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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/075,715	03/30/2011	Carl A. Holland	HOLLAND	2253

42795 7590 06/24/2011

CALHOUN "REB" THOMAS, III
1201 MAIN STREET, SUITE 1750
COLUMBIA, SC 29201

EXAMINER	
BENNETT, GEORGE B	
ART UNIT	**PAPER NUMBER**
2841	

MAIL DATE	DELIVERY MODE
06/24/2011	PAPER

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

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

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CALHOUN "REB" THOMAS, III
1201 MAIN STREET, SUITE 1750
COLUMBIA SC 29201

In re Application of:
HOLLAND, Carl A.
Serial No.: 13/075715
Filed: 30 March 2011
Title: **METHOD AND DEVICE FOR MEASURING THE INCLINATION OF A ROADWAY**

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) filed 30 March 2011.

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

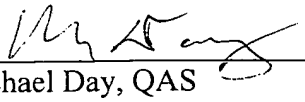
On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.



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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jacob Johannes NIES	)
Confirmation No.: 2304	)
	)
Serial No.: 13/075,742	)
	)
Filing Date: 03-30-2011	)
	)
Atty Docket No.: 248314-1	)

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

Statement Concerning the Basis for the Special Status

SIR:

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

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

Respectfully submitted,

General Electric Company

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

Dated: May 23, 2011

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

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 248314-1	Application Number (if known): 13/075,742	Filing date: 03-30-2011

First Named Inventor: Jacob Johannes NIES

Title: TRANSPORT FRAME FOR NACELLE/ROTOR HUB UNIT OF A WIND TURBINE, METHOD OF TANSPORTING AND MOUNTING A NACELLE/ROTOR HUB UNIT

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

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

1. By filing this petition:

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

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

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

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

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

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

Signature /Allison W. Mages/	Date May 23, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

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

☐ *Total of _____ forms are submitted.

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

Privacy Act Statement

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/075,742	03/30/2011	Jacob Johannes NIES	248314_1	2304

52082 7590 06/22/2011

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER	
ACKUN, JACOB K	

ART UNIT	PAPER NUMBER
3728	

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):

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

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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
VAN DER BOS, ROELANT	:	DECISION ON PETITION
Application No. 13/075,742	:	TO MAKE SPECIAL UNDER
Filed: Mar. 30, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247876_1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 23, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

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(s) 4. The nacelle does not satisfy items 3(A) or 3(B) above, and because materiality is not met, this petition must be dismissed for failure to contain an accompanying statement explaining how materiality is met.

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 3728 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jacob Johannes NIES	)
	)
Confirmation No.: 2304	)
	)
Serial No.: 13/075,742	)
	)
Filing Date: 03-30-2011	)
	)
Atty Docket No.: 248314_1	)

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

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 22 June 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Application's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special under the Green Technology Pilot Program (hereinafter "the Decision") alleges that the nacelle does not satisfy items 3(A) or 3(B), i.e., that 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, because materiality is not met. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that the present invention is generally directed to methods and systems for transporting and mounting of wind turbine rotor hubs, and more particularly, to methods and systems for transporting and mounting wind turbine rotor hubs for offshore or nearshore wind turbines. (see at least paragraph [0001]).

Wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, and wind turbines have gained increased attention in this regard. While wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, the availability of wind energy as a viable power generating option heavily depends on the cost/benefit economics of wind energy. As such, it is important that the cost of producing the energy, including maintenance and repair of the wind turbine components, cannot outweigh the benefits.

As the size of wind turbines, in particular, the length of the tower and the rotor blades, increased in recent years, transportation and mounting of wind turbine components becomes more difficult. The problem of transportation and mounting of wind turbine components is particularly complex in the case of offshore sites where wind turbines are erected in water, e.g. in the sea or in a lake. (See at least paragraphs [0002] and [0003]). Despite these complexities, offshore wind turbines are desirable because they provide favorable wind conditions due to the lack of obstruction for wind currents

Embodiments disclosed herein facilitate the stable and secure loading, transport and installation of wind turbine components, particularly to offshore or nearshore erection site. Embodiments of the present invention also require less loading area on a

vehicle for nacelle/rotor hub units, and may allow such a vehicle to transport a greater number of nacelle/rotor hub units within the same loading area. Additionally, embodiments of the present invention allow the installation in a single process of the complete nacelle/rotor hub unit with all the blades already assembled. This results in considerable time saving compared to procedures in which first the nacelle is lifted and installed at the tower top, then the rotor hub is mounted to the nacelle, and finally the blades are lifted and installed one by one. (See at least paragraphs [0043] and [0047]).

Embodiments of the present invention materially contribute to the development of renewable energy by significantly reducing wind turbine installation costs, thus increasing the availability of wind energy as a viable power generating option. Furthermore, embodiments of the present invention facilitate the transportation of wind turbine components to and the erection of wind turbines at offshore or nearshore sites where favorable wind conditions exist. These measures promote increased energy production.

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

Respectfully submitted,

General Electric Company

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

Dated: July 22, 2011

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/075,742	03/30/2011	Jacob Johannes NIES	248314_1	2304

52082 7590 08/19/2011

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER	
ACKUN, JACOB K	

ART UNIT	PAPER NUMBER
3728	

NOTIFICATION DATE	DELIVERY MODE
08/19/2011	ELECTRONIC

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

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

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

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

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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

AUG 19 2011

In re Application of :
Jacob J. Nies :
Application No. 13/075,742 :
Filed: March 30, 2011 :
Attorney Docket No. 248314_1 :

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

This is a decision on the petition under 37 CFR 1.102, filed July 22, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **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

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:	13/075,757	Filing date:	March 30, 2011
First Named Inventor:	SVATOBOJ OTRUBA		
Title of the Invention:	EXTRUSION APPLICATION 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/US2011/030462 claims the benefit of 61/319, 960
13/075,757 claims the benefit of 61/319, 960

The international filing date of the corresponding PCT application(s) is/are: March 30, 2011

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
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.:	13/075,757
First Named Inventor:	SVATOBOJ OTRUBA

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 July 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 July 18, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	2	Amended to include the limitations of claim 2
3	2	Depends from claim 1
4	2	Depends from claim 1
5	2	Depends from claim 1
6	2	Depends from claim 5
7	2	Depends from claim 5
8	2	Depends from claim 5
2, 9-32		cancelled

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

Signature /Kevin J. Heinl/	Date November 22, 2011
Name (Print/Typed) Kevin J. Heinl	Registration Number 29,805

Privacy Act Statement

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

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

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

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FEB 21 2012

OFFICE OF PETITIONS

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD MI 48075

In re Application of
OTRUBA, et al
Application No.: 13/075,757
Filed: March 30, 2011
Attorney Docket No.: BHLS 0101 PUSP
For: EXTRUSION APPLICATION 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 November 22, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, Australia, Austria, Russia, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

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

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

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

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

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

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LOCKE LORD BISSELL & LIDDELL LLP
600 TRAVIS SUITE 2800
HOUSTON TX 77002-3095

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MAR 29 2012

OFFICE OF PETITIONS

In re Application of
Joseph Byron Davis
Application No. 13/075,794
Filed: March 30, 2011
Attorney Docket No. 0023453-008US

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 March 13, 2012.

The request is **not approved.**

The Office will no longer approve requests from practitioners to withdraw from applications where the requesting practitioner is acting, or has acted, in a representative capacity pursuant to 37 CFR 1.34. In these situations, the practitioner is responsible for the correspondence the practitioner files in the application while acting in a representative capacity. As such, there is no need for the practitioner to obtain the Office's permission to withdraw from representation. However, practitioners acting in a representative capacity, like practitioners who have a power of attorney in the application, remain responsible for noncompliance with 37 CFR 1.56, as well as 37 CFR 10.18, with respect to documents they file.

A review of the file record indicates that D. Brit Nelson, and attorneys/agents associated with customer number 22904, do not have power of attorney, but has acted in a representative capacity in this patent application. See 37 C.F.R. § 10.40.

The request to change the correspondence address should be that of the: (1) the first named signing inventor; or (2) an assignee of the entire interest under 37 C.F.R 3.71. If an assignee has intervened in this application then a Statement under 37 CFR 3.73(b), or a copy of the actual assignment must be submitted along with a change of correspondence address if desired, using Form No. PTO/SB/122.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-4618

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 205833-1	Application Number (if known): 13/075795	Filing date: 03-30-2011

First Named Inventor: Anurag Gupta

Title: MICROSTRUCTURES FOR REDUCING NOISE OF A FLUID DYNAMIC STRUCTURE

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

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

1. By filing this petition:

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

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

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

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

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

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

Signature /Allison W. Mages/	Date June 1, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

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

☐ *Total of _____ forms are submitted.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Anurag Gupta	)
Confirmation No.: 2390	)
	)
Serial No.: 13/075,795	)
	)
Filing Date: 03-30-2011	)
	)
Atty Docket No.: 205833-1	)

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

Statement Concerning the Basis for the Special Status

SIR:

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

Applicant respectfully submits that the present invention is directed to a fluid dynamic structure that includes a surface and a microstructure mounted on the surface.

In fluid dynamics, turbulence or turbulent flow is a fluid regime characterized by chaotic, stochastic property changes. This includes low momentum diffusion, high momentum convection, and rapid variation of pressure and velocity in space and time. Turbulence causes the formation of eddies of many different length scales. Most of the kinetic energy of the turbulent motion is contained in the large-scale structures. The energy "cascades" from these large scale structures to smaller scale structures by an inertial and essentially inviscid mechanism. This process continues creating smaller and smaller structures that

produces a hierarchy of eddies. Eventually this process creates structures that are small enough that molecular diffusion becomes important and viscous dissipation of energy finally takes place. The scale at which this happens is the Kolmogorov length scale.

The interaction of the energetic eddies with the walls of a fluid dynamic structure creates broadband noise. For example, eddies from the turbulent boundary layer flow scatter are a significant source of noise when traveling past the trailing edge of airfoils. When a lifting airfoil moves through a turbulent stream, an unsteady pressure field develops around the airfoil, which produces acoustic waves that manifest into broadband noise. Such phenomena can readily be identified in nearly all types of vehicles, as well as wind turbines, the results of which can be quite troublesome. Wind turbine noise, for example, limits their public acceptance as well as the growth of the rotor to extract more renewable energy from the earth's wind resources; boundary layer noise, i.e,, the interaction of turbulence in the boundary layers of the wind turbine blades with the airfoil surface, is one of the primary sources of wind turbine noise. Thus, there is a wide-spread need to reduce noise produced by the interaction of eddies with the fluid dynamic structure.

Embodiments disclosed in the present application include a fluid dynamic structure that comprises a surface and a microstructure defined by a plurality of peaks and valleys on at least one portion of the surface. The microstructure includes a transition region in which each peak and valley changes from a first profile defined by a first spacing and a first height to a second profile defined by a

second spacing and a second height at a predetermined distance along a chord length of the fluid dynamic structure, the second profile being different that the first profile, wherein the microstructure reduces noise generated by turbulent airflow across the fluid dynamic structure.

The customization to the evolving boundary layer with tailored and varying spacings, heights and ratio along the flow direction is a key advantage enabled by the present invention; in the reduction to practice steps, this has enabled significantly larger noise reductions than the conventional riblets with constant height and spacing that have been used and reported earlier (e.g., U.S. Patent Nos. 7,108,485, 7,070,850 and 6,729,846). The improvements seen in wind tunnel experiments show that the present invention provides an increased noise reduction in a frequency range between 0 Hz to about 5000 Hz, as compared to conventional riblets with a constant height and spacing.

Reduction of the noise created by wind turbines allows for larger rotors, which are known to extract more renewable energy from the earth's wind resources. Additionally, reduction of noise created by wind turbines improves public opinion of the wind turbine and improves the likelihood that the wind turbine will be considered as a viable option for producing renewable energy. Thus the present invention materially contributes to the development of renewable energy by reducing the amount of noise created by a wind turbine, which is considered to be a troublesome operating factor, which in turn promotes increased energy production.

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

Respectfully submitted,

General Electric Company

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

Dated: June 1, 2011

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/075,795	03/30/2011	Anurag Gupta	205833-1	2390

6147 7590 08/22/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
1783	

NOTIFICATION DATE	DELIVERY MODE
08/22/2011	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):

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

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

AUG 22 2011

In re Application of :
Anurag Gupta et al. :
Application No. 13/075,795 :
Filed: March 30, 2011 :
Attorney Docket No. 205833-1 :

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

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

The petition is **GRANTED**.

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

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

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

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

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

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/075,872	03/30/2011	Kwang Soo Kim	10694.052.22	2531

30827 7590 04/27/2011
MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
2833	

MAIL DATE	DELIVERY MODE
04/27/2011	PAPER

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

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

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

In re Application of	**: DECISION ON REQUEST TO**
KIM et al	**: PARTICIPATE IN THE PATENT**
Application No.: 13/075,872	**: PROSECUTION HIGHWAY**
Filed: 30 March 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 10694.052.22	**: TO MAKE SPECIAL UNDER**
For: LIGHTING DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 30 March 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), (3-4), and (6) above is considered to have been met. However the request to participate in the PPH program fails to meet requirements (2) and (5).

Regarding requirement (2), applicant has failed to submit a copy of the allowable/patentable claims from the KR application and statement that the English translation is accurate.

Regarding requirement (5), the petition includes a statement that an office action is attached. The file contains a copy of a Notice of Allowance but it is not clear if the KR application was allowed on the first action.

Applicant is given <u>ONE</u> 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 – Semiconductors
Electrical & Optical Systems & Components

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/075,872	03/30/2011	Kwang Soo Kim	10694.052.22	2531

30827 7590 06/01/2011
MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
06/01/2011	PAPER

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

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

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

In re Application of	**: DECISION ON REQUEST TO**
KIM et al	**: PARTICIPATE IN THE PATENT**
Application No.: 13/075,872	**: PROSECUTION HIGHWAY**
Filed: 30 March 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 10694.052.22	**: TO MAKE SPECIAL UNDER**
For: LIGHTING DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 30 March 2011 and renewed on 24 May 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 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://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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/075,931	03/30/2011	Dongyu GENG	11005.0206-02000	2635

22852 7590 05/12/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
2112	

MAIL DATE	DELIVERY MODE
05/12/2011	PAPER

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

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

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

In re Application of: GENG, et al.
Serial No.: 13/075,931
Filed: March 30, 2011
Docket: 11005.0206-02000
Title: METHOD AND DEVICE FOR INFORMATION BLOCK CODING AND SYNCHRONIZATION DETECTING

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on March 30, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees that the dependent claims will be grouped together with and not to separately argue the patentability of any independent claim from which they depend during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

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

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

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

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

REVIEW OF FACTS

The conditions I. 1-4 & II. 1-5, 5.1-5.3, 6.3, 6.5 & 6.6 above are considered to have been met. However, the petition fails to comply with conditions II. 6.1, 6.2 & 6.4 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

With regard to the requirement of MPEP § 708.02(a)(I.)(I)(1) and item 6.1 above, in the AE Support Document, page 2 thereof, the listed US publication of Reference 2009/0276683 "by Hidehiro" conflicts with the actual named inventive entity by --Toyoda, et al.--. Correction is required.

In addition, form PTO-1449 attached with the instant petition cites a total of nine references and the instant petition specifically discusses all of those cited references. However, Petitioner also cites an additional form PTO-1449 on March 30, 2011 and is required to discuss all cited references deemed to be most closely related to the subject matter. However, applicant is PERMITTED to respond by identifying that the second IDS filed with the instant petition on March 30, 2011 (citing a total of 60 references) are those references deemed to be NOT in support of the petition, if that is in fact the case.

With regard to the requirement of MPEP § 708.02(a)(I)(2) and item 6.2 above, Petitioner should provide a detailed discussion of each current and/or any newly cited reference(s), deemed to be most closely related, identifying subject matter by way of figure, page, paragraph and line numbers, as appropriate, ***as they pertain to the instant claim limitations (claims 1-12) of the instant application.*** Note that petitioner merely provides a brief discussion of what the references provide, but not as it relates to the instant claim language, on pages 2-45 of the instant petition. As represented currently, based upon the instant petition, it appears that Petitioner is representing that **none** of the cited references stated to be "most closely related" **teach any of the claim limitations.**

With regard to the requirement of MPEP § 708.02(a)(I.)(I)(4) and item 6.4 above, the concise statement of the utility ***must be of the invention as defined in <u>each</u> of the independent claims***. Note, the "Statement of Utility" found on page 46 of the AE Support Document does not appear to have any relevance to the instant claims. Independent claims 1 (method) and 7 (device) must be separately identified.

Thus, the petition does not meet the conditions II. 6.1, 6.2 and 6.4 above.

DECISION

For the above-stated reasons, the petition is **<u>DISMISSED</u>**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given ***a single opportunity*** to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer,

(no extension of time under 37 CFR 1.136(a) is permitted) from the date of this decision in order to be considered timely. Any request for reconsideration ***must fully address all of the deficiencies indicated above***. [emphasis added]

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Brian Johnson, Quality Assurance Specialist, at (571) 272-3595.

Brian L. Johnson
Quality Assurance Specialist, WG 2110
Technology Center 2100

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/075,931	03/30/2011	Dongyu GENG	11005.0206-02000	2635

22852 7590 06/22/2011

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

EXAMINER	
GAFFIN, JEFFREY A	

ART UNIT	PAPER NUMBER
2117	

MAIL DATE	DELIVERY MODE
06/22/2011	PAPER

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

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

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

In re Application of: **GENG**, et al.
Serial No.: 13/075,931
Filed: March 30, 2011
Docket: 11005.0206-02000
Title: **METHOD AND DEVICE FOR INFORMATION BLOCK CODING AND SYNCHRONIZATION DETECTING**

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on June 10, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The original petition, submitted on March 30, 2011 was dismissed in the decision mailed on May 12, 2011.

The petition to make the application special is **GRANTED**. Note, in the "Concise Statement of Utility" found on page 49 of the Amended AE Support Document, with respect to independent claim 7, although ***stated to be*** drawn to both "**The method** ... a current rule.", as well as "**The device** especially may be used in an EPON system." is taken to be directed to currently pending claim 7 drawn to the "**device** for information block coding".

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:

If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

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

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve-month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application. In addition, Applicant is reminded that due to the dismissal of the previous petition submission, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Brian Johnson, Quality Assurance Specialist, at (571) 272-3595. If attempts to reach the undersigned by telephone are unsuccessful, Kakali Chaki, Quality Assurance Specialist, can be reached at (571) 272-3719.

Brian Johnson, Quality Assurance Specialist
Technology Center 2100

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

PTO/SB/425 (03-11)

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

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
13/075,951	
First Named Inventor:	Title of Invention:
Hirokazu TERADA et al.	NONWOVEN FABRIC HAVING STRETCHABILITY, AND PROCESS FOR PRODUCING THE SAME

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signature	/Michael S. Huppert/ 2011.04.25 13:39:08 -04'00'	Date	April 25, 2011
Name (Print/Typed)	Michael S. Huppert	Practitioner Registration Number	40,268

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

■ *Total of 1 forms are submitted.

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WENDEROTH, LIND & PONACK, L.L.P.
1030 15TH STREET, N.W.,
SUITE 400 EAST
WASHINGTON DC 20005-1503

MAILED

MAY 02 2011

OFFICE OF PETITIONS

In re Application of	:	
Terada et al.	:	
Application No. 13/075,951	:	DECISION ON PETITION
Filed: March 30, 2011	:	
Attorney Docket No. 2011_0526A	:	

This is a decision on the request filed April 25, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 30, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [ ] basic filing fee, [ ] search fee and/or [ ] examination fee

The relevant item(s) was/were filed on April 25, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

The $130.00 surcharge fee will be refunded to petitioner's deposit account in due course.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

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

PTO/SB/425 (03-11)

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

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
13/075,969	
First Named Inventor:	**Title of Invention:**
Taiju TERAKAWA et al.	PROCESSING APPARATUS FOR HOT-AIR TREATMENT OF FIBER CONSTITUTING NONWOVEN FABRIC .....

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signature /Michael S. Huppert/ 2011.04.28 15:26:42 -04'00'	Date April 28, 2011
Name (Print/Typed) Michael S. Huppert	Practitioner Registration Number 40,268

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

■ *Total of 1 forms are submitted.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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WENDEROTH, LIND & PONACK, L.L.P.
1030 15TH STREET, N.W.,
SUITE 400 EAST
WASHINGTON DC 20005-1503

MAILED

MAY 03 2011

OFFICE OF PETITIONS

In re Application of	:	
Terakawa et al.	:	
Application No. 13/075,969	:	DECISION ON PETITION
Filed: March 30, 2011	:	
Attorney Docket No. 2011_0525A	:	

This is a decision on the request filed April 28, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 30, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [ ] basic filing fee, [ ] search fee and/or [ ] examination fee

The relevant item(s) was/were filed on April 25, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

BERENATO & WHITE, LLC
6550 ROCK SPRING DRIVE
SUITE 240
BETHESDA MD 20817

MAILED

APR 22 2011

OFFICE OF PETITIONS

In re Application of :
KENNEDY, Michael et al. :
Application No. 13/075,975 : DECISION ON PETITION
Filed: March 30, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **9507.140** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 30, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **DISMISSED**.

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 does not include an oath or declaration signed by all available joint inventors. The office has no record of Daniel Curtis being listed as an inventor. Therefore, the petition cannot be granted at this time.

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

By Mail: Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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

By FAX: (571) 273-8300

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at 571-272-2783.

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

The application is being forwarded to the Technology Center Art Unit 2624 for action in its regular turn.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

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

Application Information

Application Number	13/075,975	Confirmation Number	2730	Filing Date	2011-03-30
Attorney Docket Number (optional)	9507.140	Art Unit	2624	Examiner	Unknown
First Named Inventor	Michael KENNEDY				
Title of Invention	SYSTEM AND METHOD TO FIND THE PRECISE LOCATION OF OBJECTS OF INTEREST IN DIGITAL IMAGES				

Attention: Office of Petitions
An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Daniel		CURTIS	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18.
Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

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

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/Maurice Haff/	Date (YYYY-MM-DD)	2011-06-03
Name	Maurice Haff	Registration Number	62224

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
KENNEDY

Application No. 13075975

Filed: March 30,2011

Attorney Docket No. 9507.140

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

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 03-JUN-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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HANLEY FLIGHT & ZIMMERMAN, LLC
150 S. WACKER DRIVE
SUITE 2100
CHICAGO, IL 60606

MAILED
FEB 27 2012
OFFICE OF PETITIONS

In re Application of
Daniel Julio Montenegro et al
Application No. 13/075,986
Filed: March 30, 2011
Attorney Docket No. 20177/P02421

DECISION REFUSING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the petition filed November 14, 2011, which is being treated as a petition under 37 CFR 1.47(a).

The petition is **DISMISSED.**

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lack items (1) and (2) set forth above.

