March 25, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	
10	10	
11	11	
12	12	
13	13	
14	14	
15	15	
16	16	New Claim 16 written to depend from Claim 10 in order to eliminate
		multiple dependency of original Claim 14.

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

Signature /ronald j. baron/	Date 2011-03-30
Name (Print/Typed) Ronald J. Baron	Registration Number 29,281

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.
13/061,813	03/02/2011	Paul Hanselmann	1686-130 PCT/US	9565

23869 7590 05/11/2011
HOFFMANN & BARON, LLP
6900 JERICHO TURNPIKE
SYOSSET, NY 11791

EXAMINER	
ART UNIT	PAPER NUMBER
1736	

MAIL DATE	DELIVERY MODE
05/11/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAY 11 2011

BC

In re application of Paul Hanselmann et al. Serial No. 13/061,813 Filed: March 02, 2011 Attorney Docket No: 1686-130 PCT/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 for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed March 30, 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 must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the IPA, JPO, KIPO, EPO, 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 the latest international work

product is not in the English language; and

(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 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

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.:	13/061,831	Filing Date:	March 2, 2011
First Named Inventor:	Shinji ICHIKAWA		
Attorney Docket No.:	148756		
Title of the Invention:	ELECTRICALLY-DRIVEN VEHICLE AND METHOD FOR CONTROLLING CHARGING OF ELECTRICALLY-DRIVEN 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/JP2009/066221

The international date of the corresponding PCT application(s) is/are: September 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 translation of the document in a. is attached. 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.:	13/061,831
First Named Inventor:	Shinji ICHIKAWA

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 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 March 2, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 sufficiently corresponds to PCT claim 1
2	2	Claim 2 sufficiently corresponds to PCT claim 2
3	3	Claim 3 sufficiently corresponds to PCT claim 3 but removes multiple dependencies
4	4	Claim 4 sufficiently corresponds to PCT claim 4
5	5	Claim 5 sufficiently corresponds to PCT claim 5
6	6	Claim 6 sufficiently corresponds to PCT claim 6
7	7	Claim 7 sufficiently corresponds to PCT claim 7 but removes multiple dependencies
8	8	Claim 8 sufficiently corresponds to PCT claim 8
9	3	Claim 9 sufficiently corresponds to PCT claim 3 but removes multiple dependencies
10	4	Claim 10 sufficiently corresponds to PCT claim 4
11	7	Claim 11 sufficiently corresponds to PCT claim 7 but removes multiple dependencies
12	8	Claim 12 sufficiently corresponds to PCT claim 8

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

Signature	Date July 15, 2011
Name (Print/Typed) James A. Oliff	Registration Number 27,075
Name (Print/Typed) Robert Y. Hsiao	Registration Number 66,614

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.

I. List of Required Documents

a. A copy of the latest international work products (WO/ISA, WO/IPEA, or IPER) of the corresponding PCT application

- May 10, 2011 International Preliminary Report on Patentability (in English and Japanese).

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 TY10288WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/066221	International filing date *(day/month/year)* 17 September 2009 (17.09.2009)	Priority date *(day/month/year)* 26 September 2008 (26.09.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant TOYOTA JIDOSHA 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 4 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 10 May 2011 (10.05.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Gijsbertus Beijer
Facsimile No. +41 22 338 82 70	e-mail: pt07.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)

	Date of mailing *(day/month/year)*
Applicant's or agent's file reference TY10288WO	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/066221	17.09.2009	26.09.2008

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

Applicant
TOYOTA JIDOSHA 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/JP2009/066221

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/JP2009/066221

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	1-8	YES
	Claims		NO
Inventive step (IS)	Claims	1-8	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-8	YES
	Claims		NO

2. Citations and explanations:

The invention as in claims 1-8 is not disclosed in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art.

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 TY10288WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/066221	International filing date *(day/month/year)* 17 September 2009 (17.09.2009)	Priority date *(day/month/year)* 26 September 2008 (26.09.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant TOYOTA JIDOSHA 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 4 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 29 March 2011 (29.03.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.pct@wipo.int

Form PCT/IB/373 (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
　吉田　研二

様

あて名
〒180-0004
日本国東京都武蔵野市吉祥寺本町１丁目３４番１２号

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）　２２．１２．２００９

出願人又は代理人
の書類記号　TY10288WO

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／ＪＰ２００９／０６６２２１	（日.月.年）　１７．０９．２００９	（日.月.年）　２６．０９．２００８

国際特許分類（ＩＰＣ）Int.Cl. B60L11/18(2006.01)i, B60L3/00(2006.01)i, H02J7/00(2006.01)i

出願人（氏名又は名称）
トヨタ自動車株式会社

１．この見解書は次の内容を含む。

- ☑ 第Ⅰ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ⅴ欄　ＰＣＴ規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☐ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則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
１４．１２．２００９

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）　３Ｈ　９２５６
池田　貴俊
電話番号　０３－３５８１－１１０１　内線　３３１６

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／ＪＰ２００９／０６６２２１

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／ＪＰ２００９／０６６２２１

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	1－8	有
	請求項		無
進歩性（ＩＳ）	請求項	1－8	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1－8	有
	請求項		無

2．　文献及び説明

請求項１－８に係る発明は、国際調査報告で引用された文献のいずれにも記載されておらず、かつ、当業者にとって自明なものでもない。

I. List of Required Documents

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability of the corresponding PCT application

- Not attached - Already Filed

I. List of Required Documents

c. English translation of the document in a. is provided.

A statement that the English translation is accurate is attached for the claims which were indicated as having novelty, inventive step and industrial applicability which are already in the U.S. application as indicated in item b. above.

CERTIFICATION OF ENGLISH LANGUAGE TRANSLATION OF THE CLAIMS

I hereby declare and state that I am knowledgeable of each of the Japanese and English language.

I hereby certify that the English language translation of the claims contained herein is a complete and accurate translation of the claims of the PCT/JP2009/066221 application which were indicated as having novelty, inventive step, and industrial applicability, also contained herein.

2011 July. 6

Date

T. Nagashima

Takayuki NAGASHIMA, Patent Attorney

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the International work products (WO/ISA, WO/IPEA, or IPER) of the corresponding PCT application

- Not attached - Already Filed

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.
13/061,831	03/02/2011	Shinji Ichikawa	148756	9722

25944 7590 11/03/2011

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER	
PHAN, HUY Q	
ART UNIT	**PAPER NUMBER**
2858	

NOTIFICATION DATE	DELIVERY MODE
11/03/2011	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):

OfficeAction25944@oliff.com
jarmstrong@oliff.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

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

NOV 3 2011

In re Application of
Shinji ICHIKAWA
Application No. 13/061831
Filed: 2 March 2011
Attorney Docket No. 148756

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 request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed 15 July 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 PCT;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the 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 PCT 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 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 PCT examiner in the PCT 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. Accordingly, the above-identified application has been accorded "special" status.

Response must be filed via the Electronic Filing System (EFS) with the Document Code PPH.PET.

Telephone inquiries concerning this decision should be directed to Michael Day at 571-272-1568.

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 the examiner for action on the merits commensurate with this decision.

/Michael Day/

Michael Day
TQAS
Technology Center 2800 – Semiconductors
Electrical & Optical Systems & Components

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.
13/061,878	03/02/2011	Jiang-tao Dang	11453.0002	9995

22852 7590 10/25/2011

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

EXAMINER	
PAJOOHI, TARA S	

ART UNIT	PAPER NUMBER
2886	

MAIL DATE	DELIVERY MODE
10/25/2011	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

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

Applicant: Dang et al.
Appl. No.: 13/061,878
Filing Date: March 2, 2011
Title: METHOD AND APPARATUS FOR ELLIPSOMETRY MEASUREMENT
Attorney Docket No.: 11453.0002
Pub. No.: US 2011/0176133 A1
Pub. Date: July 21, 2011

This is a decision on the request for republication of patent application publication under 37 CFR 1.221(a), filed on October 18, 2011, 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

Adjustment date: 10/25/2011 KKING1
10/19/2011 INTEFSW 00004472 13061878
01 FC:1504 -300.00 DP

Refund Ref:
10/25/2011 0030103704

Credit Card Refund Total: $300.00

Am Exp..: XXXXXXXXXX1002

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 14 2011

PCT LEGAL ADMINISTRATION

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 5400
SEATTLE WA 98104

In re Application of
ROHDEN
Application No.: 13/061,933
PCT No.: PCT/**EP09/60888**
Int. Filing Date: 24 August 2009
Priority Date: 03 September 2008
Attorney Docket No.: 970054.532USPC
For: HYDROPOWER PLANT

DECISION ON PETITION

UNDER 37 CFR 1.182

This is a decision on a petition under 37 CFR 1.182 filed in the United States Patent and Trademark Office on 13 April 2011 to correct the international application number.

On 02 March 2011, applicant filed a request for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee. The papers were assigned serial number 13/061,933. However, the international application PCT/**EP09/60888** as indicated on the electronic acknowledgement receipt differs from the PCT application number PCT/**EP07/51312** on the Transmittal Letter.

On 13 April 2011, the instant petition under 37 CFR 1.182 was filed.

Applicant's petition under 37 CFR 1.182 to correct the international application no. to PCT/EP09/60888 on the national stage papers filed on 02 March 2011 is **GRANTED**. The $400 petition fee was paid.

The USPTO records will identify the present application 13/061,933 as the national stage of PCT/EP09/60888.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Administration
Telephone: 571-272-3292
Facsimile: 571-273-0459

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

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

MAILED

DEC 19 2011

OFFICE OF PETITIONS

In re Application of Mary et al. :
Application No. 13/061,935 :
Int'l Filing Date: September 9, 2009 :
Attorney Docket No. BREVA3.009APC :
Pub. No. US 2011/0216229 A1 :
Pub. Date: September 8, 2011 :

Decision on Request

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed November 1, 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 mistake identified in the instant request is not a material Office mistake as required under 37 C.F.R. § 1.221(b). Specifically, the mistake does not affect the public's ability to appreciate

[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 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.

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, the publication fee 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

Ditthavong Mori & Steiner, P.C.
918 Prince Street
Alexandria VA 22314

MAILED

APR 21 2011

PCT LEGAL ADMINISTRATION

In re Application of :
OKADA et al. :
Application No.: 13/061,952 : DECISION ON PETITION
PCT No.: PCT/JP2009/065414 : UNDER 37 CFR 1.182
Int. Filing Date: 03 September 2009 :
Priority Date: 09 September 2008 :
Attorney Docket No.: P5107US00 :
For: CONDUCTIVE CONNECTING MATERIAL, METHOD FOR CONNECTING TERMINALS USING THE CONDUCTIVE CONNECTING MATERIAL, AND METHOD FOR PRODUCING A CONNECTING TERMINAL

This decision is issued in response to applicants' "Petition under 37 CFR 1.182 and MPEP 1893.01(e) Regarding Name Change of the Seventh Inventor" filed 03 March 2011. Applicants are requesting to change the name of the seventh inventor from Tomoe Yamashiro to Tomoe FUJII.

DISCUSSION

Section 1893.01(e) of the Manual Of Patent Examining Procedure ("MPEP") states the following:

> Where ... the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c).

Applicants are requesting to change the name of the seventh inventor from Tomoe Yamashiro to Tomoe FUJII. Accordingly, the present submission has been treated as a petition under 37 CFR 1.182 to correct the name of the seventh inventor. For such a petition to be grantable, MPEP § 605.04(c) states that "the petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the

procedure whereby the change of name was effected, or a certified copy of the court order."

Here, applicants have paid the required petition fee. However, applicant has not submitted the required statement from the inventor (or court order) confirming the name change and the procedure whereby the name was changed (for example, by marriage).

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is DISMISSED without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within TWO (2) MONTH from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.182." A petition fee is required. Extensions of time may be obtained under 37 CFR 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 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.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459

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

AUG 05 2011

PCT LEGAL ADMINISTRATION

Ditthavong Mori & Steiner, P.C.
918 Prince Street
Alexandria VA 22314

In re Application of :
OKADA et al. :
Application No.: 13/061,952 : DECISION ON PETITION
PCT No.: PCT/JP2009/065414 : UNDER 37 CFR 1.182
Int. Filing Date: 03 September 2009 :
Priority Date: 05 September 2008 :
Attorney Docket No.: P5107US00 :
For: CONDUCTIVE CONNECTING MATERIAL, METHOD FOR CONNECTING TERMINALS USING THE CONDUCTIVE CONNECTING MATERIAL, AND METHOD FOR PRODUCING A CONNECTING TERMINAL

This decision is issued in response to applicants' "Renewed Petition under 37 CFR 1.182 and MPEP 1893.01(e) Regarding Name Change of the Seventh Inventor" filed 20 June 2011. Applicants are requesting to change the name of the seventh inventor from Tomoe Yamashiro to Tomoe FUJII.

DISCUSSION

Section 1893.01(e) of the Manual Of Patent Examining Procedure ("MPEP") states the following:

> Where ... the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c).

Applicants are requesting to change the name of the seventh inventor from Tomoe Yamashiro to Tomoe FUJII. Accordingly, the present submission has been treated as a petition under 37 CFR 1.182 to correct the name of the seventh inventor. For such a petition to be grantable, MPEP § 605.04(c) states that "the petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the

procedure whereby the change of name was effected, or a certified copy of the court order."

Here, applicants' have submitted the required petition fee. As for the affidavit requirement or copy of the court order, applicants have submitted an affidavit regarding the name change. This affidavit states that the inventor's surname was changed, and that his/her name was legally changed to Tomoe FUJII as a result of marriage. Hence, the declaration (affidavit) supplied satisfies the requirements for a grantable petition. Therefore, item (2) has been satisfied.

CONCLUSION

Applicants' petition under 37 CFR 1.182 to change the name of record for inventor Tomoe Yamashiro to Tomoe FUJII is GRANTED.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459

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

00466
YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

MAILED

JUN 16 2011

PCT LEGAL ADMINISTRATION

In re Application of :
AMATO, Antonino :
U.S. Application No.: 13/061,965 :
PCT No.: PCT/IT2009/000306 :
Int. Filing Date: 14 July 2009 :
Priority Date: 25 September 2008 : **DECISION**
Docket No.: 2531-1018 :
For: BOAT THE PLANING BOTTOM OF :
WHICH IS FITTED WITH SETS OF :
ROLLERS FOR CONVERSION OF :
FRICTION INTO DYNAMIC THRUST :

This is a decision on the response filed 04 April 2011 which is treated as a petition under 37 CFR 1.181. No fee is required.

BACKGROUND

On 03 March 2011, applicant filed papers to enter the national stage of PCT/IT2009/000306 which included an executed declaration. The inventor was listed as **Antonino** AMATO on the declaration. The international publication (WO 2010/035298) recorded the name of the inventor as **Antonio** AMATO.

On 31 March 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that the declaration submitted was not executed properly and that a new declaration in compliance with 37 CFR 1.497(a)-(b) and a surcharge fee was required. Applicant was given two months to respond with extensions of time available pursuant to 37 CFR 1.136(a).

On 04 April 2011, applicant filed the subject response which was accompanied by, *inter alia*, a copy of the PCT Request for PCT/IT2009/000306.

DISCUSSION

In the subject response, applicant's state that international publication contains a typographical error. The correct name of Antonino AMATO was listed in the PCT Request. As such, the name of the inventor as spelled on the declaration is correct.

A review of the PCT Request shows that the International Bureau (IB) made a typographical error on the international publication dated 01 April 2010. The inventor should have been listed as Antonino AMATO.

CONCLUSION

Applicant's petition under 37 CFR 1.181 is **GRANTED**.

The inventor is recognized as Antonino AMATO.

The declaration filed with the national stage papers on 03 March 2010 is in compliance with 37 CFR 1.497(a) and (b). No surcharge fee is required.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

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

23347
GLAXOSMITHKLINE
Global Patents
Five Moore Dr., P.O. Box 13398
Mail Stop: C.2111F
Research Triangle Park, NC 27709-3398

MAILED

APR 28 2011

PCT LEGAL ADMINISTRATION

In re Application of
BOUNTRA *et al*
U.S. Application No.: 13/062,015
PCT No.: PCT/EP2009/061236
Int. Filing Date: 01 September 2009
Priority Date: 02 September 2008
Docket No.: PB63150USw
For: THE TRPVL ANTAGONIST SB-705498 FOR TREATING RHINITIS

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicants' petition to revive under 37 CFR 1.137(b) filed on 03 March 2011 with the national stage papers is hereby **GRANTED** as follows:

The proper fees and the petition fee have been paid. Applicants made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

A declaration filed pursuant to PCT Rule 4.17(iv) was provided in the PCT application.

This application is being forwarded to the United States Designated/Elected Office for further processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

PTO/SB/20JP (04-09)
Document Description: Petition to make special under 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 PROSECUTION HIGHWAY (PPH) PROGRAM BETWEEN THE JPO AND THE USPTO

Application No.:	**To Be Assigned**	First Named Inventor:	**Akiyoshi Oshima**
Filing Date:	**March 3, 2011**	Attorney Docket No.:	**MAT-10431US**
Tile of the Invention:	**ELECTRODE FOIL FOR CAPACITOR, MANUFACTURING METHOD THEREFOR, AND SOLID ELECTROLYTIC CAPACITOR USING THE ELECTRODE FOIL**		

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 (1) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more corresponding JPO application(s) or to a PCT application that does not contain any priority claim, or (2) is a national stage entry of a PCT application that does not contain any priority claim.

The JPO/PCT application number(s) is/are: PCT/JP2009/005016

The filing date of the JPO/PCT application(s) is/are: September 30, 2009

I. **List of Required Documents:**

a. **A copy of the latest JPO office actions (other than "Decision to Grant a Patent"*) in the above-identified JPO application(s)**

☒ is attached.

☐ is not attached because the JPO application was allowed in a first office action.

*It is not necessary to submit a copy of the "Decision to Grant a Patent" and an English translation thereof.

b. **A copy of all claims which were determined to be patentable by the JPO in the above-identified JPO application(s)**

☒ is attached.

c. **English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language).**

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☒ 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/20JP (04-09)
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 PROSECUTION HIGHWAY (PPH) PROGRAM BETWEEN THE JPO AND THE USPTO
(continued)

Application No.:	**To Be Assigned**	First Named Inventor:	**Akiyoshi Oshima**

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JPO Application	Explanation regarding the correspondence
1	1	Same
2	2	Same
3	3	Same
4	4	Same
5	5	Same
6	6	Same
7	7	Same (except that multiple dependency has been removed)
8	7	Same as claim 7 (except that multiple dependency has been removed)
9	7	Same as claim 7 (except that multiple dependency has been removed)
10	7	Same as claim 7 (except that multiple dependency has been removed)

III. All the claims in the US application sufficiently correspond to the patentable/allowable claims in the JPO 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 March 3, 2011
Name (Print/Typed) Lawrence E. Ashery	Registration Number 34,515

International Preliminary Report Regarding Patentability	International Application No. PCT/JP2009/005016

V. Opinion under PCT Article 36(2) regarding Novelty, Inventive Step, and Industrial Applicability, and Documents and Explanation Supporting Opinion

1. Opinion

Novelty	Claims	1 to 7	Yes
	Claims		No
Inventive Step	Claims	1 to 7	Yes
	Claims		No
Industrial Applicability	Claims	1 to 7	Yes
	Claims		No

2. Documents and Explanation

Document 1: JP 2008-047755A (Feb. 28, 2008)
Entire Description, Entire Drawings (Family; none)

Document 2: JP 03-263312A (Nov. 22, 1991)
Entire Description, Entire Drawings (Family; none)

Document 3: WO 89/01230A1 (Feb. 9, 1989)
Entire Description, Entire Drawings
US 4970626A, EP 344316A1, & DE 3852026C

The invention related to any of claims 1 to 7 is not described in any document (Documents 1 to 3) listed on the International Search Report, and is not obvious for one skilled in the art.

In particular, the features "a thickness of the first rough surface layer is larger than a thickness of the second rough surface layer" and "forming a second rough surface layer on a second surface opposite to the first surface of the substrate, the second rough surface layer being thinner than the first rough surface layer" are failed to be described and suggested.

特許協力条約

発信人　日本国特許庁（国際予備審査機関）

RECEIVED
'10. 6 -2
IPDC
IPROC

代理人
内藤浩樹

様

あて名
〒571-8501
日本国大阪府門真市大字門真１００６番地パナソニック株式会社内

PCT

特許性に関する国際予備報告（特許協力条約第二章）の送付の通知書

（法施行規則第57条）
〔ＰＣＴ規則71.1〕

発送日 (日.月.年)　０１．０６．２０１０	
出願人又は代理人の書類記号　P054388P0	重要な通知

国際出願番号 ＰＣＴ／ＪＰ２００９／００５０１６	国際出願日 (日.月.年)　３０．０９．２００９	優先日 (日.月.年)　１０．１０．２００８

出願人（氏名又は名称）
パナソニック株式会社

1．国際予備審査機関は、この国際出願に関して特許性に関する国際予備報告及び付属書類が作成されている場合には、それらをこの送付書とともに送付することを、出願人に通知する。

2．国際予備報告及び付属書類が作成されている場合には、すべての選択官庁に通知するために、それらの写しを国際事務局に送付する。

3．選択官庁から要求があったときは、国際事務局は国際予備報告（付属書類を除く）の英語の翻訳文を作成し、それをその選択官庁に送付する。

4．注　意

出願人は、各選択官庁に対し優先日から３０月以内に（官庁によってはもっと遅く）所定の手続（翻訳文の提出及び国内手数料の支払い）をしなければならない（ＰＣＴ39条（１））（様式ＰＣＴ／ＩＢ／３０１とともに国際事務局から送付された注を参照）。

国際出願の翻訳文が選択官庁に提出された場合には、その翻訳文は、特許性に関する国際予備報告の付属書類の翻訳文を含まなければならない。この翻訳文を作成し、関係する選択官庁に直接送付するのは出願人の責任である。

選択官庁が適用する期間及び要件の詳細については、ＰＣＴ出願人の手引き第Ⅱ巻を参照すること。

出願人はＰＣＴ第33条(5)に注意する。すなわち、ＰＣＴ第33条(2)から(4)までに規定する新規性、進歩性及び産業上利用可能性の基準は国際予備審査にのみ用いるものであり、締約国は、請求の範囲に記載されている発明が自国において特許を受けることができる発明であるかどうかを決定するに当たっては、追加の又は異なる基準を適用することができる（ＰＣＴ第27条(5)も併せて参照）。そのような追加の基準は、例えば、実施可能要件や特許請求の範囲の明確性又は裏付け要件を、特許要件から免除することも含む。

名称及びあて名 日本国特許庁（ＩＰＥＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	権限のある職員 特　許　庁　長　官 電話番号　０３－３５８１－１１０１　内線　３５６５	５Ｒ	３６６２

注　　意

1．法律又は契約等の制限により、国際予備審査報告に記載した非特許文献の写しの一部又は全てが送付されない場合があります。

2．文献の写しの請求について
国際予備審査報告に記載された文献であって国際調査報告に記載されていない文献の複写

特許庁にこれらの引用文献の写しを請求することもできますが、独立行政法人工業所有権情報・研修館（特許庁庁舎２階）で公報類の閲覧・複写および公報以外の文献複写等の取り扱いをしています。

〔担当及び照会先〕
〒１００－００１３　東京都千代田区霞が関３丁目４番３号（特許庁庁舎２階）
独立行政法人工業所有権情報・研修館
【公 報 類】　閲覧部　ＴＥＬ　03－3581－1101　内線3811～2
【公報以外】　資料部　ＴＥＬ　03－3581－1101　内線3831～3

また、（財）日本特許情報機構でも取り扱いをしています。
これらの引用文献の複写を請求する場合は下記の点に注意してください。

〔申込方法〕
（１）特許（実用新案・意匠）公報については、下記の点を明記してください。
○特許・実用新案及び意匠の種類
○出願公告又は出願公開の年次及び番号（又は特許番号、登録番号）
○必要部数
（２）公報以外の文献の場合は、下記の点に注意してください。
○国際予備審査報告の写しを添付してください（返却します）。
〔申込み及び照会先〕
〒１３５－００１６　東京都江東区東陽４－１－７　佐藤ダイヤビルディング
財団法人　日本特許情報機構　情報業務部業務課
ＴＥＬ　０３－３５０８－２３１３
注）　特許庁に対して文献の写しの請求をすることができる期間は、国際出願日から７年です。

3．各選択官庁に対し、国際出願の写し（既に国際事務局から送達されている場合は除く）及びその所定の翻訳文を提出し、国内手数料を支払うことが必要となります。その期限については各国ごとに異なりますので注意してください。（条約第22条、第39条及び第64条(2)(a)(i)参照）

特 許 協 力 条 約

PCT

特許性に関する国際予備報告（特許協力条約第二章）

（法第12条、法施行規則第56条）
〔ＰＣＴ36条及びＰＣＴ規則70〕

出願人又は代理人 の書類記号 P0543:8P0	今後の手続きについては、様式ＰＣＴ／ＩＰＥＡ／４１６を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２００９／００５０１６	国際出願日 （日．月．年）３０．０９．２００９	優先日 （日．月．年）１０．１０．２００８
国際特許分類（ＩＰＣ） Int.Cl. H01G9/055(2006.01)i, H01G9/00(2006.01)i, H01G9/04(2006.01)i		
出願人（氏名又は名称） パナソニック株式会社		

1．この報告書は、ＰＣＴ35条に基づきこの国際予備審査機関で作成された国際予備審査報告である。
法施行規則第57条（ＰＣＴ36条）の規定に従い送付する。

2．この国際予備審査報告は、この表紙を含めて全部で 3 ページからなる。

3．この報告には次の附属物件も添付されている。

a．☑ 附属書類は全部で 1 ページである。

☑ 補正されて、この報告の基礎とされた及び／又はこの国際予備審査機関が認めた訂正を含む明細書、請求の範囲及び／又は図面の用紙（ＰＣＴ規則70.16及び実施細則第607号参照）

☐ 第Ｉ欄４．及び補充欄に示したように、出願時における国際出願の開示の範囲を超えた補正を含むものとこの国際予備審査機関が認定した差替え用紙

b．☐ 配列表に関する補充欄に示され、電子形式のみで提出された、配列表を含む電子媒体は全部で
（電子媒体の種類、数を示す）。
（実施細則附属書Ｃ3の2第3段落参照）

4．この国際予備審査報告は、次の内容を含む。

☑ 第Ｉ欄 国際予備審査報告の基礎
☐ 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国際予備審査報告の不作成
☐ 第Ⅳ欄 発明の単一性の欠如
☑ 第Ｖ欄 ＰＣＴ35条(2)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