As to item (1), the applicable statute (35 U.S.C.§ 116) requires that a "diligent effort" have been expended in attempting to find or reach the non-signing inventor. *See* MPEP 409.03(a). The showing currently fails to demonstrate, with a documented showing, that a diligent effort was made to find or locate non-signing inventor Neal Anthony Porter, such that the declaration can be accepted under 37 CFR 1.47(a). Where inability to find or locate a named inventor(s) is alleged, a statement of facts should be submitted that fully describes the exact facts which are relied on to establish that a *diligent effort* was made to locate the inventor. Petitioner has not demonstrated that all efforts were expended in trying to locate non-signing inventor Neal Anthony Porter. In this regard, petitioner should, at the very least, conduct a search of the regional or national

registry(s). The results of such search should be made in any future petition for reconsideration. *See* MPEP 409.03(d). Additionally, petitioner should state whether he has access to inventor Porter's personnel records and, if so, what does inspection of the records reveal as to a current address, forwarding address, or an address of the nearest living relative? What does inspection of the phone directories for those address locations reveal? Further, the petition fails to indicate that correspondence was ever mailed unsuccessfully to the inventor's last known address. Therefore, at the very least, petitioner should mail correspondence to the inventor's last known address, return receipt and/or forwarding address requested. If a forwarding address is provided, petitioner should then mail a complete copy of the application papers (specification, claims, drawings, oath, etc.) to Mr. Porter's address, return receipt requested, along with a cover letter of instructions which includes a deadline or a statement that no response will constitute a refusal. This sort of ultimatum lends support to a finding of refusal by conduct. If the papers are returned and all other attempts to locate or reach the inventor, e.g., through personnel records, co-workers, E-mail, the Internet or the telephone, etc., continue to fail, then applicant will have established that the inventor cannot be reached after diligent effort or has refused to join in the application. **The statements of facts must be signed, where at all possible, by a person having firsthand knowledge of the facts recited therein and should be accompanied by documentary evidence in support of the statement of facts.** It is important that the forthcoming communication contain statements of fact as opposed to conclusions.

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

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

Whenever an omitted inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the affidavit or declaration.

As to item (2), the signature block of the non-signing inventor should be left blank.

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

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

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Telephone inquiries should be directed to Irvin Dingle at (571) 272-3210.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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POLSINELLI SHUGHART PC
700 W. 47TH STREET
SUITE 1000
KANSAS CITY MO 64112-1802

MAILED
JUL 26 2011
OFFICE OF PETITIONS

In re Application of	:	
Yamamoto, Terakawa, Takai,	:	DECISION REFUSING STATUS
Sato, Abe, and Tsagaan	:	UNDER 37 CFR 1.47(a)
Application No. 13/076,062	:	
Filed: 03/30/2011	:	
Attorney Docket No. 110922CON	:	

This is in response to the petition under 37 CFR 1.47(a) filed on June 7, 2011.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Extensions of time may be obtained in accordance with 37 CFR 1.136(a).

On March 30, 2011, the above-identified application was filed without an executed oath or declaration. Accordingly, on April 13, 2011, the Office of Patent Application Processing (OPAP) mailed a Notice to File Missing Parts of Nonprovisional Application, requiring an executed oath or declaration and a surcharge for its late filing. A two (2) month period for reply was set.

In response, on June 7, 2011, the subject petition under 37 CFR 1.47(a) was filed, along with a declaration naming Seiji Yamamoto, Susummu Terakawa, Toshihisa Takai, Katsuhiro Sato,

Keichi Abe, and Baigalmaa Tsagaan as joint inventors, signed by all joint inventors except non-signing inventor Sato on behalf of themselves and non-signing inventor Sato. A supplement to the petition was filed on June 8, 2011.

Petitioners assert that a copy of the application was sent to non-signing inventor Sato, but that the mailing was returned as undeliverable. A copy of the envelope showing that the letter was returned as undeliverable is enclosed.

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

(1) proof that the non-signing inventor cannot be reached or located, notwithstanding diligent effort, or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);

(2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;

(3) the petition fee;

(4) a surcharge of $130 or $65 (small entity) if the petition and/or declaration is not filed at the time of filing the application, and

(5) a statement of the last known address of the non-signing inventor.

The petition lacks item (1).

In regards to item (1), the showing of record, a single mailing to the non-signing inventor, which was returned as undeliverable, is insufficient to show diligent efforts.

In the event that the application papers are returned as undeliverable, petitioners may show diligent efforts to locate the non-signing inventor by providing a copy of an envelope showing that a letter sent to the last known address of the non-signing inventor was returned as undeliverable by the post office. Furthermore, details of the efforts made to locate the non-signing inventor must be set forth in an affidavit or declaration of facts by a person having first-hand knowledge of the details. Additionally, if any inventor no longer lives at the last known address, petitioners must show diligent efforts by use of a national registry or other database to determine a current address for the non-signing inventor. If a more recent address is discovered, petitioners must send or give a copy of the application papers to the inventor at that address.

In light of the above, petitioners must provide evidence of efforts made to locate the non-signing inventor and forward a

copy of the application papers to him for his review and signature of the declaration.

If repeated attempts to contact the non-signing inventor are unsuccessful, petitioners will have shown that despite diligent efforts, the inventor could not be reached.

The petition fee of $200.00 has been received.

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

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

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

By hand: Customer Service Window
Mail Stop Petition
Randolph Building
401 Dulany Street
Alexandria, VA 22314

A reply may also be filed by EFS-Web.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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POLSINELLI SHUGHART PC
700 W. 47TH STREET
SUITE 1000
KANSAS CITY MO 64112-1802

MAILED
SEP 20 2011
OFFICE OF PETITIONS

In re Application of :
Yamamoto et al. : DECISION NOTING JOINDER
Application Number: 13/076062 : OF INVENTOR AND PETITION
Filing Date: 03/30/2011 : UNDER 37 CFR 1.47(a) MOOT
Attorney Docket Number: 051223-426487 :

Papers filed on August 30, 2011, in response to the decision dismissing petition mailed on July 26, 2011, included a Declaration signed by the previously non-signing inventor, Katsuhiro Sato.

The petition is **dismissed as moot**.

In view of the joinder of the inventor, further consideration under 37 CFR 1.47(a) is moot; this application does not have any rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this office for any further consideration under 37 CFR 1.47(a).

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

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

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.
13/076,068	03/30/2011	Takakiyo HARIGAI	071025-0049	2880

7590 06/07/2011

McDERMOTT WILL & EMERY LLP
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER
ADDISON, KAREN B

ART UNIT	PAPER NUMBER
2837	

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
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McDERMOTT WILL & EMERY LLP
600 13th Street, N.W.
Washington DC 20005-3096

In re Application of	
HARIGAI et al.	**: DECISION ON REQUEST TO**
Application No.: 13/076,068	**: PARTICIPATE IN THE PATENT**
Filed: 30 March 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 071025-0049	**: PROGRAM AND PETITION**
For: PIEZOELECTRIC THIN FILM,	**: TO MAKE SPECIAL UNDER**
INK JET HEAD ...	**: 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 April 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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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STERNE, KESSLER,
GOLDSTEIN & FOX, P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON DC 20005

MAILED

JUL 28 2011

OFFICE OF PETITIONS

In re Application of
Just, et al.
Application No. 13/076,093
Filed/Deposited: 30 March 2011
Attorney Docket No. 2483.1890000

DECISION ON PETITION

This is a decision on the petition filed on 13 July, 2011, pursuant to 37 C.F.R. §1.47.

NOTE:

The papers placed of record clearly demonstrate that the entire application—description, claims, abstract, drawings—was not sent to the non-signing inventor as required.

Petitioner may benefit from stepping through the requirements herein. (*See, generally:* MPEP §409.03, and §409.03(a)—the applicable statute (35 U.S.C.§ 116).

The petition as considered pursuant to 37 C.F.R. §1.47(a) is **DISMISSED**.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Pursuant to 37 C.F.R. §1.47(a)," and should address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 C.F.R. §1.136(a).

This is **not** a final agency action within the meaning of 5 U.S.C. §704.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort

to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioner does not seem to have worked through the requirements of the petition, as set forth above, in satisfaction of those requirements. (*See, generally:* MPEP §409.03, and §409.03(a)—the applicable statute (35 U.S.C.§ 116).

In particular, Petitioner has not as of this writing satisfied the requirement(s) of the petition as listed above and discussed below.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 30 March, 2011.

On 13 April, 2011, the Office mailed a Notice of Missing Parts, indicating therein the requirement, *inter alia*, for a fully executed oath/declaration.

On 13 July, 2011, Petitioner Daniel A. Gajewski (Reg. No. 64,515) filed, *inter alia*, a request and fee for extension of time with a petition, with fee, pursuant to the regulations at 37 C.F.R. §1.47, an oath/declaration executed by co-inventor Mr. Just for himself and on behalf of non-signing inventor Noah Daniel Sussman (Mr. Sussman) and an averment of transmittal of only the oath/declaration and assignment, and not the entire application (description, claims, abstract, drawings) to the non-signing inventor, which averment is clearly evidenced in the correspondence and statement submitted from Anna Coleman. Thus it is clear that the entire final application (description, claims, abstract and drawings) was not sent to the non-signing inventor. Thus, Petitioner has not satisfied his burden under the Rule. Thus Petitioner failed to make the showing as required under the Rule (37 C.F.R. §1.47(a)) and consistent with the guidance in the Commentary at MPEP §409.03, and §409.03(a).

Petitioners always are reminded:

- *for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided; and*

- *of the duties of candor to—with requirement for diligent inquiry before—the Office and to satisfy the Rules of Practice and the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq.*

Petitioner will find it beneficial to step through the requirements of a grantable petition under 37 C.F.R. §1.47(a) (i.e., (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address) and satisfy himself that he has complied with these requirements on submission of any renewed petition. (*See also*: the guidance in the Commentary at MPEP §409.03, and §409.03(a), et seq.)

Again, Petitioner has not worked through the requirements of the petition.

Thus, the present incompleteness of the record makes granting of the instant petition inappropriate.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application. Thus, now if one wishes to know the progress in and/or status of an application or the accuracy of the data therein, one need only look at the file online.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice *and* all others who make representations before the Office must inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation–since all owe to the Office the continuing duty to disclose.[1]

The instant petition pursuant to 37 C.F.R. §1.47(a) is **dismissed**.

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

[1] See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office). See specifically, the regulations at 37 C.F.R. §10.18.

By mail:	Mail Stop PETITIONS Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450
By hand:	Customer Service Window Mail Stop Petitions Randolph Building 401 Dulany Street Alexandria, VA 22314
By FAX:	(571) 273-8300 ATTN: Office of Petitions

While telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2[2]) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).

/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

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[2] The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
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WASHINGTON DC 20005

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SEP 29 2011

OFFICE OF PETITIONS

In re Application of
Just, et al.
Application No. 13/076,093
Filed/Deposited: 30 March 2011
Attorney Docket No. 2483.1890000

DECISION ON PETITION

This is a decision on the petition filed on 27 September, 2011, pursuant to 37 C.F.R. §1.47.

The petition as considered pursuant to 37 C.F.R. §1.47(a) is **DISMISSED**.

NOTE:

Petitioner's attentions are directed to the discussion at page 2 of the documents submitted on 27 September, 2010.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 30 March, 2011.

On 13 April, 2011, the Office mailed a Notice of Missing Parts, indicating therein the requirement, *inter alia*, for a fully executed oath/declaration.

On 13 July, 2011, Petitioner Daniel A. Gajewski (Reg. No. 64,515) filed, *inter alia*, a request and fee for extension of time with a petition, with fee, pursuant to the regulations at 37 C.F.R. §1.47, an oath/declaration executed by co-inventor Mr. Just for himself and on behalf of non-signing inventor Noah Daniel Sussman (Mr. Sussman) and an averment of transmittal of only the oath/declaration and assignment, and not the entire application (description, claims, abstract, drawings) to the non-signing inventor, which averment is clearly evidenced in the correspondence and statement submitted from Anna Coleman. Thus it is clear that the entire final application (description, claims, abstract and drawings) was not sent to the non-signing inventor. Thus, Petitioner has not satisfied his burden under the Rule. Thus Petitioner failed to make the showing as required under the Rule (37 C.F.R. §1.47(a)) and consistent with the guidance in the Commentary at MPEP §409.03, and §409.03(a). The petition was dismissed on 28 July, 2011.

On 27 September, 2011, Petitioner re-advanced his petition, this time with an averment of joinder/signing by the formerly non-signing inventor, and a copy of executed oath/declaration papers in support of the averment. It is noted that the signature blocks of the two inventors appear to be excerpted, possibly for ease/clarity of presentation. The Office construes this as an assertion by Petitioner that the inventors—including the formerly non-signing inventor—have executed the same document if not the same paper. If Petitioner has not made an inquiry sufficient to make such determination, he **must** do so now, and should his inquiry suggest that the Office's construal is incorrect, Petitioner **must** immediately so Notice the Office. Thus, Petitioner averred that consistent with the guidance in the Commentary at MPEP §409.03, and §409.03(a) et seq., he made a new search, located an address and sent the application to the non-signing inventor, who executed the oath/declaration and so joined in the application, and in support of the averment, Petitioner submitted a copy of the executed oath/declaration in compliance with 37 C.F.R. §1.63—and so evidencing his joinder.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application. Thus, now if one wishes to know the progress in and/or status of an application or the accuracy of the data therein, one need only look at the file online.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice *and* all others who make representations before the Office must inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation–since all owe to the Office the continuing duty to disclose.[1]

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[1] See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88

CONCLUSION

The instant petition under 37 C.F.R. §1.47 is **dismissed as moot for joinder**.

In view of the joinder of the inventor, further consideration under 37 C.F.R. §1.47 is not necessary. This application does not have any Rule 1.47 status and no such status should appear on the record for this file. This application should not be returned to this Office for any further consideration under 37 C.F.R. §1.47.

The instant application is released to the Office of Patent Application Processing (OPAP) for further processing in due course.

While telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2[2]) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).

/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

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and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office). See specifically, the regulations at 37 C.F.R. §10.18.

[2] The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.
All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 1630-0926PUS1	Application Number (if known): 13/076,095	Filing date: March 30, 2011
First Named Inventor: Suntae HWANG		
Title: THIN FILM SOLAR CELL		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature	Date APR 12 2011
Name (Print/Typed) Esther H. Chong	Registration Number 40,953

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.

6

Docket No.: 1630-0926PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
Suntae HWANG et al.

Application No.:	13/076,095	Confirmation No.:	2936
Filed:	March 30, 2011	Art Unit:	1725
For:	THIN FILM SOLAR CELL	Examiner:	Not Yet Assigned

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

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

Sir:

In support of the Petition to Make Special Under the Green Technology Pilot Program, it is respectfully submitted that the basis for the requested special status is that the invention claimed in the above-identified patent application materially contributes to the development of renewable energy sources and/or green house gas emission reduction. Specifically, the claimed invention relates to a solar cell.

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

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

Accordingly, it is respectfully requested that the Petition be granted.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Seth S. Kim, Reg. No. 54,577, at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

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

Dated: APR 12 2011

Respectfully submitted,

By _____

Esther H. Chong
Registration No.: 40953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000

Attachment

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/076,095	03/30/2011	Suntae HWANG	1630-0926PUS1	2936

2292 7590 05/25/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
05/25/2011	ELECTRONIC

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

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

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

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAY 25 2011

In re Application of	:	
Hwang et al.	:	DECISION ON PETITION
Application No. 13/076,095	:	TO MAKE SPECIAL UNDER
Filed: 3/30/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **1630-0926PUS1**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/12/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1725 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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

PTO/SB/420 (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: CEP10305	Application Number (if known): 13/076,102	Filing date: March 30, 2011
First Named Inventor: Nengyou Jia		
Title: ASYMMETRIC ACIDIFICATION OF A MEMBRANE-ELECTRODE ASSEMBLY		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature /John D. Russell/	Date May 23, 2011
Name (Print/Typed) John D. Russell	Registration Number 47,048

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

[X] *Total of 1 forms are submitted.

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Nengyou Jia et al.
Application No.	:	13/076,102
Filed	:	March 30, 2011
Title	:	ASYMMETRIC ACIDIFICATION OF A MEMBRANE-ELECTRODE ASSEMBLY
Group Art Unit	:	1726
Confirmation No.	:	2948
Docket No.	:	CEP10305

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

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the U.S. Patent and Trademark Office electronic filing system (EFS-Web) to the USPTO on:

May 23, 2011	/Angie C. Farr/
Date	Angie C. Farr

STATEMENTS OF SPECIAL STATUS

Applicants respectfully request consideration of the following statement concerning the basis for the special status as well as the following statement pertaining to the materiality standard.

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: the claimed invention materially contributes to the more efficient utilization and conservation of energy resources.

II. Statement pertaining to the materiality standard.

As a preliminary matter, Applicants note that the following statement refers explicitly to the elements of independent claim 1, which is the broadest claim in many respects.

Applicants submit that the claimed invention materially contributes to the more efficient utilization and conservation of energy resources by conserving fossil fuels. Specifically, the claimed invention reduces cathode flooding, resulting in improved fuel

cell performance. As explained in the Background and Summary of the subject application, in some fuel cells, a polymer-electrolyte membrane (PEM) is disposed between an anode, where fuel is electrochemically oxidized, and a cathode, where oxygen is electrochemically reduced. The PEM enables ions evolved at the anode to travel to the cathode, resulting in a charge-balanced redox reaction between the fuel and the oxygen. Besides maintaining suitable ionic conductance, the PEM should be impervious to the fuel and the oxygen, to prevent unwanted mixing, and it should be dimensionally stable over the operating-temperature range of the fuel cell. In typical usage, a catalytic and/or reactant-retentive structure may be bonded to each side of the membrane to form a membrane-electrode assembly (MEA), i.e., an anodic structure bonded to the anode side and a cathodic structure bonded to the cathode side.

One type of PEM, attractive for its extended operating-temperature range, is the PBI-PA membrane. This membrane comprises a polybenzimidazole (PBI) film in which a significant quantity of phosphoric acid (H_3PO_4, PA) may be sorbed. It is believed that protons (formally H+) are conducted through this membrane via the sorbed PA as well as the PBI polymer electrolyte. An MEA based on such a membrane may be used in a hydrogen-air fuel cell at temperatures approaching 180 °C.

However, PA loss from a PBI-PA membrane in an operating fuel cell may degrade fuel-cell performance by reducing the ionic conductance of the membrane. Over an extended period of time, such loss may also affect the dimensional stability of the membrane, leading to sealing problems and reactant cross-over. PA loss may therefore limit the usable lifetime of a PBI-PA membrane in a fuel cell.

Previous solutions to address this issue have relied on excess PA doping of the membrane, including catalytic and/or reactant-retentive structures bonded to the membrane. However, excess PA present on the cathode side of the membrane may flood the reactant-retentive structure bonded to the membrane, restricting oxygen diffusion and occluding the catalytic sites where oxygen reduction takes place. Excess PA on the cathode side may also encourage dihydrogen phosphate ($H_2PO_4^-$) to adsorb on the catalytic sites, causing contamination. These factors may significantly degrade the operating voltage of the fuel cell. The claimed invention addresses this issue by providing an asymmetrically acidified MEA.

For example, claim 1 recites:

> A method of making a membrane-electrode assembly for a fuel cell, the method comprising:
>
> arranging a cathodic structure on a first surface of a polymer-electrolyte membrane;
>
> arranging an anodic structure on a second surface of the polymer-electrolyte membrane, opposite the first surface, the anodic structure containing more phosphoric acid per unit volume than the cathodic structure;
>
> pressing the cathodic and anodic structures to the polymer-electrolyte membrane to form the membrane-electrode assembly.

Therefore, the anodic structure may contain more PA than the cathodic structure. Partial occlusion of catalytic sites of the anodic catalyst layer may be less problematic than occlusion on the cathode side, as the operating voltage of the fuel cell is typically limited by cathode kinetics. In this manner, the MEA may still store a sufficient amount of PA to offer an acceptably long usable lifetime despite gradual PA loss without degrading the operating voltage of the cell. As a result, the operational lifetime of the fuel cell can be extended, and further, the performance efficiency of the fuel cell can be increased over a longer duration. Because fuel cells can utilize non-fossil fuels such as hydrogen and methanol, extending the amount of time a fuel cell is operational results in decreased consumption of fossil fuels. And, by extending the duration of increased efficiency of the membrane, the alternative fuels may be more efficiently utilized, further reducing usage of fossil fuels.

Please charge any cost incurred in this filing, along with any other costs, to Deposit Account No. 50-3397.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP

/John D.Russell/
John D. Russell
Registration No. 47,048
Customer No. 50488
Attorney/Agent for Applicants/Assignee
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Portland, Oregon 97205
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UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/076,102	03/30/2011	Nengyou Jia	CEP10305	2948

50488 7590 06/20/2011

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP
806 SW BROADWAY
SUITE 600
PORTLAND, OR 97205-3335

EXAMINER	
ALEJANDRO, RAYMOND	

ART UNIT	PAPER NUMBER
1727	

MAIL DATE	DELIVERY MODE
06/20/2011	PAPER

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

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

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6/20/11

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP
806 SW BROADWAY
SUITE 600
PORTLAND OR 97205-3335

In re Application of	:	
JIA, NENGYOU et al	:	DECISION ON PETITION
Application No. 13/076,102	:	TO MAKE SPECIAL UNDER
Filed: 03/30/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. CEP10305	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 23, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1727 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

MAILED

SEP 29 2011

OFFICE OF PETITIONS

In re Application of

Stephen H. Albertson, et al.
Application No. 13/076,185
Filed: March 30, 2011
Attorney Docket No. TRACKER.001C3

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the renewed Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed September 9, 2011.

The request is **NOT APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others.

Petitioner should also note that the Office will no longer accept address changes to a new practitioner of law firm filed with a Request, absent the filing of a power of attorney to the new representative. The Office will either change the correspondence address of record to the most current address information provided for the assignee of the entire interest who properly became of record under 37 CFR 3.71 or, the most current address information provided for the first named inventor.

Accordingly, the request to withdraw from record does not include an acceptable current correspondence address of the first named inventor for future communications from the Office.

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

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions

CC: JOHN GALLAGHER
300 N. CATHRYN DRIVE
ANAHEIM, CA 92801

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/076,203	03/30/2011	Jeffrey S. Cotton	AUTLT.001C2	3143

20995 7590 08/19/2011

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

EXAMINER	
MADAMBA, CLIFFORD B	
ART UNIT	**PAPER NUMBER**
3695	

NOTIFICATION DATE	DELIVERY MODE
08/19/2011	ELECTRONIC

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

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

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

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com

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AUG 18 2011

KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street
Fourteenth Floor
Irvine, California 92614

In re application of : **DECISION ON PETITION**
COTTON, Jeffrey S. : **TO MAKE SPECIAL FOR**
Application No.13/076,203 : **NEW APPLICATION**
Filed: March 30, 2011 : **UNDER 37 CFR 1.102**
For: SYSTEM AND METHOD FOR ASSESSING AND MANAGING FINANCIAL TRANSACTIONS

This is a decision on the petition filed on March 30, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed to a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

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

9. Proceedings Outside the Normal Examination Process:
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Robert Weinhardt, Business Practice Specialist, at (571) 272-6633.

Robert A. Weinhardt
Business Practice Specialist
Technology Center 3600

RW/JM 8/16/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/076,208	03/30/2011	Jeffrey S. Cotton	AUTLT.001C3	3153

20995 7590 08/09/2011

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

EXAMINER	
MADAMBA, CLIFFORD B	
ART UNIT	**PAPER NUMBER**
3695	

NOTIFICATION DATE	DELIVERY MODE
08/09/2011	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):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com

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AUG 0 9 2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 Main Street
Fourteenth Floor
Irvine, CA 92614

In re application of	:	**DECISION ON PETITION**
Jeffrey S. Cotton	:	**TO MAKE SPECIAL**
Application No. 13/076,208	:	**NEW APPLICATION**
Filed: March 30, 2011	:	**UNDER 37 CFR 1.102**
For: SYSTEM AND METHOD FOR ASSESSING AND MANAGING FINANCIAL TRANSACTIONS		

This is a decision on the petition filed on March 30, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

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5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed to a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

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To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
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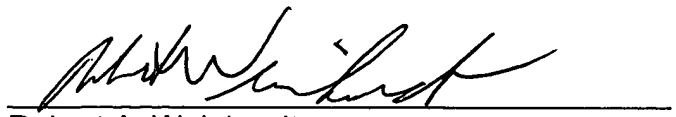
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Robert Weinhardt, Business Practice Specialist, at (571) 272-6633.



Robert A. Weinhardt
Business Practice Specialist
Technology Center 3600

RW/bvb: 8/8/11

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: GEVO-045/06US	Application Number (if known): Not Yet Assigned	Filing date: March 30, 2011
First Named Inventor: Doug LIES		
Title: REDUCED BY-PRODUCT ACCUMULATION FOR IMPROVED PRODUCTION OF ISOBUTANOL		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: Statement of Special Status

Signature /Paul A. Wickman/	Date March 30, 2011
Name (Print/Typed) Paul A. Wickman	Registration Number 61,242

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

☒ *Total of 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.

Attorney Docket No. GEVO-045/06US 310142-2215 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re App'n of: Doug LIES *et al.* Confirmation No.: *To Be Assigned*

Serial No.: *To Be Assigned* (Div. of 13/025,801) Group Art Unit: *To Be Assigned*

Filed: March 30, 2011 Examiner: *To Be Assigned*

For: **REDUCED BY-PRODUCT ACCUMULATION FOR IMPROVED PRODUCTION OF ISOBUTANOL**

VIA EFS-WEB

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

PETITION TO MAKE SPECIAL

STATEMENT OF SPECIAL STATUS AND REQUEST TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir,

Submitted herewith is the completed USPTO form PTO/SB/420 and a Petition to Make Special Pursuant to the Federal Register Notice of December 8, 2009, Vol. 74, No. 234, pp. 64666-8, to participate in the Green Technology Pilot Program as described in said Notice.

The above-reference application has been not yet been published. In accordance with the requirements for the Pilot Program, please charge Deposit Account No. 50-1283 for the publication fee set forth in 37 CFR 1.18(d).

Applicants submit that the application is directed to a single invention that relates to the development of renewable components for fuel blends, and as such, the claimed invention materially contributes to the discovery or development of renewable energy resources, enhances the quality of the environment and results in a more efficient utilization and conservation of energy resources.

If participation in the Green Technology Pilot Program is granted, Applicants hereby agree to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement if the Office determines that the claims are not directed to a single invention.

Filed concurrently with this petition is a divisional application which claims priority to US Patent Application No. 13/025,801 under 35 U.S.C. §120. The divisional application submitted herewith contains no more than three independent claims and twenty total claims and does not contain any multiple dependent claims.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: March 30, 2011

Respectfully submitted,
COOLEY LLP

CUSTOMER NO. 58249

By: /Paul A. Wickman/
Paul A. Wickman
Reg. No. 61,242

COOLEY LLP
ATTN: Patent Group
777 6th Street NW, Suite 1100
Washington, DC 20001
Tel: (720) 566-4250
Fax: (202) 842-7899

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.
13/076,284	03/30/2011	Andrew Hawkins	GEVO-045/06US 310142-2215	3319

58249 7590 07/14/2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER	
ART UNIT	PAPER NUMBER
1632	

MAIL DATE	DELIVERY MODE
07/14/2011	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
P.O. Box 1450
Alexandria, VA 22313-1450
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JUL 14 2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON DC 20001

In re Application of :

HAWKINS, Andrew *et al.*	:	DECISION ON PETITION
Application No. 13/076284	:	TO MAKE SPECIAL UNDER
Filed: March 30, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.GEVO-045/06US 310142-2215	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 30, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1632 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov
DIW Jun-11

PERKINS COIE LLP
700 THIRTEENTH STREET, NW
SUITE 600
WASHINGTON DC 20005-3960

MAILED

JUN 09 2011

OFFICE OF PETITIONS

In re Application of :
Brandon et al. :
Application Number: 13/076,305 :
Deposited: 03/30/2011 : DECISION ON PETITION
Attorney Docket Number: :
00704.8022.US01 :

This is a decision on the "PETITION UNDER 37 C.F.R. § 1.57(a)(3)," filed on April 19, 2011, requesting that the above-identified application be accorded a filing date of March 30, 2011.

The petition is **GRANTED**.

BACKGROUND

On March 30, 2011, the application was deposited. The application papers consisted of, *inter alia*, a transmittal sheet, an Application Data Sheet (ADS), and a preliminary amendment including a claim of benefit to prior-filed Application No. 10/712,266, filed on November 14, 2003. An oath or declaration was also filed.

On April 1, 2011, a paper entitled "Submission Under 37 CFR 1.57," was filed, accompanied by 115 pages of specification, including 11 pages of claims and one page containing the abstract. 22 sheets of drawings were also filed.

On April 12, 2011, the Office of Patent Application Processing (OPAP) mailed a Notice of Incomplete Nonprovisional Application, stating the application had not been accorded a filing date

because the specification, including at least one claim, as required by 35 U.S.C. 112, is missing.

On April 15, 2011, the OPAP mailed a Notice to File Missing Parts of Nonprovsional Application, stating that the application had been accorded a filing date of April 1, 2011, but that the oath or declaration and a surcharge for its late filing were required to be filed. A two (2) month period for reply was set.

On April 19, 2011, a petition under 37 CFR 1.57(a) was filed. Petitioners concede that the specification was inadvertently omitted from the application papers deposited on March 30, 2011, but request a filing date of March 30, 2011, because the application claims the benefit of the above-referenced prior-filed nonprovisional application. Petitioner has also supplied a copy of the inadvertently omitted specification, including the claims, and the drawing sheets, as well as an amendment requesting entry of the specification and drawings.

Relying on §1.57(a), applicant asserts that the specification is effectively incorporated by reference.

OPINION

37 CFR 1.57 states, in pertinent part:

> (a) Subject to the conditions and requirements of this paragraph, if all or a portion of the specification or drawing(s) is inadvertently omitted from an application, but the application contains a claim under § 1.55 for priority of a prior-filed foreign application, or a claim under § 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application, that was present on the filing date of the application, and the inadvertently omitted portion of the specification or drawing(s) is completely contained in the prior-filed application, the claim under § 1.55 or § 1.78 shall also be considered an incorporation by reference of the prior-filed application as to the inadvertently omitted portion of the specification or drawing(s).
>
> (1) The application must be amended to include the inadvertently omitted portion of the specification or drawing(s) within any time period set by the Office, but in no case later than the close of prosecution as defined by § 1.114(b), or abandonment of the application, whichever occurs earlier. The applicant is also required to:

> (i) Supply a copy of the prior-filed application, except where the prior-filed application is an application filed under 35 U.S.C. 111;
>
> (ii) Supply an English language translation of any prior-filed application that is in a language other than English; and
>
> (iii) Identify where the inadvertently omitted portion of the specification or drawings can be found in the prior-filed application.
>
> ...
>
> (3) If an application is not otherwise entitled to a filing date under § 1.53(b), the amendment must be by way of a petition pursuant to this paragraph, accompanied by the fee set forth in § 1.17(f).

It is noted that the ADS present on filing does not contain a proper claim for priority to the prior-filed nonprovisional application under 37 CFR 1.78. In this regard, 37 CFR 1.78(a)(2)(i) requires that any nonprovisional application claiming the benefit of one or more prior-filed copending nonprovisional applications must contain or be amended to contain a reference to each such prior-filed application, identifying it by application number (consisting of the series code and serial number) and indicating the relationship of the applications. The relationship between the applications is whether the subject application is a continuation, divisional, or continuation-in-part of a prior-filed international application.

The ADS filed on March 30, 2011, does not properly indicate the relationship between the subject application and the prior-filed application.

Nevertheless, the preliminary amendment filed on March 30, 2011, with the original application papers, states that this application is a continuation of prior-filed Application No. 10/712,266, filed on November 14, 2003, and is therefore a proper claim of benefit under 37 CFR 1.78.

In view thereof, the petition under § 1.57(a) is **GRANTED**. The amendment filed on April 19, 2011 will be construed as an amendment to enter the specification, including claims, abstract, and drawings filed on March 30, 2011 as the original disclosure for filing date purposes.

The papers filed on April 1, 2011, will not be used for processing or examination, but will be retained in the application file.

This application is being forwarded to the Office of Patent Application Processing (OPAP) for reprocessing with a filing date of **March 30, 2011**, using the application papers received in the Office on that date, as well as the preliminary amendment, including the specification and drawings, filed with the subject petition.

The application is referred to the Office of Patent Application Processing for further processing. Applicant will receive appropriate notification regarding the fees owed, if any, and other information in due course from OPAP.

Telephone inquiries specific to this decision should be directed to Senior Petitions Attorney Douglas I. Wood at 571.272.3231.

Christopher Bottorff
Petitions Examiner
Office of Petitions

Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan

The United States Patent and Trademark Office (USPTO) considers the effects of the earthquake and resulting tsunami in Japan on March 11, 2011, to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146 for affected patent and trademark applicants, patentees, reexamination parties, and trademark owners. Since this catastrophic event occurred outside the United States and did not result in a postal service interruption in the United States Postal Service, the USPTO has no authority to designate a postal service emergency as authorized by 35 U.S.C. 21(a).

For patent applications and reexamination proceedings pending in the USPTO as of March 11, 2011, having one or more inventors, an assignee, or a correspondence address in areas of Japan affected by the earthquake and tsunami, in which a reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding, and for which the statutory or non-statutory time period set for response has not yet expired, the USPTO will, on applicant's request, or a reexamination party's request, withdraw the Office communication and reissue it. The request must be made prior to expiration of the statutory or non-statutory time period set for response and within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956). The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice will be treated as a representation that the need for the reissuance of the Office communication was due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Form PTO/SB/425 will be available in EFS-Web and on the USPTO Web site at http://www.uspto.gov/forms/index.jsp. The use of form PTO/SB/425 is encouraged to facilitate processing of the request.

For patentees who were unable to timely pay a patent maintenance fee due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee and the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment when the patentee files the maintenance fee payment with a petition to accept a delayed maintenance fee under 37 CFR 1.378(c). *See* 37 CFR 1.183.

Patentees who seek to pay a maintenance fee during the six-month grace period following the window to pay the maintenance fee with a request to waive the surcharge in 37 CFR 1.20(h), must mail the payment and request to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or via facsimile to: 571-273-6500.

The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice with the payment of the maintenance fee during the grace period will be treated as a representation that the late payment of the fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(h). This waiver may only be appropriately requested where the original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011, and the delay in paying the fee was due to the effects of the earthquake and tsunami of March 11, 2011.

The USPTO advises patentees who need to file a petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami of March 11, 2011, where the maintenance fee payment was required to have been paid after March 10, 2011, to promptly file a petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/*66* – **Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))** accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)) and either a copy of this notice or form PTO/SB/425. The inclusion of a copy of this notice will be treated as a representation that the delay in payment of the maintenance fee was due to the effects of the earthquake and resulting tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(i). The petition must filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

Patentees are reminded that a petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c). A petition to accept a delayed maintenance fee payment filed later than twenty-four months after the expiration date of the patent must be filed under 37 CFR 1.378(b) and include a showing that the delay in payment was unavoidable. A petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami may be submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

For applicants who file a nonprovisional application on or after March 11, 2011, and prior to April 12, 2011, without an executed oath or declaration or payment of the basic filing fee, search fee, and/or examination fee due to the earthquake and tsunami of March 11, 2011, the USPTO will waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee. Patent applicants seeking waiver of the surcharge must include either form PTO/SB/425 or a copy of this notice, along with the executed oath or declaration or the basic filing fee,

search fee, or examination fee. The inclusion of a copy of this notice will be treated as a representation that the late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.16(f). The reply to the Notice to File Missing Parts requiring the oath or declaration or the filing fees may be submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent-related inquiries concerning this notice may be directed to the Office of Patent Legal Administration at (571) 272-7704 ((571) 272-7703 for reexamination), or by e-mail at PatentPractice@uspto.gov.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, in which a an Office action (final, non-final, or other), a notice of allowance, or other Office notice requiring a response (hereinafter collectively referred to as "Office communication") is outstanding, the USPTO will, upon request, withdraw the Office communication and reissue it. The request must be made prior to the deadline for responding to the Office communication, and indicate that the need for the reissuance of the Office communication is due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via e-mail to TMFeedback@uspto.gov or by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451. If necessary, changes of correspondence address should be provided.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, that were abandoned or cancelled due to inability to timely respond to a trademark-related Office communication due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the petition fee (set by regulation, rather than statute) to revive the abandoned application or cancelled registration. Either a petition by regular mail to the address set forth in the preceding paragraph, or the Trademark Electronic Application System (TEAS) "Request for Reinstatement" form should be used, and must include a verified statement that the failure to respond to the Office communication was due to the effects of the earthquake and resulting tsunami.

Trademark-related inquiries concerning this notice may be directed to the Trademark Office of Petitions by telephone at (571) 272-8950, by facsimile at (571) 273-8950, or by e-mail at TMFeedback@uspto.gov.

The USPTO cannot grant waivers or extensions of dates or requirements set by statute. For example, the following patent-related time periods cannot be extended by the Director: (1) the period set forth in 35 U.S.C. 119(a)-(d) to file a nonprovisional patent application claiming the benefit of a prior-filed foreign application; (2) the twelve-month time period set forth in 35 U.S.C. 119(e) during which a nonprovisional application claiming the benefit of a prior filed provisional application must be filed in order to

obtain benefit of the provisional application's filing date; (3) the copendency requirement of 35 U.S.C. 120 between a parent application which issues as a patent and a later filed child application, which requires that the child application be filed prior to issuance of the parent application; (4) the three-month time period to pay the issue fee set forth in 35 U.S.C. 151; (5) the 35 U.S.C. 304 two-month time period from the date of patentee service, for a requester to file, in an *ex parte* reexamination, a reply to a statement filed by the patentee; and (6) the 35 U.S.C. 314(b)(2) thirty-day time period from the date of service, for a requester to file, in an *inter partes* reexamination, written comments addressing issues raised by an Office action or the patentee's response to the action. The following statutory trademark-related time periods cannot be extended and statutory fees cannot be waived by the Director: (1) the 36-month period set forth in 15 U.S.C. 1051(d) within which a statement of use must be filed and the associated fee(s); (2) the periods set forth in 15 U.S.C. 1058, 1141(k) for filing affidavits of continued use or excusable nonuse and the associated fee(s); (3) the period set forth in 15 U.S.C. 1059 for filing a renewal and the associated fee(s); and (4) the periods set forth in 15 U.S.C. 1063 and 1064 for filing an opposition or cancellation proceeding at the Trademark Trial and Appeal Board.

Date: 3/17/11

David J. Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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DITTHAVONG MORI & STEINER, P.C.
918 PRINCE STREET
ALEXANDRIA VA 22314

MAILED

JUN 01 2011

OFFICE OF PETITIONS

In re Application of :
Sugawara et al. :
Application No. 13/076,431 : DECISION ON PETITION
Filed: March 31, 2011 :
Attorney Docket No. P5166US00 :

This is a decision on the request filed May 26, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 31, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [x] basic filing fee, [x] search fee and/or [x] examination fee

The relevant item(s) was/were filed on May 26, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

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

PTO/SB/425 (03-11)

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

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
13/076,500	
First Named Inventor:	Title of Invention:
Sadashi SETO	Electric Storage Module and Electric Storage ...

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signature /Michael H. Jacobs/	Date June 8, 2011
Name (Print/Typed) Michael H. Jacobs	Practitioner Registration Number 41,870

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

Privacy Act Statement

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

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

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

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CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

MAILED
JUN 13 2011
OFFICE OF PETITIONS

In re Application of	:	
Seto et al.	:	
Application No. 13/076,500	:	DECISION ON PETITION
Filed: March 31, 2011	:	
Attorney Docket No. 107008.63493US	:	

This is a decision on the request filed June 8, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 31, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [ ] basic filing fee, [ ] search fee and/or [ ] examination fee

The relevant item(s) was/were filed on June 8, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

CAHN & SAMUELS LLP
1100 17th STREET NW
SUITE 401
WASHINGTON, DC 20036

MAILED
JUN 03 2011
OFFICE OF PETITIONS

In re Application of :
Henderson et al. :
Application No. 13/076,506 : ON PETITION
Filing: March 31, 2011 :
Attorney Docket No. 905A.0002 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 31, 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 accompanied by a declaration from the applicants that they are over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

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

This matter is being referred to the Technology Center Art Unit 3622 for action on the merits commensurate with this decision.

A. Kelley Collier

Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 54052/83842	Application Number (if known): 13/076,515	Filing date: March 31, 2011

First Named Inventor: Michael L. Picco

Title: Computerized Light Control System with Light Leveling Profiling and Method

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 /Michael E. Wever/	Date March 31, 2011
Name (Print/Typed) Michael E. Wever	Registration Number 43,984

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

☐ *Total of _____ forms are submitted.

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

BARNES & THORNBURG LLP

600 One Summit Square
Fort Wayne, Indiana 46802
(260) 423-9440

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.:	23641
Application No.:	13/076,515
Confirmation No.:	
Filing Date:	March 31, 2011
Attorney Docket No.:	54052/83842
First Named Inventor:	Michael L. Picco
Group Art Unit:	
Examiner Name:	
Title:	COMPUTERIZED LIGHT CONTROL SYSTEM WITH LIGHT LEVEL PROFILING AND METHOD

I hereby certify that this correspondence is being electronically filed with the Commissioner for Patents in accordance with 37 CFR §1.6 (a)(4)

on: March 31, 2011

/Michael E. Wever/
Michael E. Wever

STATEMENT OF SPECIAL STATUS ELIGIBILITY ACCOMPANYING PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

1. I, Michael L. Picco, am the inventor of the invention disclosed and claimed in the above application. I am also the Vice President of Engineered Systems, Inc., which is the Assignee of the above application.

2. This application is directed to the more efficient utilization and conservation of energy resources in conjunction with lighting control systems. As discussed in the Background section at page 5, line 5 – page 6, line 2; existing lighting control systems may use occupancy sensors and ambient light level sensors to conserve energy. However, the manner in which these existing systems use the sensors is difficult to setup and costly, which leads to an inefficient utilization of energy resources.

3. The claimed invention utilizes light level profiling to control the lights in a more energy efficient manner. In Claim 1, for example, step (f) recites the building of an electronic profile of light conditions for the area to be controlled that is based on readings from ambient light sensors to determine a respective influence on artificial light of each switch within the area to be controlled. This electronic profile is used to control lighting conditions in the area to be controlled. In step (i) of Claim 1, for example, a current light level reading is obtained from light sensors in the area to be controlled at the time when there is a request to turn on lights. This current reading is used, for example in steps (j) and (k) of Claim 1, to determine which switches to turn on to best match a desired set point based on the current light level reading. This configuration achieves a more efficient use of energy because a minimum number of switches are turned on to match the desired set point based on the profile and current light reading.

4. By introducing a highly efficient and simple to setup means of lighting control, a substantial savings in energy, and likewise costs, are realized. The use of the light level profile and current light level reading, as discussed in the example above with respect to Claim 1, provides this level of control. This aspect of the method automatically adjusts the amount of artificial lighting provided to a room or space within a facility with respect to the natural light present (e.g., based on ambient light from windows or other sources of lighting within a facility). Typically with existing systems, design engineers determine the amount of artificial light required for a space by the minimum amount of natural light available for a given period of time (i.e. night or a cloudy day). This results in an abundance of artificial light under "normal" conditions. The claimed method, however, recognizes this abundance of natural ambient light as seen on a "typical" day and adjusts the amount of artificial lighting required. Based on my projections, this could result in savings of 30-50% of the energy usage associated with the lighting demands of a commercial facility. The net result of the total energy savings for a typical commercial facility could be 7-12% based on my projections.

5. I hereby declare that all statements made herein are true and that all statements made on information and belief are believed to be 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 application or any patent issuing thereon.

Michael L. Picco, Vice President
Engineered Systems, Inc.

3-31-11
Date

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/076,521	03/31/2011	Michael L. Picco	54052/83842	3912

23641 7590 05/11/2011
BARNES & THORNBURG LLP
600 ONE SUMMIT SQUARE
FORT WAYNE, IN 46802

EXAMINER	
ART UNIT	PAPER NUMBER
2121	

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):

greg.cooper@btlaw.com
rhonda.bailey-reed@btlaw.com
mwever@btlaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

BARNES & THORNBURG LLP
600 ONE SUMMIT SQUARE
FORT WAYNE IN 46802

In re Application of:
PICCO, Michael
Application No. 13/076,521
Filed: March 31, 2011
Attorney Docket No. 54052/83842
Title: **COMPUTERIZED LIGHT CONTROL SYSTEM WITH LIGHT LEVEL PROFILING AND METHOD**

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 March 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **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

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

PTO/SB/425 (03-11)

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

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
13/076,556	
First Named Inventor:	**Title of Invention:**
Atsuo SUGA	Storage Battery System

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signature /Michael H. Jacobs/	Date May 26, 2011
Name (Print/Typed) Michael H. Jacobs	Practitioner Registration Number 41,870

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

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

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www.uspto.gov

CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

MAILED

MAY 3 1 2011

OFFICE OF PETITIONS

In re Application of :
Atsuo Suga :
Application No. 13/076,556 : DECISION ON PETITION
Filed: March 31, 2011 :
Attorney Docket No. 107008.63496US :

This is a decision on the request filed May 26, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 13, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [ ] basic filing fee, [ ] search fee and/or [ ] examination fee

The relevant item(s) was/were filed on May 26, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

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 Known	Filing date:	Herewith
First Named Inventor:	Yousuke KUNISHI		
Title of the Invention:	TRANSPARENT CONDUCTIVE FILM AND CONDUCTIVE SUBSTRATE USING THE SAME		

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/JP2010/003598

The international date of the corresponding PCT application(s) is/are: May 28, 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.

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 Known
First Named Inventor:	Yousuke KUNISHI

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	No difference
2	2	No difference
3	3	No difference
4	4	No difference, except amended to depend only on claim 1
5	5	No difference
6	6	No difference
7	-	Canceled
8	-	Canceled
9	4	No difference, based on original claim 4 dependent on claim 2
10	4	No difference, based on original claim 4 dependent on claim 3
11	5	No difference, based on original claim 5 but dependent on claim 9
12	5	No difference, based on original claim 5 but dependent on claim 10
13	6	No difference, based on original claim 6 but dependent on claim 9
14	6	No difference, based on original claim 6 but dependent on claim 10
15	7	No difference, except amended to depend on any one of claims 1-6 and 9-14
16	8	No difference

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

Signature	Date March 31, 2011
Name (Print/Typed) Robert C. Faber	Registration Number 24,322

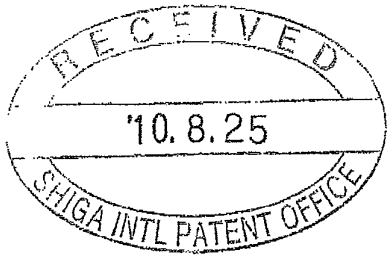
Privacy Act Statement

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.