国際予備審査の請求書を受理した日 ０８．０２．２０１０	国際予備審査報告を作成した日 ２１．０５．２０１０
名称及びあて先 日本国特許庁（ＩＰＥＡ／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） 5R 3662 小池 秀介 電話番号 ０３－３５８１－１１０１ 内線 ３５６５

様式ＰＣＴ／ＩＰＥＡ／４０９（表紙）（２００９年７月）

特許性に関する国際予備報告

国際出願番号 ＰＣＴ／ＪＰ２００９／００５０１６

第Ⅰ欄　報告の基礎

1．言語に関し、この予備審査報告は以下のものを基礎とした。

☑ 出願時の言語による国際出願

☐ 出願時の言語から次の目的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

☐ 国際調査（ＰＣＴ規則12.3(a)及び23.1(b)）

☐ 国際公開（ＰＣＴ規則12.4(a)）

☐ 国際予備審査（ＰＣＴ規則55.2(a)又は55.3(a)）

2．この報告は下記の出願書類を基礎とした。（法第6条（ＰＣＴ14条）の規定に基づく命令に応答するために提出された差替え用紙は、この報告において「出願時」とし、この報告に添付していない。）

☐ 出願時の国際出願書類

☑ 明細書

第 2－16 ページ、出願時に提出されたもの

第 1 ページ*、08．02．2010 付けで国際予備審査機関が受理したもの

第 ＿＿＿ ページ*、＿＿＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 請求の範囲

第 1－7 項、出願時に提出されたもの

第 ＿＿＿ 項*、ＰＣＴ１９条の規定に基づき補正されたもの

第 ＿＿＿ 項*、＿＿＿＿＿＿ 付けで国際予備審査機関が受理したもの

第 ＿＿＿ 項*、＿＿＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 図面

第 1－16 ~~ページ／~~図、出願時に提出されたもの

第 ＿＿＿ ページ／図*、＿＿＿＿＿＿ 付けで国際予備審査機関が受理したもの

第 ＿＿＿ ページ／図*、＿＿＿＿＿＿ 付けで国際予備審査機関が受理したもの

☐ 配列表

配列表に関する補充欄を参照すること。

3．☐ 補正により、下記の書類が削除された。

☐ 明細書　第＿＿＿＿＿＿ ページ

☐ 請求の範囲　第＿＿＿＿＿＿ 項

☐ 図面　第＿＿＿＿＿＿ ページ／図

☐ 配列表（具体的に記載すること）＿＿＿＿＿＿

4．☐ この報告は、補充欄に示したように、この報告に添付されかつ以下に示した補正が出願時における開示の範囲を超えてされたものと認められるので、その補正がされなかったものとして作成した。（ＰＣＴ規則70.2(c)）

☐ 明細書　第＿＿＿＿＿＿ ページ

☐ 請求の範囲　第＿＿＿＿＿＿ 項

☐ 図面　第＿＿＿＿＿＿ ページ／図

☐ 配列表（具体的に記載すること）＿＿＿＿＿＿

5．☐ この報告は、ＰＣＴ規則 91 の規定により国際予備審査機関が認めた又は国際予備審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70.2(e)）。

6．☐ この報告を作成するにあたり、補充国際調査機関である＿＿＿＿＿＿
から受領した補充国際調査報告を考慮した。（ＰＣＴ規則45の2.8(b)及び(c)）

＊ 4．に該当する場合、その用紙に "superseded" と記入されることがある。

特許性に関する国際予備報告

国際出願番号 ＰＣＴ／ＪＰ２００９／００５０１６

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法第12条（ＰＣＴ35条(2)）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 1－7　有
請求項　　無

進歩性（ＩＳ）　請求項 1－7　有
請求項　　無

産業上の利用可能性（ＩＡ）　請求項 1－7　有
請求項　　無

2．　文献及び説明（ＰＣＴ規則70.7）

文献１：JP 2008-047755 A（住友金属鉱山株式会社）2008.02.28,
全文,全図（ファミリーなし）

文献２：JP 03-263312 A（株式会社神戸製鋼所）1991.11.22,
全文,全図（ファミリーなし）

文献３：WO 89/01230 A1（松下電器産業株式会社）1989.02.09,
全文,全図 & US 4970626 A & EP 344316 A1 & DE 3852026 C

請求項１－７に係る発明は、国際調査報告に引用されたいずれの文献（上記文献１－３）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。

特に、「第１の粗面化層の厚みは前記第２の粗面化層の厚みより大きい」点、及び「第１の粗面化層より薄い第２の粗面化層を形成する」点は記載も示唆もされていない。

明細書

発明の名称：

コンデンサ用電極箔及びその製造方法とその電極箔を用いた固体電解コンデンサ

技術分野

[0001] 本発明は、コンデンサ用電極箔及びその製造方法とその電極箔を用いた固体電解コンデンサに関する。

背景技術

[0002] 電子機器の高周波化に伴い、電子部品の一つであるコンデンサにも従来よりも高周波領域でのインピーダンス特性に優れたコンデンサが求められてきており、このような要求に応えるために電気伝導度の高い導電性高分子を固体電解質に用いた固体電解コンデンサが種々検討されている。

[0003] また、近年、パーソナルコンピュータのＣＰＵ周り等に使用される固体電解コンデンサには小型大容量化が強く望まれており、更に、高周波化に対応して低い等価直列抵抗（ＥＳＲ）や、ノイズ除去や過渡応答性に優れた低い等価直列インダクタンス（ＥＳＬ）を有することが要求されている。

[0004] 図１５は特許文献１に記載されている従来の固体電解コンデンサ５０１の斜視図である。図１６は固体電解コンデンサ５０１のコンデンサ素子２１の平面図である。コンデンサ素子２１は、弁作用金属であるアルミニウム箔からなる陽極体である電極箔と、電極箔の表面に設けられた誘電体酸化皮膜層とを備える。電極箔のその表面は粗面化されている。誘電体酸化皮膜層上に設けられた絶縁性のレジスト部２２により、電極箔を陽極電極部２３と陰極形成部とに分離する。コンデンサ素子２１は、電極箔の陰極形成部の誘電体酸化皮膜層上に設けられた導電性高分子からなる固体電解質層と、固体電解質層上に設けられた陰極層とをさらに備える。陰極層は、固体電解質層上に設けられたカーボン層と、カーボン層上に設けられた銀ペースト層からなる。固体電解質層と陰極層は陰極電極部２４を構成する。電極箔は長手方向に

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.
13/062,019	03/03/2011	Akiyoshi Oshima	MAT-10431US	1046

52473 7590 06/07/2011

RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE, PA 19482

EXAMINER	
THOMPSON, TIMOTHY J	
ART UNIT	PAPER NUMBER
2835	

MAIL DATE	DELIVERY MODE
06/07/2011	PAPER

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

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

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

RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE PA 19482

In re Application of
Akiyoshi OSHIMA
Application No.: 13/062,019
Filed: 03 March 2011
Attorney Docket No.: MAT-10431US
For: ELECTRODE FOIL FOR CAPACITOR, MANUFACTURING METHOD THEREFOR ...

: 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 03 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.

(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 (1-2) and (4-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirements (3).

Regarding the requirement of condition (3), applicant has failed to submit a statement that the translation of the PCT claims is accurate.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:	13/062,019
Applicant:	Akiyoshi OSHIMA
Filed:	March 3, 2011
Title:	ELECTRODE FOIL FOR CAPACITOR, MANUFACTURING METHOD THEREFOR, AND SOLID ELECTROLYTIC CAPACITOR USING THE ELECTRODE FOIL
TC/A.U.:	To Be Assigned
Examiner:	To Be Assigned
Docket No.:	MAT-10431US

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY

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

S I R :

Responsive to the Decision mailed on June 7, 2011, a Verified Translation along with appropriate enclosures is now being submitted.

Respectfully submitted,

Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicant

LEA/sh

Dated: June 9, 2011

Enclosures: Verified Translation
IPER for PCT/JP2009/005016 (Partial)
Claims for PCT/JP2009/005016 (Article 34 Amendment)

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

1281289

MAT-10431US PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application:	13/062,019
Applicant:	Akiyoshi OSHIMA
Filed:	March 3, 2011
Title:	ELECTRODE FOIL FOR CAPACITOR, MANUFACTURING METHOD THEREFOR, AND SOLID ELECTROLYTIC CAPACITOR USING THE ELECTRODE FOIL
TC/A.U.:	2835
Examiner:	Timothy J. Thompson
Confirmation No.:	1046
Docket No.:	MAT-10431US

VERIFICATION OF TRANSLATION

I, Yukihisa Nakao, declare and say:

1) My address is: IPR Operations Company Panasonic
Panasonic Tower 2-1-61 Shiromi, Chuo-ku,
Osaka city, 540-6207 Japan;

2) I speak and write both the English and Japanese languages; and

3) That the attached documents are true and correct translations made by me to the best of my knowledge and belief of:

a) The latest IPER for PCT/JP2009/005016 (partial translation); and

b) The claims which were indicated as having novelty, inventive step, and industrial applicability in PCT/JP2009/005016.

Name

June 3, 2011

Date

International Preliminary Report Regarding Patentability	International Application No. PCT/JP2009/005016

V. Opinion under PCT Article 36(2) regarding Novelty, Inventive Step, and Industrial Applicability, and Documents and Explanation Supporting Opinion

1. Opinion

Novelty	Claims	1 to 7	Yes
	Claims		No
Inventive Step	Claims	1 to 7	Yes
	Claims		No
Industrial Applicability	Claims	1 to 7	Yes
	Claims		No

2. Documents and Explanation

Document 1: JP 2008-047755A (Feb. 28, 2008)
Entire Description, Entire Drawings (Family; none)

Document 2: JP 03-263312A (Nov. 22, 1991)
Entire Description, Entire Drawings (Family; none)

Document 3: WO 89/01230A1 (Feb. 9, 1989)
Entire Description, Entire Drawings
US 4970626A, EP 344316A1, & DE 3852026C

The invention related to any of claims 1 to 7 is not described in any document (Documents 1 to 3) listed on the International Search Report, and is not obvious for one skilled in the art.

In particular, the features "a thickness of the first rough surface layer is larger than a thickness of the second rough surface layer" and "forming a second rough surface layer on a second surface opposite to the first surface of the substrate, the second rough surface layer being thinner than the first rough surface layer" are failed to be described and suggested.

CLAIMS

1. An electrode foil for capacitor, comprising:

a substrate made of a valve metal foil, the substrate having a first surface and a second surface opposite to the first surface of the substrate;

a first rough surface layer made of a valve metal formed on the first surface of the substrate by vapor deposition; and

a second rough surface layer made of a valve metal formed on the second surface of the substrate by vapor deposition, wherein

a mode of diameters of pores of the first rough surface layer and the second rough surface layer ranges from 0.02 μm to 0.10 μm, and

a thickness of the first rough surface layer is larger than a thickness of the second rough surface layer.

2. The electrode foil according to claim 1, wherein a difference between the thickness of the first rough surface layer and the thickness of the second rough surface layer is 10 percent or more of the thickness of the first rough surface layer.

3. The electrode foil according to claim 1, wherein a sum of the thickness of the first rough surface layer and the thickness of the second rough surface layer is 20 μm or more.

4. The electrode foil according to claim 1, wherein

each of the first rough surface layer and the second rough surface layer includes a plurality of tree structures, each of the tree structures including a plurality of fine particles made of a valve metal linked together, and

each of the plurality of tree structures extends from the first surface of the substrate and branches into a plurality of twigs.

5. A method for manufacturing an electrode foil for capacitor, comprising:

forming a first rough surface layer on a first surface of a substrate made of a valve metal; and

forming a second rough surface layer on a second surface opposite to the first surface of the substrate, the second rough surface layer being thinner than the first rough surface layer, wherein

the forming of the first rough surface layer is performed after the forming of the second rough surface layer.

6. A method for manufacturing an electrode foil for capacitor, comprising:

forming a first rough surface layer on a first surface of a substrate made of a valve metal; and

forming a second rough surface layer on a second surface opposite to the first surface of the substrate, the second rough surface layer being thinner than the first rough surface layer, wherein

the forming of the first rough surface layer is performed prior to the forming of the second rough surface layer.

7. A solid electrolytic capacitor comprising:

the electrode foil for capacitor according to any one of claims 1 to 4;

a first dielectric oxide film disposed on the first rough surface

layer of the electrode foil for capacitor;

a first solid electrolyte layer made of a conductive polymer disposed on the first dielectric oxide film;

a first cathode layer disposed on the first solid electrolyte layer;

a second dielectric oxide film disposed on the second rough surface layer of the electrode foil for capacitor;

a second solid electrolyte layer made of a conductive polymer disposed on the second dielectric oxide film; and

a second cathode layer disposed on the second solid electrolyte layer.

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.
13/062,019	03/03/2011	Akiyoshi Oshima	MAT-10431US	1046

52473 7590 09/07/2011

RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE, PA 19482

EXAMINER	
THOMPSON, TIMOTHY J	
ART UNIT	PAPER NUMBER
2835	

MAIL DATE	DELIVERY MODE
09/07/2011	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
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE PA 19482

In re Application of
Akiyoshi OSHIMA
Application No.: 13/062019
Filed: 03 March 2011
Attorney Docket No.: MAT-10431US
For: ELECTRODE FOIL FOR CAPACITOR, MANUFACTURING METHOD THEREFOR, AND SOLID ELECTROLYTIC CAPACITOR USING THE ELECTRODE FOIL

: 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 03 March 2011 and renewed on 09 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the JPO, or

ii. validly claims priority to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

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

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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

Casimir Jones, S.C.
2275 DEMING WAY, SUITE 310
MIDDLETON WI 53562

MAILED

JUN 14 2011

OFFICE OF PETITIONS

In re Application of
Maciej Szkulmowski, et al.
Application No. 13/062,025
Filed: March 3, 2011
Attorney Docket No. GLAWE-31898/US-1/PCT

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed May 10, 2011, to change the order of the names of the inventors.

The petition is **GRANTED**.

Office records have been corrected to reflect the change in the order of the named inventors. A corrected Filing Receipt, which sets forth the desired order of the named inventors, accompanies this decision on petition.

As authorized, the $400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

This application is being referred to Technology Center AU 2624 for examination in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-2991.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

ATTACHMENT: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/062,025	03/03/2011	2624	1370	GLAWE-31898/US-1/PCT	13	2

CONFIRMATION NO. 1086

72960
Casimir Jones, S.C.
2275 DEMING WAY, SUITE 310
MIDDLETON, WI 53562

CORRECTED FILING RECEIPT

OC000000048073784

Date Mailed: 06/07/2011

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)

Maciej Szkulmowski, Torun, POLAND;
Maciej Wojtkowski, Boniewo, POLAND;
Anna Szkulmowska, Torun, POLAND;
Tomasz Bajraszewski, Torun, POLAND;

Assignment For Published Patent Application

OPTOPOL TECNOLOGY S.A., Zawiercie, PL

Power of Attorney: The patent practitioners associated with Customer Number 72960

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP2009/006294 08/31/2009

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.)
EUROPEAN PATENT OFFICE (EPO) 08015674.8 09/05/2008

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 13/062,025**

Projected Publication Date: 07/07/2011

Non-Publication Request: No

Early Publication Request: No

Title

METHOD AND APPARATUS FOR IMAGING OF SEMI-TRANSPARENT MATTER

Preliminary Class

382

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).

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:	13/062,036	Filing date:	March 03, 2011
First Named Inventor:	Masuo IIDA		
Title of the Invention:	METHOD FOR PRODUCING STANDARD SAMPLE FOR USE IN QUANTITATIVE DETERMINATION OF RED PHOSPHORUS IN RESIN		

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/JP2010/058696

The international date of the corresponding PCT application(s) is/are: May 24, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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.:	13/062,036
First Named Inventor:	Masuo IIDA

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 3, 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 March 3, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
5	1	Substantially the same
6	2	Substantially the same
7	3	Substantially the same, except US claim is not multiply dependent
8	3	Substantially the same, except US claim is not multiply dependent
9	4	Substantially the same

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

Signature Aamer Syed Ahmed	Date March 17, 2011
Name (Print/Typed) Aamer S. Ahmed	Registration Number 58,958

Translation Statement

STATEMENT

The undersigned hereby certifies that the attached English translation of the Written Opinion of an International Searching Authority mailed on August 10, 2010 for PCT/JP2010/058696 is accurate.

Signed this 14th day of March, 2011

Signature: Kenichi Takahashi

Name: Kenichi TAKAHASHI

Address: c/o Osaka Works of
SUMITOMO ELECTRIC INDUSTRIES, LTD.
1-3, Shimaya 1-chome, Konohana-ku, Osaka-shi,
Osaka, JAPAN

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

To:

NAKATA, Motomi
c/o Sumitomo Electric Industries, Ltd., 1-3, Shimaya 1-chome, Konohana-ku, Osaka-shi, Osaka
5540024
JAPON

Date of mailing *(day/month/year)* 16 September 2010 (16.09.2010)	
Applicant's or agent's file reference 110080W	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2010/058696	International filing date *(day/month/year)* 24 May 2010 (24.05.2010)
International publication date *(day/month/year)* **Not yet published**	Priority date *(day/month/year)* 03 June 2009 (03.06.2009)
Applicant SUMITOMO ELECTRIC INDUSTRIES,LTD. et al	

1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).

2. *(If applicable)* The **letters "NR"** appearing in the right-hand column denote **a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau** under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, **the attention of the applicant is directed** to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

3. *(If applicable)***An asterisk (*)** appearing next to a date of receipt, in the right-hand column, denotes **a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b)** (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as the priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
03 June 2009 (03.06.2009)	2009-134086	JP	09 July 2010 (09.07.2010)

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
Telephone No. +41 22 338 74 08

WO 2010/140496
PCT/JP2010/058696

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION (TO DESIGNATED OFFICES WHICH DO NOT APPLY THE 30 MONTH TIME LIMIT UNDER ARTICLE 22(1))

(PCT Rule 47.1(c))

To:

NAKATA, Motomi
c/o Sumitomo Electric Industries, Ltd., 1-3, Shimaya 1-chome, Konohana-ku, Osaka-shi, Osaka
5540024
JAPON

Date of mailing *(day/month/year)* 06 January 2011 (06.01.2011)	
Applicant's or agent's file reference 110080W	**IMPORTANT NOTICE**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/058696	24 May 2010 (24.05.2010)	03 June 2009 (03.06.2009)

Applicant
SUMITOMO ELECTRIC INDUSTRIES,LTD. et al

1. **ATTENTION**: For any designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002 (30 months from the priority date), **does apply**, please see Form PCT/IB/308(Second and Supplementary Notice) (to be issued promptly after the expiration of 28 months from the priority date).

2. Notice is hereby given that the following designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002, **does not apply**, has/have requested that the communication of the international application, as provided for in Article 20, be effected under Rule 93*bis*.1. The International Bureau has effected that communication on the date indicated below:
09 December 2010 (09.12.2010)

   None

   In accordance with Rule 47.1(c-*bis*)(i), those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

3. The following designated Offices, for which the time limit under Article 22(1), as in force from 1 April 2002, **does not apply**, have not requested, as at the time of mailing of the present notice, that the communication of the international application be effected under Rule 93*bis*.1 :

   LU, TZ, UG

   In accordance with Rule 47.1(c-*bis*)(ii), those Offices accept the present notice as conclusive evidence that the Contracting State for which that Office acts as a designated Office does not require the furnishing, under Article 22, by the applicant of a copy of the international application.

4. **TIME LIMITS for entry into the national phase**

   For the designated Office(s) listed above, and unless a demand for international preliminary examination has been filed before the expiration of **19 months** from the priority date (see Article 39(1)), the applicable time limit for entering the national phase will, **subject to what is said in the following paragraph,** be **20 MONTHS** from the priority date.

   In practice, **time limits other than the 20-month time limit** will continue to apply, for various periods of time, in respect of certain of the designated Offices listed above. For **regular updates on the applicable time limits** (20 or 21 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at http://www.wipo.int/pct/en/index.html.

   It is the applicant's **sole responsibility** to monitor all these time limits.

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

PATENT COOPERATION TREATY

From the Japan Patent Office (INTERNATIONAL SEARCHING AUTHORITY)

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(Implementing Regulation 40 bis)
(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	10.08.2010

Applicant's or agent's file reference	**FOR FURTHER ACTION**
110080W	See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/058696	24.05.2010	03.06.2009

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

Applicant
SUMITOMO ELECTRIC INDUSTRIES, 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.

Date of completion of this opinion			
27.07.2010			
Name and mailing address of the ISA/JP	JPO Examiner (Authorized officer)	2J	4459
Japan Patent Office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan	TOKI KAZUMASA Telephone No. 03-3581-1101 Ext. 3252		

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/058696

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/JP2010/058696

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	1-4	YES
	Claims		NO
Inventive step (IS)	Claims	1-4	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-4	YES
	Claims		NO

2. Citations and explanations:

Citation 1. Masuo IIDA, Ken'ichiro MIYATAKE, Junji IIHARA, Atsushi KIMURA, "Analysis of red phosphorus used as a flame retardant for polymer materials", Proceedings of Microelectronics Symposium, 18 September 2008 (18.09.2008), vol.18th, 127-130

Citation 2. JP 2009-36550 A (Environmental Technology Service Co., Ltd.), 19 February 2009 (19.02.2009), entire text; all drawings (Family: none)

Citation 3. JP 59-31439 A (Kawasaki Steel Corp.), 20 February 1984 (20.02.1984), entire text; all drawings (family: none)

·With regard to Claims 1 to 4

Document 1 describes a method for analyzing red phosphorus, the method including preparing a red-phosphorus-containing resin sample having a predetermined red phosphorus content, analyzing the prepared sample by pyrolysis-gas chromatograph mass spectrometry to obtain a peak intensity, and preparing a calibration curve showing a relationship between the peak intensity and the content of red phosphorus in the resin.

Furthermore, Document 1 also discloses knowledge that, since the prepared calibration curve has a satisfactory relationship, the above method for analyzing red phosphorus can be used for quantitative analysis of red phosphorus.

Document 2 describes a method for preparing a standard sample used in preparation of a calibration curve, the method including preparing a mixture by sufficiently kneading a carrier material with a predetermined amount of an element which is an analysis target, pulverizing the mixture and sieving the pulverized mixture to obtain a carrier base material carrying the element which is the analysis target and having a predetermined size or less, weighing the carrier base material, and mixing the weighed carrier base material with a predetermined amount of a base substance to prepare a standard sample for preparing a calibration curve.

Document 3 describes a method for preparing a standard sample used in preparation of a calibration curve, the method including weighing a flux and a reagent containing an element which is a measurement target in an appropriate ratio to prepare a mixture, heating the mixture until the mixture becomes a homogeneous glassy molten substance, then solidifying the molten substance by cooling, pulverizing the solidified substance to prepare a primary sample, weighing the primary sample so that a desired content of the target element is contained, adding the flux to the weighed primary sample, melting the resulting mixture, and solidifying the mixture to prepare a standard sample for preparing a calibration curve.

However, none of documents including the documents cited in the international search report describes a method for producing a standard sample for quantitatively determining red phosphorus contained in a resin, the method including obtaining a standard sample by weighing a pulverized red-phosphorus-containing compound. Accordingly, the invention according to Claims 1 to 4 has novelty and an inventive step.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

G01N1/00 (2006.01) i, G01N30/04 (2006.01) i, G01N30/06 (2006.01) i, G01N30/86 (2006.01) i, G01N30/88 (2006.01) i, G01N31/00 (2006.01) i, G01N27/62 (2006.01) n, G01N30/54 (200601) n, G01N30/60 (2006.01) n, G01N30/72 (2006.01) n, G01N33/44 (2006.01) n

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
中田　元己

受領
'10.8.16
知的財産部

様

あて名
〒554-0024
日本国大阪府大阪市此花区島屋一丁目１番３号　住友電気工業株式会社内

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)　１０．０８．２０１０	
出願人又は代理人 の書類記号　110080W	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／ＪＰ２０１０／０５８６９６	(日.月.年)　２４．０５．２０１０	(日.月.年)　０３．０６．２００９

国際特許分類（ＩＰＣ）Int.Cl. 補充欄参照

出願人（氏名又は名称）
住友電気工業株式会社

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
２７．０７．２０１０

名称及びあて先	特許庁審査官（権限のある職員）		
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	十岐　和雅 電話番号　０３－３５８１－１１０１　内線　３２５２	２Ｊ	４４５９

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００９年７月）

国際調査機関の見解書

国際出願番号 PCT／JP2010／058696

第Ⅰ欄 見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文
（PCT規則12.3(a)及び23.1(b)）

2．☐ この見解書は、PCT規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（PCT規則43の2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段 ☐ 紙形式

☐ 電子形式

b．提出時期 ☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号 PCT／JP2010／058696

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	1－4	有
	請求項		無
進歩性（ＩＳ）	請求項	1－4	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1－4	有
	請求項		無

2. 文献及び説明

文献１．飯田益大，宮武健一郎，飯原順次，木村淳，樹脂材料中に難燃剤として添加された赤リンの分析法，マイクロエレクトロニクスシンポジウム論文集，2008.09.18，Vol.18th，127-130

文献２．JP 2009-36550 A（環境テクノス株式会社）2009.02.19，【全文】、【全図】（ファミリーなし）

文献３．JP 59-31439 A（川崎製鉄株式会社）1984.02.20，全文、全図（ファミリーなし）

・請求項１～４について

文献１には、所定の赤リン含有量を有する赤リン含有樹脂試料を作製し、作製した試料を熱分解ガスクロマトグラフ質量分析で分析することよりピーク強度を得、得られたピーク強度と樹脂中の赤リン含有量との関係を表す検量線を作成する赤リンの分析方法が記載されている。

また、文献１には、作成した検量線が良好な関係を有することから、該赤リンの分析方法が赤リンの定量分析に用いることができる知見も開示されている。

文献２には、検量線を作成する際に用いる標準試料を作製する方法であって、所定量の分析対象元素を担持材と十分練り合わせて混合物を作り、該混合物を粉砕して篩い分けして所定の大きさ以下の分析対象元素を担持した基材を得、該基材を秤量し、該秤量した基材を所定量のベース物質と混合して検量線作成用の標準試料を作製する方法が記載されている。

また、文献３には、検量線を作成する際に用いる標準試料を作製する方法であって、融解剤と測定対象元素を含む試薬とを適当な割合で秤量して混合物とし、該混合物を均質なガラス状溶湯となるまで加熱した後、冷却固化させ、次いで固化物を粉砕して一次試料とし、該一次試料を目的元素が目的とする含有率となるように秤量し、秤量した１次試料に融解剤を加えて融解し、固化させることで検量線作成用の標準試料を作製する方法が記載されている。

しかしながら、粉砕された赤リン含有コンパウンドを秤量して標準試料とする樹脂中の赤リン定量用標準試料の製造方法は、国際調査報告書に列記した文献を含めて、いずれの文献にも記載されておらず、請求項１～４に記載された発明は、新規性、進歩性を有する。

補充欄

いずれかの欄の大きさが足りない場合

第　　欄の続き

G01N1/00(2006.01)i, G01N30/04(2006.01)i, G01N30/06(2006.01)i,
G01N30/86(2006.01)i, G01N30/88(2006.01)i, G01N31/00(2006.01)i,
G01N27/62(2006.01)n, G01N30/54(2006.01)n, G01N30/60(2006.01)n,
G01N30/72(2006.01)n, G01N33/44(2006.01)n

STATEMENT

The undersigned hereby certifies that the attached English translation of the claims in PCT/JP2010/058696 which were indicated as having novelty, inventive step and industrial applicability in the Written Opinion of an International Searching Authority is accurate.