特許協力条約



発信人　日本国特許庁（国際調査機関）

代理人
志賀正武

様

あて名
〒100-6620
日本国東京都千代田区丸の内一丁目９番２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〕

出願人又は代理人の書類記号　PC-13091	今後の手続きについては、下記２を参照すること。

発送日
(日.月.年)　24．08．2010

国際出願番号	国際出願日	優先日
PCT／JP2010／003598	(日.月.年)　28．05．2010	(日.月.年)

国際特許分類（IPC）Int.Cl. H01B5/14(2006.01)i, G06F3/041(2006.01)i

出願人（氏名又は名称）
信越ポリマー株式会社

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
10．08．2010

名称及びあて先	特許庁審査官（権限のある職員）	4X	9275
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	高木　康晴 電話番号　03－3581－1101　内線　3477		

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／JP2010／003598

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／JP2010／003598

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

文献１：JP 2010-77186 A（信越ポリマー株式会社）2010.04.08, 段落0105
文献２：WO 2006/126604 A1（グンゼ株式会社）2006.11.30, & JP 4055019 B & JP 2008-98169 A & US 2008/0138589 A1 & EP 1892609 A1

請求項１－８
請求項１－８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。

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／００３５９８

第Ⅵ欄　ある種の引用文献

１．　ある種の公表された文書（ＰＣＴ規則43の2.1及び70.10）

出願番号 特許番号	公知日 （日．月．年）	出願日 （日．月．年）	優先日（有効な優先権の主張） （日．月．年）
JP 2010-140859 A 「ＥＸ」	24.06.2010	15.12.2008	

２．　書面による開示以外の開示（ＰＣＴ規則43の2.1及び70.9）

書面による開示以外の開示の種類	書面による開示以外の開示の日付 （日．月．年）	書面による開示以外の開示に言及している書面の日付（日．月．年）

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY	International Application No. PCT/JP2010/003598

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 1-8	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:

Citation 1: JP2010-77186A (Shin-Etsu Polymer Co., Ltd.) 2010.04.08, Paragraph [0105]

Citation 2: WO2006/126604A1 (Gunze Limited) 2006.11.30 & JP4055019B & JP2008-98169A & US2008/0138589A1 & EP1892609A1

Claims 1 to 8

The inventions according to claims 1 to 8 are not disclosed in any of the Citations cited in the ISR. Furthermore, it is not obvious for a person skilled in the art.

INTERNATIONAL SEARCH REPORT

International Application No.
PCT/JP2010/003598

Box No. VI Certain documents cited

1. Certain published documents (Rule 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)*
JP2010-140859A "EX"	24. 06. 2010	15. 12. 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)*

VERIFICATION OF TRANSLATIONS

Re: Claims of International Patent Application (PCT Appln. No. PCT/JP2010/003598)

Address: I, Megumi WADA of c/o SHIGA INTERNATIONAL PATENT OFFICE, GranTokyo South Tower 1-9-2 Marunouchi, Chiyoda-ku, Tokyo, Japan, hereby declare that I am the translator of the documents listed above and certify that the translations are true translations to the best of my knowledge and belief.

Signature of Translator: Megumi WADA Megumi WADA

Dated this: 18th, day of March, 2011.

CLAIMS WHICH WERE DETERMINED TO BE PATENTABLE BY ISA OR IPEA

【請求項１】

絶縁性を有する透明基体と、導電性を有する金属からなり前記透明基体内に配設された網状部材と、を備えた透明導電膜であって、

前記透明基体には、前記網状部材が配置される導電部と、前記網状部材が除去されることにより形成された空隙が配置される絶縁部と、が設けられることを特徴とする透明導電膜。

【請求項２】

請求項１に記載の透明導電膜であって、

前記網状部材は、前記透明基体内に分散されて互いに電気的に連結された金属極細繊維からなることを特徴とする透明導電膜。

【請求項３】

請求項２に記載の透明導電膜であって、

前記金属極細繊維は、銀を主成分としていることを特徴とする透明導電膜。

【請求項４】

請求項１～３のいずれか一項に記載の透明導電膜であって、

前記絶縁部の空隙が、前記網状部材にパルス状レーザを照射して形成されたことを特徴とする透明導電膜。

【請求項５】

請求項４に記載の透明導電膜であって、

前記パルス状レーザは、パルス幅１ｐ秒未満の極短パルスレーザであることを特徴とする透明導電膜。

【請求項６】

請求項４に記載の透明導電膜であって、

前記パルス状レーザは、ＹＡＧレーザ又はYVO_4レーザであることを特徴とする透明導電膜。

【請求項７】

請求項１～６のいずれか一項に記載の透明導電膜を、絶縁基板の少なくとも一方の面に設けたことを特徴とする導電性基板。

【請求項８】

請求項７に記載の導電性基板であって、

前記絶縁基板は、透明であることを特徴とする導電性基板。

ENGLISH TRANSLATION OF CLAIMS WHICH WERE DETERMINED TO BE PATENTABLE BY ISA OR IPEA

1. A transparent conductive film comprising:

a transparent base material having insulation properties; and

a mesh member made of a conductive metal and provided in the transparent base material,

wherein the transparent base material is provided with a conductive portion in which the mesh member is arranged, and an insulating portion in which a gap formed by removing the mesh member is arranged.

2. The transparent conductive film according to Claim 1,

wherein the mesh member is made of metal microfibers that are dispersed and electrically connected with each other in the transparent base material.

3. The transparent conductive film according to Claim 2, wherein the metal microfibers are mainly composed of silver.

4. The transparent conductive film according to any one of Claims 1 to 3,

wherein the gap in the insulating portion is formed by irradiating a pulsed laser onto the mesh member.

5. The transparent conductive film according to Claim 4, wherein the pulsed laser is an ultrashort pulse laser with a pulse width of less than 1 picosecond.

6. The transparent conductive film according to Claim 4, wherein the pulsed laser is a YAG laser or a YVO_4 laser.

7. A conductive substrate comprising the transparent conductive film of any one of Claims 1 to 6 provided at least on one surface of an insulating substrate.

8. The conductive substrate according to Claim 7, wherein the insulating substrate is transparent.

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.
13/076,575	03/31/2011	Yousuke KUNISHI	P/2850-385 (V18869)	4001

2352 7590 06/07/2011

OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER	
ART UNIT	PAPER NUMBER
1761	

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

WG

June 7, 2011

In re application of	:	DECISION ON REQUEST TO
Yousuke Kunishi et al.	:	PARTICIPATE IN PATENT
Serial No. 13/076,575	:	PROSECUTION HIGHWAY
Filed: March 31, 2011	:	PROGRAM AND
For: TRANSPARENT CONDUCTIVE FILM	:	PETITION TO MAKE SPECIAL
AND CONDUCTIVE SUBSTRATE	:	UNDER 37 CFR 1.102(a)
USING THE SAME	:	

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 March 31, 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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Thomas MANCUSO	)
Confirmation No.: 4058	)
	)
Serial No.: 13/076,610	)
	)
Filing Date: 03-31-2011	)
	)
Atty Docket No.: 244729-1	)

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

Statement Concerning the Basis for the Special Status

SIR:

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

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

Respectfully submitted,

General Electric Company

By : /Douglas D. Zhang/
Douglas D. Zhang
Reg. No. 37,985

Dated: May 13, 2011

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

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 244729-1	Application Number (if known): 13/076,610	Filing date: 03-31-2011

First Named Inventor: Thomas MANCUSO

Title: AXIAL COOLED GENERATOR

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

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

1. By filing this petition:

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

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

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

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

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

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

Signature /Douglas D. Zhang/	Date May 13, 2011
Name (Print/Typed) Douglas D. Zhang	Registration Number 37,985

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

☐ *Total of _____ forms are submitted.

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

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.
13/076,610	03/31/2011	Thomas Mancuso	244729-1	4058

7788 7590 05/25/2011

GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY, NY 12345

EXAMINER	
ART UNIT	PAPER NUMBER
2839	

MAIL DATE	DELIVERY MODE
05/25/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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GE ENERGY GENERAL ELECTRIC
C/O ERNEST G. CUSICK
ONE RIVER ROAD, BLD. 43, ROOM 225
SCHENECTADY NY 12345

In re Application of	:	
MANCUSO et al.	:	DECISION ON PETITION
Application No. 13/076,610	:	TO MAKE SPECIAL UNDER
Filed: March 31, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 244729-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 19, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 2839 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

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

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 3449-1657PUS1	Application Number (if known): 13/076,712	Filing date: March 31, 2011
First Named Inventor: Kyong Jun KIM		
Title: LIGHT EMITTING DEVICE PACKAGE AND LIGHTING SYSTEM		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature	Date May 20, 2011
Name (Print/Typed) James T. Eller, Jr.	Registration Number 39538

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

☐ *Total of _____ forms are submitted.

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

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

Docket No.: 3449-1657PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:	Kyong Jun KIM		
Application No.:	13/076,712	Confirmation No.:	4268
Filed:	March 31, 2011	Art Unit:	2875
For:	LIGHT EMITTING DEVICE PACKAGE AND LIGHTING SYSTEM	Examiner:	To be assigned

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

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

Sir:

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

Independent claims 1, 13 and 19 recite a combination of elements including light emitting diodes. As set forth in paragraph [0038], the light emitting diodes 31 and 33 may include a blue LED chip, a yellow LED chip, a green LED chip, a red LED chip, an UV LED chip, an amber-colored LED chip or a blue-green LED chip. Paragraph [0003] states that light emitting diodes (LEDs) may constitute a light source to generate light by using GaAs, AlGaAs, GaN, InGaN, and InGaAlP-based compound semiconductor materials.

A light emitting device package or a lighting system that includes light emitting diodes made of semiconductor materials according to the present invention has a much longer life-span than conventional light sources such as fluorescent tubes or other traditional light sources. Also,

a light emitting device package or a lighting unit that includes light emitting diodes made of semiconductor materials according to the present invention also uses less energy or power to operate than other traditional light sources. Thus, the environmental quality is significantly improved and energy is conserved.

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

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

Accordingly, it is respectfully requested the Petition be granted.

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

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

Dated: May 20, 2011

Respectfully submitted,

By _____
James T. Eller, Jr.
Registration No.: 39538
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/076,712	03/31/2011	Kyong Jun KIM	3449-1657PUS1	4268

2292 7590 05/26/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

NOTIFICATION DATE	DELIVERY MODE
05/26/2011	ELECTRONIC

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

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

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

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of	:	
Kyong Jun KIM	:	DECISION ON PETITION
Application No. 13/076,712	:	TO MAKE SPECIAL UNDER
Filed: March 31, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 3449-1257PUS1	:	PILOT PROGRAM

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

The petition is **GRANTED**.

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 2875 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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.
13/076,722	03/31/2011	Dietrich Scherzer	12810-01166-US	4284

7590 09/20/2011

CONNOLLY BOVE LODGE & HUTZ, LLP
P O BOX 2207
WILMINGTON, DE 19899

EXAMINER	
RICHARDSON, BONITA L	
ART UNIT	PAPER NUMBER
1781	
MAIL DATE	DELIVERY MODE
09/20/2011	PAPER

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(c)

The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(c), for express abandonment to avoid publication of the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☑ The petition under 37 CFR 1.138(c) was not filed in sufficient time to permit the appropriate officials to recognize the abandonment and remove the application from the publication process.
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☐ The Application was published in compliance with 35 U.S.C. 122(b), and it is available on the USPTO web site at http://www.uspto.gov/patft/index.html.
4. ☐ Petition fee was not paid.

The application **has/will be published** as scheduled.

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

Mimi Farmer

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
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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR NY 10510

MAILED
JUN 10 2011
OFFICE OF PETITIONS

In re Application of :
Wiebe De Haan :
Application Number: 13/076,829 : ON PETITION
Deposited: 03/31/2011 :
Attorney Docket Number: PHN15395US3 :

This is a decision on the RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION AND PETITION UNDER 37 CFR 1.57(a) filed on April 20, 2011, which is treated as a petition requesting that the above-identified application, without drawings, be accorded a filing date of March 31, 2011. This petition is being treated pursuant to 37 CFR 1.53(e)(2)[1].

Application papers in the above-identified application were deposited on March 31, 2011. However, on April 15, 2011, the Office of Patent Application Processing mailed applicants a "Notice of Incomplete Nonprovisional Application," notifying applicants that the application papers had not been accorded a filing date because the application was deposited without drawings. In response, applicants timely filed this petition. Applicants request that the application be amended to include the inadvertently omitted drawings on the basis that the application as filed contained a prior benefit claim under 37 CFR 1.55 or 1.78.

Petitioners' arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method claim. MPEP 601.01(f) provides that:

> It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

[1] Any request for review of a notification pursuant to paragraph (e)(1) of this section, or a notification that the original application papers lack a portion of the specification or drawing(s), must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in § 1.17(f). In the absence of a timely (§ 1.181(f)) petition pursuant to this paragraph, the filing date of an application in which the applicant was notified of a filing error pursuant to paragraph (e)(1) of this section will be the date the filing error is corrected.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

> [i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

Please note that no petition is required and that the amendment must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17.

Petitioners may wish to consider filing a preliminary amendment to enter the inadvertently omitted drawings. Any amendment to include the inadvertently omitted drawing(s) will be considered by the examiner.

To the extent the instant petition requests a filing date of March 31, 2011, with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, the petition fee is being refunded.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to March 31, 2011**;
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing** and
- **for issuance of a filing receipt.**

Telephone inquiries concerning this matter may be directed to Senior Petitions Attorney Douglas I. Wood at (571) 272-3231.

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

THOMPSON COBURN LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS MO 63101

MAILED
JUN 15 2011
OFFICE OF PETITIONS

In re Application of	:	
Scott Parsons, et al.	:	
Application No. 13/076,906	:	DECISION ON PETITION
Filed: March 31, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 44826-95688	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the attorney of record declaring that he is in possession of such evidence that shows the applicant, Mark A. Franklin is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

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

The application is being forwarded to the Technology Center Art Unit 3693 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

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

PTO/SB/425 (03-11)

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

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
13/076,916	
First Named Inventor:	**Title of Invention:**
Sadayuki AOKI	Electrical Storage Module

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signature /Michael H. Jacobs/	Date May 26, 2011
Name (Print/Typed) Michael H. Jacobs	Practitioner Registration Number 41,870

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

Privacy Act Statement

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

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

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

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CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

MAILED

MAY 3 1 2011

OFFICE OF PETITIONS

In re Application of :
Sadayuki Aoki :
Application No. 13/076,916 : DECISION ON PETITION
Filed: March 31, 2011 :
Attorney Docket No. 107008.63492US :

This is a decision on the request filed May 26, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on March 31, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [ ] basic filing fee, [ ] search fee and/or [ ] examination fee

The relevant item(s) was/were filed on May 26, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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THOMPSON COBURN LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS MO 63101

MAILED

JUN 15 2011

OFFICE OF PETITIONS

In re Application of	:	
Scott Parsons, et al.	:	
Application No. 13/076,929	:	DECISION ON PETITION
Filed: March 31, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 44826-95689	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the attorney of record declaring that he is in possession of such evidence that shows the applicant, Mark A. Franklin is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

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

The application is being forwarded to the Technology Center Art Unit 3693 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAY 19 2011

OFFICE OF PETITIONS

THOMPSON COBURN LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS MO 63101

In re Application of	:	
Scott Parson et al.	:	
Application No. 13/076,951	:	DECISION ON PETITION
Filed: March 31, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **44826-95686**	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

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

The application is being forwarded to the Technology Center Art Unit 3693 for action on the merits commensurate with this decision.

JoAnne Burke
Petitions Examiner
Office of Petitions

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Alexandria, VA 22313-1450
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THOMPSON COBURN LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS MO 63101

MAILED
MAY 19 2011
OFFICE OF PETITIONS

In re Application of :
Scott Parson et al. :
Application No. 13/076,968 : DECISION ON PETITION
Filed: March 31, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **44826-94010** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

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

The application is being forwarded to the Technology Center Art Unit 3693 for action on the merits commensurate with this decision.

JoAnne Burke
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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THOMPSON COBURN LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS MO 63101

MAILED
MAY 19 2011
OFFICE OF PETITIONS

In re Application of :
Scott Parson et al. :
Application No. 13/076,982 : DECISION ON PETITION
Filed: March 31, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **44826-95685** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

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

The application is being forwarded to the Technology Center Art Unit 3693 for action on the merits commensurate with this decision.

JoAnne Burke
Petitions Examiner
Office of Petitions

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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MAY 19 2011

OFFICE OF PETITIONS

THOMPSON COBURN LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS MO 63101

In re Application of :
Scott Parson et al. :
Application No. 13/077,036 : DECISION ON PETITION
Filed: March 31, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **44826-94011** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

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

The application is being forwarded to the Technology Center Art Unit 3693 for action on the merits commensurate with this decision.

JoAnne Burke
Petitions Examiner
Office of Petitions

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HERBERT L. ALLEN
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST, P.A.
255 SOUTH ORANGE AVENUE, SUITE 1401
P. O. BOX 3791
ORLANDO, FL 32802-3791

MAILED
APR 14 2011
OFFICE OF PETITIONS

In re Application of :
Carol Chandler :
Application No. 13/077,043 :DECISION ON PETITION
Filed: March 31, 2011 :TO MAKE SPECIAL UNDER
Attorney Docket No. 0114121 : 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 31, 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 sole inventor that she 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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,043	03/31/2011	Carol Chandler	0114121	4871

45191 7590 12/01/2011

HERBERT L. ALLEN
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST, P.A.
255 SOUTH ORANGE AVENUE, SUITE 1401
P. O. BOX 3791
ORLANDO, FL 32802-3791

EXAMINER	
JOHNS, ANDREW W	
ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
12/01/2011	ELECTRONIC

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

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

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

Skemraj@addmg.com
Syenser@addmg.com
jlong@addmg.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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HERBERT L. ALLEN
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255 SOUTH ORANGE AVENUE, SUITE 1401
P. O. BOX 3791
ORLANDO FL 32802-3791

In re Application of :
Carol Chandler :
Serial No.: 13/077043 :
Filed: March 31, 2011 : *DECISION ON PETITION*
: *ACCEPTANCE OF COLOR* DRAWINGS

For:

MEDICAL IMAGING SYSTEM AND RELATED METHODS

This is a decision on the petition under 37 CFR §1.184(a) (2), filed March 31, 2011 requesting acceptance of color drawings.

The petition requests that the color drawings identified in FIGS. 3-8 be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. §1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee."

The petition is GRANTED.

/Doris To/

Doris To
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
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PATRICK W. RASCHE (20459)
ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD
SUITE 1800
ST. LOUIS MO 63105

MAILED
FEB 10 2012
OFFICE OF PETITIONS

Applicants: Ding Weijiang
Appl. No.: 13/077,107
Filing Date: March 31, 2011
Title: LIFT APPARATUS FOR SUPPORTING C-ARM OR U-ARM AND MEDICAL X-RAY MACHINE HAVING THE SAME
Attorney Docket: 16XZ-CN07106 (20459-546)
Pub. No.: US20110243309 A1
Pub. Date: October 6, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on November 22, 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 in the claims.

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 the claims 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).

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

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,119	03/31/2011	Ariel MITTELMAN	1662/A610US1	5013

26646 7590 02/17/2012

KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER	
CHENG, KAREN	
ART UNIT	PAPER NUMBER
1622	
MAIL DATE	DELIVERY MODE
02/17/2012	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
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David J. Fenick
KENYON & KENYON LLP
ONE BROADWAY
NEW YORK NY 10004

In re Application of	:
Mittleman et al	:
Serial No.:13/077,119	: Decision on Petition
Filed: 31 March 2011	:
Attorney Docket No.: 1662/A610US1	:

This letter is in response to the petition under 37 CFR 1.144 filed 20 December 2011 requesting reconsideration of the restriction requirement mailed 16 August 2011.

BACKGROUND

On 16 August 2011, the examiner divided claims 1-16 into eight groups for restriction. The requirement was justified with the reason that "prior art applicable to one invention would not likely be applicable to another invention."

On 19 August 2011, applicant elected Group V, claims 9 and 10, with traverse, requesting that Groups I-IV (claims 1-8) be examined with elected Group V.

On 11 October 2011, the examiner considered that traversal and made the restriction requirement final. Claims 1-8 and 11-16 were withdrawn from examination as being directed to non-elected inventions. The examiner reasoned that the different forms of sitagliptin sulfate were distinct so the search would have to include consideration of the different X-ray peaks and ^{13}C NMR spectra patterns. The examiner then rejected Claims 9-10 as being indefinite, for among other issues, reciting the ^{13}C NMR spectra. The examiner found the language confusing and remarked that "it is not known what the value of the peaks are being referenced by the claim." Claims 9 and 10 were then rejected under 35 U.S.C. 102(a) and (e) as being anticipated by WO Pub No. 2009/085990. In that rejection, the examiner indicated that the ^{13}C NRM spectrum of a currently known crystalline form was an unknown property and acknowledged that '590 reference was silent concerning the ^{13}C NMR spectrum of the particular crystalline form. In the body of the rejection, the examiner indicated that the "examiner may make a rejection under both 35 U.S.C. 102 and 103, expressed as a 102/103 rejection."

On 20 December 2011, applicants filed this petition under 37 CFR 1.144 for reconsideration of the restriction requirement, along with a response to the Office action. An amendment filed on 20 December 2011 cancelled claim 9 and amended claim 10 to be written in independent form.

A supplemental amendment was filed on 6 February 2012.

DISCUSSION

The application, file history and petition have been considered carefully in view of the claims as currently pending.

Originally, claims 1 and 2 were placed in Group I, which was withdrawn from examination. Claim 1 has since been cancelled and claim 2 has been amended as follows:

> 1. (Cancelled) Crystalline Form S9 of Sitagliptin sulfate.
>
> 2. (Withdrawn - Amended) ~~The Sitagliptin~~ Crystalline sitagliptin sulfate Form S9 ~~of claim 1~~, characterized by data selected from: a powder XRD pattern with peaks at 12.7°, 15.7°, 17.7°, 21.0°, and 21.9° ± 0.2° 2θ; ~~or by~~ a powder XRD pattern as shown in figure 1; ~~or by combinations~~ and any combination thereof.

Claims 10-11 were placed in Group V, which was examined on the merits. The amendment filed along with this petition resulted in cancellation of claim 9 and amendment of claim 10. A supplemental amendment filed 6 February 2012 cancelled claims 1, 3, 5, 11, 13, 15, amended claims 2, 4, 6, 8, 10, 12, 14, 16 and added new claims 17-20.

> 9. (Cancelled) Crystalline Form S16 of Sitagliptin sulfate.
>
> 10. (Currently amended) Crystalline sitagliptin sulfate Form S16, characterized by data selected from: a powder XRD pattern with peaks at 9.2°, 16.3°, 18.5°, 20.6°, and 23.8° ± 0.2° 2θ; a powder XRD pattern as shown in figure 13; a solid-state ^{13}C NMR spectrum with signals at 120.8, 150.0 and 171.1 ± 0.2 ppm; a solid-state ^{13}C NMR spectrum having chemical shift differences between the signal exhibiting the lowest chemical shift in the chemical shift range of 100 to 190 ppm and another signal in the chemical shift range of 100 to 190 ppm of 16.1, 45.3 and 66.4 ± 0.1 ppm; a solid-state ^{13}C NMR spectrum as depicted in figures 25 or 26; and any combination thereof.

The petition requests that

(a) the restriction required between Groups I-V be withdrawn and claims 1-10, which are all drawn to a crystalline form of Sitagliptin sulfate, classified in class 544, subclass 350, be examined together.

(b) the restriction required between Groups VI-VIII be withdrawn and claims 11-16, which are all drawn to a crystalline form of Sitagliptin L-malate, classified in class 544, subclass 350, be examined together.

The petition points out that concurrent examination of the five polymorphic dorms of sitagliptin sulfate would be unlikely to involve a serious burden because

(a) all the claims are directed to a single salt form (the sulfate salt) of a single compound (sitagliptin) and

(b) individual searches of Groups I-V would simply consist of the same or similar search repeated for each group.

The petition points to MPEP 808 which indicates that where "the classification is the same and the field of search is the same and there is not clear indication of separate future classification and field of search, no reasons exist for dividing among independent or related inventions."

Moreover, MPEP 808.01(c) indicates that "the different field of search must in fact be pertinent to the type of subject matter covered by the claims."

These arguments are persuasive. A review of the Office action mailed 11 October 2011 indicates that the issues raised with regards to Claims 9-10 under 35 U.S.C. 112, 2nd paragraph and 35 U.S.C. 102(a) and (e) would also apply to withdrawn claims 1-8. In particular, the Office action mailed 11 October 2011 has applied prior art while admitting that the prior art is silent concerning the ^{13}C NRM limitations which had in part prompted the original restriction requirement. For this reason, it would not require a serious burden to examine claims to the related sitagliptin sulfates.

For similar reasons, it would not require a serious burden to examine the various forms of sitagliptin L-malate together in a divisional application.

DECISION

The petition under 37 CFR 1.144 filed 20 December 2011 is **GRANTED**.

The restriction requirement between Groups I-V is withdrawn. Claims 2, 4, 6, 8, and 17-20 will be examined on the merits along with other already-examined claims 10. (Claims 1, 3, 5, 7 and 9 have been cancelled.)

The restriction requirement between Groups VI -VIII is withdrawn. Claims 12, 14 and 16 will be grouped together as the second invention and remain withdrawn from consideration. (Claims 11, 13 and 15 have been cancelled.)

The Office action mailed 11 October 2011 is withdrawn as incomplete.

The application will be returned to the examiner for consideration of the papers filed 20 December 2011 and 6 February 2012 and for preparation of an Office action consistent with this decision.

Should there be any questions regarding this decision, please contact Quality Assurance Specialist Julie Burke, by mail addressed to Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at (571) 272-0512 or by Official Fax at 571-273-8300.

Dan Sullivan
(Acting) Director, 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: GEVO-045/07US	Application Number (if known): Not Yet Assigned	Filing date: March 31, 2011
First Named Inventor: Thomas BUELTER		
Title: REDUCED BY-PRODUCT ACCUMULATION FOR IMPROVED PRODUCTION OF ISOBUTANOL		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: Statement of Special Status

Signature /Paul A. Wickman/	Date March 31, 2011
Name (Print/Typed) Paul A. Wickman	Registration Number 61,242

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

☒ *Total of 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.

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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,170	03/31/2011	Thomas Buelter	GEVO-045/07US 310142-2216	5105

58249 7590 05/31/2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER	
ART UNIT	PAPER NUMBER
1632	

MAIL DATE	DELIVERY MODE
05/31/2011	PAPER

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

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

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MAY 3 1 2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON DC 20001

In re Application of	:	
BUELTER, Thomas *et al.*	:	DECISION ON PETITION
Application No.13/077170	:	TO MAKE SPECIAL UNDER
Filed: March 31, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GEVO-045/07US 310142-2216	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **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 1656 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

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United States Patent and Trademark Office
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THOMPSON COBURN LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS MO 63101

MAILED

MAY 19 2011

OFFICE OF PETITIONS

In re Application of :
Scott Parson et al. :
Application No. 13/077,224 : DECISION ON PETITION
Filed: March 31, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **44826-95687** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

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

The application is being forwarded to the Technology Center Art Unit 3693 for action on the merits commensurate with this decision.

JoAnne Burke
Petitions Examiner
Office of Petitions

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JUN 06 2011
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KEITH D. NOWAK
CARTER LEDYARD & MILBURN LLP
2 WALL STREET
NEW YORK, NY 10005

In re Application of :
David N. Judelson :
Application No. 13/077,244 : ON PETITION
Filed: March 31, 2011 :
Attorney Docket No. ARC11.021 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 31, 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 (PTO/SB/130 form) by the applicant that he is 65 years of age or more. Accordingly, the above-identified application has been accorded "special" status.

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

This matter is being referred to the Technology Center Art Unit 2625 for action on the merits commensurate with this decision.

A. Kelley-Collier

Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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P.O. Box 1450

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DEC 22 2011
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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of : DECISION ON REQUEST TO
Takahiro NANGO : PARTICIPATE IN PPH PROGRAM
Application No. 13/077,283 : AND PETITION TO MAKE SPECIAL
Filed: March 31, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: SUTOSH.797AUS :
For: DATA STORAGE APPARATUS AND METHOD OF WRITING DATA

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 14, 2011 to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH (patent prosecution highway) program and petition to make special require:

(1) the U.S. application is a Paris Convention application which either validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO (Japanese Patent Office) or claims priority to a PCT application that contains no priority claims. Alternatively, it can be a national stage application under the PCT which validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims. It can also be a "bypass application" filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims, or contains no priority claim;

(2) applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

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

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

(5) applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowability/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;

(6) applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

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

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

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

This application will be forwarded to Technology Center Art Unit 2189 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

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THOMPSON COBURN LLP
ONE US BANK PLAZA
SUITE 3500
ST LOUIS MO 63101

MAILED
MAY 19 2011
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In re Application of :
Scott Parson et al. :
Application No. 13/077,294 : DECISION ON PETITION
Filed: March 31, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **44826-95684** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

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

The application is being forwarded to the Technology Center Art Unit 3693 for action on the merits commensurate with this decision.

JoAnne Burke
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,382	03/31/2011	Takahiro HAMADA	074782-0080	5477

7590 10/14/2011

McDERMOTT WILL & EMERY LLP
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER	
ART UNIT	PAPER NUMBER
1724	

MAIL DATE	DELIVERY MODE
10/14/2011	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.

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OCT 14 2011

WG

In re application of	:	DECISION ON REQUEST TO
Takahiro Hamada et al.	:	PARTICIPATE IN PATENT
Serial No. 13/077,382	:	PROSECUTION HIGHWAY
Filed: March 31, 2011	:	PROGRAM AND
For: SUBSTRATE AND METHOD FOR FABRICATING THE SAME	:	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 August 22, 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 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,564	03/31/2011	Anwar SATHATH	SUTOSH.814AUS	5791

7590 11/21/2011

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

EXAMINER	
URBAN, EDWARD F	

ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
11/21/2011	ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

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

The petition is granted.

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

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

Patent Publication Branch
Office of Data Management

UNITED STATES PATENT AND TRADEMARK OFFICE

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DTW Nov-11

SPRINKLE IP LAW GROUP
1301 W. 25TH STREET
SUITE 408
AUSTIN TX 78705

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NOV 21 2011
OFFICE OF PETITIONS

In re Application of	:	
Ko et al.	:	DECISION ACCORDING STATUS
Application Number: 13/077,594	:	UNDER 37 CFR 1.47(a)
Filing Date: 03/31/2011	:	
Attorney Docket Number:	:	
ITEX1250-3	:	

This is a decision in response to the renewed petition under 37 CFR 1.47(a), filed on October 13, 2011.

The petition is **GRANTED**.

Petitioners have shown, via the declaration of registered patent practitioner John L. Adair, that the application and declaration were mailed to the non-signing inventor, Hyunchul Ko, on two occasions. The non-signing inventor orally refused to sign the declaration in a telephone conversation with attorney Adair.

As such, the showing of record is that the non-signing inventor has expressly refused to join in the filing of the application.

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

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

The application is being referred to the Office of Patent Application Processing for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov
DTW Nov-11

HYUNCHUL KO
11309 GEORGIAN OAKS DR
AUSTIN TX 78739

MAILED
NOV 21 2011
OFFICE OF PETITIONS

In re Application of
Ko et al.
Application No. 13/077,594
Filed: 03/31/2011
For: SYSTEM AND METHOD FOR COLOR MIXING LENS ARRAY

Dear Mr. Ko:

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 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

DWood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

SPRINKLE IP LAW GROUP
1301 W 25TH ST
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AUSTIN TX 78705

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED
JUN 29 2011
OFFICE OF PETITIONS

In re Application of
Wu Wang et al.
Application No. 13/077,696
Filed: March 31, 2011
Attorney Docket No. 37685/002002

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the petition filed June 14, 2011under 37 CFR 1.47(a).

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

The above-identified application was filed on March 31, 2010 without an oath or declaration. Accordingly, on April 14, 2011, a "Notice To File Missing Parts Of Nonprovisional Application" ("Notice To File Missing Parts") was mailed, requiring an executed oath or declaration in compliance with 37 CFR 1.63 and a surcharge for its late filing.

In response, the instant petition seeking status under 37 CFR 1.47 was filed. Petitioners claim that joint inventor Mei Marker refuses to execute the declaration.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The petition bears proof that the application papers were forwarded to but the delivery was refused by joint inventor Mei Marker and to date, she has not returned an executed copy of the oath or declaration. Thus by her actions, she refuses to cooperate with the filing of the instant application.

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

Thus, as provided in Rule 1.47c, this Office will forward notice of this application's filing

to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The late filing surcharge in the amount of $65 has been charged to credit card provided and the petition fee in the amount of $200 has been charged to deposit account no. 50-0591.

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

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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KNOBBE MARTENS OLSON & BEAR
LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

MAILED

FEB 21 2012

OFFICE OF PETITIONS

In re Application of
Kazuya Fukushima
Application No.: 13/077,732
Filed: March 31, 2011
Attorney Docket No.: NGTOSH.170AUS
For: Information Processing Apparatus

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

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

The request and petition are **DISMISSED**.

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

1. The U.S. application must 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);

The request to participate in the PPH pilot program and petition fails meet condition (3).

Regarding the requirement of condition (3), the US claims do not sufficiently correspond to the Japanese allowed claims, specifically –

US claim 6 requires "a wireless receiver" and Japanese claim 5 requires "a receiver" and US claim 6 does not require the same limitations with respect to Japanese claim 5 with respect to the first and second identification type and the security lock;

US claim 7 is broader in scope than Japanese claim 6 with respect to the steps of receiving the first and second identification information and overwriting.

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 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.

David Bucci
Petitions Examiner
Office of Petitions

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2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

MAILED
APR 02 2012
OFFICE OF PETITIONS

In re Application of
Kazuya Fukushima
Application No.: 13/077,732
Filed: March 31, 2011
Attorney Docket No.: NGTOSH.170AUS
For: Information Processing Apparatus

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

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed March 22, 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 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.

Thurman K. Page
Petitions Examiner
Office of Petitions

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DALLAS, TX 75380

MAILED
JAN 27 2012
OFFICE OF PETITIONS

Applicants: DALEY, et al.
Appl. No.: 13/077,834
Filing Date: March 31, 2011
Title: HOT WATER DISTRIBUTION SYSTEM AND METHOD FOR A COOLING TOWER
Attorney Docket: COMP09-00031
Pub. No.: US 2011/0241232 A1
Pub. Date: October 6, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on November 15, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains error wherein 6,275,734 should be deleted at page 2, paragraph [0021] and 7,275,734 should be inserted.

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 is not an Office error as the publication accurately reflected the specification as filed.

37 C.F.R. 1.215(a) states that the patent application publication may also be based upon amendments to the specification (other than the abstract or the claims) that are reflected in a substitute specification under § 1.125(b), amendments to the abstract under § 1.12(b), amendments to the claims that are reflected in a complete claim listing under § 1.121(c), and amendments to the drawings under § 1.121(d), provided that such substitute specification or

[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).

amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. 37 CFR 1.215(c) states that applicant may file an amended copy of the application for publication purposes, but such amendments must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under 35, United States Code, whichever is later.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

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: 8749P001	Application Number (if known):	Filing date: 03-31-2011
First Named Inventor: Fred E. McConahay		
Title: SUPPLEMENTARY FUEL SYSTEM FOR DELIVERY OF HYDROGEN GAS TO AN ENGINE		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature /Kevin O. Grange/	Date 03-31-2011
Name (Print/Typed) Kevin O. Grange	Registration Number 60793

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

☐ *Total of ..... forms are submitted.

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

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

Attorney's Docket No. 8749P001 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Fred E. McConahay, et al.

Application No.: not yet assigned

Filed: Herewith

Art unit: not yet assigned

Examiner: not yet assigned

For: SUPPLEMENTARY FUEL SYSTEM FOR DELIVERY OF HYDROGEN GAS TO AN ENGINE

Confirmation No.: not yet assigned

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

/Leslie Rogan/ March 31, 2011

Leslie Rogan ***Date***

E-filed via EFS-Web
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS

Sir:

Applicants state that special status is sought because the invention materially enhances the quality of the environment. In particular, embodiments described and claimed in the present application are green technologies, and pertain to environmental quality, energy conservation, and greenhouse gas emission reduction, by providing a supplementary fuel system for delivery of hydrogen gas to an engine. The embodiments described and claimed contribute to more efficient utilization and conservation of energy resources by improving the efficiency of fuel burn by an engine, thus, reducing emissions and increasing fuel economy. More specifically, the embodiments described and claimed provide a supplementary fuel system for delivery of hydrogen gas to an engine. The supplementary fuel system generates hydrogen gas from water using electrolysis to achieve this process. For additional information please see Go Go Green World, Inc.'s website at http://www.gogogreenworld.com.

CONCLUSION

This statement accompanies a Petition to Make Special under the Green Technology Pilot Program.

Please charge any additional fees under 37 CFR §§ 1.16, 1.17, 1.18, 1.20 and 1.21 that may be required to maintain pendency of the present application, or apply any credits to our PTO deposit account number: 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: March 31, 2011

/Kevin O. Grange/

Kevin O. Grange
Reg. No. 60,793

Customer No. 08791
1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,836	03/31/2011	Fred E. McConahay	8749P001	6261

8791 7590 05/04/2011

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
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EXAMINER	
ART UNIT	PAPER NUMBER
3783	

MAIL DATE	DELIVERY MODE
05/04/2011	PAPER

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

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

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN
LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

In re Application of		
MCCONAHAY, FRED E. et al	:	DECISION ON PETITION
Application No. 13/077,836	:	TO MAKE SPECIAL UNDER
Filed: March 31, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 8749P001	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

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

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

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

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

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived. The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technologies. This is not convincing. For example, it is not clear how the claimed computer floppy disk with software instructions will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. At least claims 15-20 of the computer floppy disk has nothing to do with the green technology because a floppy disk will not provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

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

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

The application will be forwarded to the Technology Center Art Unit 3747 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

Attorney's Docket No. 08749.2 (P001) PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Fred E. McConahay et al.

Application No.: 13/077,836

Filed: March 31, 2011

Art unit: 3783

Examiner: not yet assigned

For: SUPPLEMENTARY FUEL SYSTEM FOR DELIVERY OF HYDROGEN GAS TO AN ENGINE

Confirmation No.: 6261

E-filed via EFS-Web
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR RECONSIDERATION

Sir:

In response to the Decision on Petition to Make Special under the Green Technology Pilot Program, mailed May 4, 2011, Petitioners respectfully submit a petition for reconsideration, as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended Petitioners state that special status is sought because the claimed invention materially contributes to at least ii) the more efficient utilization and conservation of energy resources; and iii) greenhouse gas emission reduction. The following description provides a detailed explanation of how the materiality standard is met for the present application.

Using hydrogen as a supplemental fuel in engines has been proposed to increase the performance of the engine. When using hydrogen and oxygen as part of the air-fuel mixture for the engine, the performance of the engine increases, including increasing the mileage (e.g., miles per gallon (MPG)) and/or reducing the emissions of the engine. The hydrogen gas may be

generated through electrolysis of an aqueous solution. The hydrogen gas may be referred to as monatomic hydrogen (HHO) gas, or "Brown Gas," which is created by electrolysis by separating H2O into molecules by passing an electrical current through water or an aqueous solution. Electrolysis is a method of using an electric current to drive an otherwise non-spontaneous chemical reaction.

A hydrogen fuel generator, which produces HHO gas, improves the burn quality of the fuel, reducing any unwanted emissions, producing more power and cleaning out old carbon deposits inside the engine. Using the hydrogen fuel generator as a supplemental fuel system provides an improved fuel system for an engine, addressing the need for drastic emission reductions and improved fuel economy in all engines. The claims of the present application are directed to 1) a method, implemented by a computing system programmed to perform operations to determine and control a desired amount of hydrogen to deliver to an engine; 2) an apparatus, comprising an injector and a computerized injection controller to control a desired amount of hydrogen to deliver to an engine; and 3) A non-transitory computer readable storage medium including instructions that, when executed by a computing system, cause the computing system to perform the method of 1).

Claim 1, for example, recites:

> A method, implemented by a computing system programmed to perform the following, comprising:
>
> receiving at least one engine parameter associated with emissions of an engine at a computerized injection controller;
>
> determining, by the computerized injection controller, a desired amount of hydrogen gas to deliver to the engine; and
>
> controlling an injector, by the computerized injection controller, to deliver the desired amount of hydrogen to deliver to the engine.

By determining and controlling the amount of hydrogen to be delivered to the engine by an injector, as claimed, various benefits may be achieved. First, the claimed method of injection of hydrogen into the engine (e.g., such as in the air intake of a combustion engine), reduces the engine's emissions. In particular, the injection of hydrogen **significantly reduces the noxious and toxic engine emission, thereby reducing greenhouse gas emissions and providing cleaner air than engines without injecting hydrogen.** In addition, **hydrogen and oxygen are two of the most abundant elements** available on earth. The hydrogen-per-unit is three times

more powerful in energy produced than gasoline and almost four times that of ethanol. Not only does the claimed method reduce the emissions to lower levels, the fuel (e.g., gasoline, diesel, or the like) **combusts more efficiently with fewer pollutants in the exhaust**. The **oil may stay cleaner**, the plugs may last longer, the engine may stay cleaner internally, and the engine temperature may drop by several degrees Fahrenheit. It should also be noted that **hydrogen is a helpful additive to the fuel because the hydrogen burns first inside the engine and the byproduct is steam, which becomes water as it condenses**. The condensation cools the outside of the engine's exhaust. As noted in Petitioners' specification, the claimed method resulted in **approximately 20% to 70% improvement of gas mileage**, noting that the overall mileage increase in vehicles may be determined by several factors, such as driving habits, the condition of your vehicle, tire inflation, driving conditions and more. In addition, because hydrogen gas burns at a cooler temperature than diesel, the viscosity of the engine's oil may not break down as quickly. This may **lead to longer periods between oil changes and less wear to the cylinders, hence reducing your overall maintenance costs of the engine**. Accordingly, the claimed method enhances the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases.

Claim 8 recites:

> An apparatus, comprising:
>
> an injector coupled to receive hydrogen gas on a first injection line from a hydrogen fuel generator and to deliver the hydrogen gas on a second injection line to an engine; and
>
> a computerized injection controller coupled to injector, wherein the computerized injection controller is configured to receive at least one engine parameter associated with emissions of the engine, to determine a desired amount of the hydrogen gas to deliver to the engine, and to control the injector to deliver the desired amount of hydrogen to the engine on the second injection line.

The flow of hydrogen to the engine is regulated by our Computerized Injection Controller (CIC) System to regulate the amount of hydrogen induced into the engine at any given time. The CIC System is programmed for each specific engine to **optimize the amount of hydrogen induced which results in the highest emission reduction and fuel economy obtainable**. As claimed in some of the dependent claims, the Control System is a stand-alone additional injector controller, which provides three-dimensional mapping of the flow of hydrogen induced. The injector pulse width is programmed directly into cell locations on a map defined by boost pressure and

revolutions per minute. Programming and calibration may be achieved through a serial interface, which is active during engine operation. Input connections monitor the engines tachometer signal, injector loom and vacuum/boost line. The injector output pulse width is varied according to the desired parameters defined during programming. Accordingly, the claimed apparatus enhances the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases.

Claims 15-20 are directed to a non-transitory computer readable storage medium, not just a floppy disk. These claims are within the statutory subject matter, and Petitioners respectfully submit that the Petitioners are not claiming merely "a floppy disk." Rather, these claims are directed to a non-transitory computer readable storage medium including instructions that, when executed by a computing system, cause the computing system to perform the method as set forth in the operations following the preamble. As above for the method, the claimed non-transitory computer readable storage medium enhances the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases. However, in interest of not jeopardizing the allowance of this petition for reconsideration, Petitioners submit herewith a preliminary amendment, canceling claims 15-20 without prejudice.

Go Go Green World, Inc.'s Generation Series fuel generators, which implement the claimed invention, have completed independent laboratory testing and California Air Resource Board (CARB) approved for all Diesel and Gas Vehicles produce from 1960 to 2010 and beyond. CARB Executive Order (EO)# D-681, issued Nov. 4, 2010. Petitioners submit herewith documents for the "California Air Resource Board Certified Lab Test Results" of the Generation Series fuel generators. These test results show the more efficient utilization and conservation of energy resource, and the reduction of greenhouse gases. In addition, another company, MeetGreen®, has verified sustainable practices at events that have benefitted from Go Go Green World's technology, indicating that freight transported to and from these events has experienced reduced emissions and cost and improved fuel economy, all of which have sustainable benefits that help to 'green' the event industry.

In sum, the statements provided herein demonstrate that the materiality standard has been met for the present application. In particular, the provided statements demonstrate a relationship between the statements and the claimed subject matter and described how the claimed subject

matter enhances the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases.

CONCLUSION

Please charge any additional fees under 37 CFR §§ 1.16, 1.17, 1.18, 1.20 and 1.21 that may be required to maintain pendency of the present application, or apply any credits to our PTO deposit account number: 501358.

Respectfully submitted,

LOWENSTEIN SANDLER LLP

Date: May 26, 2011

/Kevin O. Grange/
Kevin O. Grange
Reg. No. 60,793

Customer No. 28221
590 Forest Avenue
Palo Alto, CA 94301
(640) 433-5748

FINAL REPORT

Exhaust Emission

Of Go Go Green World Hydrogen System on a Cummins ISM &
Detroit Diesel Series 60
Diesel Heavy Duty Engine

All testing Conducted in Accordance with California Air
Resources Board Aftermarket Parts Test Letter
A-2009-357

Testing Conducted By

California Environmental Engineering, LLC
2530 S. Birch Street
Santa Ana, Ca. 92707

CEE is an Independent Emission Testing Facility
Listed on the Recognized Laboratories List
By EPA and CARB

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California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7667

TEST VEHICLE

Engine #1

Year	: 2004
Make	: Cummins
Model	: ISM
Eng.#	: 35107360
Eng. Family	: 4CEXH0661MAT

Vehicle #2

Year	: 2007
Make	: Detroit
Model	: Series 60
Eng.#	: 06R0988811
Eng. Family	: 7DDXH14.0ELY

TEST LABORATORY

California Environmental Engineering is an EPA and CARB recognized Emission Testing Facility located in Santa Ana, Ca.. CEE has been in business since 1984. CEE conducts Chassis and Engine Dynamometer Emission testing on vehicles up to 12,000# and Engines up to 1000 HP.

CEE also provides procurement and engineering services. CEE is a current contractor to the CARB. CEE has many product development companies and major manufacturers as clients.

TEST EQUIPMENT

CEE uses a Horiba Anaytical train for emission analyzation, a CEE 4000 variable volumne CVS and a A and D 1000 HP Dynamometer with A and D controls. An AVL Particulate Sampler.