Signed this 14th day of January , 2011

Signature: Kenichi Takahashi

Name: Kenichi TAKAHASHI

Address: c/o Osaka Works of
SUMITOMO ELECTRIC INDUSTRIES, LTD.
1-3, Shimaya 1-chome, Konohana-ku, Osaka-shi,
Osaka, JAPAN

CLAIMS

1. A method for producing a standard sample for quantitatively determining red phosphorus contained in a resin, the method comprising the steps of:

preparing a red-phosphorus-containing compound by weighing a predetermined amount of red phosphorus and uniformly mixing the red phosphorus in a resin;

decreasing the number of particles having a maximum diameter of 5 μm or more to 1/20 or less of the number of particles having a maximum diameter of 1 μm or more and less than 5 μm by pulverizing the red-phosphorus-containing compound; and

obtaining a standard sample by weighing 0.05 to 10 mg of the pulverized red-phosphorus-containing compound.

2. The method for producing the standard sample for quantitatively determining red phosphorus contained in the resin according to Claim 1, wherein, in the step of obtaining the standard sample, 0.1 to 0.5 mg of the pulverized red-phosphorus-containing compound is weighed.

3. The method for producing the standard sample for quantitatively determining red phosphorus contained in the resin according to Claim 1 or 2, wherein the red-phosphorus-containing compound is pulverized by striking the compound and applying a shear stress to the compound.

4. A method for quantitatively determining red phosphorus contained in a resin, the method comprising the steps of:

producing a plurality of standard samples, the red phosphorus contents of which are varied, by the method for producing the standard sample for quantitatively determining red phosphorus contained in the resin according to any one of Claims 1 to 3;

pyrolyzing each of the standard samples to gasify the samples, separating each of the pyrolyzed samples into fractions by gas chromatography, and obtaining a peak intensity ratio by dividing a peak area value obtained with respect to a fraction of a retention time corresponding to red phosphorus by a sample weight;

preparing a calibration curve showing the relationship between the peak intensity ratio and the red phosphorus content;

pyrolyzing a measurement target sample to gasify the sample, separating the pyrolyzed sample into fractions by gas chromatography, and obtaining a peak intensity ratio A with respect to a fraction corresponding to red phosphorus; and

determining a red phosphorus content corresponding to the peak intensity ratio A using the calibration curve.

請求の範囲

[請求項1] 赤リンを所定量秤量して樹脂中に均一混合し赤リン含有コンパウンドを作成する工程、

前記赤リン含有コンパウンドを粉砕し、５μｍ以上の最大径を有する粒子数を、１μｍ以上５μｍ未満の最大径を有する粒子数の１／２０以下とする工程、及び

粉砕された赤リン含有コンパウンドを０．０５～１０ｍｇ秤量して標準試料とする工程

を有することを特徴とする樹脂中の赤リン定量用標準試料の製造方法。

[請求項2] 前記標準試料とする工程において、粉砕された赤リン含有コンパウンドを０．１～０．５ｍｇ秤量することを特徴とする請求項１に記載の樹脂中の赤リン定量用標準試料の製造方法。

[請求項3] 前記赤リン含有コンパウンドの粉砕が、前記コンパウンドに打撃及び剪断力を加えて行われることを特徴とする請求項１又は請求項２に記載の樹脂中の赤リン定量用標準試料の製造方法。

[請求項4] 請求項１ないし請求項３のいずれか１項に記載の樹脂中の赤リン定量用標準試料の製造方法により、赤リンの含有量を変えた複数の標準試料を製造する工程、

得られた標準試料を熱分解してガス化しガスクロマトグラフィーにより各分画に分離し、赤リンに相当する保持時間の分画について得られたピーク面積値を試料重量で除してピーク強度比を得る工程、

得られたピーク強度比と赤リンの含有量との関係を表す検量線を作成する工程、

測定対象資料を熱分解してガス化しガスクロマトグラフィーにより各分画に分離し、赤リンに該当する分画についてのピーク強度比Ａを得る工程、及び

前記検量線より、前記ピーク強度比Ａに対応する赤リンの含有量を

得る工程

からなることを特徴とする樹脂中の赤リンの定量方法。

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.
13/062,036	03/03/2011	Masuo Iida	050395-0487	1182

20277 7590 05/11/2011

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER	
ART UNIT	PAPER NUMBER
1777	

MAIL DATE	DELIVERY MODE
05/11/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAY 11 2011

BC

In re application of	:	DECISION ON REQUEST TO
Masuo Iida	:	PARTICIPATE IN PATENT
Serial No. 13/062,036	:	PROSECUTION HIGHWAY
Filed: March 03, 2011	:	PROGRAM AND
Attorney Docket No: 050395-0487	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

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

The request and petition are **GRANTED**.

A grantable request to participate in the 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 IPA, JPO, KIPO, EPO, 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 the latest international work

product is not in the English language; and

(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 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

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:	13/062,053	Filing date:	March 3, 2011
First Named Inventor:	Yoshio Ueda		
Title of the Invention:	MOBILE COMMUNICATION SYSTEM		

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/2010/067224

The international date of the corresponding PCT application(s) is/are: October 1, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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.:	13/062,053
First Named Inventor:	Yoshio Ueda

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 3, 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 March 3, 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 is substantially identical to PCT claim 1.
5	5	US claim 5 is substantially identical to PCT claim 5 with multiple dependency eliminated.
6	6	US claim 6 is substantially identical to PCT claim 6.
10	10	US claim 10 is substantially identical to PCT claim 10 with multiple dependency eliminated.
11	11	US claim 11 is substantially identical to PCT claim 11.
15	15	US claim 15 is substantially identical to PCT claim 15 with multiple dependency eliminated.
16	16	US claim 16 is substantially identical to PCT claim 16.
20	20	US claim 20 is substantially identical to PCT claim 20 with multiple dependency eliminated.

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

Signature / Carl J Pellegrini /	Date June 28, 2011
Name (Print/Typed) Carl J. Pellegrini	Registration Number 40,766

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

In re Japanese Application of

Yoshio UEDA, et al

Japanese Patent Application No.: 2009-229391

Filing Date: October 1, 2009

for: "MOBILE COMMUNICATION SYSTEM"

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

Toshio Takamori residing at c/o Wakabayashi Patent Agency, 16th Kowa Bldg., No. 9-20, Akasaka 1-chome, Minato-ku, Tokyo 107-0052 Japan, declares:

(1) that I know well both the Japanese and English languages;

(2) that I translated the claims of the above-identified Japanese Application from Japanese to English;

(3) that the attached English translation is a true and correct translation of the claims of the above-identified Japanese Application to the best of his knowledge and belief; and

(4) that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereof.

May 9, 2011 — Date

Toshio Takamori — Signature of Translator

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2010/067224

A. CLASSIFICATION OF SUBJECT MATTER
H04W12/12(2009.01)i, *H04M11/04*(2006.01)i, *H04W4/22*(2009.01)i, *H04W28/16*(2009.01)i, *H04W76/06*(2009.01)i

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

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
H04B7/24-7/26;H04W4/00-99/00

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Jitsuyo Shinan Koho 1922-1996 Jitsuyo Shinan Toroku Koho 1996-2010
Kokai Jitsuyo Shinan Koho 1971-2010 Toroku Jitsuyo Shinan Koho 1994-2010

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

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	3rd Generation Partnership Project; Technical Specification Group Radio Access Network; UTRAN architecture for 3G Home Node B (HNB); Stage 2 (Release 9), 3GPP TS 25.467, 3GPP, 2009.09, 5.1 UE Registration	1-20
A	WO 2009/013792 A1 (Fujitsu Ltd.), 29 January 2009 (29.01.2009), paragraphs [0084] to [0093] & US 2010/0120395 A1 & EP 2180728 A1 & CN 101755479 A	1-20

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

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of 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
20 October, 2010 (20.10.10)	02 November, 2010 (02.11.10)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/JP2010/067224

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

1. Statement

Novelty (N)	Claims	1-20	YES
	Claims		NO
Inventive step (IS)	Claims	1-20	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims		NO

2. Citations and explanations:

Citation 1 : 3rd Generation Partnership Project; Technical Specification Group Radio Access Network; UTRAN architecture for 3G Home Node B (HNB); Stage 2 (Release 9), 3GPP TS 25.467, 3GPP, 2009.09, 5.1 UE Registration

Citation 2 : WO 2009/013792 A1 (Fujitsu Ltd.) 2009. 01. 29, [0084]-[0093] & US 2010/0120395 A1 & EP 2180728 A1 & CN 101755479 A

[Claims 1-20]

Checking the consistency between the registration message, that the mobile station sends to the gateway apparatus for registering the mobile station, and the message, pertaining to establishment of an emergency call that is originated by the mobile station, is neither described nor suggested in any of Citations 1 and 2 cited in INTERNATIONAL SEARCH REPORT.

特許協力条約

PCT

国際調査報告

（法８条、法施行規則第40、41条）
［ＰＣＴ18条、ＰＣＴ規則43、44］

RECEIVED
2010.11.4
WAKABAYASHI
P.A.

出願人又は代理人 の書類記号　10-0240-NEC	今後の手続きについては、様式ＰＣＴ／ＩＳＡ／２２０ 及び下記５を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２０１０／０６７２２４	国際出願日 (日.月.年)　０１．１０．２０１０	優先日 (日.月.年)　０１．１０．２００９
出願人（氏名又は名称） 日本電気株式会社		

国際調査機関が作成したこの国際調査報告を法施行規則第41条（ＰＣＴ18条）の規定に従い出願人に送付する。
この写しは国際事務局にも送付される。

この国際調査報告は、全部で　2　ページである。

☐ この調査報告に引用された先行技術文献の写しも添付されている。

１．国際調査報告の基礎

ａ．言語に関し、この国際調査は以下のものに基づき行った。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文（ＰＣＴ規則12.3(a)及び23.1(b)）

ｂ．☐ この国際調査報告は、ＰＣＴ規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則43.6の2(a)）。

ｃ．☐ この国際出願は、ヌクレオチド又はアミノ酸配列を含んでいる（第Ｉ欄参照）。

２．☐ 請求の範囲の一部の調査ができない（第Ⅱ欄参照）。

３．☐ 発明の単一性が欠如している（第Ⅲ欄参照）。

４．発明の名称は

☑ 出願人が提出したものを承認する。

☐ 次に示すように国際調査機関が作成した。

＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿

５．要約は

☑ 出願人が提出したものを承認する。

☐ 第Ⅳ欄に示されているように、法施行規則第47条第１項（ＰＣＴ規則38.2）の規定により国際調査機関が作成した。出願人は、この国際調査報告の発送の日から１月以内にこの国際調査機関に意見を提出することができる。

６．図面に関して

ａ．要約書とともに公表される図は、

第　1　図とする。

☐ 出願人が示したとおりである。

☐ 出願人は図を示さなかったので、国際調査機関が選択した。

☑ 本図は発明の特徴を一層よく表しているので、国際調査機関が選択した。

ｂ．☐ 要約とともに公表される図はない。

国際調査報告

国際出願番号　ＰＣＴ／ＪＰ２０１０／０６７２２４

A.　発明の属する分野の分類（国際特許分類（ＩＰＣ））

Int.Cl.　H04W12/12(2009.01)i, H04M11/04(2006.01)i, H04W4/22(2009.01)i, H04W28/16(2009.01)i, H04W76/06(2009.01)i

B.　調査を行った分野

調査を行った最小限資料（国際特許分類（ＩＰＣ））

Int.Cl.　H04B7/24-7/26;H04W4/00-99/00

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	１９２２－１９９６年
日本国公開実用新案公報	１９７１－２０１０年
日本国実用新案登録公報	１９９６－２０１０年
日本国登録実用新案公報	１９９４－２０１０年

国際調査で使用した電子データベース（データベースの名称、調査に使用した用語）

C.　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	3rd Generation Partnership Project; Technical Specification Group Radio Access Network; UTRAN architecture for 3G Home Node B (HNB); Stage 2 (Release 9), 3GPP TS 25.467, 3GPP, 2009.09, 5.1 UE Registration	1-20
A	WO 2009/013792 A1 (富士通株式会社) 2009.01.29, [0084]-[0093] & US 2010/0120395 A1 & EP 2180728 A1 & CN 101755479 A	1-20

☐　Ｃ欄の続きにも文献が列挙されている。

☐　パテントファミリーに関する別紙を参照。

＊　引用文献のカテゴリー
「Ａ」特に関連のある文献ではなく、一般的技術水準を示すもの
「Ｅ」国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの
「Ｌ」優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献（理由を付す）
「Ｏ」口頭による開示、使用、展示等に言及する文献
「Ｐ」国際出願日前で、かつ優先権の主張の基礎となる出願の日の後に公表された文献
「Ｔ」国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの
「Ｘ」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの
「Ｙ」特に関連のある文献であって、当該文献と他の１以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの
「＆」同一パテントファミリー文献

国際調査を完了した日 ２０．１０．２０１０	国際調査報告の発送日 ０２．１１．２０１０
国際調査機関の名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員）　５Ｊ　４４４７ 行武　哲太郎 電話番号　０３－３５８１－１１０１　内線　３５３４

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

RECEIVED
2010 11. 4
WAKABAYASHI
P.A.

代理人
　宮崎　昭夫　様

あて名
〒107-0052
日本国東京都港区赤坂１丁目９番２０号　第１６興和ビル８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）	０２．１１．２０１０
出願人又は代理人 の書類記号　10-0240-NEC	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／ＪＰ２０１０／０６７２２４	（日.月.年）　０１．１０．２０１０	（日.月.年）　０１．１０．２００９

国際特許分類（ＩＰＣ）Int.Cl. H04W12/12(2009.01)i, H04M11/04(2006.01)i, H04W4/22(2009.01)i, H04W28/16(2009.01)i, H04W76/06(2009.01)i

出願人（氏名又は名称）
日本電気株式会社

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
２０．１０．２０１０

名称及びあて先
日本国特許庁（ＩＳＡ／ＪＰ）
郵便番号１００－８９１５
東京都千代田区霞が関三丁目４番３号

特許庁審査官（権限のある職員）　５Ｊ　４４４７
行武　哲太郎
電話番号　０３－３５８１－１１０１　内線　３５３４

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／０６７２２４

第Ⅰ欄　見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文

（ＰＣＴ規則12.3(a)及び23.1(b)）

2．☐ この見解書は、ＰＣＴ規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則43の2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段　☐ 紙形式

☐ 電子形式

b．提出時期　☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号 PCT／JP2010／067224

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	1-20	有
	請求項		無
進歩性（ＩＳ）	請求項	1-20	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1-20	有
	請求項		無

2. 文献及び説明

文献１： 3rd Generation Partnership Project; Technical Specification Group Radio Access Network; UTRAN architecture for 3G Home Node B (HNB); Stage 2 (Release 9), 3GPP TS 25.467, 3GPP, 2009.09, 5.1 UE Registration

文献２： WO 2009/013792 A1 (富士通株式会社) 2009.01.29, [0084]-[0093]
& US 2010/0120395 A1 & EP 2180728 A1 & CN 101755479 A

[請求項１－２０]

移動局がゲートウェイ装置に送信した登録するための登録メッセージと、移動局が発呼する緊急呼の確立に関するメッセージとの一貫性をチェックすることは、国際調査報告で列記した文献１，２のいずれにも記載も示唆もされていない。

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.
13/062,053	05/06/2011	Yoshio Ueda	Q123197	1273

23373 7590 07/20/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
07/20/2011	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):

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
UEDA et al.
Application No.: 13/062,053
Filed: 06 May 2011
Attorney Docket No.: Q123197
For: MOBILE COMMUNICATION SYSTEM

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 28 June 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 (1-2) and (4-8) 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 failed to submit an English translation of the claims from the PCT application that have novelty, inventive step, and industrial applicability. The statement that an English translation was accurate indicated that the translation was attached but no such translation was attached. A preliminary amendment containing claims was filed the same day. If applicant intended that the claims of the preliminary amendment were the accurate translation of the claims from the PCT then the statement of accuracy must state such.

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 2600

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Docket No: Q123197
Yoshio UEDA, et al.	
Appln. No.: 13/062,053	Group Art Unit: Not Yet Assigned
Confirmation No.: 1273	Examiner: Not Yet Assigned
Filed: March 3, 2011	

For: MOBILE COMMUNICATION SYSTEM

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(a)

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

Sir:

In response to Decision on Request to Participate in the Patent Prosecution Highway Program and Petition to Make Special Under 37 C.F.R. § 1.102(a) ("Decision") dated July 20, 2011, Applicant submits herewith a Verification of Translation document and a copy of the Preliminary Amendment dated June 28, 2011, and requests reconsideration of the Decision.

In the Decision, the Examiner acknowledges that in the Request for Participation in the PCT-PPH Pilot Program, Applicant made a statement that a copy of all claims from the corresponding PCT application were submitted with the Request, and that a Preliminary Amendment containing claims was also submitted that same day. The Examiner requires a statement that the claims in the Preliminary Amendment are an accurate translation of the claims from the PCT application.

The attached Verification of Translation confirms that the Preliminary Amendment submitted on June 28, 2011, sets forth a true and accurate English language translation of the claims as originally filed in the corresponding PCT application. It is believed that all requirements for a Request for Participation in the PCT-

PPH Pilot Program have been satisfied. Accordingly, the Examiner is respectfully requested to grant the request.

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,

/J. Warren Lytle, Jr./
J. Warren Lytle, Jr.
Registration No. 39,283

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: August 19, 2011

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.
13/062,053	05/06/2011	Yoshio Ueda	Q123197	1273

23373 7590 08/24/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
BOST, DWAYNE D	

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
08/24/2011	ELECTRONIC

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

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

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

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
UEDA et al.
Application No.: 13/062,053
Filed: 06 May 2011
Attorney Docket No.: Q123197
For: MOBILE COMMUNICATION SYSTEM

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 28 June 2011 and renewed on 17 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 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

MAILED

JUN 16 2011

PCT LEGAL ADMINISTRATION

Ballard Spahr LLP
SUITE 1000
999 PEACHTREE STREET
ATLANTA GA 30309-3915

In re Application of DENENBURG
Application No.: 13/062,073
PCT No.: PCT/US08/75952
Int. Filing: 11 September 2008
Priority Date: none
Attorney Docket No.: 26216.0001U1
For: SAFETY NEEDLE DEVICE

DECISION ON

HOLDING OF ABANDONMENT

This is a decision on applicant's Petition to Withdraw Holding of Abandonment treated under 37 CFR 1.181(a), filed in the US Patent and Trademark Office (USPTO) on 15 April 2011. No petition fee is required.

BACKGROUND

On 11 September 2008, applicant filed an international application in the United States Receiving Office which was assigned PCT number PCT/US08/75952 and which claimed a priority date. On 16 March 2010, the International Bureau issued a Notification of Withdrawal of Priority Claim (PCT/IB/317) which indicated that the priority claim made in the international application had been withdrawn with the notice received from applicant on 02 March 2010. Thus, the thirty month period was set to expire on 11 March 2011.

On 03 March 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*, the basic national fee and an executed declaration.

On 30 March 2011, the Office mailed a Notification of Abandonment (Form PCT/DO/EO/909) indicating, that the application went abandoned for failure to provide a copy of the international application by the 30 month period.

On 15 April 2011, applicant filed the present petition requesting that the USPTO withdraw the holding of abandonment as the applicant had timely filed the request for entry into the U.S. National stage.

DISCUSSION

Applicant states that the priority claim for the above referenced international application was withdrawn, as indicated in the Notification of Withdrawal of Priority Claim (PCT/IB/317) issued by the International Bureau on 16 March 2010. This effectively reset the thirty month period deadline to file a national stage application to11 March 2011.

The Notification of Abandonment indicated that the application was abandoned for failure to provide a copy of the international application by 30 months. Because the international application was filed with United States Receiving Office, applicant did not fail to file a copy of the international application. The requirement to file a copy of the international application, in compliance with 35 U.S.C. 371(c), was fulfilled. Thus, the 905 was erroneously issued and is hereby VACATED. For these reasons, the 30 March 2011 Notification of Abandonment was mailed in error and is hereby **VACATED**.

A review of the declaration, filed on 03 March 2011 reveals that the declaration identifies and is executed by the sole inventor, and states his citizenship, residency and mailing address. The declaration is in compliance with 37 CFR 1.497(a) and (b). Thus, the declaration is acceptable and the requirements of 37 CFR 1.497(a) and (b) are met.

CONCLUSION

The petition under 37 CFR 1.181 to withdraw the holding of abandonment is **GRANTED**. The 30 March 2011 Notification of Abandonment is hereby **VACATED**.

The declaration submitted on 03 March 2011 is acceptable and meets the requirements of 37 CFR 1.497(a) & (b).

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) & (c)(4) date is 03 March 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration

Telephone: (571) 272-3286
Facsimile: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

APR 22 2011

PCT LEGAL ADMINISTRATION

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

WALKER & JOCKE
231 SOUTH BROADWAY STREET
MEDINA OH 44256

In re Application of:
LIN, Ping
U.S. Application No.: 13/062,144
PCT No.: PCT/CN2009/071231
International Filing Date: 10 April 2009
Priority Date: 20 May 2008
Attorney's Docket No.: KANGXIN-1001 US
For: AN INTEGRATED METHOD FOR ENRICHING AND ETECTING RARE CELLS FROM BIOLOGICAL BODY FLUID SAMPLE

DECISION ON PETITION
(37 CFR 1.137(b))

The petition for revival under 37 CFR 1.137(b) filed 03 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/CN2009/071231 became abandoned with respect to the United States at midnight on 20 November 2010 based on applicant's failure to request entry into national stage in the United States and pay the basic national fee prior to the expiration of thirty months from the priority date.

The present petition for revival was accompanied by payment of the petition fee and the "required reply" in the form of a request for entry into the U.S. national stage and payment of the small entity basic national fee. In addition, the petition includes a 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," satisfying the requirement of 37 CFR 1.137(b)(3).

Based on the above, the requirements of 37 CFR 1.137(b) have been satisfied. Accordingly, the request to revive the international application with respect to the United States is appropriately granted.

It is noted that the application materials filed with the present petition for revival on 03 March 2011 included an English translation of the international application and an executed declaration. Deposit Account No. 10-0637 will be charged the surcharge ($65) and processing fee ($130) required for filing these materials later than thirty months after the priority date.

This application is being referred to the National Stage Processing Division 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 03 March 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

James Edward Ledbetter
1875 Eye Street
Suite 1200
Washington DC 20006

MAILED

SEP 21 2011

PCT LEGAL ADMINISTRATION

In re Application of :
OGAWA, et al. :
U.S. Application No.: 13/062,177 : DECISION ON PAPERS
PCT No.: PCT/JP2009/004358 :
Int. Filing Date: 03 September 2009 : UNDER 37 CFR 1.42
Priority Date: 04 September 2008 :
Attorney's Docket No.:009289-11105 :
For: RADIO COMMUNICATION DEVICE AND :
BANDWIDTH DETERMINATION METHOD :

This decision is in response to applicant's filing of 09 August 2011. The response is being treated as a request for status pursuant to 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 03 September 2009, applicant filed the above-referenced international application, which claimed a priority date of 04 September 2008. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 11 March 2010. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 04 March 2011.

On 03 March 2011, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by, among other items, payment of the requisite basic national fee.

On 16 March 2011, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide an oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. Applicant was afforded two months to file the proper reply and informed that this period could be extended pursuant to 37 CFR 1.136(a).

On 09 August 2011, applicant filed the declaration discussed herein accompanied by a petition for a three-month extension of time and payment of the appropriate extension of time fee. Applicant's response is timely filed.

Application No.: 13/062,177

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

> "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 a patent."

An examination of the filed declaration and power of attorney finds that the document lists the post office, residence and citizenship for both the deceased joint inventor Kenichi Miyoshi and the legal representative to his estate, Megumi Ichikawa. In addition, this information has been provided for the additional inventors listed on the published international application. The declaration has been executed by the legal representative and the additional listed inventors. As such, the declaration is in compliance with 37 CFR 1.497(a)-(b).

In light of the above, it is proper to grant applicant's request at this time.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **GRANTED**.

This application will be given an international application filing date of 03 September 2009 and a date of **09 August 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

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

60803
SHERR & VAUGHN, PLLC
620 Herndon Parkway
Suite 320
Herndon, VA 20170

MAILED

APR 27 2011

PCT LEGAL ADMINISTRATION

In re Application of
KIM *et al*
U.S. Application No.: 13/062,275
PCT No.: PCT/KR2009/002728
Int. Filing Date: 22 May 2009
Priority Date: 11 June 2008
Docket No.: 432-0057
For: BIOMOLECULAR SENSOR WITH PLURAL METAL PLATES AND MANUFACTURING METHOD THEREOF

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicants' petition to revive under 37 CFR 1.137(b) filed on 04 March 2011 with the national stage papers is hereby **GRANTED** as follows:

The proper fees and the petition fee have been paid. Applicants made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required.

Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being forwarded to the United States Designated/Elected Office for further processing.

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

NOV 16 2011

OFFICE OF PETITIONS

CURATOLO SIDOTI CO., LPA
24500 CENTER RIDGE ROAD, SUITE 280
CLEVELAND OH 44145

Applicants: Klaus Lorenz, et al.
Appl. No.: 13/062,278
International Filing Date: September 10, 2009
Title: DYNAMIC COPOLYMERS FOR WORKABILITY RETENTION OF CEMENTITIOUS COMPOSITION
Attorney Docket: COC.P61221
Pub. No.: US 20110166261 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 August 9, 2011, for the above-identified application.

The request is granted.