California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7667

C.E.E.
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

ESC TEST REPORT

Report Version 1 5

1. Test

Test Date	08-24-2010	Cell Number	D1000
Test Time	12:12:32 PM	Air Temperature	95.0 F
Test Name	Esc	Atmospheric Pressure	768.1 mmHg
Test Engineer	Jason Diertrich	Relative Humidity	25.9 %
Test Reference	Esc_108	Fuel Type	Diesel

2. Engine Specification

Engine Description	60 Series	Max. Power	370 hp	2100 rpm
Engine ID	Detroi	Max. Torque	1450 lb-ft	1300 rpm
Engine Owner	Go Go Greer	Max. Speed		2100 rpm
Engine Displacement	14800 cc	Idle Speed		630 rpm
Cyls x Bore x Stroke	6 x 106 mm x 38 mm			

3. Cycle Specification

Idle Speed	630 rpm	A Speed	1293 rpm	A Torque	1503 ft-lb
Low Speed	1032 rpm	B Speed	1554 rpm	B Torque	1477 ft-lb
High Speed	2077 rpm	C Speed	1815 rpm	C Torque	1314 ft-lb

4. Steady-StateTest Results

Mode Number Speed-Torque	Speed [rpm]	Torque [lb-ft]	Weight Factor	Power [kW]	Fuel [kg/h]	CO [g/h]	THC [g/h]	CH4 [g/h]	NOx [g/h]	CO2 [g/h]	Heated HC [g/h]	Heated No [g/h]
1 (Idle)	614	-0	0.15	-0.0	1.9	3.7	0.7	4.3	-2.5	5923	-33.8	-12.2
2 (A-100%)	1293	1397	0.08	256.4	59.7	56.1	5.4	8.4	89.6	189138	-32.1	-11.7
3 (B-50%)	1554	738	0.10	162.9	38.6	47.3	1.1	5.0	42.9	122393	-32.8	-11.7
4 (B-75%)	1554	1108	0.10	244.4	57.2	56.7	1.1	4.5	81.0	181401	-32.2	-12.0
5 (A-50%)	1293	751	0.05	137.9	30.3	42.7	1.6	5.2	44.5	95924	-33.2	-12.6
6 (A-75%)	1293	1126	0.05	206.7	46.2	50.6	2.3	5.1	91.9	146503	-32.5	-12.3
7 (A-25%)	1293	376	0.05	69.0	16.4	33.0	0.8	4.5	47.3	51937	-33.5	-12.5
8 (B-100%)	1554	1423	0.09	313.9	73.1	66.6	1.0	3.8	212.2	231563	-31.3	-11.6
9 (B-25%)	1554	369	0.10	81.5	20.1	41.4	0.5	4.4	61.3	63681	-33.4	-12.0
10 (C-100%)	1815	1295	0.08	333.8	81.8	75.0	1.2	3.8	351.7	259225	-30.8	-11.2
11 (C-25%)	1815	328	0.05	84.6	25.2	46.6	0.6	4.4	47.2	79788	-33.2	-11.9
12 (C-75%)	1815	985	0.05	253.8	67.8	68.9	1.5	4.1	84.6	214942	-31.7	-11.4
13 (C-50%)	1815	657	0.05	169.3	50.4	63.5	1.4	4.4	38.3	159623	-32.3	-11.7
				kW	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh
Weighted Totals				170.4	244.0	0.275	0.008	0.028	0.530	773	-0.191	-0.070

Particulate Mass 0.5370 mg Brake Specific Particulates 0.0104 g/kwh

C.E.E.

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

NTE TEST REPORT

Report Version 1.5

1. Test

Test Date	08-24-2010	Cell Number	D1000
Test Time	12:12:32 PM	Air Temperature	95.0 F
Test Name	Esc	Atmospheric Pressure	768.1 mmHg
Test Engineer	Jason Diertrich	Relative Humidity	25.9 %
Test Reference	Esc_108	Fuel Type	Diesel

2. Engine Specification

Engine Description	60 Series	Max. Power	370 hp	2100 rpm
Engine ID	Detroit	Max. Torque	1450 lb-ft	1300 rpm
Engine Owner	Go Go Green	Max. Speed		2100 rpm
Engine Displacement	14800 cc	Idle Speed		630 rpm
Cyls x Bore x Stroke	6 x 106 mm x 38 mm			

3. Cycle Specification

Idle Speed	630 rpm	A Speed	1293 rpm	A Torque	1503 ft-lb
Low Speed	1032 rpm	B Speed	1554 rpm	B Torque	1477 ft-lb
High Speed	2077 rpm	C Speed	1815 rpm	C Torque	1314 ft-lb

4. Steady-StateTest Results

Mode Number Speed-Torque	Speed [rpm]	Torque [lb-ft]	Weight Factor	Power [kW]	Fuel [kg/h]	CO [g/h]	THC [g/h]	CH4 [g/h]	NOx [g/h]	CO2 [g/h]	Heated HC [g/h]	Heated No [g/h]
2 (A-100%)	1293	1397	0.08	256.4	59.7	56.1	5.4	8.4	89.6	189138	-32.1	-11.7
3 (B-50%)	1554	738	0.10	162.9	38.6	47.3	1.1	5.0	42.9	122393	-32.8	-11.7
4 (B-75%)	1554	1108	0.10	244.4	57.2	56.7	1.1	4.5	81.0	181401	-32.2	-12.0
5 (A-50%)	1293	751	0.05	137.9	30.3	42.7	1.6	5.2	44.5	95924	-33.2	-12.6
6 (A-75%)	1293	1126	0.05	206.7	46.2	50.6	2.3	5.1	91.9	146503	-32.5	-12.3
8 (B-100%)	1554	1423	0.09	313.9	73.1	66.6	1.0	3.8	212.2	231563	-31.3	-11.6
10 (C-100%)	1815	1295	0.08	333.8	81.8	75.0	1.2	3.8	351.7	259225	-30.8	-11.2
12 (C-75%)	1815	985	0.05	253.8	67.8	68.9	1.5	4.1	84.6	214942	-31.7	-11.4
13 (C-50%)	1815	657	0.05	169.3	50.4	63.5	1.4	4.4	38.3	159623	-32.3	-11.7
				kW	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh
	Weighted Totals			170.4	244.0	0.275	0.008	0.028	0.530	773	-0.191	-0.070

Particulate Mass 0.5370 mg Brake Specific Particulates 0.0104 g/kwh

CALIFORNIA ENVIRONMENTAL ENGINEERING
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

rpgVersion_Wghtr 1.0

1.1 Cold Start Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	76.0	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.1	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5	%
Test Referenc	Test3HDDT_49	Fuel Type	Diesel	2

1.2 Hot Start Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	78.2	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.2	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	44.6	%
Test Referenc	Test3HDDT_50	Fuel Type	Diesel	2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800 RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100 RPM
Engine Displacement	14800 cc	Max. Speed		2000 RPM
Cyls x Bore x Stroke	0x 0 mm x163 mm	Idle Speed		640 RPM

4.1 Cold Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

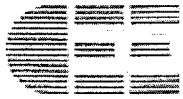
4.2 Hot Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
25.8	-0.065	0.040	0.468	650.2	0.022	0.450	0.0022

4.3 Weighted Cold and Hot Test Results

Work hp	CO g/hp-hr	THC g/hp-hr	NOx g/hp-hr	CO2 g/hp-hr	NMHC g/hp-hr	BSFC lb/hp-hr	PM g/hp-hr
25.8	-0.005	0.039	0.563	648.9	0.021	0.450	0.0021

CEE Quality Audit
Accept ✓ Reject ____
Date 8/9/10 By: [signature]



CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000
Test Time	9:37:00 AM	Air Temperature	76.0 °F
Test Name	Test3HDDT	Atmospheric Pressure	768.1 mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5 %
Test Reference	Test3HDDT_49	Fuel Type	Diesel 2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @ 1800 RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @ 1100 RPM
Engine Displacement	14800 cc	Max. Speed	2000 RPM
Cyls x Bore x Stroke	6× 139 mm ×163 mm	Idle Speed	640 RPM

3. Cycle Specification

Cycle Type	Cold US.HDDT.nrm	Test Speed Idle	638 RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764 RPM
Cycle File	HDDTMap33Denorm1.sc2		

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	4.174	0.651	14.590	0.642	0.570
Ambient	-1.640	-0.443	3.613	-0.015	0.043

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	5.485	1.073	11.150	0.643	0.529	0.544
Mass [g]	9.116	0.880	29.505	16797.8	N/A	0.446

7. Other

Total Volume (Vmix)	50410 SCF	Absolute Humidity	62.77 gr/lb
Dilution Volume	44213 SCF	NOx Correction Factor	0.969
Exhaust Volume	6197 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	8.134	Dilution Factor (DF)	20.86
Particulate Mass	0.058 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
8.000	-3.000	Conc	7.616	-2.856	0.769	-0.089
		Mass [g]	20.154	-2.343		

CEE Quality [illegible]
Accept ✓ Reject
Date 2/9/10 By [illegible]

CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	76.0	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.1	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5	%
Test Reference	Test3HDDT_49	Fuel Type	Diesel	2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800	RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100	RPM
Engine Displacement	14800 cc	Max. Speed		2000	RPM
Cyls x Bore x Stroke	6x 139 mm x163 mm	Idle Speed		640	RPM

3. Cycle Specification

Cycle Type	Cold US.HDDT.nrm	Test Speed Idle	638	RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764	RPM
Cycle File	HDDTMap33Denorm1.sc2			

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	4.174	0.651	14.590	0.642	0.570
Ambient	-1.640	-0.443	3.613	-0.015	0.043

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	5.485	1.073	11.150	0.643	0.529	0.544
Mass [g]	9.116	0.880	29.505	16797.8	N/A	0.446

7. Other

Total Volume (Vmix)	50410 SCF	Absolute Humidity	62.77 gr/lb
Dilution Volume	44213 SCF	NOx Correction Factor	0.969
Exhaust Volume	6197 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	8.134	Dilution Factor (DF)	20.86
Particulate Mass	0.058 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
8.000	-3.000	Conc.	7.616	-2.856	0.769	-0.089
		Mass [g]	20.154	-2.343		

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CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	78.2	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.2	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	44.6	%
Test Reference	Test3HDDT_50	Fuel Type	Diesel 2	

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800	RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100	RPM
Engine Displacement	14800 cc	Max. Speed		2000	RPM
Cyls x Bore x Stroke	6x 139 mm x163 mm	Idle Speed		640	RPM

3. Cycle Specification

Cycle Type	Hot US.HDDT.nrm	Test Speed Idle	638	RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764	RPM
Cycle File	HDDTMap33Denorm1.sc2			

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
25.8	-0.065	0.040	0.468	650.2	0.022	0.450	0.0022

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	-1.059	1.128	4.259	0.661	0.544
Ambient	0.000	-0.124	-0.317	0.005	-0.009

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	-1.010	1.246	4.560	0.643	0.553	0.693
Mass [g]	-1.675	1.020	12.059	16758.2	N/A	0.568

7. Other

Total Volume (Vmix)	50309 SCF	Absolute Humidity	63.30 gr/lb
Dilution Volume	43998 SCF	NOx Correction Factor	0.970
Exhaust Volume	6309 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	7.975	Dilution Factor (DF)	20.27
Particulate Mass	0.072 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
3.000	-3.000	Conc.	2.852	-2.852	0.293	-0.091
		Mass [g]	7.542	-2.334		

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CALIFORNIA ENVIRONMENTAL ENGINEERING
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

ppVersion_Wghs 1.0

1.1 Cold Start Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.5	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		57.8	%
Test Referenc	Test3HDDT_22	Fuel Type	Diesel	2	

1.2 Hot Start Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Referenc	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370 bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450 lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed		2100	RPM
Cyls x Bore x Stroke 0x	0 mm x127 mm	Idle Speed		610	RPM

4.1 Cold Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.5	0.714	0.100	2.659	628.5	0.103	0.436	0.0253

4.2 Hot Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

4.3 Weighted Cold and Hot Test Results

Work hp	CO g/hp-hr	THC g/hp-hr	NOx g/hp-hr	CO2 g/hp-hr	NMHC g/hp-hr	BSFC lb/hp-hr	PM g/hp-hr
23.6	0.567	0.103	2.330	613.3	0.107	0.426	0.0220

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Report Version 2.0

1. Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Reference	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370 bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450 lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed		2100	RPM
Cyls x Bore x Stroke	6x 106 mm x127 mm	Idle Speed		610	RPM

3. Cycle Specification

Cycle Type	Hot	US.HDDT.nrm	Test Speed Idle	603 RPM
Power Map Name	Test2PowerMap_982Trans.dat		Test Speed Rated	2100 RPM
Cycle File	HDDTMap982Denorm1.sc2			

4. Test Results

Work [bhp-hr	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	6.319	4.034	19.509	0.566	-0.102
Ambient	-1.874	1.088	-0.378	0.001	0.000

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	7.725	2.992	19.871	0.553	-0.102	3.094
Mass [g]	12.847	2.455	53.829	14451.1	N/A	2.540

7. Other

Total Volume (Vmix)	50438 SCF	Absolute Humidity	71.76 gr/lb
Dilution Volume	43878 SCF	NOx Correction Factor	0.992
Exhaust Volume	6560 SCF	Dry to Wet CF	0.979
Dilution (Total/Exhaust)	7.689	Dilution Factor (DF)	23.63
Particulate Mass	0.647 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
27.000	-3.000	Conc.	25.858	-2.873	2.961	-0.100
		Mass [g]	70.046	-2.358		

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CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version 2.0

1. Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Reference	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370	bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450	lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed			2100	RPM
Cyls x Bore x Stroke	6x 106 mm x127 mm	Idle Speed			610	RPM

3. Cycle Specification

Cycle Type	Hot US.HDDT.nrm	Test Speed Idle	603 RPM
Power Map Name	Test2PowerMap_982Trans.dat	Test Speed Rated	2100 RPM
Cycle File	HDDTMap982Denorm1.sc2		

4. Test Results

Work [bhp-hr	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	6.319	4.034	19.509	0.566	-0.102
Ambient	-1.874	1.088	-0.378	0.001	0.000

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	7.725	2.992	19.871	0.553	-0.102	3.094
Mass [g]	12.847	2.455	53.829	14451.1	N/A	2.540

7. Other

Total Volume (Vmix)	50438 SCF	Absolute Humidity	71.76 gr/lb
Dilution Volume	43878 SCF	NOx Correction Factor	0.992
Exhaust Volume	6560 SCF	Dry to Wet CF	0.979
Dilution (Total/Exhaust)	7.689	Dilution Factor (DF)	23.63
Particulate Mass	0.647 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
27.000	-3.000	Conc.	25.858	-2.873	2.961	-0.100
		Mass [g]	70.046	-2.358		

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TEST SUMMARY

Cummins ISM

Test	THC	CO	NOx	PM	BSFC
FTP					
Test3HDDT_23	0.103	0.567	2.33	0.022	0.426
Standards	1.3	15.5	4.0	0.10	

Detroit Diesel Series 60

Test #	NMHC	CO	NOX	PM	BSFC
FTP					
Test	0.021	0.005	0.563	0.0021	0.450
Standards FTP	0.14	15.5	1.16	0.01	

Test	NMHC	NMHC+NOX	CO	PM
Euro III	0.028	0.558	0.275	0.01
Standards Euro III	0.14	1.3	15.5	0.01

Test				
NTE	0.028	0.558	0.275	0.01
Standards	0.21	1.95	18.275	0.015

CEE LLC
CALIFORNIA ENVIRONMENTAL ENGINEERING

FINAL REPORT

Exhaust Emission

Of Go Go Green World Hydrogen System on a Cadillac CTS & Honda Civic
Powered by
A Four-Stroke Gasoline Engine

All testing Conducted in Accordance with California Air Resources Board Aftermarket Parts Test Letter A-2009-357

Testing Conducted By

California Environmental Engineering, LLC
2530 S. Birch Street
Santa Ana, Ca. 92707

CEE is an Independent Emission Testing Facility Listed on the Recognized Laboratories List By EPA and CARB

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CEE LLC
CALIFORNIA ENVIRONMENTAL ENGINEERING

TEST VEHICLE

Vehicle #1

Year	: 2009
Make	: Cadillac
Model	: CTS
Vin.#	: 1G6DU57V890168313
Eng. Family	: 9GMXV03.6053
Evap Family	: 9GMXR0133810
Transmission	: Automatic

Vehicle #2

Year	: 2010
Make	: Honda
Model	: Civic
Vin.#	: 19XFA1F58AE049763
Eng. Family	: AHNXV01.8GB9
Evap Family	: AHNXR0106VEA
Transmission	: AUTOMATIC

TEST LABORATORY

California Environmental Engineering is an EPA and CARB recognized Emission Testing Facility located in Santa Ana, Ca.. CEE has been in business since 1984. CEE conducts Chassis and Engine Dynamometer Emission testing on vehicles up to 12,000# and Engines up to 800 HP.

CEE also provides procurement and engineering services. CEE is a current contractor to the CARB. CEE has many product development companies and major manufacturers as clients.

TEST EQUIPMENT

CEE uses a Horiba Anaytical train for emission analyzation, a Horiba CVS and a Mustang Motorcycle Dynamometer with Real Time controls. A Clayton Chassis Dyno & AVL Chassis dyno.

Durability

The durability schedule AMA Route was Developed per Title 40 Part 86 and accepted by the ARB in 1997 . All durability miles are driven by CEE personnel and recorded on a durability log.

California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7687

California Environmental Engineering
2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000400	DATE	08-13-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	US6AH___.US6	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .U_6	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	1
ODOMETER	5444.6	F1_SET_SAE	-0.10490	WT FACTOR	0
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	0
REMARKS	WITH GO GO HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:48:24	END TIME	10:58:29	FINAL ODO.	5452.6

#	EVENT	MILES	Km	TIME	TIME trace HOLD	TIME trace ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for 0.0	129.6 for 2.6	513
2	US6	8.032	12.910	599.9	0.0 for 0.0	0.0 for 0.0	1811
3	Delay	0.000	0.000	5.0	0.0 for 0.0	0.0 for 0.0	513
4	Bag	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	517
5	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	517
6	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
7	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
8	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
9	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
10	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
11	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
12	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
13	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	31
14	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
15	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0

TEST COMPLETED 605.1 SECONDS DVT= 5.9

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.20	11.1	0.3	1.320	1.8	Tdry=	74.5	Tdp =	51.4
AMBIENT	3.63	0.3	0.0	0.042	1.8	BARO.=	757.50	SEC =	599.9
GRAMS	0.049	1.154	0.048	2148.60	.041	NoxKf=	0.920	VOLc=	3232.0
GMS/MI	0.006	0.144	0.006	267.51	.005	M.P.G.	31.68	DF =	10.140
G/Mwgt	0.006	0.144	0.006	267.51	.005	MPGnhv	33.26	MI =	8.032
						R-H =	44.40	KM =	12.910

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.006	0.144	0.006	267.51	.005	M.P.G.	31.68	NHVmpg	33.263
GRAMS/KM	0.004	0.089	0.004	166.43	.003	L/100k	7.42	NHVkpl	14.143

****

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Date 8/13/10 By

California Environmental Engineering
2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000398	DATE	08-13-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	.43
ODOMETER	5425.2	F1_SET_SAE	-0.10490	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	.57
REMARKS	WITH GO GO HYDROGEN				
REMARKS	CANISTER REPORT CP103330				
REMARKS	TEST #2				
START TIME	09:37:38	END TIME	10:19:05	FINAL ODO.	5436.6

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.004	0.007	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.5	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	0.9	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.631	5.835	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.889	6.251	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.0	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.003	0.005	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.002	0.003	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.186	0.299	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.019	0.031	37.0	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.9	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.625	5.826	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.003	0.005	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2475.9 SECONDS DVT= 0.3

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	12.11	33.2	0.4	0.762	2.4	Tdry=	72.1	Tdp =	50.7
AMBIENT	3.60	0.3	0.0	0.043	1.8	BARO.=	757.50	SEC =	506.4
GRAMS	0.400	3.052	0.056	1051.87	.366	NoxKf=	0.914	VOLc=	2811.9
GMS/MI	0.110	0.840	0.015	289.69	.100	M.P.G.	29.12	DF =	17.481
G/Mwgt	0.023	0.174	0.003	60.12	.020	MPGnhv	30.60	MI =	3.631
						R-H =	46.90	KM =	5.836

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	3.63	5.4	0.2	0.497	1.7	Tdry=	72.4	Tdp =	51.2
AMBIENT	3.67	1.1	0.4	0.043	1.8	BARO.=	757.50	SEC =	872.0
GRAMS	0.008	0.692	0.000	1142.44	.007	NoxKf=	0.918	VOLc=	4836.2
GMS/MI	0.002	0.178	0.000	293.54	.001	M.P.G.	28.87	DF =	26.913
G/Mwgt	0.001	0.089	0.000	146.77	.000	MPGnhv	30.31	MI =	3.892
						R-H =	47.30	KM =	6.256

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	3.80	5.0	0.0	0.658	1.8	Tdry=	72.9	Tdp =	51.2
AMBIENT	3.65	0.5	0.0	0.042	1.9	BARO.=	757.50	SEC =	505.9
GRAMS	0.015	0.418	0.000	898.94	.013	NoxKf=	0.918	VOLc=	2805.1
GMS/MI	0.004	0.115	0.000	247.98	.003	M.P.G.	34.18	DF =	20.338
G/Mwgt	0.001	0.032	0.000	68.17	.000	MPGnhv	35.89	MI =	3.625
						R-H =	46.50	KM =	5.826

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WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.025	0.298	0.003	280.22	.022	M.P.G.	30.22	NHVmpg	31.728
GRAMS/KM	0.016	0.186	0.002	174.34	.014	L/100k	7.78	NHVkpl	13.490

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****

TEST NUMBER	V6000395	DATE	08-12-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	.43
ODOMETER	5406.9	F1_SET_SAE	-0.10490	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	.57
REMARKS	CANISTER REPORT				
REMARKS	CP103329				
REMARKS	WITH GO GO HYDROGEN				
START TIME	10:03:42	END TIME	10:44:56	FINAL ODO.	5417.9

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.4	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	1.2	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.589	5.768	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.826	6.150	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.5	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.000	0.000	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.000	0.000	23.1	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.8	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.584	5.761	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2462.5 SECONDS DVT= 3.3

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	13.65	42.3	0.4	0.759	2.6	Tdry=	72.1	Tdp =	50.1
AMBIENT	4.54	1.0	0.0	0.044	1.9	BARO.=	759.50	SEC =	506.6
GRAMS	0.431	3.844	0.056	1048.68	.394	NoxKf=	0.909	VOLc=	2818.8
GMS/MI	0.120	1.071	0.015	292.19	.109	M.P.G.	28.83	DF =	17.526
G/Mwgt	0.025	0.223	0.003	60.81	.022	MPGnhv	30.30	MI =	3.589
						R-H =	45.90	KM =	5.769

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.12	6.0	0.0	0.487	1.8	Tdry=	72.4	Tdp =	50.3
AMBIENT	4.14	1.1	0.0	0.044	1.9	BARO.=	759.50	SEC =	872.5
GRAMS	0.010	0.790	0.000	1117.94	.008	NoxKf=	0.910	VOLc=	4849.5
GMS/MI	0.003	0.206	0.000	292.19	.002	M.P.G.	29.00	DF =	27.458
G/Mwgt	0.001	0.103	0.000	146.10	.001	MPGnhv	30.44	MI =	3.826
						R-H =	45.70	KM =	6.150

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.10	6.0	0.2	0.659	1.9	Tdry=	72.8	Tdp =	50.4
AMBIENT	3.94	0.3	0.0	0.046	1.8	BARO.=	759.50	SEC =	505.8
GRAMS	0.016	0.529	0.028	895.51	.011	NoxKf=	0.911	VOLc=	2807.1
GMS/MI	0.005	0.148	0.008	249.86	.003	M.P.G.	33.92	DF =	20.303
G/Mwgt	0.001	0.041	0.002	68.89	.000	MPGnhv	35.61	MI =	3.584
						R-H =	45.30	KM =	5.761

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WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.028	0.370	0.005	280.52	.024	M.P.G.	30.17	NHVmpg	31.680
GRAMS/KM	0.017	0.230	0.003	174.53	.015	L/100k	7.80	NHVkpl	13.470