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

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

MAILED

NOV 02 2011

PCT LEGAL ADMINISTRATION

The Belles Group, P.C.
404 S. 16th Street
Philadephia PA 19146

In re Application of LEE	:	
Application No.: 13/062,303	:	DECISION
PCT No.: PCT/KR08/05201	:	
Int. Filing Date: 04 September 2008	:	
Priority Date: None	:	
Attorney Docket No.: GIP-081-US	:	
For: LABORATORY ANIMAL RETAINING APPLIANCE	:	

This is in response to applicant's "Communication" filed in the United States Patent and Trademark Office on 29 August 2011.

On 04 March 2011, before the expiration of the thirty month period, applicant requested U.S. National Stage entry under 35 U.S.C. 371 for international application PCT/KR08/05201. On 04 May 2011, an executed declaration, in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the declaration after the thirty month period was submitted.

On 03 August 2011, a Notification of Missing Requirements was inadvertently mailed to applicant indicating, *inter alia*, that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), was required. The 03 August 2011 Notification of Missing Requirements is hereby **VACATED**. The Notification of Acceptance mailed on 13 September 2011 remains in effect.

/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

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MAILED

AUG 05 2011

PCT LEGAL ADMINISTRATION

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA PA 19104-2891

In re Application of	:	DECISION ON
Jason John Hall	:	
Application No.: 13/062,321	:	
PCT No.: PCT/US09/060243	:	PETITION
Int. Filing Date: 06 August 2009	:	
Priority Date: 04 September 2008	:	
Attorney's Docket No.: CC_5498	:	
For: CAN END	:	UNDER 37 CFR 1.182

This decision is in response to the "PETITION UNDER 37 CFR 1.182" filed on 08 June 2011 to accept entry of the above identified application into the national stage with the corrected PCT number of PCT/EP2009/060243. The petition fee of $400.00 has been charged to petitioner's deposit account no.: 23-3050.

BACKGROUND

In a communication from this Office on 02 January 2011, it indicated that applicant needed to correct the PCT serial number as the Transmittal Letter and the Electronic Acknowledge Receipt identified different international applications.

On 08 June 2011, petitioner filed a petition under 37 CRF 1.182 stating that at the time of filing the application, the international application number was incorrectly entered due to a typographical error as PCT/US2009/60243 during filing via electronic EFS-Web.

DISCUSSION

Petitioner states that the PCT number was incorrectly entered as PCT/US2009/60243 rather than the correct number **PCT/EP2009/060243**.

Although applicants entered the incorrect PCT serial number due to a typographical error at the time of filing the application via electronic EFS-Web as identified as such on the Electronic Acknowledgment Receipt, the correct PCT serial number PCT/EP2009/060243 was placed on the transmittal letter, application data sheet and on the preliminary amendment. Accordingly, there is sufficient evidence that the correct international application PCT number is **PCT/EP2009/060243**.

Therefore, the petition to accept the correct PCT number of **PCT/EP2009/060243** for the instant application is granted, and will be reflected in the filing receipt.

DECISION

The petition under 37 CFR 1.182 is **GRANTED**.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-0459

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

BSH HOME APPLIANCES CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
100 BOSCH BOULEVARD
NEW BERN NC 28562

MAILED

APR 27 2011

PCT LEGAL ADMINISTRATION

In re Application of :
FOCHEM, et al. :
Application No.: 13/062,327 :
PCT No.: PCT/EP2009/060541 : DECISION ON PAPERS
Int. Filing Date: 14 August 2009 :
Priority Date: 10 September 2008 : UNDER 37 CFR 1.42
Attorney Docket No.: 2008P02785WOUS :
For: DEVICE FOR HEATING PROCESS :
WATER FOR A WATER-CARRYING :
.....SUCH A DEVICE :

This decision is in response to applicant filing of 29 March 2011. The combined declaration and power of attorney filed is being treated as a request for status under 37 CFR 1.42. No petition fee is due.

BACKGROUND

On 14 August 2009, applicant filed international application PCT/EP2009/060541, which claimed priority to an earlier application filed 10 September 2008. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 18 March 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 10 March 2011.

On 04 March 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by among other items, the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an English translation of the international application as filed; an Application Data Sheet and a preliminary amendment.

On 22 March 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 29 March 2011, applicant filed the executed combined declaration and power of attorney discussed herein, along payment of the appropriate surcharge for providing an executed declaration or oath of the inventor later than thirty months from the earliest claimed priority date.

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 29 March 2011 was executed by Elisabeth Fochem and Horst Theo Fochem as heirs to deceased inventor. The declaration properly provides the residence, citizenship and post office address for both the deceased inventors and the signing heirs. However, before the declaration can be accepted applicant is required to provide a statement that the heirs listed on the declaration represents all of the heirs of the deceased and that a legal representative has not been appointed nor is statutorily required to be appointed.

CONCLUSION

Applicant's petition under 37 CFR 1.42 is **DISMISSED, without prejudice**.

Applicant is hereby afforded **TWO (2) MONTHS** from the mail date of this decision to file an oath or declaration in compliance with 37 CFR 1.497 (a)-(b). Any reconsideration request should include a cover letter entitled, "Renewed Petition Under 37 CFR 1.42." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 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 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.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

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

BSH HOME APPLIANCES CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
100 BOSCH BOULEVARD
NEW BERN NC 28562

MAILED

JUN 01 2011

PCT LEGAL ADMINISTRATION

In re Application of :
FOCHEM, et al. :
Application No.: 13/062,327 :
PCT No.: PCT/EP2009/060541 : REQUEST FOR STATUS
Int. Filing Date: 14 August 2009 :
Priority Date: 10 September 2008 : UNDER 37 CFR 1.42
Attorney Docket No.: 2008P02785WOUS :
For: DEVICE FOR HEATING PROCESS :
WATER FOR A WATER-CARRYING :
....SUCH A DEVICE :

On 27 April 2011, applicant was mailed decision dismissing applicant's request for status under 37 CFR 1.42. Applicant was afforded two months to file any intended response.

On 19 May 2011, applicant filed the present response. Applicant has presently confirmed that the individuals listed as heirs on the declaration filed 29 March 2011, Elisabeth Fochem and Horst Theo Fochem, represent all of the heirs of the deceased and that no legal representative has been appointed nor is statutorily required to be appointed. As such, it is proper to accept applicant's declaration at this time.

The application has an international filing date of 14 August 2009 under 35 U.S.C. 363 and will be given a date of **29 March 2011** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

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 21 2011

PCT LEGAL ADMINISTRATION

Oliff & Berridge, PLC
P.O. Box 320850
Alexandria VA 22320-4850

In re Application of	:	DECISION
PITARD	:	
Application No.: 13/062,339	:	
PCT No.: PCT/IB2009/053830	:	
Int. Filing Date: 02 September 2009	:	
Priority Date: 05 September 2008	:	
Attorney Docket No.: 148792	:	
For: NOVEL MULTIMODULAR ASSEMBLY USEFUL FOR INTRACELLULAR DELIVERY	:	

This decision is in response to applicant's petition under 37 CFR 1.48(a), which has properly been treated as a petition under 37 CFR 1.497(d), filed on 06 May 2011.

BACKGROUND

On 02 September 2009, applicant filed international application PCT/IB2009/053830, which designated the United States and claimed a priority date of 05 September 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 07 March 2011 (05 March 2011 being a Saturday).

On 04 March 2011, applicant filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 25 March 2011, the United States Designated/Elected Office (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 the inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 06 May 2011, applicant filed the instant petition under 37 CFR 1.497(d).

DISCUSSION

The petition under 37 CFR 1.497(d) requests that three inventors be added: Charles TELLIER, Corinne MIRAL, and Emilie LETROU-BONNEVAL.

37 CFR 1.497(d), provides:

> (d) If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or if a change to the inventive entity has been effected under PCT Rule 92*bis* subsequent to the execution of any oath or declaration which was filed in the application under PCT Rule 4.17(iv) or this section and the inventive entity thus changed is different from the inventive entity identified in any such oath or declaration, applicant must submit:
>
> (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 Sec. 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 Sec. 3.73(b) of this chapter); and
>
> (4) Any new oath or declaration required by paragraph (f) of this section.

Items (1) and (2) have been satisfied. Item (4) is not required.

Item (3) has not been satisfied. A purported copy of an assignment accompanies the petition. However, this copy is illegible. Therefore, a proper showing under 37 CFR 3.73(b) is required. See MPEP § 324. Additionally, if an assignment has been executed, the written consent of the assignee is required. Written consent of the assignee has not been provided.

CONCLUSION

The request under 37 CFR 1.497(d) is **DISMISSED** without prejudice for the reasons set forth above.

If reconsideration on the merits of this petition is desired, a proper reply must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.497(d)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper reply 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
PCT 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

OCT 25 2011

PCT LEGAL ADMINISTRATION

Oliff & Berridge, PLC (with Nony)
P.O. Box 320850
Alexandria VA 22320-4850

In re Application of : DECISION
PITARD et al. :
Application No.: 13/062,339 :
PCT No.: PCT/IB2009/053830 :
Int. Filing Date: 02 September 2009 :
Priority Date: 05 September 2008 :
Attorney Docket No.: 148792 :
For: NOVEL MULTIMODULAR ASSEMBLY :
USEFUL FOR INTRACELLULAR DELIVERY :

This is a decision on applicants' renewed petition under 37 CFR 1.497(d) filed in the United States Patent and Trademark Office (USPTO) on 08 August 2011.

BACKGROUND

On 02 September 2009, applicant filed international application PCT/IB2009/053830, which designated the United States and claimed a priority date of 05 September 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 07 March 2011 (05 March 2011 being a Saturday).

On 04 March 2011, applicant filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 25 March 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 a declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 06 May 2011, applicant filed a petition under 37 CFR 1.497(d) including, *inter alia*, a declaration of inventors.

On 21 June 2011, a decision was issued dismissing without prejudice applicants' petition under 37 CFR 1.497(d).

On 08 August 2011, applicants filed the instant renewed petition under 37 CFR 1.497(d).

DISCUSSION

The petition under 37 CFR 1.497(d) requests that three inventors be added: Charles TELLIER, Corinne MIRAL, and Emilie LETROU-BONNEVAL.

37 CFR 1.497(d), provides:

> (d) If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or if a change to the inventive entity has been effected under PCT Rule 92*bis* subsequent to the execution of any oath or declaration which was filed in the application under PCT Rule 4.17(iv) or this section and the inventive entity thus changed is different from the inventive entity identified in any such oath or declaration, applicant must submit:
>
> (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 Sec. 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 Sec. 3.73(b) of this chapter); and
>
> (4) Any new oath or declaration required by paragraph (f) of this section.

As noted in the decision issued 21 June 2011, items (1) and (2) have been satisfied and item (4) is not required.

Item (3) has now been satisfied. A written consent of the assignees has been provided as has a proper showing under 37 CFR 3.73(b).

The declaration of inventors filed 06 May 2011 is in compliance with 37 CFR 1.497(a)-(d).

CONCLUSION

The request under 37 CFR 1.497(d) is **GRANTED** for the reasons set forth above.

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 including processing the application in the name of Bruno PITARD, Charles Tellier, Corinne MIRAL, and Emilie LETROU-BONNEVAL as inventors.

/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

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

MAILED

APR 01 2011

PCT LEGAL ADMINISTRATION

In re Application of :
MORITA, et al. :
Application No.: 13/062,367 :
PCT No.: PCT/JP2009/060740 : DECISION ON PETITION
Int. Filing Date: 12 June 2009 :
Priority Date: 19 June 2008 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: SHOBA11.007APC :
For: WATER-SOLUBLE AZO COMPOUND OR SALT: THEREOF, INK COMPOSITION, AND COLORED MATTER :

The petition to revive under 37 CFR 1.137(b) filed 04 March 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" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. 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 (US/DO/EO) for continued processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

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.
13/062,409	03/04/2011	Kenji Kobayashi	110210	3835

38834 7590 06/29/2011

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
ART UNIT	PAPER NUMBER
1746	

NOTIFICATION DATE	DELIVERY MODE
06/29/2011	ELECTRONIC

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

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

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

patentmail@whda.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

CST

June 28, 2011

In re application of	:	DECISION ON REQUEST TO
Kenji Kobayashi	:	PARTICIPATE IN PATENT
Serial No. 13/062,409	:	PROSECUTION HIGHWAY
Filed: March 4, 2011	:	PROGRAM AND
For: SHEET PEELING APPARATUS	:	PETITION TO MAKE SPECIAL
AND PEELING METHOD	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed May 26, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

(5) Applicant must submit:
a. Documentation of prior office action:
i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form:
Further, if a copy of the documents from a or b 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 JPO 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 JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

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

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

Any inquiry regarding this decision should be directed to 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

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

AUG 10 2011

PCT LEGAL ADMINISTRATION

EMD SERONO RESEARCH INSTITUTE
ONE TECHNOLOGY PLACE
ROCKLAND MA 02370

In re Application of YU et al.
Application No.: 13/062,413
PCT No.: PCT/US09/55841
Int. Filing: 03 September 2009
Priority Date: 08 September 2008
Attorney Docket No.: 1189/US PCT
For: MACROCYCLICS PYRIMDINES AS AURORA KINASE INHIBITORS

DECISION ON

PETITION UNDER

37 CFR 1.182

This is a decision on a petition under 37 CFR 1.182 filed in the United States Patent and Trademark Office on 05 July 2011 to correct the international application.

On 04 March 2011, applicant filed a request for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee. The papers were assigned serial number 13/062,413 indicating that it was the national stage of PCT/US09/58841. However, the Electronic Acknowledgement Receipt, Transmittal Letter and Application Data Sheet identified PCT application number PCT/US09/**58841** while the Preliminary Amendment filed on 02 March 2011 indicates PCT/US09/**55841**.

On 05 July 2011, the instant petition under 37 CFR 1.182 was filed.

Applicant's petition under 37 CFR 1.182 to correct the international application no. to PCT/US09/55841 on the national stage papers filed on 04 March 2011 is GRANTED. The $400 petition fee was paid.

The USPTO records will identify the present application **13/062,413** as the national stage of **PCT/US09/55841**.

/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

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

MAILED

MAY 03 2011

PCT LEGAL ADMINISTRATION

DANISCO US INC.
ATTENTION: LEGAL DEPARTMENT
925 PAGE MILL ROAD
PALO ALTO CA 94304

In re Application of :
BODO, Michael, et al. :
Application No.: 13/062,480 :
PCT No.: PCT/US2009/046783 :
Int. Filing Date: 09 June 2009 : DECISION
Priority Date: 09 June 2008 :
Att. Docket No.: 31084US-2 :
For: RECOVERY OF INSOLUBLE :
ENZYME FROM FERMENTATION :
BROTH AND FORMULATION OF :
INSOLUBLE ENZYME :

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 04 March 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.

The surcharge for submission of the search fee, examination fee or oath or declaration after 30 months will be charged to deposit account no. 17-1048, as authorized.

Although the Notification of Acceptance (Form PCT/DO/EO/903) mailed 25 April 2011 issued prematurely, its issuance is now appropriate and confirmed.

/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

21127
RISSMAN HENDRICKS & OLIVERIO, LLP
100 Cambridge Street
Suite 2101
Boston, MA 02114

MAILED

AUG 01 2011

PCT LEGAL ADMINISTRATION

In re Application of
PAILLE *et al*
Application No.: 13/062,505
PCT No.: PCT/NL2009/050544
Int. Filing Date: 10 September 2009
Priority Date: 10 September 2008
Attorney Docket No.: V005-7020US0
For: INSTALLATION FOR THE TREATMENT OF UREA-CONTAINING WATER, TOILET, STABLE, AND METHOD

DECISION

This is a decision on the declaration filed on 23 May 2011 which is treated as a petition under 37 CFR 1.42. No fee is required.

BACKGROUND

On 22 March 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements (PCT/DO/EO/905) requesting an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a surcharge fee. Applicants were given two months to respond with extensions of time available.

On 23 May 2011, applicants filed a response which was accompanied by, *inter alia*, the required surcharge fee, and a declaration executed by three inventors and a legal representative on behalf of a deceased inventor.

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.

Here, the citizenship, residence and address of the legal representative is listed on the "DECLARATION Supplemental Sheet" pursuant to 37 CFR 1.497(b)(2). The name and citizenship information for all named inventors including the deceased inventor is provided on the declaration as required by 37 CFR 1.497(a)(3).

However, it is noted that the declaration is considered a composite declaration as it contains one first page (Page 1 of 2) and three second pages (Page 2 of 2).

While composite declarations are not in accordance with MPEP § 201.03 ("Where individual declarations are executed, they must be submitted as individual declarations rather than combined into one declaration"), they are sufficient for purposes of entry into the U.S. national stage provided the requirements of 37 CFR 1.497(a) and (b) are satisfied. *See* 37 CFR 1.497(c).

As such, the declaration is acceptable for the purposes of 37 CFR 1.497(a)-(b).

Acceptance of a composite declaration as sufficient for purposes of 35 U.S.C. 371(c) does not prohibit the examiner from requiring correction at a later date.

CONCLUSION

The papers filed under 37 CFR 1.42 are **ACCEPTED**.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 10 September 2009 under 35 U.S.C. 363, and a 35 U.S.C. 371 date of 23 May 2011.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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.
13/062,514	05/27/2011	Shiro Fukuda	MER1210UT	5018

82974 7590 06/23/2011

INTERNATIONAL KNOWLEDGE ASSET OFFICE
19200 Von Karman Ave. Suite 400
IRVINE, CA 92612

EXAMINER	
ART UNIT	PAPER NUMBER
2832	

NOTIFICATION DATE	DELIVERY MODE
06/23/2011	ELECTRONIC

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

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

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

patent@knowledgeasset.net
dwenskay@knowledgeasset.com
kmasaki@knowledgeasset.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

INTERNATIONAL KNOWLEDGE ASSET OFFICE
19200 Von Karman Ave. Suite 400
IRVINE CA 92612

In re Application of
Shiro FUKUDA
Application No.: 13/062,514
Filed: 27 May 2011
Attorney Docket No.: MER1210UT
For: MAGNETIC ENERGY REGENERATION SWITCH PROVIDED WITH PROTECTION CIRCUIT

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

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

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and

b. Submit a claims correspondence table in English;

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

5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

   Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate (if the translation is not a machine translation provided by the JPO);

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

Conditions (2-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (1).

Regarding the requirement of condition (1), applicant has failed to show that the instant application validly claims priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO. Where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application. Applicant must identify the relationship between JP 2009-539562 (containing the allowed/patentable claims) and PCT/JP2008/070687.

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 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

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.
13/062,514	05/27/2011	Shiro Fukuda	MER1210UT	5018

82974 7590 07/13/2011

INTERNATIONAL KNOWLEDGE ASSET OFFICE
19200 Von Karman Ave. Suite 400
IRVINE, CA 92612

EXAMINER	
ART UNIT	PAPER NUMBER
2836	

NOTIFICATION DATE	DELIVERY MODE
07/13/2011	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@knowledgeasset.net
dwenskay@knowledgeasset.com
kmasaki@knowledgeasset.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

INTERNATIONAL KNOWLEDGE ASSET OFFICE
19200 Von Karman Ave. Suite 400
IRVINE CA 92612

In re Application of
Shiro FUKUDA
Application No.: 13/062,514 : **DECISION ON REQUEST TO**
Filed: 27 May 2011 : **PARTICIPATE IN THE PATENT**
Attorney Docket No.: MER1210UT : **PROSECUTION HIGHWAY**
For: MAGNETIC ENERGY : **PROGRAM AND PETITION**
REGENERATION SWITCH : **TO MAKE SPECIAL UNDER**
PROVIDED WITH PROTECTION : **37 CFR 1.102(a)**
CIRCUIT

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 27 May 2011 and renewed on 05 July 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 2800 – Semiconductors
Electrical & Optical Systems & Components

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:	PCT/US09/64045	Filing date:	November 11, 2009
First Named Inventor:	H Randall Craig		
Title of the Invention:	MICROFLUIDIC EMBRYO AND GAMETE CULTURE SYSTEMS		

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/US09/64045

The international filing date of the corresponding PCT application(s) is/are: November 11, 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
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.:	PCT/US09/64045
First Named Inventor:	H Randall Craig

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
5-7	5-7	identical
8-18	8-18	identical except that multiple dependency is removed
19, 31, 39, 46, 69	19, 31, 39, 46, 69	identical

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

Signature /s/	Date April 15, 2011
Name (Print/Typed) Carl Oppedahl	Registration Number 32746

Application number PCT/US09/64045

PCT-PPH PETITION COMMENTS

Comments on Box VIII.

Claims 10 and 18 are mentioned in Box VIII. These two claims were amended under Article 19 of the Treaty to eliminate the problems mentioned in Box VIII.

Comments regarding claims 9-18.

Claims 9-18 were not examined in the Written Opinion. These claims depend from claims which were treated favorably in the Written Opinion and are substantively identical to claims as originally filed, the only changes being removal of multiple dependency.

/s/

Carl Oppedahl
PTO Reg. No. 32746

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.
13/062,515	03/07/2011	H. Randall Craig	HRCM.P-009-NP	5039

57380 7590 10/11/2011

Oppedahl Patent Law Firm LLC
P O Box 5940
Dillon, CO 80435-5940

EXAMINER	
ART UNIT	PAPER NUMBER
1653	

NOTIFICATION DATE	DELIVERY MODE
10/11/2011	ELECTRONIC

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

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

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

docket-oppedahl@oppedahl.com
mail-log@oppedahl.com

UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 11 2011

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

OPPEDAHL PATENT LAW FIRM LLC
P.O. Box 5940
DILLON, CO 80435-5940

In re Application of	:	DECISION ON REQUEST TO
CRAIG, Randal H.	:	PARTICIPATE IN PATENT
Application No. 13/062,515	:	PROSECUTION HIGHWAY
Filed: March 7, 2011	:	PROGRAM AND PETITION
Attorney Docket No. HRCM.P-009-NP	:	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 11, 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 is (a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed with 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 with 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 with 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) The KIPO application(s) has at least one claim that was determined by KIPO to be allowable;
(3) All the claims in each U.S. application for which a request for participation in the PPH pilot program is made must sufficiently correspond or be amended to sufficiently correspond to the allowable claims in the KIPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions (which are relevant to patentability) from each of the KIPO application(s) containing the allowable claims that are the basis for the request;
(6) Applicant must submit a copy of the allowable claims from the KIPO application(s);
(7) Applicant must submit a claim correspondence table; and

(8) Applicant must submit an information disclosure statement (IDS) listing the documents cited by the KIPO examiner in the KIPO office action (unless such an IDS has already been filed in the U.S. application).

The request to participate in the PPH program and petition fails to comply with the requirements because:

(8) Applicant must submit an information disclosure statement (IDS) listing the documents cited by the KIPO examiner in the KIPO office action (unless such an IDS has already been filed in the U.S. application). A complete copy of all pages of the Barros *et al.*, reference as cited on the Information Disclosure Statement has not been provided, therefore, the Information Disclosure Statement is improper.

Applicant is given a time period of **ONE MONTH** or **THIRTY DAYS**, whichever is longer, to correct the deficiencies. **NO EXTENSIONS OF TIME UNDER 37 CFR 1.136 IS PERMITTED**. If the deficiencies are not corrected with the time period given, the application will wait in its regular turn.

Telephone inquiries concerning this decision should be directed to Jeff Lundgren at 571-272-5541.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system at the http://www.uspto.gov/ebc/index.html.

/Jeffrey S. Lundgren/

Jeffrey S. Lundgren
Supervisory Patent Examiner
TC 1600

Application number 13/062,515

RENEWED REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY

Applicant filed a Request to Participate in the Patent Prosecution Highway on May 11, 2011.

Today, October 15, 2011, the applicant has received USPTO's Decision on the Request. The Decision says:

> A complete copy of all pages of the Barros et al., reference as cited on the Information Disclosure Statement has not been provided, therefore, the Information Disclosure Statement is improper.

The Information Disclosure Statement says:

> Barros et al. Assist Reprod Genet. 1997 Feb 14 (2): 97-101.

It appears to the undersigned that was was actually provided to applicant by the Korean patent office with the Korean international search report was only the abstract of the Barros et al. reference. The information disclosure statement filed March 6, 2011 in this application provided that abstract and the abstract is of record in the application.

The USPTO requests, however, that "a complete copy of all pages" of the article be provided. In response to USPTO's request, the undersigned has today purchased a copy of the entire article, and has today e-filed the entire article with the USPTO.

The undersigned thus respectfully requests that the Request to Participate be granted.

/s/

Carl Oppedahl
PTO Reg. No. 32746

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 13 2012

OFFICE OF PETITIONS

OPPENDAHL PATENT LAW FIRM LLC
P O BOX 5940
DILLON CO 80435-5940

In re Application of
CRAIG
Application No.: 13/062,515
Filed: March 7, 2011
Attorney Docket No.: HRCM.P-009-NP
For: MICROFLUIDIC EMBRYO AND CULTURE SYSTEMS

: 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 May 11, 2011, and renewed on October 15, 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 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://uspto.gov/ebc/index.html.

/Diane Goodwyn/
Diane Goodwyn
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:	Application Number (if known): 13/062522	Filing date: March 7, 2011
First Named Inventor: Jens Fink		
Title: Particle pump methods and devices.		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: Statement of basis for special status.

Signature /Robert C. Casad, Jr./	Date March 8, 2011
Name (Print/Typed) Robert C. Casad, Jr.	Registration Number 51,535

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

☒ *Total of 2 forms are submitted.

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.

Statement of basis for special status.

The application relates to methods and devices for loading lignocellulosic biomass into pretreatment reactors in processing biomass for conversion to ethanol. The technology is a component of "second generation bioethanol" technology and is, accordingly, material to development of renewable energy sources and also to greenhouse gas reduction, where ethanol can be substituted for petroleum-based fuels.

Respectfully for the applicants,

/Robert C. Casad, Jr./

Robert Casad, Jr., Ph.D.
USPTO Registration Number: 51, 535
Inbicon A/S
Kraftvaerksvej 53
Frederica, DK-7000
Denmark
Tel: +45 99 55 23 39
Email: Robca@dongenergy.dk

March 8, 2011

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.
13/062,522	03/07/2011	Jens Fink	46868US03	5144

95469 7590 06/30/2011

Plougmann & Vingtoft A/S
Sundkrogsgade 9
PO Box 831
Copenhagen, 2100
DENMARK

EXAMINER	
ART UNIT	PAPER NUMBER
3751	

MAIL DATE	DELIVERY MODE
06/30/2011	PAPER

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

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

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

Plougmann & Vingtoft A/S
Sundkrogsgade 9
PO Box 831
Copenhagen 2100 DK DENMARK

In re Application of
FINK, JENS
Application No. 13/062522
Filed: March 7, 2011

Attorney Docket No. 46868US03

: 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 March 8, 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 development of renewable energy. This is not convincing. It is not clear how the claimed loading particulate matter into a pressurized reactor with L-shaped sluice chamber will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. The claimed invention does not appear to have anything to do green technology. There is no relationship between the statement and the claimed subject matter.