****

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TEST NUMBER	V6000247	DATE	07-29-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRYSWIENKI	EVAP.FAM.	9GMXR0133810	SPECIF. CO2 Gr.C/gal.	13.4 2316
DRIVER	ANDY GONZALE				
MAKE	CADILLAC	TEST TYPE	US6AH___.US6	FUEL Fract.	.8618
MODEL	CTS	SHIFT FILE	AUTO .U_6	SP. GRAVITY	.7355
YEAR	2009	INERTIA WGT	4500	N.H.V.	18170
TANK CAP	7.2	F2_SET_SAE	24.43	WT FACTOR	1
ODOMETER	22839.7	F1_SET_SAE	-0.03240	WT FACTOR	0
TRANS.	AUTO	F2_SET_SAE	0.02203	WT FACTOR	0
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:39:14	END TIME	10:49:19	FINAL ODO.	22847.7

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for	0.0	0.0 for	0.0	513
2	US6	7.991	12.844	599.9	0.0 for	0.0	0.0 for	0.0	1811
3	Delay	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	513
4	Bag	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	517
5	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	517
6	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
7	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
8	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
9	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
10	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
11	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
12	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
13	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	31
14	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
15	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0

TEST COMPLETED 605.1 SECONDS DVT= 2.6

PHASE 1	THC	CO	NOx	CO2	NMHC
SAMPLE	9.40	47.6	1.4	1.956	2.6
AMBIENT	3.62	0.2	0.0	0.048	.6
GRAMS	0.335	5.088	0.226	3230.63	.224
GMS/MI	0.042	0.637	0.028	404.28	.028
G/Mwgt	0.042	0.637	0.028	404.28	.028

Tdry=	77.6	Tdp =	51.4		
BARO.=	763.40	SEC =	599.9		
NoxKf=	0.918	VOLc=	3253.6		
M.P.G.	20.93	DF =	6.831		
MPGnhv	21.97	MI =	7.991		
R-H =	40.10	KM =	12.844		

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.042	0.637	0.028	404.28	.028	M.P.G.	20.93	NHVmpg	21.974
GRAMS/KM	0.026	0.396	0.018	251.53	.017	L/100k	11.24	NHVkpl	9.343

****

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****

TEST NUMBER	V6000245	DATE	07-29-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRYSWIENKI	EVAP.FAM.	9GMXR0133810	SPECIF. CO2 Gr.C/gal.	13.4 2316
DRIVER	ANDY GONZALE			FUEL Fract.	.8618
MAKE	CADILLAC	TEST TYPE	EPA78A .LA4	SP. GRAVITY	.7355
MODEL	CTS	SHIFT FILE	AUTO .L_4	N.H.V.	18170
YEAR	2009	INERTIA WGT	4500	WT FACTOR	.43
TANK CAP	7.2	F0_SET_SAE	24.43	WT FACTOR	1
ODOMETER	22820.7	F1_SET_SAE	-0.03240	WT FACTOR	.57
TRANS.	AUTO	F2_SET_SAE	0.02203		
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	08:58:40	END TIME	09:40:04	FINAL ODO.	22831.7

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.5	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	1.2	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.596	5.780	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.844	6.179	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.4	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.000	0.000	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.000	0.000	33.5	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.8	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.583	5.759	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2472.7 SECONDS DVT= 2.5

PHASE 1	THC	CO	NOx	CO2	NMHC					
SAMPLE	16.30	49.8	3.3	1.161	4.6	Tdry=	71.3	Tdp =	49.8	
AMBIENT	3.92	0.2	0.0	0.042	1.9	BARO.=	761.50	SEC =	506.7	
GRAMS	0.591	4.656	0.461	1656.60	.458	NoxKf=	0.906	VOLc=	2845.9	
GMS/MI	0.164	1.295	0.128	460.68	.127	M.P.G.	19.14	DF =	11.476	
G/Mwgt	0.034	0.269	0.027	95.74	.026	MPGnhv	19.18	MI =	3.596	
						R-H =	46.60	KM =	5.780	

PHASE 2	THC	CO	NOx	CO2	NMHC					
SAMPLE	4.58	4.8	0.1	0.780	1.5	Tdry=	72.2	Tdp =	49.9	
AMBIENT	4.12	0.3	0.0	0.044	1.2	BARO.=	761.50	SEC =	872.4	
GRAMS	0.056	0.727	0.024	1870.15	.026	NoxKf=	0.906	VOLc=	4883.6	
GMS/MI	0.015	0.189	0.006	486.51	.006	M.P.G.	18.21	DF =	17.159	
G/Mwgt	0.007	0.095	0.003	243.26	.003	MPGnhv	18.23	MI =	3.844	
						R-H =	45.40	KM =	6.178	

PHASE 3	THC	CO	NOx	CO2	NMHC					
SAMPLE	6.69	14.0	0.2	0.965	2.9	Tdry=	72.3	Tdp =	50.2	
AMBIENT	4.15	0.4	0.0	0.043	1.8	BARO.=	761.50	SEC =	505.8	
GRAMS	0.131	1.270	0.028	1356.02	.076	NoxKf=	0.909	VOLc=	2827.0	
GMS/MI	0.037	0.355	0.008	378.46	.021	M.P.G.	23.38	DF =	13.856	
G/Mwgt	0.010	0.097	0.002	104.07	.005	MPGnhv	23.42	MI =	3.583	
						R-H =	45.70	KM =	5.759	

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WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.052	0.464	0.032	451.43	.035	M.P.G.	19.60	NHVmpg	19.630
GRAMS/KM	0.032	0.289	0.020	280.86	.022	L/100k	12.00	NHVkpl	8.346

****

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2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000230	DATE	07-28-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRY S.	EVAP.FAM.	9GMXR0133810	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	CADILLAC	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CTS	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2009	INERTIA WGT	4500	N.H.V.	18170
TANK CAP	7.2	F0_SET_SAE	24.43	WT FACTOR	.43
ODOMETER	22802	F1_SET_SAE	-0.03240	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.02203	WT FACTOR	.57
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:03:27	END TIME	10:44:43	FINAL ODO.	22813.2

#	EVENT	MILES	Km	TIME	TIME trace HOLD	TIME trace ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for 0.0	0.0 for 0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for 0.0	0.0 for 0.0	1
3	Ready	0.000	0.000	0.5	0.0 for 0.0	0.0 for 0.0	281
4	CRANK	0.000	0.000	0.9	0.0 for 0.0	0.0 for 0.0	795
5	phase 1	3.637	5.846	505.0	0.0 for 0.0	0.0 for 0.0	787
6	phase 2	3.898	6.266	864.0	0.0 for 0.0	0.0 for 0.0	1831
7	eng off	0.000	0.000	1.5	0.0 for 0.0	0.0 for 0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for 0.0	0.0 for 0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for 0.0	0.0 for 0.0	775
10	soak	0.000	0.000	525.0	0.0 for 0.0	0.0 for 0.0	2
11	ready	0.000	0.000	27.1	0.0 for 0.0	0.0 for 0.0	3
12	crank 3	0.000	0.000	1.2	0.0 for 0.0	0.0 for 0.0	835
13	phase 3	3.616	5.812	505.0	0.0 for 0.0	0.0 for 0.0	835
14	delay15	0.000	0.000	15.0	0.0 for 0.0	0.0 for 0.0	3
15	bags	0.000	0.000	1.0	0.0 for 0.0	0.0 for 0.0	7

TEST COMPLETED 2464.8 SECONDS DVT= 1.0

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	9.92	12.7	0.6	1.087	3.4	Tdry=	73.4	Tdp =	51.0
AMBIENT	5.40	0.5	0.1	0.042	1.8	BARO.=	761.50	SEC =	506.4
GRAMS	0.229	1.143	0.071	1538.94	.147	NoxKf=	0.915	VOLc=	2831.0
GMS/MI	0.063	0.314	0.020	423.13	.040	M.P.G.	20.02	DF =	12.302
G/Mwgt	0.013	0.065	0.004	87.82	.008	MPGnhv	21.02	MI =	3.637
						R-H =	45.40	KM =	5.846

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	5.26	4.1	0.1	0.796	1.9	Tdry=	74.8	Tdp =	50.3
AMBIENT	4.86	0.2	0.0	0.043	2.0	BARO.=	761.50	SEC =	870.5
GRAMS	0.055	0.627	0.024	1904.01	.050	NoxKf=	0.910	VOLc=	4860.2
GMS/MI	0.014	0.161	0.006	488.46	.012	M.P.G.	17.36	DF =	16.814
G/Mwgt	0.007	0.080	0.003	244.23	.006	MPGnhv	18.22	MI =	3.898
						R-H =	42.20	KM =	6.265

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	7.66	31.1	0.3	0.985	2.9	Tdry=	73.6	Tdp =	50.0
AMBIENT	4.74	0.5	0.1	0.043	1.8	BARO.=	761.50	SEC =	506.2
GRAMS	0.151	2.851	0.029	1383.08	.092	NoxKf=	0.907	VOLc=	2822.2
GMS/MI	0.042	0.788	0.008	382.49	.025	M.P.G.	22.10	DF =	13.551
G/Mwgt	0.011	0.216	0.002	104.92	.007	MPGnhv	23.21	MI =	3.616
						R-H =	43.40	KM =	5.812

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.032	0.365	0.009	445.83	.022	M.P.G.	19.00	NHVmpg	19.949
GRAMS/KM	0.020	0.227	0.006	277.38	.013	L/100k	12.38	NHVkpl	8.482

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TEST SUMMARY

Cadillac CTS

Test #	MI	NMHC	CO	NOx	CO2	MPG
V6000230	22802	0.022	0.365	0.009	445.83	19.00
V6000245	22820	0.035	0.464	0.032	451.43	19.60
Standard FTP		0.075	3.4	0.05		
(US 06)						
V6000247	22839	0.028	0.637	0.028	404.28	20.93
Standard SFTP		NMHC+NOX 0.14		CO 8.0		

Honda Civic

V6000395	5406	0.024	0.370	0.005	280.52	30.17
V6000398	5425	0.022	0.298	0.003	280.22	30.22
Standard FTP		0.040	1.7	0.05		
(US 06)						
V6000400	5444	0.005	0.144	0.006		
Standard SFTP		NMHC + NOX 0.14		CO 8.0		

Go Go Green World, Inc.

Laboratory Testing Acronyms

CO – Carbon Monoxide

CO2 – Carbon Dioxide (Green House Gases)

THC – Total Hydrocarbons

NOx – Nitrogen Oxide

PM – Particulate Matter

BSFC – Brake Specific Fuel Consumption

NMHC – Non-Methane Hydrocarbons

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,836	03/31/2011	Fred E. McConahay	08749.0002 (P0001)	6261

28221 7590 07/01/2011

PATENT DOCKET ADMINISTRATOR
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ART UNIT	PAPER NUMBER
3747	

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

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PATENT DOCKET ADMINISTRATOR
LOWENSTEIN SANDLER PC
65 LIVINGSTON AVENUE
ROSELAND NJ 07068

7/1/11

In re Application of :
McConahay et al. :
Application No. 13/077,836 :
Filed: 3/31/2011 :
Attorney Docket No. **08749.0002 (P0001)** :

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

This is a decision on the request for reconsideration, filed 5/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3747 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Attorney's Docket No. 8749P002 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Fred E. McConahay, et al.

Application No.: not yet assigned

Filed: Herewith

Art unit: not yet assigned

Examiner: not yet assigned

For: A CYLINDRICAL HYDROGEN FUEL GENERATOR HAVING PASSIVE TUBULAR CELLS

Confirmation No.: not yet assigned

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

/Leslie Rogan/ March 31, 2011

Leslie Rogan ***Date***

E-filed via EFS-Web
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS

Sir:

Applicants state that special status is sought because the invention materially enhances the quality of the environment. In particular, embodiments described and claimed in the present application are green technologies, and pertain to environmental quality, energy conservation, and greenhouse gas emission reduction, by providing a supplementary fuel system for delivery of hydrogen gas to an engine. The embodiments described and claimed contribute to more efficient utilization and conservation of energy resources by improving the efficiency of fuel burn by an engine, thus, reducing emissions and increasing fuel economy. More specifically, the embodiments described and claimed provide a cylindrical hydrogen fuel generating having passive tubular cells. The cylindrical hydrogen fuel generator generates hydrogen gas from water using electrolysis to achieve this process. For additional information please see Go Go Green World, Inc.'s website at http://www.gogogreenworld.com.

CONCLUSION

This statement accompanies a Petition to Make Special under the Green Technology Pilot Program.

Please charge any additional fees under 37 CFR §§ 1.16, 1.17, 1.18, 1.20 and 1.21 that may be required to maintain pendency of the present application, or apply any credits to our PTO deposit account number: 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: March 31, 2011

/Kevin O. Grange/

Kevin O. Grange
Reg. No. 60,793

Customer No. 08791
1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300

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: 8749P002	Application Number (if known):	Filing date: 03-31-2011
First Named Inventor: Fred E. McConahay		
Title: A CYLINDRICAL HYDROGEN FUEL GENERATOR HAVING PASSIVE TUBULAR CELLS		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature /Kevin O. Grange/	Date 03-31-2011
Name (Print/Typed) Kevin O. Grange	Registration Number 60793

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

☐ *Total of ..... forms are submitted.

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

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,846	03/31/2011	Fred E. McConahay	8749P002	6279

8791 7590 04/28/2011

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER	
ART UNIT	PAPER NUMBER
3783	

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.

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

In re Application of	:	
MCCONAHAY, FRED E.	:	DECISION ON PETITION
Application No. 13/077,846	:	TO MAKE SPECIAL UNDER
Filed: March 31, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 8749P002	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 31, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

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

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

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

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

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived. The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technology. This is not convincing. It is not clear how the claimed hydrogen fuel generator will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. There is no 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 3783 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

Attorney's Docket No. 8749.6 (P002) PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Fred E. McConahay et al.

Application No.: 13/077,846

Filed: March 31, 2011

Art unit: not yet assigned

Examiner: not yet assigned

For: A CYLINDRICAL HYDROGEN FUEL GENERATOR HAVING PASSIVE TUBULAR CELLS

Confirmation No.: 6279

E-filed via EFS-Web
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR RECONSIDERATION

Sir:

In response to the Decision on Petition to Make Special under the Green Technology Pilot Program, mailed April 28, 2011, Petitioners respectfully submit a petition for reconsideration, as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended Petitioners state that special status is sought because the claimed invention materially contributes to at least ii) the more efficient utilization and conservation of energy resources; and iii) greenhouse gas emission reduction. The following description provides a detailed explanation of how the materiality standard is met for the present application.

Using hydrogen as a supplemental fuel in engines has been proposed to increase the performance of the engine. When using hydrogen and oxygen as part of the air-fuel mixture for the engine, the performance of the engine increases, including increasing the mileage (e.g., miles per gallon (MPG)) and/or reducing the emissions of the engine. The hydrogen gas may be

generated through electrolysis of an aqueous solution. The hydrogen gas may be referred to as monatomic hydrogen (HHO) gas, or "Brown Gas," which is created by electrolysis by separating H2O into molecules by passing an electrical current through water or an aqueous solution. Electrolysis is a method of using an electric current to drive an otherwise non-spontaneous chemical reaction.

A hydrogen fuel generator, which produces HHO gas, improves the burn quality of the fuel, reducing any unwanted emissions, producing more power and cleaning out old carbon deposits inside the engine. Using the hydrogen fuel generator as a supplemental fuel system provides an improved fuel system for an engine, addressing the need for drastic emission reductions and improved fuel economy in all engines. The claims of the present application are directed to 1) hydrogen fuel generators; and a 2) system having an engine, an injector, and a hydrogen fuel generator. Claim 1, for example, recites:

> A hydrogen fuel generator, comprising:
> a cylindrical enclosure of metal, wherein the cylindrical enclosure is to operate as a first electrode when coupled to a first terminal of a power source; and
> a fuel cell unit disposed within the cylindrical enclosure, wherein the fuel cell unit comprises:
> a second electrode coupled to a second terminal of the power source; and
> a plurality of conductive tubular cells disposed in a longitudinal direction of the cylindrical enclosure, wherein the plurality of conductive tubular cells are passive conductors and are not coupled to the first and second terminals.

The claimed hydrogen fuel generator can be utilized with any engine, regardless of fuel type currently being utilized. (Gas, Diesel, LPG, Bio Diesel, Etc.). The claimed hydrogen fuel generator works along with an existing fuel source to compliment the efficiency of fuel burn within the combustion chamber, thus reducing emissions and increasing fuel economy. The claimed hydrogen fuel generator generates hydrogen gas from water utilizing electrolysis to achieve this process. The claimed hydrogen fuel generator generates a desired amount of hydrogen to be delivered to the engine to achieve various benefits. First, the claimed hydrogen fuel generator **significantly reduces the noxious and toxic engine emission, thereby reducing greenhouse gas emissions and providing cleaner air than engines without the claimed hydrogen fuel generator**. In addition, **hydrogen and oxygen are two of the most abundant elements** available on earth. The hydrogen-per-unit is three times more powerful in energy produced than gasoline and almost four times that of ethanol. Using the claimed hydrogen fuel

generator, the fuel (e.g., gasoline, diesel, or the like) **combusts more efficiently with fewer pollutants in the exhaust**. The **oil may stay cleaner**, the plugs may last longer, the engine may stay cleaner internally, and the engine temperature may drop by several degrees Fahrenheit. It should also be noted that hydrogen, generated by the claimed hydrogen fuel generator, is **a helpful additive to the fuel because the hydrogen burns first inside the engine and the byproduct is steam, which becomes water as it condenses**. The condensation cools the outside of the engine's exhaust. As noted in Petitioners' specification, the claimed hydrogen fuel generator resulted in approximately **20% to 70% improvement of gas mileage**, noting that the overall mileage increase in vehicles may be determined by several factors, such as driving habits, the condition of your vehicle, tire inflation, driving conditions and more. In addition, because hydrogen gas burns at a cooler temperature than diesel, the viscosity of the engine's oil may not break down as quickly. This may **lead to longer periods between oil changes and less wear to the cylinders, hence reducing your overall maintenance costs of the engine**.

The claimed hydrogen fuel generator includes conductive tubular cells disposed in a longitudinal direction of the cylindrical enclosure, the conductive tubular cells being passive conductors and not being coupled to the first and second terminals. The passive conductors are neutral and have no physical bond to the anode or the cathode (e.g., first and second terminals of the power source). The passive conductors **contribute to the generation of hydrogen gas by the claimed hydrogen fuel generator**. The **passive conductors affect the current that is passed through the water or aqueous solution for electrolysis, which consequently increases the efficiency of the electrolysis towards optimal hydrogen gas production**. Accordingly, the claimed hydrogen fuel generator enhances the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases.

Claim 19 is also directed to a hydrogen fuel generator. Although claim 19 has different claim limitations, the claimed hydrogen fuel generator of claim 19 also achieves the results and benefits as described above with respect to claim 1. Similarly, claim 20 is directed to a system that includes the claimed hydrogen fuel generator as claimed in claim 19. Accordingly, the claimed hydrogen fuel generator of claim 19 and the system of claim 20 enhance the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases.

Go Go Green World, Inc.'s Generation Series fuel generators, which implement the claimed invention, have completed independent laboratory testing and California Air Resource Board (CARB) approved for all Diesel and Gas Vehicles produce from 1960 to 2010 and beyond. CARB Executive Order (EO)# D-681, issued Nov. 4, 2010. Petitioners submit herewith documents for the "California Air Resource Board Certified Lab Test Results" of the Generation Series fuel generators. These test results show the more efficient utilization and conservation of energy resource, and the reduction of greenhouse gases. In addition, another company, MeetGreen®, has verified sustainable practices at events that have benefitted from Go Go Green World's technology, indicating that freight transported to and from these events has experienced reduced emissions and cost and improved fuel economy, all of which have sustainable benefits that help to 'green' the event industry.

In sum, the statements provided herein demonstrate that the materiality standard has been met for the present application. In particular, the provided statements demonstrate a relationship between the statements and the claimed subject matter and described how the claimed subject matter enhances the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases.

CONCLUSION

Please charge any additional fees under 37 CFR §§ 1.16, 1.17, 1.18, 1.20 and 1.21 that may be required to maintain pendency of the present application, or apply any credits to our PTO deposit account number: 501358.

Respectfully submitted,
LOWENSTEIN SANDLER LLP

Date: May 26, 2011

/Kevin O. Grange/
Kevin O. Grange
Reg. No. 60,793

Customer No. 28221
590 Forest Avenue
Palo Alto, CA 94301
(640) 433-5748

FINAL REPORT

Exhaust Emission

Of Go Go Green World Hydrogen System on a Cummins ISM &
Detroit Diesel Series 60
Diesel Heavy Duty Engine

All testing Conducted in Accordance with California Air
Resources Board Aftermarket Parts Test Letter
A-2009-357

Testing Conducted By

California Environmental Engineering, LLC
2530 S. Birch Street
Santa Ana, Ca. 92707

CEE is an Independent Emission Testing Facility
Listed on the Recognized Laboratories List
By EPA and CARB

TABLE OF CONTENTS

SECTION 1	Test Engine
SECTION 2	Test Laboratory
SECTION 3	Test Data
SECTION 4	Test Summary

California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7667

TEST VEHICLE

Engine #1

Year	: 2004
Make	: Cummins
Model	: ISM
Eng.#	: 35107360
Eng. Family	: 4CEXH0661MAT

Vehicle #2

Year	: 2007
Make	: Detroit
Model	: Series 60
Eng.#	: 06R0988811
Eng. Family	: 7DDXH14.0ELY

TEST LABORATORY

California Environmental Engineering is an EPA and CARB recognized Emission Testing Facility located in Santa Ana, Ca.. CEE has been in business since 1984. CEE conducts Chassis and Engine Dynamometer Emission testing on vehicles up to 12,000# and Engines up to 1000 HP.

CEE also provides procurement and engineering services. CEE is a current contractor to the CARB. CEE has many product development companies and major manufacturers as clients.

TEST EQUIPMENT

CEE uses a Horiba Anaytical train for emission analyzation, a CEE 4000 variable volumne CVS and a A and D 1000 HP Dynamometer with A and D controls. An AVL Particulate Sampler.