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 3751 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

IN THE UNITED STATES PATENT OFFICE

Application number: 13/062,622

Art unit: 3751

First named inventor: Jens Fink

Title: Particle pump methods and devices.

Filing Date: March 9, 2011

Examiner Name:

Attorney Docket Number: 46868US04

Petition for reconsideration under 37 CFR 1.102.

Applicants respectfully request reconsideration of the denial of petition to make special under the Green Tech Pilot Program mailed in this action on June 30, 2011.

The petition to make special was denied because "it is not clear how the claimed transfer of particulate material into and out of a pressurized chamber will provide and enhance the quality of the environment or contribute to energy conservation or greenhouse gas reduction."

The claimed invention relates to one particular process that is a required component of an overall process for commercial production of bioethanol from lignocellulosic substrates - so called "second generation bioethanol." The applicants respectfully submit that it is self evident that production of bioethanol from lignocellulosic substrates contributes to development of renewable energy resources. Lignocellulosic substrates are derived from plant biomass, which accumulates annually and is, by definition, renewable. Ethanol derived from lignocellulosic sources can be used as a fuel alternative to petroleum-derived fuels. Ethanol from lignocellulosic sources is, thus, a renewable energy source in comparison with fuels derived from petroleum, which is not renewable on any practical time scale.

The applicants further respectfully submit that it is well known in the art and in the world at large that production of bioethanol from lignocellulosic substrates contributes to greenhouse gas reduction. The lignocellulosic substrates are, themselves, derived from atmospheric carbon dioxide. When ethanol produced from lignocellulosic sources is burned,

carbon dioxide released into the atmosphere merely contributes to a steady state flux or "carbon neutral" balance between accumulation of carbon dioxide in plant biomass and release into the atmosphere. This is in contrast with the situation where petroleum-derived fuels are burned, releasing carbon dioxide immediately and on a massive scale into the atmosphere from a pool in which it has accumulated *not* over a growing period of a few years and *not* in dynamic flux with atmosphere *but rather* over a period of millions of years, sequestered from the atmosphere.

One scheme for production of ethanol from lignocellulosic sources involves enzymatic hydrolysis of cellulose chains to constituent glucose monomers, with subsequent fermentation of glucose monomers to ethanol. As is well known in the art, enzymatic hydrolysis of lignocellulosic biomass requires some form of pretreatment to render cellulose chains more accessible to enzymatic attack, in particular, to remove lignin and hemicellulose that are intricately intertwined with cellulose in plant biomass. Hydrothermal pretreatments represent one particular category of methods for providing pretreatment of lignocellulosic biomass in order that plant biomass may be efficiently used in enzymatic hydrolysis to produce sugars that can be further fermented to fuel ethanol.

As is explained in the pending application, commercial scale production of bioethanol from plant biomass using hydrothermal pretreatment requires a large throughput of biomass into and out of pressurized pretreatment reactors. See p. 1, l 11-15. As is explained in the pending application, systems for feeding biomass into pressurized pretreatment reactors fall into two general categories - plug feeders and sluice feeders. See p. 1, l 17 to p. 3, l 22. As is explained in the pending application, the claimed invention is an *improved sluice feeder* having increased operation safety *and efficiency*.

The applicants respectfully submit that the improved safety and efficiency of the claimed sluice feeder system represents an advancement in the opportunities for commercial scale hydrothermal pretreatment of lignocellulosic biomass for use in production of fuel ethanol. Any advancement in the development of commercial scale production of bioethanol from lignocellulosic substrates constitutes a step forward in development of renewable energy resources and in greenhouse gas reduction. Accordingly, applicants respectfully request that the denial of petition to make special be reversed.

Respectfully for the applicants,

/Robert C. Casad, Jr./

Robert Casad, Jr., Ph.D.
USPTO Registration Number: 51, 535
Inbicon A/S
Kraftvaerksvej 53
Frederica, DK-7000
Denmark
Tel: +45 99 55 23 39
Email: Robca@dongenergy.dk

July 29, 2011

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.
13/062,522	03/07/2011	Jens Fink	46868US03	5144

95469 7590 08/17/2011

Plougmann & Vingtoft A/S
Sundkrogsgade 9
PO Box 831
Copenhagen, 2100
DENMARK

EXAMINER	
ART UNIT	PAPER NUMBER
3751	

MAIL DATE	DELIVERY MODE
08/17/2011	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
www.uspto.gov

AUG 17 2011

Plougmann & Vingtoft A/S
Sundkrogsgade 9
PO Box 831
Copenhagen 2100 DK DENMARK

In re Application of :
Jens Fink et al. : DECISION ON PETITION
Application No. 13/062,522 : TO MAKE SPECIAL UNDER
Filed: March 07, 2011 : THE GREEN TECHNOLOGY
Attorney Docket No. 46868US03 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 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 Blaine Copenheaver at 571-272-1156.

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

MAILED

JUN 01 2011

PCT LEGAL ADMINISTRATION

In re Application of :
AKAHANE, et al. :
U.S. Application No.: 13/062,547 : DECISION ON PAPERS
PCT No.: PCT/JP2009/004330 :
Int. Filing Date: 02 September 2009 : UNDER 37 CFR 1.42
Priority Date: 05 September 2008 :
Attorney's Docket No.: SAS0186US :
For: MAGNETIC TYPE ROTATION DETECTION :
DEVICE AND ITS MANUFACTURING :
METHOD :

This decision is in response to applicant's filing of 18 May 2011. The response is being treated as a request for status pursuant to 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 02 September 2009, applicant filed the above-referenced international application, which claimed a priority date of 05 September 2008. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 11 March 2010. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 05 March 2011.

On 07 March 2011, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by, among other items, payment of the requisite basic national fee.

On 23 March 2011, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide an oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. Applicant was afforded two months to file the proper reply and informed that this period could be extended pursuant to 37 CFR 1.136(a).

On 18 May 2011, applicant filed the declaration discussed herein.

Application No.: 13/062,547

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

> "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 a patent."

An examination of the filed declaration and power of attorney finds that the document lists the post office, residence and citizenship for both the deceased joint inventor Takehiko Akahane and the legal representative to his estate, Tomomi Akahane. In addition, this information has been provided for the additional inventors listed on the published international application. The declaration has been executed by the legal representative and the additional listed inventors. As such, the declaration is in compliance with 37 CFR 1.497(a)-(b).

In light of the above, it is proper to grant applicant's request at this time.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **GRANTED**.

This application will be given an international application filing date of 02 September 2009 and a date of **18 May 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-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:		Filing date:	
First Named Inventor:	Novick, Gregg		
Title of the Invention:	PAVER FOR POROUS PAVEMENT		

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/US2010/037399

The international filing date of the corresponding PCT application(s) is/are: 2010-06-04

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. in a Preliminary Amendment

☐ 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.:	
First Named Inventor:	NOVICK, GREGG

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 - 7	cancelled
1 - 7	8 - 14	1 - 7 correspond in sequential order to PCT claims 8 - 14

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

Signature /Patricia M. Mathers/	Date 2011-03-07
Name (Print/Typed) Patricia M. Mathers	Registration Number 44906

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.
13/062,577	08/03/2011	Gregg Novick	11-023	5633

24124 7590 09/30/2011

BOHAN MATHERS
PO BOX 17707
PORTLAND, ME 04112-8707

EXAMINER	
RISIC, ABIGAIL ANNE	
ART UNIT	PAPER NUMBER
3671	

NOTIFICATION DATE	DELIVERY MODE
09/30/2011	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):

PMM@ BOHANMATHERS.COM
peter@bohanmathers.com

UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 29 2011

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

BOHAN MATHERS
PO BOX 17707
PORTLAND ME 04112-8707

In re application of
Novick et al.
Application No. 13/062,577
Filed: August 03, 2011
For: PAVER FOR POROUS PAVEMENT

: **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), March 07, 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 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, 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 as soon as any pre-exam processing has been completed.

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: 09/28/11

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

PILLSBURY WINTHROP SHAW PITTMAN, LLP
P.O. BOX 10500
MCLEAN VA 22102

MAILED

MAY 16 2011

PCT LEGAL ADMINISTRATION

In re Application of :
Caverzan et al. :
Application No.: 13/062,606 :
PCT No.: PCT/EP2009/062218 :
Int. Filing Date: 21 September 2009 : DECISION
Priority Date: 23 September 2008 :
Attorney Docket No.: 069486-0392460 :
For: Monocoque Rollerski :

This is in response to the papers filed on 07 March 2011.

BACKGROUND

International application PCT/EP2009/062218 was filed on 21 September 2009, claimed an earlier priority date of 23 September 2008, and designated the United States. The International Bureau transmitted a copy of the published international application to the USPTO on 01 April 2010. The period for payment of the basic national fee in the United States expired as of midnight on 23 March 2011. Applicants filed *inter alia* a basic national fee in 13/062,606 on 07 March 2011.

DISCUSSION

Review of the instant application file reveals that the declaration filed on 07 March 2011 was directed toward the national stage under 35 U.S.C. 371 of "PCT/EP2009/062218," while the Electronic Acknowledgment Receipt generated during the EFS-Web filing on even date shows that applicants indicated that "PCT/EP09/62219" was to enter the national stage. Inspection of published international application PCT/EP2009/062218 reveals that its bibliographic data is similar to that indicated for this application. In view of the discrepancy, it is not sufficiently clear which international application was intended to enter the national stage. Resolution of this matter would require a formal petition (and fee) under 37 CFR 1.182, clarifying which international application was intended to enter the national stage under 35 U.S.C. 371.

DECISION

The papers filed on 07 March 2011 are **NOT ACCEPTED** under 35 U.S.C. 371, without prejudice, as described above.

A proper response (as described herein) must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper response will result in **ABANDONMENT**.

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.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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

PILLSBURY WINTHROP SHAW PITTMAN, LLP
P.O. BOX 10500
MCLEAN VA 22102

MAILED

AUG 02 2011

PCT LEGAL ADMINISTRATION

In re Application of :
Caverzan et al. :
Application No.: 13/062,606 :
PCT No.: PCT/EP2009/062218 :
Int. Filing Date: 21 September 2009 : DECISION
Priority Date: 23 September 2008 :
Attorney Docket No.: 069486-0392460 :
For: Monocoque Rollerski :

This is in response to the petition under 37 CFR 1.182 filed on 02 June 2011.

DISCUSSION

In a Decision mailed on 16 May 2011, applicants were advised that

> Review of the instant application file reveals that the declaration filed on 07 March 2011 was directed toward the national stage under 35 U.S.C. 371 of "PCT/EP2009/062218," while the Electronic Acknowledgment Receipt generated during the EFS-Web filing on even date shows that applicants indicated that "PCT/EP09/62219" was to enter the national stage. Inspection of published international application PCT/EP2009/062218 reveals that its bibliographic data is similar to that indicated for this application. In view of the discrepancy, it is not sufficiently clear which international application was intended to enter the national stage. Resolution of this matter would require a formal petition (and fee) under 37 CFR 1.182, clarifying which international application was intended to enter the national stage under 35 U.S.C. 371.

In response, applicants have filed the instant petition. Applicants paid $130.00 toward the petition fee; the $270.00 balance will be charged to counsel's Deposit Account, as authorized. Petitioner states (in part) that "The incorrect identification of PCT/EP09/62219 was an unintentional typographical error. The correct application is PCT/EP09/62218." Based on the totality of the circumstances present in this case, it would be appropriate to accept petitioner's statements as to the nature of the discrepancy and as to the identity of the international application entering the national stage under 35 U.S.C. 371.

DECISION

The petition is **GRANTED**.

This application is being returned to the Office of Patent Application Processing for processing as the national stage under 35 U.S.C. 371 of PCT/EP2009/062218.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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

MAY 04 2011

PCT LEGAL ADMINISTRATION

CONNOLLY BOVE LODGE & HUTZ LLP
1875 EYE STREET, N.W.
SUITE 1100
WASHINGTON DC 20006

In re Application of :
VAUGHN, Kenneth Leslie :
Application No.: 13/062,650 :
PCT No.: PCT/AU2009/000988 : DECISION
Int. Filing Date: 04 August 2009 :
Priority Date: 04 August 2008 :
Att. Docket No.: 22216-00063-US :
For: GAMING SYSTEM :

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 07 March 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.

The surcharge for late filing of the search fee, examination fee or oath or declaration will be charged to deposit account no. 22-0185, as authorized.

This application is being referred to the National Stage Processing Branch of the Office of Patent Application Processing for continued processing in accordance with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

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:	13/062,662	Filing date:	March 7, 2011
First Named Inventor:	Ryan KOLE		
Title of the Invention:	ON HOLD CALL BACK TELEPHONE FEATURE		

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/US2009/056158

The international filing date of the corresponding PCT application(s) is/are: September 8, 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
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.:	13/062,662
First Named Inventor:	Ryan KOLE

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 7, 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 March 7, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
31	18+17	31 is apparatus version of claim 18 and with allowed content of claim 17 added
32	3	Identical with means converted to non-means
33	4	Identical with means converted to non-means
34	5	Identical with means converted to non-means
35	6	Identical with means converted to non-means
36	7	identical substance
37	8	identical substance
38	15	identical substance
39	16	identical substance
40	18+19	Independent claim 18 supplemented with allowable claim 19
41	20	identical
42	21	identical
43	22	identical
44	24	identical
45	25	identical (with a word correction)
46	26	identical
47	18+23	Independent claim 18 supplemented with allowable claim 23

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

Signature /Steven G. Parmelee/	Date 3/7/2011
Name (Print/Typed) Steven G. Parmelee	Registration Number 28,790

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.
13/062,662	03/07/2011	Ryan Kole	9247-99266-US	6360

22242 7590 08/12/2011

FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

EXAMINER	
ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
08/12/2011	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.

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

FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO IL 60603-3406

In re Application of	**: DECISION ON REQUEST TO**
KOLE et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/062,662	**: PROSECUTION HIGHWAY**
Filed: 07 March 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 9247-99266-US	**: TO MAKE SPECIAL UNDER**
For: ON HOLD CALL BACK TELEPHONE FEATURE	**: 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 07 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.

(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 (1-3) and (5-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (4), (7), and (8).

Regarding the requirement of condition (4), applicant has failed to ensure that all the claims in the US application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. For example, US claim 31 does not correspond to PCT claims 18 +17 (as indicated on the claims correspondence table) since US claim 31 is drawn to a system and PCT claim 18 is drawn to a method. Additionally, US claim 31 does not correspond to PCT claim 1+17 since US claim recites first and second control circuits for performing given functions whereas PCT claim 1 recites means for performing these functions. The specific structure of a circuit is not of the same scope as the general recitation of a means. Applicant is responsible for ensuring that the claims sufficiently correspond.

Regarding the requirement of condition (7), applicant has failed to submit provide a full copy of KR 10-2001-0047739. Only the translation of the abstract has been received.

Regarding the requirement of condition (8), it appears that the claims correspondence table may be incorrect (as set forth above).

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
Quality Assurance Specialist
Technology Center 2600

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

REPLACEMENT SHEET (continued)

Application No.:	13/062,662
First Named Inventor:	Ryan KOLE

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 7, 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 a complete copy of KR20010047739 is attached

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
31	1+17	Independent claim 1 supplemented with allowable claim 17
32	3	Identical with "means" converted to non-means
33	4	Identical with "means" converted to non-means
34	5	Identical with "means" converted to non-means
35	6	Identical with "means" converted to non-means
36	7	Identical substance
37	8	Identical substance
38	15	Identical substance
39	16	Identical substance
40	18+19	Independent claim 18 supplemented with allowable claim 19
41	20	Identical
42	21	Identical
43	22	Identical
44	24	Identical
45	25	Identical (with a word correction)
46	26	Identical
47	18+23	Independent claim 18 supplemented with allowable claim 23

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

Signature	Date 08/30/2011
Name (Print/Typed) Steven G. Parmelee	Registration Number 28,790

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 13/062,662 Filed: **March 7, 2011** Applicant(s): **Ryan KOLE et al.** Title: **ON HOLD CALL BACK TELEPHONE FEATURE** Group Art Unit: **Not Yet Assigned** Examiner: **Not Yet Assigned** --- Docket No.: **9247-99266** Customer No.: **22242**		This Response is electronically filed with PTO's EFS-Web on August 30, 2011.

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

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN PCT-PPH

Sir:

In response to Office communication mailed on August 12, 2011, Applicants submit the following:

a replacement page 2/2 of the Request PTO/SB/20PCT-KR filed on March 7, 2011, with corrected claim correspondence table;

a Supplemental Preliminary Amendment; and

a complete copy of a Korean publication No. KR20010047739 cited both in the International Search Report and in the Information Disclosure Statement filed on March 7, 2011.

Applicants respectfully request reconsideration of the decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program, and grant of the petition under 37 CFR 1.102(a) to make the application special.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By:

Steven G. Parmelee
Registration No. 28,790

120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007

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.
13/062,662	03/07/2011	Ryan Kole	9247-99266-US	6360

22242 7590 09/13/2011

FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

EXAMINER	
ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
09/13/2011	PAPER

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

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

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

FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO IL 60603-3406

In re Application of	**: DECISION ON REQUEST TO**
KOLE et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/062,662	**: PROSECUTION HIGHWAY**
Filed: 07 March 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 9247-99266-US	**: TO MAKE SPECIAL UNDER**
For: ON HOLD CALL BACK TELEPHONE FEATURE	**: 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 07 March 2011 and renewed on 30 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, 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 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

SEED INTELLECTUAL PROPERTY LAW GROUP, PLLC
701 FIFTH AVENUE
SUITE 5400
SEATTLE, WA 98104

MAILED

FEB 22 2012

OFFICE OF PETITIONS

In re Application of
Joachim Lohr, et al.
Application No.: 13/062,674
Filed: 13 May 2011
Attorney Docket No.: 736156.405USPC
For: SEMI-PERSISTENT SCHEDULED RESOURCE RELEASE PROCEDURE IN A MOBILE COMMUNICATION NETOWRK

: 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 20 January 2012, 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 validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the EPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the EPO application with similar claims and the JPO priority application;

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

3. Applicant must

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

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

5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the EPO 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 EPO application is a first action allowance then no office action from the EPO is necessary should be indicated on the request/petition form;

   Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
   b. An English language translation of the EPO 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 EPO examiner in the EPO 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);

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 fails meet condition (3).

Regarding the requirement of condition (3), applicant has failed to ensure that all the claims in the U.S. application sufficiently correspond to the allowable/patentable claims in the EPO application. For example only, US claims are listed at claims 1-49 as cancelled and claims 50-75 as pending. However, there is no showing of claims 30-49 ever being filed in the instant application. Accordingly, claims 50-75 would be renumbered in the instant application in accordance with 37 CFR 1.126. Therefore, it becomes unclear as to which claims correspond to allowed EPO claims 1-15.

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 April M. Wise at (571) 272-1642.

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

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

SEED INTELLECTUAL PROPERTY
LAW GROUP, PLLC
701 FIFTH AVENUE
SUITE 5400
SEATTLE, WA 98104

MAILED
MAR 27 2012
OFFICE OF PETITIONS

In re Application of
Joachim Lohr, et al.
Application No.: 13/062,674
Filed: 13 May 2011
Attorney Docket No.: 736156.405USPC
For: SEMI-PERSISTENT SCHEDULED RESOURCE RELEASE PROCEDURE IN A MOBILE COMMUNICATION NETWORK

: 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 20 January 2012 and renewed 29 February 2012, 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 April M. Wise at (571-272-1642).

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
www.uspto.gov

DLA PIPER LLP (US)
4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO CA 92121-2133

MAILED

FEB 27 2012

OFFICE OF PETITIONS

In re Application of :
William G. Turnell et al. :
Application No. 13/062,690 :
Filed: October 10, 2011 :
Attorney Docket No. **MEDIV3100-1** :

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the request to withdraw as attorney of record under 37 CFR § 1.36(b), filed February 14, 2012.

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 requires the practitioner(s) requesting withdrawal to certify that he, she, or they have: (1) given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any responses that may be due and the time frame within which the client must respond , pursuant to 37 CFR 10.40.

The request was signed by Lisa A. Halle on behalf of all attorneys of record who are associated with Customer Number 28213.

All attorneys/agents associated with Customer Number 28213 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 William Turnell at the address list listed in the request.

There is no outstanding Office action mailed that requires a reply from the applicant.

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

JoAnne Burke
Petitions Examiner
Office of Petitions

cc: William G. Turnell et al.
c/o Mark Ekse, Hagen Wilka & Archer LLP
600 S. Main Avenue, Suite 102
Sioux Falls, South Dakota 57104

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	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/062,690	10/10/2011	William G. Turnell	MEDIV3100-1

CONFIRMATION NO. 6797

28213
DLA PIPER LLP (US)
4365 EXECUTIVE DRIVE
SUITE 1100
SAN DIEGO, CA 92121-2133

POWER OF ATTORNEY NOTICE

OC000000052808652

Date Mailed: 02/27/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/14/2012.

- 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.

/jlburke/

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

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:	13/062,855	Filing date:	March 8, 2011
First Named Inventor:	Kazuya WATANABE		
Title of the Invention:	DISPLAY 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/JP2009/070548

The international date of the corresponding PCT application(s) is/are: December 8, 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.:	13/062,855
First Named Inventor:	Kazuya WATANABE

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 8, 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 March 8, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	2	Both claims are the same.
		The ISR indicates only PCT claim 1 as met by "Y" references.
3	3	Both claims are the same.
4	4	Both claims are the same.
5	5	Both claims are the same.
6	6	Both claims are the same.
7	7	Both claims are the same.
8	8	Both claims are the same.
9	9	Both claims are the same.
10	10	Both claims are the same.
11	11	Both claims are the same.
12	12	Both claims are the same.
13	13	Both claims are the same.
14	14	Both claims are the same.

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

Signature /John M. Bird/ # 46,027 for:	Date 2011-03-09
Name (Print/Typed) Steven M. Gruskin	Registration Number 36,818

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.

DECLARATION

I, Atsushi ONO, translator of S.KITAMURA PATENT OFFICE of 16th Floor, Nakanoshima Mitsui Building, 3-3-3, Nakanoshima, Kita-ku, Osaka, Japan, do hereby declare that I am conversant with the English and Japanese Languages and am a competent translator thereof. I further declare that to the best of my knowledge and belief the following is a true and correct translation of the documents in the Japanese language attached hereto.

International Patent Application No. PCT/JP2009/070548

Signed this 9th day of March, 2011

Atsushi ONO

請求の範囲

[請求項1] 車体の周辺を撮影するカメラと、車内に備えられたモニタと、このモニタの表示を制御する表示制御ユニットと、を備え、

前記モニタの表示面が長方形に形成され、かつ、このモニタが縦長姿勢と横長姿勢とに切換自在に支持され、

前記表示制御ユニットは、前記モニタが縦長姿勢に切り換えられた場合には、前記カメラにより撮影された画像に基づき車体周辺の路面を上方から見下ろした上面視画像を前記モニタに表示する表示装置。

[請求項2] 前記表示制御ユニットは、前記モニタが横長姿勢に切り換えられた場合には、前記カメラにより撮影された画像を前記モニタに表示する請求項１記載の表示装置。

[請求項3] 車体の変速装置のシフト位置を検出するシフト位置センサを備え、

前記カメラは車体の後方を撮影するバックカメラであり、

前記表示制御ユニットは、前記モニタが横長姿勢に設定され、かつ、シフト位置センサによってシフト位置が後進位置に設定されていることを検出した場合に、前記バックカメラの撮影画像を前記モニタに表示するバック画像表示モードに遷移すると共に、

前記バック画像表示モードの際に前記モニタが縦長姿勢に切り換えられた場合に上面視画像表示モードに遷移することにより前記バックカメラの撮影画像に代えて前記上面視画像を表示する請求項２記載の表示装置。

[請求項4] 少なくとも前記バックカメラで撮影された撮影画像を前記車体の上方の視点から見下ろす像となる鳥瞰画像に変換する視点変換手段を備え、

前記表示制御ユニットは、前記上面視画像表示モードにおいて前記上面視画像として前記鳥瞰画像を前記モニタに表示する請求項３記載の表示装置。

[請求項5] 前記車体の側部近傍の路面を上方から撮影したサイド画像を得るサ

イドカメラを備え、

前記表示制御ユニットは、前記上面視画像表示モードにおいて前記上面視画像として前記サイド画像を前記モニタに表示する請求項３記載の表示装置。

[請求項6] 少なくとも前記バックカメラで撮影された撮影画像を前記車体の上方の視点から見下ろす像となる鳥瞰画像に変換する視点変換手段と、前記車体の側部近傍の路面を上方から撮影したサイド画像を得るサイドカメラとを備え、

前記表示制御ユニットは、前記上面視画像表示モードにおいて、表示選択スイッチの操作により前記鳥瞰画像と前記サイド画像との一方を選択して前記上面視画像として前記モニタに表示する請求項３記載の表示装置。

[請求項7] 前記車体の存在位置を地球の経度と緯度とで表されるポジション情報として取得し、取得したポジション情報で示される位置を対応する地図上に表示するナビゲーション画像を生成するナビゲーションシステムを備え、

前記表示制御ユニットは、前記上面視画像表示モードにあるモニタが横長姿勢に切り換えられた際に、前記シフト位置が後進位置以外にある場合には、前記上面視画像に代えて前記ナビゲーション画像を表示するナビゲーション画像表示モードの処理を行う請求項３から６のいずれか一項に記載の表示装置。

[請求項8] 前記表示制御ユニットは、前記上面視画像表示モードにあるモニタが横長姿勢に切り換えられた際に、前記シフト位置が前記後進位置にある場合には、前記上面視画像に代えて前記バックカメラの撮影画像を前記モニタに表示するバック画像表示モードの処理を行う請求項３から６のいずれか一項に記載の表示装置。

[請求項9] 前記表示制御ユニットは、前記上面視画像表示モードにあり、前記上面視画像として前記サイド画像を表示しているモニタが横長姿勢に

切り換えられた際に、前記シフト位置が後進位置以外にある場合には、前記上面視画像として当該サイド画像を拡大した画像を表示する請求項５または６記載の表示装置。

[請求項10] 前記カメラは、車体の右側の路面を撮影する右サイドカメラと、車体の左側の路面を撮影する左サイドカメラとであり、

前記モニタを横長姿勢にした姿勢が基準姿勢に設定されると共に、前記モニタが、前記基準姿勢から右端側を下側に向ける右回転により縦長姿勢とする右回転姿勢と、前記基準姿勢から左端側を下側に向ける左回転により縦長姿勢とする左回転姿勢とに切換自在に支持され、

前記表示制御ユニットは、前記モニタが前記基準姿勢にある際に基準画像を表示し、前記モニタが前記基準姿勢から右回転姿勢に切り換えられた際に、前記右サイドカメラの撮影画像を前記上面視画像として前記モニタに表示し、前記モニタが前記基準姿勢から左回転姿勢に切り換えられた際に、前記左サイドカメラの撮影画像を前記上面視画像として前記モニタに表示するサイド画像表示モードでの処理を行う請求項１記載の表示装置。

[請求項11] 前記車体の前方を撮影するフロントカメラを備え、

前記表示制御ユニットは、前記基準画像として、前記フロントカメラの撮影画像を前記モニタに表示するフロント画像表示モードの処理を行う請求項１０記載の表示装置。

[請求項12] 前記車体の後方を撮影するバックカメラを備え、

前記表示制御ユニットは、前記基準画像として、前記バックカメラの撮影画像を前記モニタに表示するバック画像表示モードの処理を行う請求項１０記載の表示装置。

[請求項13] 前記車体の存在位置を地球の経度と緯度とで表されるポジション情報として取得し、取得したポジション情報で示される位置を対応する地図上に表示するナビゲーション画像を生成するナビゲーションシステムを備え、

前記表示制御ユニットは、前記基準画像として、前記ナビゲーション画像を表示するナビゲーション画像表示モードの処理を行う請求項１０記載の表示装置。

[請求項14] 前記車体の前方を撮影するフロントカメラと、前記車体の後方を撮影するバックカメラとを備え、前記車体の変速装置のシフト位置を検出するシフト位置センサを備え、

前記表示制御ユニットは、前記基準画像として、前記フロントカメラの撮影画像を前記モニタに表示するフロント画像表示モードの処理を行うと共に、このフロント画像表示モードでの表示が行われている際に、前記シフト位置センサによってシフト位置が後進位置に操作されたことを検出した場合には、前記基準画像として、前記バックカメラの撮影画像を前記モニタに表示するバック画像表示モードの処理を行う請求項１０記載の表示装置。

1. A display device comprising: a camera for capturing an image around a vehicle body; a monitor provided in a vehicle interior; and a display control unit for controlling a display on the monitor,

the monitor having a rectangle-shaped display face, and being supported switchably between a vertically elongated posture and a horizontally elongated posture, and

the display control unit displaying a top view image of a road surface around the vehicle body seen from above on the monitor, based on an image captured by the camera, when the monitor is switched to the vertically elongated posture.

2. The display device according to claim 1, wherein the display control unit displays the image captured by the camera on the monitor, when the monitor is switched to the horizontally elongated posture.

3. The display device according to claim 2,

further comprising a shift position sensor for detecting a shift position of a transmission device of the vehicle body,

wherein

the camera is a rear camera for capturing an image rearward of the vehicle body,

the display control unit shifts a display mode to a rearward image display mode in which an image captured by the rear camera is displayed on the monitor, when the monitor is set to the horizontally elongated posture and the shift position sensor detects that the shift position is set to a reverse position, and

the display control unit shifts the display mode to a top view image display mode in which the top view image is displayed instead of the image captured by the rear camera,

when the display mode is in the rearward image display mode and the monitor is switched to the vertically elongated posture.

4. The display device according to claim 3,

further comprising a viewpoint conversion unit for converting at least the image captured by the rear camera into a bird's-eye image seen from above the vehicle body,

wherein the display control unit displays the bird's-eye image on the monitor as the top view image when the display mode is in the top view image display mode.

5. The display device according to claim 3,

further comprising a side camera for capturing from above the road surface near a side part of the vehicle body to obtain a side image,

wherein the display control unit displays the side image on the monitor as the top view image when the display mode is in the top view image display mode.

6. The display device according to claim 3,

further comprising: a viewpoint conversion unit for converting at least the image captured by the rear camera into a bird's-eye image seen from above the vehicle body; and a side camera for capturing from above the road surface near a side part of the vehicle body to obtain a side image,

wherein the display control unit selects one of the bird's-eye image and the side image in accordance with an operation of a display selection switch and displays the selected image on the monitor as the top view image, when the display mode is in the top view image display mode.

7. The display device according to any one of claims 3 to 6,

further comprising a navigation system for acquiring a position of the vehicle body as position information represented by the terrestrial longitude and latitude and generating a navigation image in which a position specified by the acquired position information is indicated on a corresponding map,

wherein the display control unit performs a processing of a navigation image display mode in which the navigation image is displayed instead of the top view image, when the monitor in the top view image display mode is switched to the horizontally elongated posture and the shift position is in a position other than the reverse position.

8. The display device according to any one of claims 3 to 6, wherein the display control unit performs a processing of the rearward image display mode in which the image captured by the rear camera is displayed on the monitor instead of the top view image, when the monitor in the top view image display mode is switched to the horizontally elongated posture and the shift position is in the reverse position.

9. The display device according to claim 5 or 6, wherein the display control unit displays an image obtained by enlarging the side image as the top view image, when the display mode is in the top view image display mode, the monitor displaying the side image as the top view image is switched to the horizontally elongated posture, and the shift position is in a position other than the reverse position.

10. The display device according to claim 1, wherein

the camera includes: a right side camera for capturing the road surface on a right side of the vehicle body; and a left side camera for capturing the road surface on a left side

of the vehicle body,

the horizontally elongated posture of the monitor is set as a standard posture, and the monitor is supported switchably between the standard posture and a right rotation posture which is the vertically elongated posture obtained by rotating the monitor in the standard posture to the right in which a right end side of the monitor is moved downward, or between the standard posture and a left rotation posture which is the vertically elongated posture obtained by rotating the monitor in the standard posture to the left in which a left end side of the monitor is moved downward, and

the display control unit performs a processing of a side image display mode in which: a standard image is displayed, when the monitor is in the standard posture; an image captured by the right side camera is displayed on the monitor as the top view image, when the monitor is switched from the standard posture to the right rotation posture; and an image captured by the left side camera is displayed on the monitor as the top view image, when the monitor is switched from the standard posture to the left rotation posture.

11. The display device according to claim 10,

further comprising a front camera for capturing an image forward of the vehicle body,

wherein the display control unit performs a processing of a forward image display mode in which an image captured by the front camera is displayed on the monitor as the standard image.

12. The display device according to claim 10,

further comprising a rear camera for capturing an image rearward of the vehicle body,

wherein the display control unit performs a processing of a rearward image display mode in which an image captured by the rear camera is displayed on the monitor as the standard image.

13. The display device according to claim 10,

further comprising a navigation system for acquiring a position of the vehicle body as position information represented by the terrestrial longitude and latitude and generating a navigation image in which a position specified by the acquired position information is indicated on a corresponding map,

wherein the display control unit performs a processing of a navigation image display mode in which the navigation image is displayed as the standard image.

14. The display device according to claim 10,

further comprising: a front camera for capturing an image forward of the vehicle body; a rear camera for capturing an image rearward of the vehicle body; and a shift position sensor for detecting a shift position of a transmission device of the vehicle body,

wherein the display control unit performs a processing of a forward image display mode in which an image captured by the front camera is displayed on the monitor as the standard image, and a processing of a rearward image display mode in which an image captured by the rear camera is displayed on the monitor as the standard image, when the forward image display mode is performed and the shift position sensor detects that the shift position is operated to a reverse position.

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.
13/062,855	03/08/2011	Kazuya Watanabe	Q123425	7987

23373 7590 05/13/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
TRAMMELL, JAMES P	
ART UNIT	PAPER NUMBER
3667	

NOTIFICATION DATE	DELIVERY MODE
05/13/2011	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

MAY 12 2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re application of
Kazuya Watanabe
Application No. 13/062,855
Filed: March 08, 2011
For: DISPLAY DEVICE

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed March 09, 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 preliminary amendment filed on March 08, 2011 and the petition being properly submitted via EFS-Web as is required, 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

MB/MB: 05/12/11

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

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

MAILED

DEC 23 2011

PCT LEGAL ADMINISTRATION

In re Application of :
YAMADA, Kikuo :
Application No. 13/062,876 :
PCT No.: PCT/JP2009/065603 : DECISION
Filing Date: 07 September 2009 :
Priority Date: 09 September 2008 :
Attorney Docket No. 148808 :
For: CLEANING SHEET :

This decision is in response to applicant's correspondence filed in the United States Patent and Trademark Office (USPTO) on 14 March 2011, which is being treated as a request for acceptance of a fee deficiency submission under 37 CFR 1.28, and in response to applicant's REQUEST FOR CORRECTED FILING RECEIPT filed in the United States Patent and Trademark Office (USPTO) on 31 March 2011.

BACKGROUND

On 07 September 2009, applicant filed international application, PCT/JP2009/065603, which claimed priority of earlier Japanese applications filed 09 September 2008 and 04 March 2009.

On 08 March 2011, applicant filed national stage papers with the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, a Transmittal Letter (Form PTO-1390) which indicated small entity status.

On 14 March 2011, applicant filed a "Notification of Non-Entitlement to Small Entity Status" which included a statement from the applicant that indication of small entity status was made in error without deceptive intent.

On 23 March 2011, the DO/EO/US mailed a "Notice of Acceptance" (Form PCT/DO/EO/903) identifying the "Date of Completion of All 35 U.S.C. 371 Requirements" as 14 March 2011 and identifying the applicant as a Small Entity. Also on 23 March 2011, a Filing Receipt was issued that identified the applicant as a Small Entity.

On 31 March 2011, the applicant filed the instant Request for Corrected Filing Receipt and Corrected Notice of Acceptance.

Application No.: 13/062,876

DISCUSSION

I. Small Entity Status Established in Error

37 C.F.R. 1.28(c) states in part:

> If status as a small entity is established in good faith, and fees as a small entity are paid in good faith, in any application or patent, and it is later discovered that such status as a small entity was established in error, or that through error the Office was not notified of a loss of entitlement to small entity status as required by § 1.27(g)(2), the error will be excused upon: compliance with the separate submission and itemization requirements of paragraphs (c)(1) and (c)(2) of this section, and the deficiency payment requirement of paragraph (c)(2) of this section:
>
> (1) Separate submission required for each application or patent. Any paper submitted under this paragraph must be limited to the deficiency payment (all fees paid in error), required by paragraph (c)(2) of this section, for one application or one patent. Where more than one application or patent is involved, separate submissions of deficiency payments (e.g., checks) and itemizations are required for each application or patent. See § 1.4(b).
>
> (2) Payment of deficiency owed. The deficiency owed, resulting from the previous erroneous payment of small entity fees, must be paid.

Applicant's response filed 14 March 2011 has satisfied items (1) and (2).

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.

II. Request for Corrected Notice of Acceptance and Filing Receipt

The submission filed 31 March 2011 requests a corrected Notice of Acceptance identifying the "Date of Completion of All 35 U.S.C. 371 Requirements" as 08 March 2011 as well as removal of the Small Entity status from both the Notice of Acceptance and the Official Filing Receipt.

Application No.: 13/062,876

Because Applicant has satisfied the requirements set forth in 37 C.F.R. 1.28(c) above, Applicant's request for removal of Small Entity status is accepted.

MPEP §1893.03(b) states in part:

The "Date of Completion of all 35 U.S.C. 371 Requirements" included on the NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495 (Form PCT/DO/EO/903) is the latest of:

(A) the date of submission of the basic national fee;

(B) the date of submission or communication of the copy of the international application;

(C) the date of submission of the translation of the international application if the international application is not in the English language;

(D) the date of submission of an oath or declaration of the inventor in compliance with 35 U.S.C. 371 (c)(4) (see 37 CFR 1.497(c) for an explanation of when an oath or declaration will be accepted as complying with 35 U.S.C. 371(c)(4));

(E) the earlier of 30 months from the priority date or the date of request for early processing under 35 U.S.C. 371(f) if requested prior to 30 months from the priority date (Form PCT/DO/EO/903 will indicate the date early processing was requested);

(F) if a request for early processing has not been requested prior to 30 months from the priority date, the date of submission of any translation of the annexes to the international preliminary examination report if the translation of the annexes are filed within the time period set in a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring either an English translation of the international application or an oath or declaration; and

(G) the date of submission of any surcharge for submitting the oath or declaration later than 30 months from the priority date.

A review of the application file reveals that the applicant has completed all applicable 35 U.S.C. 371 requirements on 08 March 2011; therefore, applicant's request for a corrected "Date of Completion of All 35 U.S.C. 371 Requirements" of 08 March 2011 is granted.

CONCLUSION

The request to correct the Notice of Acceptance and Official Filing Receipt is **GRANTED.**

The application is being forwarded to the Office of Patent Application Processing for issuance of a corrected Notice of Acceptance indicated a date of "03/08/2011" as the Date of Completion of All 35 U.S.C. 371 Requirements and for issuance of a corrected filing receipt removing the indication of small entity status.

Shane Thomas
Special Program Examiner
Office of PCT Legal Administration
Tel: (571) 272-4188

Boris Milef
Senior 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

21005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 Virginia Road
P.O. Box 9133
Concord, MA 01742-9133

MAILED

SEP 20 2011

PCT LEGAL ADMINISTRATION

In re Application of :
HACKL *et al* :
U.S. Application No.: 13/062,885 :
PCT No.: PCT/EP2009/061783 :
Int. Filing Date: 10 September 2009 : **DECISION**
Priority Date: 15 September 2007 :
Attorney Docket No.: 4579.1004-000 :
For: DEVICE AND METHOD FOR :
COOLING PLASTIC PROFILES :

This decision is in response to applicants' petition under 37 CFR 1.47(a) filed 28 July 2011.

BACKGROUND

On 29 March 2011, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed requesting an oath or declaration in compliance with 37 CFR 1.497(a) and (b). Applicants were given two months to respond with extensions of time under 37 CFR 1.136(a) available.

On 28 July 2011, applicants filed the subject petition which was accompanied by, *inter alia*, a $200.00 petition fee; a $130.00 surcharge fee; a two-month extension and fee; a declaration signed on behalf of the two nonsigning inventors; and documentary evidence in support of the petition.

DISCUSSION

Applicants claim that co-inventors, Josef DOBROWSKY and Miron I. GORILOBSKIY, have not returned a signed declaration and have filed the subject petition under 37 CFR 1.47(a).

A petition under 37 CFR 1.47(a) requires: (1) the petition fee; (2) factual proof that the nonsigning joint inventor(s) cannot be located or refuse to cooperate; (3) a statement of the last known address(es) of the nonsigning joint inventor(s); (4) and an oath or declaration executed by the signing joint inventor(s) on their behalf and on behalf of the nonsigning joint inventor(s).

Items (1), (3) and (4) of 37 CFR 1.47(a)[1] are satisfied in the petition.

Regarding item (2), applicants provided evidence showing that a complete copy of the subject application and a declaration were sent by FedEX to the last known addresses of Josef DOBROWSKY and Miron I. GORILOBSKIY. Applicants provided tracking results from FedEX showing that the documents were signed for by the "Receptionist/Front Desk" for both on 24 June 2011. This is a sufficient showing of delivery to the inventors.

The lack of a response after more than a month constitutes a refusal to cooperate as contemplated by MPEP § 409.03(d)(II). Item (2) of 37 CFR 1.47(a) is also satisfied.

All items of 37 CFR 1.47(a) are complete.

CONCLUSION

Applicants' petition under 37 CFR 1.47(a) is hereby **GRANTED**.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 10 September 2009 under 35 U.S.C. 363, and a 35 U.S.C. 371 date of 28 June 2011.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record and will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

---

[1] Applicants submitted a $200.00 petition fee. The last known addresses of the nonsigning inventors was provided. A declaration signed by two of the four named inventors was provided. This declaration complies with 37 CFR 1.497(a) and (b) and meets the requirements of MPEP § 409.03(a)(A).

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

Josef Dobrowsky
Klosterstr. 19
A-3011 Tullnerbach
Austria

MAILED

SEP 26 2011

PCT LEGAL ADMINISTRATION

In re Application of
HACKL *et al*
U.S. Application No.: 13/062,885
PCT No.: PCT/EP2009/061783
Int. Filing Date: 10 September 2009
Priority Date: 15 September 2007
Attorney Docket No.: 4579.1004-000
For: DEVICE AND METHOD FOR COOLING PLASTIC PROFILES

Dear Mr. Dobrowsky:

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. The counsel for the applicant is listed below. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 Virginia Road
P.O. Box 9133
Concord, MA 01742-9133

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

Miron I. Gorilobskiy
Ul. Generala Dorokhova 14
Bldg 1
119530 Moskau
Russia

MAILED

SEP 20 2011

PCT LEGAL ADMINISTRATION

In re Application of
HACKL *et al*
U.S. Application No.: 13/062,885
PCT No.: PCT/EP2009/061783
Int. Filing Date: 10 September 2009
Priority Date: 15 September 2007
Attorney Docket No.: 4579.1004-000
For: DEVICE AND METHOD FOR COOLING PLASTIC PROFILES

Dear Mr. Gorilobskiy:

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. The counsel for the applicant is listed below. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 Virginia Road
P.O. Box 9133
Concord, MA 01742-9133

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:	Not Yet Assigned	Filing date:	Herewith
First Named Inventor:	Yong Ho SEOK		
Title of the Invention:	POWER MANAGEMENT IN TUNNELED DIRECT LINK SETUP		

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/KR2009/005156

The international filing date of the corresponding PCT application(s) is/are: September 11, 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
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.:	Not Yet Assigned
First Named Inventor:	Yong Ho SEOK

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
1-14	1-14	Identical

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

Signature /Harry S. Lee/	Date March 8, 2011
Name (Print/Typed) Harry S. Lee	Registration Number 56,814

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.
13/062,944	04/22/2011	Yong Ho Seok	2101-3950	8819

35884 7590 10/19/2011

LEE, HONG, DEGERMAN, KANG & WAIMEY
660 S. FIGUEROA STREET
Suite 2300
LOS ANGELES, CA 90017

EXAMINER	
PHAM, CHI H	

ART UNIT	PAPER NUMBER
2471	

NOTIFICATION DATE	DELIVERY MODE
10/19/2011	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):

uspto@lhlaw.com
ip.lhlaw@gmail.com
ip.lhlaw@live.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

LEE, HONG, DEGERMAN, KANG & WAIMEY
660 S. FIGUEROA STREET
Suite 2300
LOS ANGELES CA 90017

In re Application of: Yong Ho Seok
Application No. 13062944
Filed: April 22, 2011
Attorney Docket No.: 2101-3950
For: **POWER MANAGEMENT IN TUNNELED DIRECT LINK SETUP**

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), March 08, 2011, to make the above-identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application is
(a) a Paris Convention application which either
(i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, 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 KIPO, 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 KIPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim.

Where the KIPO 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 KIPO application that contains the allowable/patentable claims and the KIPO priority application claimed in the U.S. application;

(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), if the claims were published in a language other than English); 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 claim 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 action(s) (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(s) (if the office action(s) are not in the English language); and
c. A statement that the English translation is accurate;

(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); and

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

Telephone inquiries concerning this decision should be directed to Chau Nguyen at 571-272-3126

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.

/Chau Nguyen/

Chau Nguyen
Quality Assurance Specialist
Technology Center 2400

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
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 IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/062,944
First Named Inventor:	Yong Ho SEOK

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 8, 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 March 8, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-14	1-14	Identical with minor amendments to better disclose the invention

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

Signature /Richard C. Salfelder/	Date February 1, 2012
Name (Print/Typed) Richard C. Salfelder	Registration Number 51,127

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

LARSON NEWMAN, LLP
5914 WEST COURTYARD DRIVE
SUITE 200
AUSTIN, TX 78730

MAILED

MAY 26 2011

PCT LEGAL ADMINISTRATION

In re Application of O'BRIEN et al :
U.S. Application No.: 13/062,958 :
PCT Application No.: PCT/IB2008/053564 :
Int. Filing Date: 03 September 2008 :
Priority Date Claimed: none : DECISION
Attorney Docket No.: CP41845EC :
For: WIRELESS COMMUNICATION UNIT, :
INTEGRATED CIRCUIT AND METHOD :
OF POWER CONTROL OF A POWER :
AMPLIFIER THEREFOR :

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 31 March 2011.

BACKGROUND

On 03 September 2008, applicant filed international application PCT/IB2008/053564. A copy of the international application was communicated to the USPTO from the International Bureau on 11 March 2010. The thirty-month period for paying the basic national fee in the United States expired on 03 March 2011.

On 04 March 2011, international application PCT/IB2008/053564 became abandoned as to the United States for failure to timely pay the basic national fee.

On 31 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 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.

The application has an International Filing Date under 35 U.S.C. 363 of 03 September 2008, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 09 March 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

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

MARTIN D MOYNIHAN d/b/a PRTSI
INC
PO BOX 16446
ARLINGTON VA 22215

MAILED
MAR 19 2012
OFFICE OF PETITIONS

In re Application of	:	DECISION
Tessler, et al.	:	ON PETITION
Application No. 13/062,964	:	
Filed: March 9, 2011	:	
Attorney Docket Number: 50837	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed March 9, 2011, for acceptance of color drawings.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

A grantable petition under 37 C.F.R. 1.84(a)(2) must be accompanied by the following:

(1) The fee set forth in 37 C.F.R. 1.17(h);

(2) Three (3) sets of color drawings, or one (1) set if filed via EFS, and

(3) The specification contains appropriate language referring to the color drawings as the first paragraph in that portion of the specification relating to the brief description of the drawings.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted when the Office "has determined that a color drawing or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Here, the Office has determined that color drawings are not necessary for an understanding of the invention.

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

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

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

The application is being forwarded to Group Art Unit 2818 for examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

Jose Dees
Petitions Examiner
Office of Petitions

United States Patent and Trademark Office

MAILED

AUG 08 2011

PCT LEGAL ADMINISTRATION

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

WINSTON & STRAWN LLP
PATENT DEPARTMENT
1700 K STREET, N.W.
WASHINGTON DC 20006

In re Application of
Veytizou et al.
Application No.: 13/062,996
PCT No.: PCT/EP2009/062219
Int. Filing Date: 21 September 2009
Priority Date: 23 September 2008
Attorney Docket No.: 4717-35600
For: Process For Locally Dissolving The Oxide Layer In A Semiconductor-On-Insulator Type Structure

DECISION ON PETITION

This is in response to the petition under 37 CFR 1.47(a) filed on 06 June 2011.

BACKGROUND

This international application was filed on 21 September 2009, claimed an earlier priority date of 23 September 2008, and designated the U.S. The International Bureau transmitted a copy of the published international application to the USPTO on 01 April 2010. The 30 month time period for paying the basic national fee in the United States expired at midnight 23 March 2011. Applicants filed *inter alia* the basic national fee on 09 March 2011.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

Regarding **requirement (1)**, applicants have paid $130.00 toward the $200.00 petition fee. The $70.00 balance will be charged to counsel's Deposit Account no. 50-1814, per the authorization included in the 09 March 2011 Transmittal Letter.

Regarding **requirement (2)**, applicants have provided a "Declaration of Anita Gonzalez,"
who describes her efforts to obtain Mr. Gritti's execution of the application. Ms. Gonzales states that she mailed a letter to Mr. Gritti on 01 February 2011, accompanied by a declaration and "the text of this application." It is not clear whether "the text of this application" denotes a complete copy of the application papers (including specification, claims, abstract and drawings), or merely the literal "text." Clarification is required. A copy of the French language letter was provided, but no English translation thereof has been made of record. Such a translation is required.

Ms. Gonzales indicates that Mr. Gritti failed to pick up the parcel in question from the post office between 03 February 2011 and 19 February 2011. However, this fact alone does not

establish that he has constructively refused to execute the application within the meaning of 37 CFR 1.47(a); rather, the inventor may merely have been away from his residence for a few days or weeks. Petitioner should demonstrate further efforts to present an oath or declaration and a complete copy of the application papers to the inventor for signature.

Atty. Leek indicates that, on 21 September 2010, he transmitted an email tio Mr. Zheng, with a declaration and a copy of the application attached thereto. Atty. Leek has provided a copy of said email, as well as an email response from Mr. Zheng. As such, it would be reasonable to conclude that Mr. Zheng was presented with a copy of the application papers and a declaration. Atty. Leek further indicates that, during a telephone conference on 28 September 2010, "Mr. Yong Zheng told me that he would not sign the declaration." Based on the totality of the evidence now of record in the application file, it would be appropriate to conclude that requirement (2) has been satisfied.

Regarding **requirement (3)**, the petition provides a statement of the last known address of the non-signing joint inventor.

Regarding **requirement (4)**, the declaration filed on 06 June 2011 is satisfactory.

DECISION

The petition under 37 CFR 1.47(a) is **DISMISSED**, without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper response will result in **ABANDONMENT**.

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.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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

JAN 04 2012

PCT LEGAL ADMINISTRATION

WINSTON & STRAWN LLP
PATENT DEPARTMENT
1700 K STREET, N.W.
WASHINGTON DC 20006

In re Application of :
Veytizou et al. :
Application No.: 13/062,996 : DECISION
PCT No.: PCT/EP2009/062219 :
Int. Filing Date: 21 September 2009 : ON
Priority Date: 23 September 2008 :
Attorney Docket No.: 4717-35600 : PETITION
For: Process For Locally Dissolving The Oxide Layer :
In A Semiconductor-On-Insulator Type Structure :

This is a decision in response to the renewed petition under 37 CFR 1.47(a) filed on 19 October 2011.

DISCUSSION

In a Decision mailed on 31 August 2011, the petition under 37 CFR 1.47(a) filed on 06 June 2011 was dismissed, without prejudice, because

> Regarding **requirement (2)**, applicants have provided a "Declaration of Anita Gonzalez," who describes her efforts to obtain Mr. Gritti's execution of the application. Ms. Gonzales states that she mailed a letter to Mr. Gritti on 01 February 2011, accompanied by a declaration and "the text of this application." It is not clear whether "the text of this application" denotes a complete copy of the application papers (including specification, claims, abstract and drawings), or merely the literal "text." Clarification is required. A copy of the French language letter was provided, but no English translation thereof has been made of record. Such a translation is required.
>
> Ms. Gonzales indicates that Mr. Gritti failed to pick up the parcel in question from the post office between 03 February 2011 and 19 February 2011. However, this fact alone does not establish that he has constructively refused to execute the application within the meaning of 37 CFR 1.47(a); rather, the inventor may merely have been away from his residence for a few days or weeks. Petitioner should demonstrate further efforts to present an oath or declaration and a complete copy of the application papers to the inventor for signature.

In response, petitioner has presented a further statement signed by Ms. Gonzalez, along with accompanying, supporting documentary evidence which, when viewed in the context of the totality of the record, clarifies the objections raised in the previous Decision and adequately establishes, within the meaning of 37 CFR 1.47(a), the unavailability of the non-signing inventor.

DECISION

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

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the Office of Patent Application Processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **06 June 2011**.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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

JAN 04 2012

PCT LEGAL ADMINISTRATION

Fabrice GRITTI
15 Quai Jongkind
38000 Grenoble
FRANCE

In re Application of
Veytizou et al.
Application No.: 13/062,996
PCT No.: PCT/EP2009/062219
Int. Filing Date: 21 September 2009
Priority Date: 23 September 2008
Attorney Docket No.: 4717-35600
For: Process For Locally Dissolving The Oxide Layer In A Semiconductor-On-Insulator Type Structure

Dear Mr. GRITTI

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) 272-3283. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Requests for 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).

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.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

WINSTON & STRAWN LLP
PATENT DEPARTMENT

1700 K STREET, N.W.
WASHINGTON DC 20006

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.
13/063,052	03/09/2011	Kuniyoshi Iwai	SAA-138-A	9811

21828 7590 06/13/2011

CARRIER BLACKMAN AND ASSOCIATES
43440 WEST TEN MILE ROAD
EATON CENTER
NOVI, MI 48375

EXAMINER	
VU, KIEU D	
ART UNIT	PAPER NUMBER
2173	

NOTIFICATION DATE	DELIVERY MODE
06/13/2011	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):

cbalaw@gmail.com
cbalaw@ameritech.net
wblackman@ameritech.net

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

CARRIER BLACKMAN AND ASSOCIATES
43440 WEST TEN MILE ROAD
EATON CENTER
NOVI MI 48375

In re Application of: K. IWAI
Application No. 13/063,052
Attorney Docket #: **SAA-138-A**
Filed : March 9, 2011
For: APPARATUS FOR PROVIDING COMBINATION MODULE DATA

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed March 9, 2011 to make the above- identified application special.

The petition is **DISMISSED.**

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

(1) The U.S. application is
(a) a Paris Convention application which either
(i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims,

Or

(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
(i) validly claims priority to an application filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim,

Or

(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
(i) validly claims priority to an application filed in the JPO, or

(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:

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

Effective January 29, 2010, for a period of two years ending on January 28, 2012, the USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the allowable/patentable claims in the Japanese application.

(3) Applicant must:

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

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

(5) Applicant must submit:

a. Documentation of prior office action:

i. a copy of the office action(s)just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

Further, if a copy of the documents from a above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above

c. A statement that the English translation is accurate;

Effective January 29, 2010, Applicants may submit a machine translation into the English language of the copy of the latest JPO office action just prior to the "Decision to Grant a Patent" (e.g., the latest "Notification of Reasons for Refusal") from each of the JPO application(s) containing the allowable/patentable claims that are the basis for the PPH request. The machine translation into the English language must be one that is provided by the JPO. That is, the machine translation into the English language cannot be one that is provided by a commercial service. Where a machine translation into the English language of the copy of the latest JPO office action (obtained from the JPO) is submitted, it will not be necessary to include a statement that the English translation is accurate.

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

The request to participate in the PPH pilot program and petition fails to meet items 2 and 5 of the requirements listed above.

Specifically, Item 2:

While stating that **"the English translation is accurate",** the Mr. Kagaya has not established the level of proficiency he has in the Japanese and English languages to be able to make that statement. ;

Item 5 requires that Applicant must submit 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.

Copy of the Japanese action and the translation of the office action have not been submitted by applicant in this application.

The Petition is **DISMISSED**.

Applicant is given a time period of ONE MONTH or THIRTY DAYS, whichever is longer, to correct the deficiencies. NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.

If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must submitted by EFS-Web using the document description "Petition to make special under Pat Pros Hwy".

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

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

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

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.
13/063,052	03/09/2011	Kuniyoshi Iwai	SAA-138-A	9811

21828 7590 07/08/2011
CARRIER BLACKMAN AND ASSOCIATES
43440 WEST TEN MILE ROAD
EATON CENTER
NOVI, MI 48375

EXAMINER	
VU, KIEU D	

ART UNIT	PAPER NUMBER
2173	

NOTIFICATION DATE	DELIVERY MODE
07/08/2011	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):

cbalaw@gmail.com
cbalaw@ameritech.net
wblackman@ameritech.net

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

CARRIER BLACKMAN AND ASSOCIATES
43440 WEST TEN MILE ROAD
EATON CENTER
NOVI MI 48375

In re Application of: K. IWAI
Application No. 13/063,052
Attorney Docket #: **SAA-138-A**
Filed : March 9, 2011
For: APPARATUS FOR PROVIDING COMBINATION MODULE DATA

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

A Dismissal of the Petition to Participate in the PPH program was mailed to Applicants on June 13, 2011 for failing to supply a copy of the JPO office action, and a translation of the same. In response, Applicants called the undersigned on June 27, 2011 to point out that the noted documents that were indeed filed by applicants with the original petition. Hence the previous decision is replaced by this current decision.

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 9, 2011 to make the above-identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application is
(a) a Paris Convention application which either
(i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims,

Or

(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
(i) validly claims priority to an application filed in the JPO, or

(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim,

Or

(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
(i) validly claims priority to an application filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application.

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

Effective January 29, 2010, for a period of two years ending on January 28, 2012, the USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the allowable/patentable claims in the Japanese application.

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

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

(5) Applicant must submit:
a. Documentation of prior office action:
i. a copy of the office action(s)just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

Further, if a copy of the documents from a above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the

DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above

c. A statement that the English translation is accurate;

Effective January 29, 2010, Applicants may submit a machine translation into the English language of the copy of the latest JPO office action just prior to the "Decision to Grant a Patent" (e.g., the latest "Notification of Reasons for Refusal") from each of the JPO application(s) containing the allowable/patentable claims that are the basis for the PPH request. The machine translation into the English language must be one that is provided by the JPO. That is, the machine translation into the English language cannot be one that is provided by a commercial service. Where a machine translation into the English language of the copy of the latest JPO office action (obtained from the JPO) is submitted, it will not be necessary to include a statement that the English translation is accurate.

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

The petition is **GRANTED.**

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

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

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

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

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

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

SCULLY, SCOTT, MURPHY & PRESSER, P.C.
400 GARDEN CITY PLAZA, SUITE 300
GARDEN CITY, NY 11530

MAILED
OCT 21 2011
PCT LEGAL ADMINISTRATION

In re Application of ZOLLER et al	:	
U.S. Application No.: 13/063,088	:	
PCT Application No.: PCT/EP2009/006333	:	
Int. Filing Date: 02 September 2009	:	
Priority Date Claimed: 09 September 2008	:	DECISION
Attorney Docket No.: 27371	:	
For: 2-HETEROARYL-PYRROLO [3, 4-C]PYRROLE DERIVATIVES AND THE USE THEREOF AS SCD INHIBITORS	:	

This is in response to applicant's request for refund filed 01 September 2011.

BACKGROUND

On 02 September 2009, applicant filed international application PCT/EP2009/006333, which claimed priority of an earlier European Patent Office application filed 09 September 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 18 March 2010. The thirty-month period for paying the basic national fee in the United States expired on 09 March 2011.

On 09 March 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 29 March 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 must be filed.

On 30 August 2011, applicant filed an executed declaration.

On 01 September 2011, applicant filed the present request for refund under 37 CFR 1.26(a).

DISCUSSION

The petition states that due to the effects of Hurricane Irene, applicant's practitioner was unable to access its office building or computer systems and thus was unable to file a response to the Notification of Missing Requirements by 29 August 2011.

The Office has designated the interruption in service of the United States Postal Service (USPS) in the areas affected by Hurricane Irene beginning on 27 August 2011 as a postal service interruption and emergency within the meaning of 35 U.S.C. 21(a). (See "United States Postal Service Interruption and Emergency under 35 U.S.C. 21(a)", www.uspto.gov/news/irene09sept2011.pdf). As stated in the notice, "The provisions of 35 U.S.C. § 21(a) and 37 CFR 1.10(i) do not provide for the granting of a filing date to correspondence as of the date on which it would have been filed but for other exigencies, such as the unavailability of an office or building other than a USPS facility." Because petitioner has not established that applicant attempted to file correspondence via USPS Express Mail but was unable to do so due to an interruption in the mail service, a refund of fees would not be appropriate.

CONCLUSION

For the reasons above, the request for refund under 37 CFR 1.26(a) is 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. Any reconsideration request should include a cover letter entitled "Renewed Request for Refund Under 37 CFR 1.26(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 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

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

HAMILTON, BROOK, SMITH &
REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD MA 01742-9133

MAILED

SEP 29 2011

OFFICE OF PETITIONS

In re Application of :
HACKL *et al* :
Application No.: 13/063,090 :
PCT No.: PCT/EP09/61780 :
Int. Filing Date: 10 September 2009 :
Priority Date: 15 September 2008 :
Atty. Docket No.: 4579.1003-000 :
For: DEVICE AND METHOD FOR :
EXTRUDING PLASTIC :
PROFILES IN AN ENERGY :
EFFICIENT MANNER :

DECISION

This is a decision on applicants' "PETITION UNDER 37 C.F.R. § 1.47(a) AND TRANSMITTAL OF DECLARATION" filed in the U.S. Patent and Trademark Office (USPTO) on 28 July 2011.

BACKGROUND

On 10 September 2009, applicants filed international application No. PCT/EP2009/061780 which claimed a priority date of 15 September 2008, and which designated the United States.

The deadline for submission of a copy of the international application (unless previously communicated by the International Bureau) and payment of the basic national fee was set to expire 30 months from the priority date, i.e. 15 March 2011.

On 09 March 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 28 March 2011, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that, *inter alia,* an oath or declaration in compliance with 37 CFR 1.497 and a surcharge for its late filing were required. A two (2) month shortened period for reply was set.

On 28 July 2011, applicants filed the present petition which requests that the application be accepted without the signature of the joint inventors, Josef Dobrowsky and Miron I. Gorilovskiy on the grounds that they refuse to execute the application papers. The petition was accompanied by, *inter alia,* documentation in support of the petition, the petition fee, and a surcharge for late filing of the oath or declaration.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicants have satisfied items (1), (3), and (4) above.

Concerning item (2) above, the petition asserts that the present application should be accepted for entry into the national stage based on the refusal of the co-inventor to join in the present application for patent. In this regard, section 409.03(d) of the Manual Of Patent Examining Procedure (MPEP), under the heading "REFUSAL TO JOIN" states, in 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 nonsigning inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney... 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 showing of record, a single mailing with no response from the non-signing inventors, is insufficient to show a refusal to sign. The showing of record reflects that with regard to both non-signing inventors, the envelopes containing the mailings were received by a receptionist rather than by the inventors themselves. Therefore, it cannot be inferred that the inventors actually received the application papers. Petitioners must provide documentary evidence, supported by statements of first-hand knowledge, that the application was sent or given to the non-signing inventors.

Therefore, in that applicants have not satisfied item (2) above, the petition under 37 CFR 1.47(a) may not be properly granted at this time.

CONCLUSION

For the reasons above the petition is **DISMISSED** without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a)". No additional petition fee is required.

The $200.00 petition fee required by § 1.17(g) will be charged to counsel's deposit account as authorized in the subject petition.

A proper response must include either (a) an acceptable declaration executed by all of the inventors, or (b) an acceptable showing that the missing joint inventors have refused to execute the application as discussed above.

Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Mail Stop Petitions, PO Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of Petitions. A reply may also be filed via the EFS-Web system of the USPTO.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

571-272-3231
Fax: (571) 273-8300

Conferee: Richard R. Cole
Senior 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

MAILED

MAY 02 2011

PCT LEGAL ADMINISTRATION

MOORE & VAN ALLEN PLLC
P.O. BOX 13706
Research Triangle Park NC 27709

In re Application of:
MAESTRO SAAVEDRA, Miquel, A., et al.
U.S. Application No.: 13/063,104
PCT No.: PCT/ES2009/070251
International Filing Date: 25 June 2009
Priority Date: 27 June 2008
Attorney's Docket No.: 020884-000131
For: DEUTERATED VITAMIN D COMPOUNDS

DECISION ON PETITION
(37 CFR 1.137(b))

The petition for revival under 37 CFR 1.137(b) filed 09 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/ES2009/070251 became abandoned with respect to the United States at midnight 27 December 2010 based on applicants' failure to request entry into national stage in the United States and pay the basic national fee prior to the expiration of thirty months from the priority date.

The present petition for revival was accompanied by payment of the petition fee and the "required reply" in the form of a request for entry into the U.S. national stage and payment of the small entity basic national fee. In addition, the petition includes a 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," satisfying the requirement of 37 CFR 1.137(b)(3).

Based on the above, the requirements of 37 CFR 1.137(b) have been satisfied. Accordingly, the request to revive the international application with respect to the United States is appropriately granted.

This application is being referred to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

Patent
Attorney's Docket No. 1033192-000062

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: Unassigned
	)	
Ryujiro AKIZUKI et al.	)	Confirmation No.: Unassigned
	)	
Application No.: Unassigned	)	
	)	
Filed: March 9, 2011	)	
	)	
For: DOOR LOCK DEVICE	)	
	)	

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY PROGRAM BETWEEN THE USPTO AND THE JPO BASED ON PCT WORK PRODUCTS

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

Sir:

In accordance with the U.S. Patent and Trademark Office Notice signed on January 23, 2010 setting forth the Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and the Japan Patent Office based on Patent Cooperation Treaty Work Products (hereinafter "Notice"), submitted with this paper is a Request for Participation in the PCT-PPH Pilot Program between the JPO and the USPTO (hereinafter "Request"). The accompanying Request requests participation in the PCT-PPH Program and petitions to make this application special under the PCT-PPH program.

This application is the U.S. national stage application of International Application No. PCT/JP2009/065742 (hereinafter "corresponding international application"). Accordingly, the relationship between this U.S. application for which participation in the PCT-PPH pilot program is requested, and the corresponding international application satisfies requirement B(1)(a) illustrated in the Notice.

Applicants have therefore fully complied with the requirement of identifying the relationship between this U.S. application and the PCT application.

The latest work product of the Japan Patent Office (JPO) in the corresponding international application, namely the Written Opinion of the International Searching Authority (hereinafter "Written Opinion"), states that all of the claims in the corresponding international application satisfy the requirements of novelty, inventive step, and industrial application. A copy of the Written Opinion constituting the latest work product of the Japan Patent Office (JPO) in the corresponding international application is attached, together with an English language translation of the Written Opinion.

Also submitted is a copy of the claims from the corresponding international application which the Written Opinion states satisfy the novelty, inventive step and industrial applicability requirements. These claims are accompanied by an English language translation of the claims.

The English language translation of the Written Opinion and the English language translation of the claims are accompanied by a statement that the English language translations are accurate.

Claims 1-9 in this U.S. national stage application are the same as Claims 1-9 in the corresponding international application, except that Claims 4, 5 and 8 in this U.S. national stage application are amended to eliminate multiple dependencies. New Claims 10-20 are the same as Claims 4, 5, 7, 8, 9, 5, 7, 8, 5, 8 and 9 respectively, except for differences in dependencies.

The accompanying Request includes a claims correspondence table indicating how the claims in this U.S. national stage application correspond to the claims in the corresponding international application.

The documents cited in the Written Opinion are listed in the Information Disclosure Statement filed with this application, and copies of the listed documents, other than the U.S. patents and U.S. patent application publications, are provided.

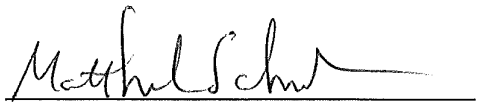
Also submitted is a separate paper discussing the observation in Box VIII of the WO/ISA and explaining why the claims presented in this U.S. national stage application are not subject to that observation.

The Director is hereby authorized to charge any other appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

If any questions arise concerning this matter, the undersigned attorney can be contacted at the telephone number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 9, 2011 By: 

Matthew L. Schneider
Registration No. 32814

Customer No. 21839
703 836 6620

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.:	Unassigned	Filing date:	March 9, 2011
First Named Inventor:	Ryujiro AKIZUKI		
Title of the Invention:	DOOR LOCK 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 the 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/JP2009/065742

The international date of the corresponding PCT application(s) is/are: September 9, 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 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.

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.:	Unassigned
First Named Inventor:	Ryujiro AKIZUKI

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☒ 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)

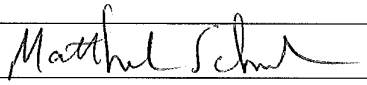
☒ Are attached.

☐ 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	U.S. Claim 1 same as PCT Claim 1 .
2	2	U.S. Claim 2 same as PCT Claim 2.
3	3	U.S. Claim 3 same as PCT Claim 3.
4	4	U.S. Claim 4 same as PCT Claim 4 as dependent upon Claim 2.
5	5	U.S. Claim 5 same as PCT Claim 5 as dependent upon Claim 2.
6	6	U.S. Claim 6 same as PCT Claim 6.
7	7	U.S. Claim 7 same as PCT Claim 7.
8	8	U.S. Claim 8 same as PCT Claim 8 as dependent upon Claim 2.
9	9	U.S. Claim 9 same as PCT Claim 9.
10	4	U.S. Claim 10 same as PCT Claim 4 as dependent upon Claim 3.
11	5	U.S. Claim 11 same as PCT Claim 5 as dependent upon Claim 4.
12	7	U.S. Claim 12 same as PCT Claim 7, but dependent upon Claim 11 .
13	8	U.S. Claim 13 same as PCT Claim 8, but dependent upon Claim 11
14	9	U.S. Claim 14 same as PCT Claim 9, but dependent upon Claim 13.
15	5	U.S. Claim 15 same as PCT Claim 5 as dependent upon Claim 3.
16	7	U.S. Claim 16 same as PCT Claim 7, but dependent upon Claim 5.
17	8	U.S. Claim 17 same as PCT Claim 8 as dependent upon Claim 5.
18	5	U.S. Claim 18 same as PCT Claim 5 as dependent upon Claim 4.
19	8	U.S. Claim 19 same as PCT Claim 8 as dependent upon Claim 3.
20	9	U.S. Claim 20 same as PCT Claim 9, but dependent upon Claim 19.

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

Signature		Date	March 9, 2011
Name (Print/Typed)	Matthew L. Schneider	Registration Number	32,814

Patent
Attorney's Docket No. 1033192-000062

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	Group Art Unit: Unassigned
Ryujiro AKIZUKI et al.	Confirmation No.: Unassigned
Application No.: Unassigned	
Filed: March 9, 2011	
For: DOOR LOCK DEVICE	

DISCUSSION ABOUT OBSERVATION IN BOX VIII OF THE WO/ISA

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

Sir:

Box VIII of the WO/ISA issued in the counterpart international application describes the following observation:

> Claim 9 includes the description of "the base member". However, in case that claim 9 depends on claim 8, which does not depends on claim 1, there is no description of "a base member" before the description of "the base member" . Thus, it is impossible to understand the meaning of "the base member.

This observation appears to contain a typographical error. Claim 9 of the PCT application depends from Claim 8 which in turn depends from Claims 1-5. Claims 3-5 depend, either directly or indirectly, from Claim 2.

The "base member" recited in Claim 9 finds proper support (antecedent basis) in Claim 2. Thus, so long as Claim 9 depends from Claim 8, and Claim 8 depends from Claims 2-5, proper antecedent basis exists for the Claim 9 recitation of the "base member." On the other hand, when considering Claim 9 dependent upon Claim 8, and Claim 8 dependent upon Claim 1, proper antecedent basis does not exists for the Claim 9 recitation of the "base member".

It is thus understood that observation about Claim 9 was intended to be the following observation:

> Claim 9 includes the description of "the base member". However, in case that claim 9 depends on claim 8, which in turn depends on claim 1, there is no description of "a base member" before the description of "the base member" . Thus, it is impossible to understand the meaning of "the base member.

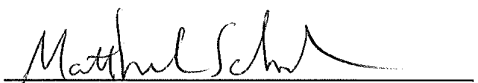
Claim 9 presented in the U.S. national stage application is not subject to the observation described in Box VIII of the WO/ISA because Claim 9 depends from Claim 8, and Claim 8 is amended to depend from Claim 2. Antecedent basis for the Claim 9 recitation of the "base member" thus exists.

New Claims 14 and 20 presented in the Preliminary Amendment filed with this application are the same as Claim 9, but with different dependencies. Claims 14 and 20 are also not subject to the observation in Box VIII of the WO/ISA. The reason is because Claim 14 ultimately depends from Claim 2 by way of Claims 13, 11, 10 and 3, and Claim 20 ultimately depends from Claim 2 by way of Claims 19 and 3.

If any questions arise concerning this matter, the undersigned attorney can be contacted at the telephone number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 9, 2011 By: 

Matthew L. Schneider
Registration No. 32814

Customer No. 21839
703 836 6620

I, Akira Yamada, hereby state that I am knowledgeable in the Japanese and English languages and that the attached document is, to the best of my 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/JP2009/065742 and of the claims attached to that Written Opinion of the International Searching Authority.

January 25, 2011

Date

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)* 22. 12. 2009
Applicant's or agent's file reference P3P2009189	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/065742	09. 09. 2009	29. 09. 2008

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. E05B65/20(2006. 01)i, B60J5/00(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/ Japan Patent Office (ISA/JP) 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915 Facsimile No.	Date of completion of this opinion 07. 12. 2009	Authorized officer Naoya Takagi Telephone No. 03-3581-1101Ext.3285

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/065742

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/JP2009/065742

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 : JP 4132723 B2 (KABUSHIKIKAISHA OHI SEISAKUSHO) 2008. 08. 13, Paragraph [0043]-[0058] & US 6793255 B2 & FR2824862 A1

Document 2 : JP 2005-126923 A (AISHIN SEIKI KABUSHIKI KAISHA) 2005. 05. 19, Paragraph [0062]-[0071]

The invention of Claims 1-9 are not described in any of the documents cited in the International Search Report, and not obvious for one ordinary skilled in the art.

In particular, any of the documents do not disclose a configuration provided with a locking lever being switchable between an unlock position, a lock position, and a double lock position, and such that after the locking lever being moved to the lock position, a drive member pushes a double lock lever, which moves in correspondence with the positions of the locking lever and moves the locking lever to the double lock position when the drive member moves again in the first direction from the neutral position.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/065742

Box No. VI Certain documents cited

1. Certain published documents (Rules 43*bis*.1 and 70.10)

Application No. Patent No.	Publication date *(day/month/year)*	Filing date *(day/month/year)*	Priority date (valid claim) *(day/month/year)*
JP2009-235805 A [E, X]	15. 10. 2009	27. 03. 2008	

2. Non-written disclosures (Rules 43*bis*.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure *(day/month/year)*	Date of written disclosure referring to non-written disclosure *(day/month/year)*

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/065742

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 9 includes the description of "the base member". However, in case that claim 9 depends on claim 8, which does not depend on claim 1, there is no description of "a base member" before the description of "the base member". Thus, it is impossible to understand the meaning of "the base member".

TRANSLATION OF PATENTABLE CLAIMS IN PCT APPLICATION OF PCT/JP2009/065742

1. A door lock device comprising:

a latch mechanism that holds a vehicle door in a state closing a vehicle body, the latch mechanism being operated to be in a state allowing for the vehicle door to open the vehicle body when operation force from a passenger compartment or operation force from outside the passenger compartment is transmitted;

a locking lever linked to the vehicle door and being switchable between an unlock position, a lock position, and a double lock position, the locking lever when arranged at the unlock position allowing the transmission of the operation force from the passenger compartment or the operation force from outside the passenger compartment to the latch mechanism, the locking lever when arranged at the lock position disabling transmission of the operation force from outside the passenger compartment to the latch mechanism and allowing the operation force from the passenger compartment to be applied to the locking lever thereby moving the locking lever to the unlock position, and the locking lever when arranged at the double lock position disabling transmission of the operation force from outside the passenger compartment to the latch mechanism and preventing movement of the locking lever to the unlock position or the lock position even when the operation force from the passenger compartment is applied to the locking lever;

a double lock lever coupled to the locking lever and moved to a first position and a second position respectively corresponding to the unlock position and the lock position of the locking lever;

an electrical drive source;

a drive member linked to the vehicle door and including a first engagement portion engageable with the locking lever and a second engagement portion engageable with the double lock lever, the drive member being driven by the electrical drive source from a neutral position in a first direction and a second direction that is opposite to the first direction; and

a return urging member that returns the drive member to the neutral position when the electrical drive source stops operating;

wherein the drive member is formed to push the locking lever with the first engagement portion and move the locking lever to the lock position while restricting movement of the double lock lever to the second position when the drive member moves from the neutral portion in the first direction in a state in which the locking lever is arranged at the unlock position, and the drive member is formed to disengage from the double lock lever when the drive member subsequently returns to the predetermined neutral position to allow the double lock lever to move to the second position and disengage the first engagement portion from the locking lever; and

the drive member is formed to push the double lock lever, which is located at the second position, with the second engagement portion and move the locking lever to the double lock position when the drive member moves again in the first direction from the neutral position.

2. The door lock device according to claim 1, further comprising:

a base member fixed to the vehicle door; and

a stopper formed on the base member;

wherein the drive member is formed to push the locking lever with the first engagement portion and move the locking lever to the lock position at which the double lock lever engages with the stopper while restricting movement of the double lock lever to the second position when the drive member moves from the neutral portion in the first direction in a state in which the locking lever is arranged at the unlock position, and the drive member is formed to be disengaged from the double lock lever when the drive member subsequently returns to the neutral position to allow the double lock lever to move to the second position; and

the double lock lever is formed to disengage from the stopper when moved to the second position thereby allowing the locking lever to move from the lock position to the double lock position.

3. The door lock device according to claim 2, wherein the base member further includes a guide, and the guide comprises:

the stopper;

a first guide portion formed to guide the double lock lever in a state held at the first position when the locking lever moves from the unlock position to the lock position; and

a second guide portion formed to guide the double lock lever in a state held at the second position when the locking lever moves from the lock position to the double lock position.

4. The door lock device according to claim 2 or 3, wherein the drive member and the locking lever are pivotally supported by the base member so as to be coaxial.

5. The door lock device according to any one of claims 2 to 4, further comprising:

two hooking projections arranged next to each other on the locking lever; and

a holding member supported on the base member;

wherein the holding member is formed to elastically clamp a different number of the hooking projections in correspondence with each of the unlock position, the lock position, and the double lock position of the locking lever.

6. The door lock device according to claim 3, wherein the first guide portion and the second guide portion are arc-shaped.

7. The door lock device according to claim 5, wherein the two hooking projections are integrated with each other by connecting their adjacent peripheral portions.

8. The door lock device according to any one of claims 1 to 5, further comprising:

an inside lever linked to the vehicle door and receiving the operation force from the passenger compartment; and

a cancel lever linked to the inside lever and including a third engagement portion engageable with the locking lever;

wherein the locking lever is pushed by the third engagement portion of the cancel lever to move to the unlock position when the inside lever receives the operation force from the passenger compartment in a state arranged at the lock position; and

the locking lever is disengaged from the third engagement portion of the cancel lever so that the locking lever does not move when located at the double lock

position.

9. The door lock device according to claim 8, wherein the inside lever is supported by the base member to be pivotal about a rotation axis when arranged at an initial pivot position.

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.
13/063,126	03/09/2011	Ryujiro Akizuki	1033192-000062	1273

21839 7590 05/13/2011
BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER	
ART UNIT	PAPER NUMBER
3673	

NOTIFICATION DATE	DELIVERY MODE
05/13/2011	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):

ADIPFDD@bipc.com
offserv@bipc.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

MAY 12 2011

BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA VA 22313-1404

In re application of : **DECISION ON REQUEST TO**
Akizuki et al. : **PARTICIPATE IN PATENT**
Application No. 13/063,126 : **PROSECUTION HIGHWAY**
Filed: March 09, 2011 : **PROGRAM AND PETITION**
For: DOOR LOCK 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 March 09, 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 preliminary amendment filed on March 09, 2011 and the petition being properly submitted via EFS-Web as is required, 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

MB/MB: 05/12/11

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.
13/063,130	05/23/2011	Johann Kubicek	0069-QI01-US1	1294

91436 7590 03/29/2012

Fanelli Haag & Kilger PLLC
1909 K Street, N.W., Suite 1120
Washington, DC 20006

EXAMINER	
LEVKOVICH, NATALIA A	
ART UNIT	PAPER NUMBER
1773	
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
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Fanelli Haag & Kilger PLLC
1909 K Street, N.W., Suite 1120
Washington DC 20006

Applicant: Kubicek et al.
Appl. No.: 13/063,130
Filing Date: May 23, 2011
Title: REACTION VESSEL FOR CRYSTALLIZING A SAMPLE FROM A SOLUTION
Attorney Docket No.: 0069-QI01-US1
Pub. No.: US 2011/0229381 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 7, 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: 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
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 IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/063,191	Filing date:	March 9, 2011
First Named Inventor:	Paul M. Lesley		
Title of the Invention:	Gaming Machine With Improved Lighting Arrangement		

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/US2009/061128

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

October 19, 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-US (09-10)
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 IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/063,191
First Named Inventor:	Paul M. Lesley

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 9, 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 March 9, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-26	1-26	Identical

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 07/07/2011
Name (Print/Typed) Jason S. Kray	Registration Number 66,926

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.

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 PRELIMINARY EXAMINING AUTHORITY

To:
DANIEL J. BURNHAM
NIXON PEABODY LLP
300 S. RIVERSIDE PLAZA
16TH FLOOR
CHICAGO, IL 60606-6613

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	14 MAR 2011

Applicant's or agent's file reference	IMPORTANT NOTIFICATION
247079-597WO	

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US09/61128	19 October 2009 (19.10.2009)	21 October 2008 (21.10.2008)

Applicant

WMS GAMING INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/ US	Authorized officer
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	Paul D'Agostino
Facsimile No.	Telephone No. (571) 272-3700

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 247079-597WO	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/US09/61128	International filing date *(day/month/year)* 19 October 2009 (19.10.2009)	Priority date *(day/month/year)* 21 October 2008 (21.10.2008)
International Patent Classification (IPC) or national classification and IPC IPC: **G06F 17/00**(2006.01),**19/00**(2011.01) USPC: 463/42		
Applicant WMS GAMING INC.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☑ *(sent to the applicant and to the International Bureau)* a total of 8 sheets, as follows:
      ☐ 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 Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) _____ , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. 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

Date of submission of the demand	Date of completion of this report
08 July 2010 (08.07.2010)	08 March 2011 (08.03.2011)
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No.	Authorized officer Paul D'Agostino Telephone No. (571) 272-3700

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US09/61128

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into English, which is the language of a translation furnished for the purposes of:

☐ international search (under Rules 12.3(a) and 23.1(b))

☐ publication of the international application (under Rule 12.4(a))

☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ the international application as originally filed/furnished

☒ the description:
pages 1-19 as originally filed/furnished
pages* NONE received by this Authority on _____
pages* NONE received by this Authority on _____

☒ the claims:
pages 20-24 as originally filed/furnished
pages* NONE as amended (together with any statement) under Article 19
pages* NONE received by this Authority on _____
pages* NONE received by this Authority on _____

☒ the drawings:
pages 1-8 as originally filed/furnished
pages* NONE received by this Authority on _____
pages* NONE received by this Authority on _____

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to the sequence listing (*specify*): _____

5. ☐ This report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).

* *If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US09/61128

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-26	YES
	Claims NONE	NO
Inventive Step (IS)	Claims 1-26	YES
	Claims NONE	NO
Industrial Applicability (IA)	Claims 1-26	YES
	Claims NONE	NO

2. Citations and Explanations (Rule 70.7)

1. Claims 1-25 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest emotive lighting as claimed by Applicant.

2. Claims 1-25 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

---------- NEW CITATIONS ----------

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

CLAIMS:

What is claimed is:

1. A gaming machine comprising:

a cabinet frame for containing various components, the cabinet frame having a cabinet surface visible to and facing a player position in front of the gaming machine;

at least one display mounted to the cabinet frame and being configured to display a randomly selected outcome from a wagering game, the randomly selected outcome being selected from a plurality of outcomes in response to receiving a wager input from the player; and

at least one emotive lighting area integrated with the cabinet frame on the cabinet surface and positioned proximate the display, the emotive lighting area being separate from the display and including a light source and a reflective surface, each of the light source and the reflective surface being concealed within the cabinet frame such that they are not viewable from the player position, the reflective surface being configured to receive light directly from the light source and to reflect the light to a viewable area.

2. The gaming machine of claim 1, wherein the viewable area is a diffusion surface.

3. The gaming machine of claim 2, wherein the diffusion surface is an area of the cabinet surface.

4. The gaming machine of claim 2, wherein the diffusion surface includes a low reflective metallic finish material.

5. The gaming machine of claim 4, wherein the low reflective metallic finish material is a satin chrome material.

6. The gaming machine of claim 4, wherein the low reflective metallic finish material is a coating applied to the cabinet surface.

7 The gaming machine of claim 1, wherein the reflective surface includes a mirror-quality reflective material.

8. The gaming machine of claim 1, wherein the emotive lighting area further includes a transparent member configured to enclose the light source and the reflective surface within the cabinet frame.

9. The gaming machine of claim 8, wherein the transparent member includes a highly-transmissive material.

10. The gaming machine of claim 8, wherein the transparent member includes a transparent chrome material.

11. The gaming machine of claim 8, wherein the transparent member includes a coating of up to 75% of mirror-reflective material.

12. The gaming machine of claim 1, wherein the light source includes a plurality of light-emitting diodes.

13. A gaming machine comprising:

a cabinet;

a display mounted to the cabinet and being configured to display a randomly selected outcome from a wagering game, the randomly selected outcome being selected from a plurality of outcomes in response to receiving a wager input; and

a plurality of diffuse lighting areas integrated with the cabinet and positioned alongside the display, the diffuse lighting areas including

a first light source concealed from plain sight within the cabinet,

a first reflective surface concealed from plain sight within the cabinet and configured to directly receive light from the first light source, and

a diffusion surface positioned in plain sight and configured to directly receive light from the first reflective surface, the diffusion surface being part of a cabinet surface; and

a transparent chrome area integrated with the cabinet and positioned alongside the display, the transparent chrome area including

a second light source concealed from plain sight within the cabinet,

a second reflective surface concealed from plain sight within the cabinet and configured to directly receive light from the second light source, and

a transparent member configured to enclose the second light source and the second reflective surface within the cabinet, the transparent member including a chrome

coating such that the second light source is concealed from plain sight when the second light source is deactivated and only some emitted light is transmitted when the second light source is activated.

14. The gaming machine of claim 13, wherein the plurality of diffuse lighting areas are positioned in one or more of generally vertical positions and horizontal positions alongside the display, the transparent chrome area being positioned generally perpendicular to the plurality of diffuse lighting areas in one of the generally vertical positions and horizontal positions.

15. The gaming machine of claim 13, further comprising an emotive lighting controller coupled to the first light source and the second light source, the emotive lighting controller being operative to control each light source individually.

16. The gaming machine of claim 13, wherein at least one of the first light source and the second light source includes an array of light-emitting diodes.

17. A gaming machine comprising:

a cabinet;

a display mounted to the cabinet and being configured to display a randomly selected outcome from a wagering game, the randomly selected outcome being selected from a plurality of outcomes in response to receiving a wager input; and

a plurality of diffuse lighting areas integrated with the cabinet, each of the diffuse lighting areas including

a light source for emitting light,

a reflective surface for receiving the emitted light, the reflective surface being positioned within the cabinet such that the reflective surface redirects the emitted light towards a diffusion surface, and

the diffusion surface being part of a cabinet surface and configured to diffuse light received from the reflective surface such that the diffuse light is visible outside the cabinet.

18. The gaming machine of claim 17, further comprising a controller coupled to and operative to control each light source for creating light shows in a single wagering game.

19. The gaming machine of claim 18, wherein the controller is a dedicated controller for controlling only light sources.

20. The gaming machine of claim 18, wherein the diffusion surface includes a low reflective metallic finish material.

21. The gaming machine of claim 18, wherein the reflective surface includes a mirror-quality reflective material.

22. A gaming machine comprising:

a cabinet;

a display mounted to the cabinet and being configured to display a randomly selected outcome from a wagering game, the randomly selected outcome being selected from a plurality of outcomes in response to receiving a wager input; and

a transparent lighting area integrated with the cabinet and including

a light source mounted within an interior area of the cabinet,

at least one reflective surface mounted proximate the light source within the interior area of the cabinet; and

a transparent chrome member mounted generally flush with a cabinet surface to cover the light source and the reflective surface, the transparent chrome member having a coating of up to 75% of chrome material to provide a two-way mirror effect in which ambient light is reflected when the interior area is dark and in which light from the interior area is visible when the light source is activated.

23. The gaming machine of claim 22, further comprising a controller coupled to the light source and being operative to synchronize output of light with features shown on the display.

24. A gaming system of interconnected gaming machines for playing a wagering game, each of the gaming machines comprising:

a display mounted to a gaming cabinet;

a game controller coupled to the display and operative to cause the displaying of a randomly selected event in a wagering game;

a diffuse lighting area integrated with the cabinet and including

a light source for emitting light,

a reflective surface for receiving the emitted light, the reflective surface being positioned within the cabinet such that the reflective surface redirects the emitted light towards a diffusion surface, and

the diffusion surface being part of a cabinet surface and configured to diffuse light received from the reflective surface such that the diffuse light is visible outside the cabinet; and

an emotive lighting controller coupled to the light source and to the game controller, the emotive lighting controller being operative to synchronize colors and light shows displayed on the display and in the diffuse lighting area based on the event in the wagering game.

25. The gaming system of claim 24, wherein the emotive lighting controller of each one of the interconnected gaming machines is synchronized such that a light show can be run across all the interconnected gaming machines.

26. The gaming system of claim 24, wherein only one emotive lighting controller serves as a master controller.

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.
13/063,191	03/09/2011	Paul M. Lesley	247079-000597USPX	1907

70243 7590 07/13/2011

NIXON PEABODY LLP
300 S. Riverside Plaza
16th Floor
CHICAGO, IL 60606

EXAMINER	
ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
07/13/2011	PAPER

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

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

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

NIXON PEABODY LLP
300 S. Riverside Plaza
16th Floor
CHICAGO IL 60606

In re Application of:	DECISION ON A REQUEST TO
LESLEY, PAUL M.	PARTICIPATE IN PCT/PATENT
Serial No.: 13/063191	PROSECUTION HIGHWAY
Filed: March 9, 2010	PROGRAM AND PETITION
Attorney Docket No. : 247079-000597USPX	TO MAKE SPECIAL UNDER
Title: GAMING MACHINE WITH IMPROVED LIGHTING ARRANGEMENT	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 7, 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 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.

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

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.
13/063,208	03/10/2011	Kouichi Kinoshita	IWI-34373	1172

7609 7590 07/20/2011

RANKIN, HILL & CLARK LLP
23755 Lorain Road - Suite 200
North Olmsted, OH 44070-2224

EXAMINER	
ART UNIT	PAPER NUMBER
1615	

MAIL DATE	DELIVERY MODE
07/20/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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 44070-2224

In re Application of	:	DECISION ON REQUEST TO
KINOSHITA ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/063,208	:	PROSECUTION HIGHWAY
Filed: March 10, 2011	:	PROGRAM AND PETITION
Attorney Docket No. IWI-34373	:	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 June 7, 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 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) The JPO application(s) have at least one claim that was determined by the JPO to be allowable/patentable;
(3) All the claims in each U.S. application for which a request for participation in the PPH program is made must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claims in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the Office action from the JPO application just prior to the "Decision to Grant a Patent" (e.g., the latest "Notification of Reasons for Refusal") from each of the JPO application(s) containing the allowable/patentable claims that are the basis for the request, along with an English translation thereof and a statement that the English translation is accurate;

(6) Applicant must submit a copy of the allowable/patentable claims from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
(7) Applicant must submit a claim correspondence table in English; and
(8) Applicant must submit an information disclosure statement (IDS) listing the documents cited by the JPO examiner in the JPO office action (unless such an IDS has already been filed in the U.S. 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.

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 at the http://www.uspto.gov/ebc/index.html.

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

Cecilia Tsang
Supervisory Patent Examiner
TC 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

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

MAILED
MAY 23 2011
OFFICE OF PETITIONS

In re Application of	:	
Bottger et al.	:	
Application No. 13/063,279	:	ON PETITION
Filed: March 10, 2011	:	
Attorney Docket No. 148527	:	

This is a decision on the petition under 37 C.F.R. § 1.182, filed April 7, 2011, to change the name of an inventor.

The petition is **GRANTED.**

The name will be changed from Jutta MEIER to Jutta KRABBE.

A Corrected Filing Receipt, reflecting the above name change, is enclosed.

This matter is being directed to Technology Center AU 1786 for examination on the merits of the application.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3206. All other inquiries should be directed to the Technology Center.

/Liana Walsh/
Liana Walsh
Petitions Examiner
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
13/063,279	03/10/2011	1786	980	148527	15	1

CONFIRMATION NO. 1544

CORRECTED FILING RECEIPT

25944
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

OC000000047735708

Date Mailed: 05/19/2011

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)

Christian Bottger, Remscheid, GERMANY;
Jutta Krabbe, Wuppertal, GERMANY;

Assignment For Published Patent Application

TEIJIN ARAMID GMBH, Wuppertal, DE

Power of Attorney: The patent practitioners associated with Customer Number 25944

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP09/61338 09/02/2009

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.)
EUROPEAN PATENT OFFICE (EPO) 08164023.7 09/10/2008

If Required, Foreign Filing License Granted: 03/24/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/063,279**

Projected Publication Date: 07/07/2011

Non-Publication Request: No

Early Publication Request: No

Title

PENETRATION-RESISTANT ARTICLE

Preliminary Class

428

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).

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

KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON DC 20005

MAILED
MAR 09 2012
OFFICE OF PETITIONS

In re Application of
Tetsuya TAIRA et al.
Application No.: 13/063,310
Filed: March 10, 2011
Attorney Docket No.: 14372/35
For: VEHICLE AND ITS CONTROL METHOD

: 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 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 /

Thurman K. Page
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.
13/063,375	03/10/2011	Akinori Takagi	10873.2473USWO	2245

52835 7590 10/12/2011

HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS, MN 55402-0902

EXAMINER	
KHAN, AMINA S	

ART UNIT	PAPER NUMBER
1764	

MAIL DATE	DELIVERY MODE
10/12/2011	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.

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 :
Akinori Takagi et. al. : WITHDRAWAL
Serial No. 13/063,375 : FROM ISSUE
Filed: March 10, 2011 :

OCT 19 2011

For: **METHOD FOR PRODUCING: MODIFIED ANIMAL FIBER:**

The above-identified application is withdrawn from issue after payment of the issue fee due to unpatentability of one or more claims. See 37 CFR 1.313 (b).

The above-identified application is hereby withdrawn from issue.

The issue fee is refundable upon written request. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

Telephone inquiries should be directed to Vasu Jagannathan at 571-272-1119.

The above-identified application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

Yvonne Eyler

Yvonne Eyler, Director
Technology Center 1700
Chemical and Materials Engineering

HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P. O. Box 2902
Minneapolis, MN 55402-0902
UNITED STATES

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

POTOMAC PATENT GROUP PLLC
P. O. BOX 270
FREDERICKSBURG VA 22404

MAILED

JUN 24 2011

PCT LEGAL ADMINISTRATION

In re Application of
BALDEMAIR et al
Application No.: 13/063,376
PCT No.: PCT/SE11/050226
Int. Filing Date: 28 February 2011
Priority Date: 04 May 2010
ATTY Docket No.: 0110-533/P31953US3
For: **POWER HEADROOM REPORTING FOR CARRIER AGGREGATION**

DECISION ON PETITION

This decision is in response to applicant's PETITION TO VACATE ABANDONMENT with regards to application serial number 13/063,376. The petition has been considered UNDER 37 C.F.R. 1.181 and was filed in the United States Patent and Trademark Office (USPTO) on 12 June 2011.

BACKGROUND

On 28 February 2011, applicant filed international application, PCT/SE11/050226, with a priority claim dating back to 04 May 2010.

The thirty-month period for paying the basic national filing fee in the United States will expire on 04 November 2012.

On 11 May 2011, the application cited above was abandoned for lack of paying the basic national filing fee prior to the end the 30 month period.

On 12 June 2011, applicant filed the present petition to vacate the abandonment of the above cited application due to the abandonment notice being given prematurely, as the 30 month due date had not lapsed. Applicant also submitted the national filing fee as well as the completed Declaration on 12 June 2011.

DISCUSSION

As the national filing fee was paid within the 30 month period. The above cited application should not have been abandoned.

CONCLUSION

The petition under is **GRANTED.**

It is noted that the international application has not yet been published by WIPO and applicant has not submitted a complete copy of the international application (which includes the originally filed PCT Request form) as required under 35 U.S.C. 371 (c)(2). Accordingly, applicant has not fulfilled the requirements for early commencement, and no further processing will be undertaken at this time. The application is being returned to the United States Designated/Elected Office (DO/EO/US) to resume processing after commencement of the US national stage.

Gwendolyn Blackwell
PCT Legal Detailee
Office of PCT Legal Administration
Tel: (571) 272-6094

Boris Milef
PCT Legal Examiner
Office of PCT Legal Administration

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:	Not Yet Assigned	Filing date:	Concurrently Herewith
First Named Inventor:	Aaron D. Strickland		
Title of the Invention:	CONFORMAL PARTICLE COATINGS ON FIBER MATERIALS FOR USE IN SPECTROSCOPIC METHODS FOR DETECTING TARGETS OF INTEREST AND METHODS BASED THEREON		

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/US2010/029438

The international filing date of the corresponding PCT application(s) is/are: March 31, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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.:	Not Yet Assigned
First Named Inventor:	Aaron D. Strickland

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-4	1-4	Identical
6-17	6-17	Identical
18	18	18 amended to correct typo; now depends from 17 rather than 18
20	20	Identical
22	22	Identical
27-37	27-37	Identical
40-41	40-41	Identical
49-50	49-50	Identical
53	53, 54	53 amended to incorporate limitations of claim 54
60-61	60-61	Identical

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

Signature /Anne M. Schneiderman 43,095/	Date March 10, 2011
Name (Print/Typed) Anne M. Schneiderman	Registration Number 43,095

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.
13/063,409	03/10/2011	Franck Mouthon	3493-0305PUS1	2490

2292 7590 01/10/2012
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
SOROUSH, LAYLA	
ART UNIT	PAPER NUMBER
1627	

NOTIFICATION DATE	DELIVERY MODE
01/10/2012	ELECTRONIC

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

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

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

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

Applicant: Mouthon et al.
Appl. No.: 13/063,409
Filing Date: March 10, 2011
Title: USE OF ANTI-CONNEXIN AGENTS FOR MODULATING THE THERAPEUTIC EFFECT OF PSYCHOTROPIC DRUGS
Attorney Docket No.: 3493-0305PUS1
Pub. No.: US 2011/0172188 A1
Pub. Date: July 14, 2011

This is a decision on the request for republication of patent application publication under 37 CFR 1.221(a), filed on December 11, 2011, 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**. In addition, the applicant has not provided a copy of the application papers for publication purposes. 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

02 FC:1504 300.00 CR

01/13/2012 KKING1 00000002 022448 13063409
01 FC:1803 130.00 DA

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.
13/063,409	03/10/2011	Franck Mouthon	3493-0305PUS1	2490

2292 7590 02/03/2012
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
SOROUSH, LAYLA	
ART UNIT	PAPER NUMBER
1627	

NOTIFICATION DATE	DELIVERY MODE
02/03/2012	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):

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

Applicant: Mouthon et al.
Appl. No.: 13/063,409
Filing Date: March 10, 2011
Title: USE OF ANTI-CONNEXIN AGENTS FOR MODULATING THE THERAPEUTIC EFFECT OF PSYCHOTROPIC DRUGS
Attorney Docket No.: 3493-0305PUS1
Pub. No.: US 2011/0172188 A1
Pub. Date: July 14, 2011

This is a decision on the request for republication of patent application publication under 37 CFR 1.221(a), filed on January 23, 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

Adjustment date: 02/03/2012 KKING1
01/24/2012 INTEFSW 00002738 022448 13063409
01 FC:1504 300.00 CR

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

PTO/SB/20PCT-AT (10-10)
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 AUSTRIAN PATENT OFFICE (APO) AND THE USPTO

Application No:	13/063,422	Filing date:	March 10, 2011
First Named Inventor:	Fred T. Parker		
Title of the Invention:	CATHETER TIP 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/US2009/057443

The international filing date of the corresponding PCT application(s) is/are: September 18, 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)**

[X] 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.

[X] 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-AT (10-10)
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 APO AND THE USPTO

(continued)

Application No.:	13/063,422
First Named Inventor:	Fred T. Parker

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.**

[X] 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)

[X] 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	Claims in US Application are unchanged from PCT.

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

Signature /Richard E. Stanley, Jr./	Date August 22, 2011
Name (Print/Typed) Richard E. Stanley, Jr.	Registration Number 45,662

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.
13/063,422	07/15/2011	Fred T. Parker	8627/3097 PA-6501-PCT/US	2590

48003 7590 09/23/2011

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
PO BOX 10395
CHICAGO, IL 60610

EXAMINER	
ART UNIT	PAPER NUMBER
3767	

MAIL DATE	DELIVERY MODE
09/23/2011	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

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
PO BOX 10395
CHICAGO IL 60610

In re Application of:	DECISION ON A REQUEST TO
PARKER, FRED T.	PARTICIPATE IN PATENT
Serial No.: 13/063,422	PROSECUTION HIGHWAY
Filed: March 10, 2011	PROGRAM AND PETITION
Attorney Docket No. : 8627/3097 PA-6501-PCT/US	TO MAKE SPECIAL UNDER
Title: CATHETER TIP ASSEMBLY	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 Aug. 22, 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 validly claim priority under 35 U.S.C. 119(a) to one or more corresponding application(s) filed in the APO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the APO 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 APO 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 APO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit IDS listing the documents cited by the APO examiner in the APO 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 met all conditions except Item #5 above.

The petition does not include any APO Office action and search report showing any positive search opinion regarding the patentability of claims 1-20. An Office action and/or search opinion showing the patentability of claims 1-20 are required.

Applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

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.

Petition is **dismissed**.

/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:	13/063,422	Filing date:	July 15, 2011
First Named Inventor:	Fred T. Parker		
Title of the Invention:	CATHETER TIP 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/US2009/057443

The international filing date of the corresponding PCT application(s) is/are: September 18, 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.:	13/063,422
First Named Inventor:	Fred T. Parker

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 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 August 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	Claims in US application are unchanged from PCT.

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

Signature /Richard E. Stanley, Jr./	Date October 24, 2011
Name (Print/Typed) Richard E. Stanley, Jr.	Registration Number 45,662

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 27 2012

OFFICE OF PETITIONS

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
P.O. BOX 10395
CHICAGO IL 60610

In re Application of
Fred T. Parker et al
Application No.: 13/063,422
Filed: July 15, 2011
Attorney Docket No.: 8627/3097
For: CATHETER TIP 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 on October 24, 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), (3-5), and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (6).

Regarding requirement (6), applicant has failed to provide a copy of Written Opinion (PCT/ISA/237).

Regarding requirement (2), it cannot be determined whether requirement (2) has been met since applicant has failed to submit a copy of the Written Opinion (PCT/ISA/237).

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 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.

David Bucci
Petitions Examiner
Office of Petition

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: March 8, 2012 Name: Richard E. Stanley, Jr. (Reg. 45,662) Signature: /Richard E. Stanley, Jr./

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Fred T. Parker et al.		
Appln. No.:	13/063,422	Examiner: TBD
Filed:	March 10, 2011	Art Unit: TBD
For:	CATHETER TIP ASSEMBLY	Conf. No.: 2590
Attorney Docket No.: 8627/3097 (PA-6501-PCT/US)		

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

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the Decision on a Request To Participate in Patent Prosecution Highway Program and Petition to Make Special Under CFR 1.102(a) issued February 27, 2012, Applicant is herewith submitting the latest international work product from the PCT application indicating the claims(s) have novelty, inventive step, and industrial applicability (Written Opinion (PCT/ISA/237)) to put this request in order. The written opinion will satisfy the requirements No. 2 and No. 6. As noted on the Decision, Requirements 1, 3-5, and 7-8 are considered to have been met.

No other forms listed on the attached Request for Participation in the PCT-PPH Pilot Program Between the European Patent Office and the USPTO are included as Applicant believes all forms previously submitted are in order.

Applicant further believes no fees are due, however the Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925.

Respectfully submitted,

Dated: March 8, 2012

/Richard E. Stanley, Jr./
Richard E. Stanley, Jr., Reg. No. 45,662
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
PO BOX 10395
CHICAGO, IL 60610
(312) 321-4200

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

APR 02 2012

OFFICE OF PETITIONS

BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
P.O. BOX 10395
CHICAGO IL 60610

In re Application of
Fred T. Parker et al
Application No.: 13/063,422
Filed: July 15, 2011
Attorney Docket No.: 8627/3097
For: CATHETER TIP 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 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 October 24, 2011 and supplemented on March 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, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

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

The decision mailed February 27, 2012 is hereby vacated as of the mailing date of this decision.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/SDB/

Sherry D. Brinkley
Petition Examiner
Office of Petitions