California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7667

C.E.E.
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

ESC TEST REPORT

Report Version 1 5

1. Test

Test Date	08-24-2010	Cell Number	D1000
Test Time	12:12:32 PM	Air Temperature	95.0 F
Test Name	Esc	Atmospheric Pressure	768.1 mmHg
Test Engineer	Jason Diertrich	Relative Humidity	25.9 %
Test Reference	Esc_108	Fuel Type	Diesel

2. Engine Specification

Engine Description	60 Series	Max. Power	370 hp	2100 rpm
Engine ID	Detroi	Max. Torque	1450 lb-ft	1300 rpm
Engine Owner	Go Go Greer	Max. Speed		2100 rpm
Engine Displacement	14800 cc	Idle Speed		630 rpm
Cyls x Bore x Stroke	6 x 106 mm x 38 mm			

3. Cycle Specification

Idle Speed	630 rpm	A Speed	1293 rpm	A Torque	1503 ft-lb
Low Speed	1032 rpm	B Speed	1554 rpm	B Torque	1477 ft-lb
High Speed	2077 rpm	C Speed	1815 rpm	C Torque	1314 ft-lb

4. Steady-StateTest Results

Mode Number Speed-Torque	Speed [rpm]	Torque [lb-ft]	Weight Factor	Power [kW]	Fuel [kg/h]	CO [g/h]	THC [g/h]	CH4 [g/h]	NOx [g/h]	CO2 [g/h]	Heated HC [g/h]	Heated No [g/h]
1 (Idle)	614	-0	0.15	-0.0	1.9	3.7	0.7	4.3	-2.5	5923	-33.8	-12.2
2 (A-100%)	1293	1397	0.08	256.4	59.7	56.1	5.4	8.4	89.6	189138	-32.1	-11.7
3 (B-50%)	1554	738	0.10	162.9	38.6	47.3	1.1	5.0	42.9	122393	-32.8	-11.7
4 (B-75%)	1554	1108	0.10	244.4	57.2	56.7	1.1	4.5	81.0	181401	-32.2	-12.0
5 (A-50%)	1293	751	0.05	137.9	30.3	42.7	1.6	5.2	44.5	95924	-33.2	-12.6
6 (A-75%)	1293	1126	0.05	206.7	46.2	50.6	2.3	5.1	91.9	146503	-32.5	-12.3
7 (A-25%)	1293	376	0.05	69.0	16.4	33.0	0.8	4.5	47.3	51937	-33.5	-12.5
8 (B-100%)	1554	1423	0.09	313.9	73.1	66.6	1.0	3.8	212.2	231563	-31.3	-11.6
9 (B-25%)	1554	369	0.10	81.5	20.1	41.4	0.5	4.4	61.3	63681	-33.4	-12.0
10 (C-100%)	1815	1295	0.08	333.8	81.8	75.0	1.2	3.8	351.7	259225	-30.8	-11.2
11 (C-25%)	1815	328	0.05	84.6	25.2	46.6	0.6	4.4	47.2	79788	-33.2	-11.9
12 (C-75%)	1815	985	0.05	253.8	67.8	68.9	1.5	4.1	84.6	214942	-31.7	-11.4
13 (C-50%)	1815	657	0.05	169.3	50.4	63.5	1.4	4.4	38.3	159623	-32.3	-11.7
				kW	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh
Weighted Totals				170.4	244.0	0.275	0.008	0.028	0.530	773	-0.191	-0.070

Particulate Mass 0.5370 mg Brake Specific Particulates 0.0104 g/kwh

C.E.E.

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

NTE TEST REPORT

Report Version 1.5

1. Test

Test Date	08-24-2010	Cell Number	D1000
Test Time	12:12:32 PM	Air Temperature	95.0 F
Test Name	Esc	Atmospheric Pressure	768.1 mmHg
Test Engineer	Jason Diertrich	Relative Humidity	25.9 %
Test Reference	Esc_108	Fuel Type	Diesel

2. Engine Specification

Engine Description	60 Series	Max. Power	370 hp	2100 rpm
Engine ID	Detroit	Max. Torque	1450 lb-ft	1300 rpm
Engine Owner	Go Go Green	Max. Speed		2100 rpm
Engine Displacement	14800 cc	Idle Speed		630 rpm
Cyls x Bore x Stroke	6 x 106 mm x 38 mm			

3. Cycle Specification

Idle Speed	630 rpm	A Speed	1293 rpm	A Torque	1503 ft-lb
Low Speed	1032 rpm	B Speed	1554 rpm	B Torque	1477 ft-lb
High Speed	2077 rpm	C Speed	1815 rpm	C Torque	1314 ft-lb

4. Steady-StateTest Results

Mode Number Speed-Torque	Speed [rpm]	Torque [lb-ft]	Weight Factor	Power [kW]	Fuel [kg/h]	CO [g/h]	THC [g/h]	CH4 [g/h]	NOx [g/h]	CO2 [g/h]	Heated HC [g/h]	Heated No [g/h]
2 (A-100%)	1293	1397	0.08	256.4	59.7	56.1	5.4	8.4	89.6	189138	-32.1	-11.7
3 (B-50%)	1554	738	0.10	162.9	38.6	47.3	1.1	5.0	42.9	122393	-32.8	-11.7
4 (B-75%)	1554	1108	0.10	244.4	57.2	56.7	1.1	4.5	81.0	181401	-32.2	-12.0
5 (A-50%)	1293	751	0.05	137.9	30.3	42.7	1.6	5.2	44.5	95924	-33.2	-12.6
6 (A-75%)	1293	1126	0.05	206.7	46.2	50.6	2.3	5.1	91.9	146503	-32.5	-12.3
8 (B-100%)	1554	1423	0.09	313.9	73.1	66.6	1.0	3.8	212.2	231563	-31.3	-11.6
10 (C-100%)	1815	1295	0.08	333.8	81.8	75.0	1.2	3.8	351.7	259225	-30.8	-11.2
12 (C-75%)	1815	985	0.05	253.8	67.8	68.9	1.5	4.1	84.6	214942	-31.7	-11.4
13 (C-50%)	1815	657	0.05	169.3	50.4	63.5	1.4	4.4	38.3	159623	-32.3	-11.7
				kW	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh
	Weighted Totals			170.4	244.0	0.275	0.008	0.028	0.530	773	-0.191	-0.070

Particulate Mass 0.5370 mg Brake Specific Particulates 0.0104 g/kwh

CALIFORNIA ENVIRONMENTAL ENGINEERING
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

rpgVersion_Wghtr 1.0

1.1 Cold Start Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	76.0	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.1	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5	%
Test Referenc	Test3HDDT_49	Fuel Type	Diesel	2

1.2 Hot Start Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	78.2	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.2	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	44.6	%
Test Referenc	Test3HDDT_50	Fuel Type	Diesel	2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800 RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100 RPM
Engine Displacement	14800 cc	Max. Speed		2000 RPM
Cyls x Bore x Stroke	0x 0 mm x163 mm	Idle Speed		640 RPM

4.1 Cold Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

4.2 Hot Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
25.8	-0.065	0.040	0.468	650.2	0.022	0.450	0.0022

4.3 Weighted Cold and Hot Test Results

Work hp	CO g/hp-hr	THC g/hp-hr	NOx g/hp-hr	CO2 g/hp-hr	NMHC g/hp-hr	BSFC lb/hp-hr	PM g/hp-hr
25.8	-0.005	0.039	0.563	648.9	0.021	0.450	0.0021

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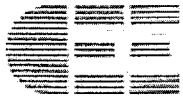
Date 8/9/10 By: [signature]



CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000
Test Time	9:37:00 AM	Air Temperature	76.0 °F
Test Name	Test3HDDT	Atmospheric Pressure	768.1 mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5 %
Test Reference	Test3HDDT_49	Fuel Type	Diesel 2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @ 1800 RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @ 1100 RPM
Engine Displacement	14800 cc	Max. Speed	2000 RPM
Cyls x Bore x Stroke	6× 139 mm ×163 mm	Idle Speed	640 RPM

3. Cycle Specification

Cycle Type	Cold US.HDDT.nrm	Test Speed Idle	638 RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764 RPM
Cycle File	HDDTMap33Denorm1.sc2		

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	4.174	0.651	14.590	0.642	0.570
Ambient	-1.640	-0.443	3.613	-0.015	0.043

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	5.485	1.073	11.150	0.643	0.529	0.544
Mass [g]	9.116	0.880	29.505	16797.8	N/A	0.446

7. Other

Total Volume (Vmix)	50410 SCF	Absolute Humidity	62.77 gr/lb
Dilution Volume	44213 SCF	NOx Correction Factor	0.969
Exhaust Volume	6197 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	8.134	Dilution Factor (DF)	20.86
Particulate Mass	0.058 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
8.000	-3.000	Conc	7.616	-2.856	0.769	-0.089
		Mass [g]	20.154	-2.343		

CEE Quality [illegible]
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CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	76.0	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.1	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5	%
Test Reference	Test3HDDT_49	Fuel Type	Diesel	2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800	RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100	RPM
Engine Displacement	14800 cc	Max. Speed		2000	RPM
Cyls x Bore x Stroke	6x 139 mm x163 mm	Idle Speed		640	RPM

3. Cycle Specification

Cycle Type	Cold US.HDDT.nrm	Test Speed Idle	638	RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764	RPM
Cycle File	HDDTMap33Denorm1.sc2			

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	4.174	0.651	14.590	0.642	0.570
Ambient	-1.640	-0.443	3.613	-0.015	0.043

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	5.485	1.073	11.150	0.643	0.529	0.544
Mass [g]	9.116	0.880	29.505	16797.8	N/A	0.446

7. Other

Total Volume (Vmix)	50410 SCF	Absolute Humidity	62.77 gr/lb
Dilution Volume	44213 SCF	NOx Correction Factor	0.969
Exhaust Volume	6197 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	8.134	Dilution Factor (DF)	20.86
Particulate Mass	0.058 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
8.000	-3.000	Conc.	7.616	-2.856	0.769	-0.089
		Mass [g]	20.154	-2.343		

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CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	78.2	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.2	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	44.6	%
Test Reference	Test3HDDT_50	Fuel Type	Diesel 2	

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800	RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100	RPM
Engine Displacement	14800 cc	Max. Speed		2000	RPM
Cyls x Bore x Stroke	6x 139 mm x163 mm	Idle Speed		640	RPM

3. Cycle Specification

Cycle Type	Hot US.HDDT.nrm	Test Speed Idle	638	RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764	RPM
Cycle File	HDDTMap33Denorm1.sc2			

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
25.8	-0.065	0.040	0.468	650.2	0.022	0.450	0.0022

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	-1.059	1.128	4.259	0.661	0.544
Ambient	0.000	-0.124	-0.317	0.005	-0.009

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	-1.010	1.246	4.560	0.643	0.553	0.693
Mass [g]	-1.675	1.020	12.059	16758.2	N/A	0.568

7. Other

Total Volume (Vmix)	50309 SCF	Absolute Humidity	63.30 gr/lb
Dilution Volume	43998 SCF	NOx Correction Factor	0.970
Exhaust Volume	6309 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	7.975	Dilution Factor (DF)	20.27
Particulate Mass	0.072 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
3.000	-3.000	Conc.	2.852	-2.852	0.293	-0.091
		Mass [g]	7.542	-2.334		

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CALIFORNIA ENVIRONMENTAL ENGINEERING
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

ppVersion_Wghs 1.0

1.1 Cold Start Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.5	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		57.8	%
Test Referenc	Test3HDDT_22	Fuel Type	Diesel	2	

1.2 Hot Start Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Referenc	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370 bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450 lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed		2100	RPM
Cyls x Bore x Stroke 0x	0 mm x127 mm	Idle Speed		610	RPM

4.1 Cold Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.5	0.714	0.100	2.659	628.5	0.103	0.436	0.0253

4.2 Hot Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

4.3 Weighted Cold and Hot Test Results

Work hp	CO g/hp-hr	THC g/hp-hr	NOx g/hp-hr	CO2 g/hp-hr	NMHC g/hp-hr	BSFC lb/hp-hr	PM g/hp-hr
23.6	0.567	0.103	2.330	613.3	0.107	0.426	0.0220

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CALIFORNIA ENVIRONMENTAL ENGINEERING
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version 2.0

1. Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Reference	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370 bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450 lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed		2100	RPM
Cyls x Bore x Stroke	6x 106 mm x127 mm	Idle Speed		610	RPM

3. Cycle Specification

Cycle Type	Hot	US.HDDT.nrm	Test Speed Idle	603 RPM
Power Map Name	Test2PowerMap_982Trans.dat		Test Speed Rated	2100 RPM
Cycle File	HDDTMap982Denorm1.sc2			

4. Test Results

Work [bhp-hr	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	6.319	4.034	19.509	0.566	-0.102
Ambient	-1.874	1.088	-0.378	0.001	0.000

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	7.725	2.992	19.871	0.553	-0.102	3.094
Mass [g]	12.847	2.455	53.829	14451.1	N/A	2.540

7. Other

Total Volume (Vmix)	50438 SCF	Absolute Humidity	71.76 gr/lb
Dilution Volume	43878 SCF	NOx Correction Factor	0.992
Exhaust Volume	6560 SCF	Dry to Wet CF	0.979
Dilution (Total/Exhaust)	7.689	Dilution Factor (DF)	23.63
Particulate Mass	0.647 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
27.000	-3.000	Conc.	25.858	-2.873	2.961	-0.100
		Mass [g]	70.046	-2.358		

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Date 7/23/10 By:

CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version 2.0

1. Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Reference	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370	bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450	lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed			2100	RPM
Cyls x Bore x Stroke	6x 106 mm x127 mm	Idle Speed			610	RPM

3. Cycle Specification

Cycle Type	Hot US.HDDT.nrm	Test Speed Idle	603 RPM
Power Map Name	Test2PowerMap_982Trans.dat	Test Speed Rated	2100 RPM
Cycle File	HDDTMap982Denorm1.sc2		

4. Test Results

Work [bhp-hr	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	6.319	4.034	19.509	0.566	-0.102
Ambient	-1.874	1.088	-0.378	0.001	0.000

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	7.725	2.992	19.871	0.553	-0.102	3.094
Mass [g]	12.847	2.455	53.829	14451.1	N/A	2.540

7. Other

Total Volume (Vmix)	50438 SCF	Absolute Humidity	71.76 gr/lb
Dilution Volume	43878 SCF	NOx Correction Factor	0.992
Exhaust Volume	6560 SCF	Dry to Wet CF	0.979
Dilution (Total/Exhaust)	7.689	Dilution Factor (DF)	23.63
Particulate Mass	0.647 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
27.000	-3.000	Conc.	25.858	-2.873	2.961	-0.100
		Mass [g]	70.046	-2.358		

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TEST SUMMARY

Cummins ISM

Test	THC	CO	NOx	PM	BSFC
FTP					
Test3HDDT_23	0.103	0.567	2.33	0.022	0.426
Standards	1.3	15.5	4.0	0.10	

Detroit Diesel Series 60

Test #	NMHC	CO	NOX	PM	BSFC
FTP					
Test	0.021	0.005	0.563	0.0021	0.450
Standards FTP	0.14	15.5	1.16	0.01	

Test	NMHC	NMHC+NOX	CO	PM
Euro III	0.028	0.558	0.275	0.01
Standards Euro III	0.14	1.3	15.5	0.01

Test				
NTE	0.028	0.558	0.275	0.01
Standards	0.21	1.95	18.275	0.015

CEE LLC
CALIFORNIA ENVIRONMENTAL ENGINEERING

FINAL REPORT

Exhaust Emission

Of Go Go Green World Hydrogen System on a Cadillac CTS & Honda Civic
Powered by
A Four-Stroke Gasoline Engine

All testing Conducted in Accordance with California Air Resources Board Aftermarket Parts Test Letter A-2009-357

Testing Conducted By

California Environmental Engineering, LLC
2530 S. Birch Street
Santa Ana, Ca. 92707

CEE is an Independent Emission Testing Facility Listed on the Recognized Laboratories List By EPA and CARB

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CEE LLC
CALIFORNIA ENVIRONMENTAL ENGINEERING

TEST VEHICLE

Vehicle #1

Year	: 2009
Make	: Cadillac
Model	: CTS
Vin.#	: 1G6DU57V890168313
Eng. Family	: 9GMXV03.6053
Evap Family	: 9GMXR0133810
Transmission	: Automatic

Vehicle #2

Year	: 2010
Make	: Honda
Model	: Civic
Vin.#	: 19XFA1F58AE049763
Eng. Family	: AHNXV01.8GB9
Evap Family	: AHNXR0106VEA
Transmission	: AUTOMATIC

TEST LABORATORY

California Environmental Engineering is an EPA and CARB recognized Emission Testing Facility located in Santa Ana, Ca.. CEE has been in business since 1984. CEE conducts Chassis and Engine Dynamometer Emission testing on vehicles up to 12,000# and Engines up to 800 HP.

CEE also provides procurement and engineering services. CEE is a current contractor to the CARB. CEE has many product development companies and major manufacturers as clients.

TEST EQUIPMENT

CEE uses a Horiba Anaytical train for emission analyzation, a Horiba CVS and a Mustang Motorcycle Dynamometer with Real Time controls. A Clayton Chassis Dyno & AVL Chassis dyno.

Durability

The durability schedule AMA Route was Developed per Title 40 Part 86 and accepted by the ARB in 1997 . All durability miles are driven by CEE personnel and recorded on a durability log.

California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7687

California Environmental Engineering
2530 S. Birch Street. Santa Ana California
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TEST NUMBER	V6000400	DATE	08-13-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	US6AH___.US6	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .U_6	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	1
ODOMETER	5444.6	F1_SET_SAE	-0.10490	WT FACTOR	0
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	0
REMARKS	WITH GO GO HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:48:24	END TIME	10:58:29	FINAL ODO.	5452.6

#	EVENT	MILES	Km	TIME	TIME trace HOLD	TIME trace ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for 0.0	129.6 for 2.6	513
2	US6	8.032	12.910	599.9	0.0 for 0.0	0.0 for 0.0	1811
3	Delay	0.000	0.000	5.0	0.0 for 0.0	0.0 for 0.0	513
4	Bag	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	517
5	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	517
6	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
7	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
8	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
9	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
10	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
11	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
12	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
13	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	31
14	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
15	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0

TEST COMPLETED 605.1 SECONDS DVT= 5.9

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.20	11.1	0.3	1.320	1.8	Tdry=	74.5	Tdp =	51.4
AMBIENT	3.63	0.3	0.0	0.042	1.8	BARO.=	757.50	SEC =	599.9
GRAMS	0.049	1.154	0.048	2148.60	.041	NoxKf=	0.920	VOLc=	3232.0
GMS/MI	0.006	0.144	0.006	267.51	.005	M.P.G.	31.68	DF =	10.140
G/Mwgt	0.006	0.144	0.006	267.51	.005	MPGnhv	33.26	MI =	8.032
						R-H =	44.40	KM =	12.910

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WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.006	0.144	0.006	267.51	.005	M.P.G.	31.68	NHVmpg	33.263
GRAMS/KM	0.004	0.089	0.004	166.43	.003	L/100k	7.42	NHVkpl	14.143

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TEST NUMBER	V6000398	DATE	08-13-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	.43
ODOMETER	5425.2	F1_SET_SAE	-0.10490	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	.57
REMARKS	WITH GO GO HYDROGEN				
REMARKS	CANISTER REPORT CP103330				
REMARKS	TEST #2				
START TIME	09:37:38	END TIME	10:19:05	FINAL ODO.	5436.6

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.004	0.007	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.5	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	0.9	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.631	5.835	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.889	6.251	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.0	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.003	0.005	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.002	0.003	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.186	0.299	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.019	0.031	37.0	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.9	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.625	5.826	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.003	0.005	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2475.9 SECONDS DVT= 0.3

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	12.11	33.2	0.4	0.762	2.4	Tdry=	72.1	Tdp =	50.7
AMBIENT	3.60	0.3	0.0	0.043	1.8	BARO.=	757.50	SEC =	506.4
GRAMS	0.400	3.052	0.056	1051.87	.366	NoxKf=	0.914	VOLc=	2811.9
GMS/MI	0.110	0.840	0.015	289.69	.100	M.P.G.	29.12	DF =	17.481
G/Mwgt	0.023	0.174	0.003	60.12	.020	MPGnhv	30.60	MI =	3.631
						R-H =	46.90	KM =	5.836

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	3.63	5.4	0.2	0.497	1.7	Tdry=	72.4	Tdp =	51.2
AMBIENT	3.67	1.1	0.4	0.043	1.8	BARO.=	757.50	SEC =	872.0
GRAMS	0.008	0.692	0.000	1142.44	.007	NoxKf=	0.918	VOLc=	4836.2
GMS/MI	0.002	0.178	0.000	293.54	.001	M.P.G.	28.87	DF =	26.913
G/Mwgt	0.001	0.089	0.000	146.77	.000	MPGnhv	30.31	MI =	3.892
						R-H =	47.30	KM =	6.256

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	3.80	5.0	0.0	0.658	1.8	Tdry=	72.9	Tdp =	51.2
AMBIENT	3.65	0.5	0.0	0.042	1.9	BARO.=	757.50	SEC =	505.9
GRAMS	0.015	0.418	0.000	898.94	.013	NoxKf=	0.918	VOLc=	2805.1
GMS/MI	0.004	0.115	0.000	247.98	.003	M.P.G.	34.18	DF =	20.338
G/Mwgt	0.001	0.032	0.000	68.17	.000	MPGnhv	35.89	MI =	3.625
						R-H =	46.50	KM =	5.826

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WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.025	0.298	0.003	280.22	.022	M.P.G.	30.22	NHVmpg	31.728
GRAMS/KM	0.016	0.186	0.002	174.34	.014	L/100k	7.78	NHVkpl	13.490

****

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TEST NUMBER	V6000395	DATE	08-12-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	.43
ODOMETER	5406.9	F1_SET_SAE	-0.10490	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	.57
REMARKS	CANISTER REPORT				
REMARKS	CP103329				
REMARKS	WITH GO GO HYDROGEN				
START TIME	10:03:42	END TIME	10:44:56	FINAL ODO.	5417.9

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.4	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	1.2	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.589	5.768	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.826	6.150	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.5	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.000	0.000	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.000	0.000	23.1	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.8	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.584	5.761	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2462.5 SECONDS DVT= 3.3

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	13.65	42.3	0.4	0.759	2.6	Tdry=	72.1	Tdp =	50.1
AMBIENT	4.54	1.0	0.0	0.044	1.9	BARO.=	759.50	SEC =	506.6
GRAMS	0.431	3.844	0.056	1048.68	.394	NoxKf=	0.909	VOLc=	2818.8
GMS/MI	0.120	1.071	0.015	292.19	.109	M.P.G.	28.83	DF =	17.526
G/Mwgt	0.025	0.223	0.003	60.81	.022	MPGnhv	30.30	MI =	3.589
						R-H =	45.90	KM =	5.769

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.12	6.0	0.0	0.487	1.8	Tdry=	72.4	Tdp =	50.3
AMBIENT	4.14	1.1	0.0	0.044	1.9	BARO.=	759.50	SEC =	872.5
GRAMS	0.010	0.790	0.000	1117.94	.008	NoxKf=	0.910	VOLc=	4849.5
GMS/MI	0.003	0.206	0.000	292.19	.002	M.P.G.	29.00	DF =	27.458
G/Mwgt	0.001	0.103	0.000	146.10	.001	MPGnhv	30.44	MI =	3.826
						R-H =	45.70	KM =	6.150

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.10	6.0	0.2	0.659	1.9	Tdry=	72.8	Tdp =	50.4
AMBIENT	3.94	0.3	0.0	0.046	1.8	BARO.=	759.50	SEC =	505.8
GRAMS	0.016	0.529	0.028	895.51	.011	NoxKf=	0.911	VOLc=	2807.1
GMS/MI	0.005	0.148	0.008	249.86	.003	M.P.G.	33.92	DF =	20.303
G/Mwgt	0.001	0.041	0.002	68.89	.000	MPGnhv	35.61	MI =	3.584
						R-H =	45.30	KM =	5.761

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WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.028	0.370	0.005	280.52	.024	M.P.G.	30.17	NHVmpg	31.680
GRAMS/KM	0.017	0.230	0.003	174.53	.015	L/100k	7.80	NHVkpl	13.470

****

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****

TEST NUMBER	V6000247	DATE	07-29-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRYSWIENKI	EVAP.FAM.	9GMXR0133810	SPECIF. CO2 Gr.C/gal.	13.4 2316
DRIVER	ANDY GONZALE				
MAKE	CADILLAC	TEST TYPE	US6AH___.US6	FUEL Fract.	.8618
MODEL	CTS	SHIFT FILE	AUTO .U_6	SP. GRAVITY	.7355
YEAR	2009	INERTIA WGT	4500	N.H.V.	18170
TANK CAP	7.2	F2_SET_SAE	24.43	WT FACTOR	1
ODOMETER	22839.7	F1_SET_SAE	-0.03240	WT FACTOR	0
TRANS.	AUTO	F2_SET_SAE	0.02203	WT FACTOR	0
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:39:14	END TIME	10:49:19	FINAL ODO.	22847.7

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for	0.0	0.0 for	0.0	513
2	US6	7.991	12.844	599.9	0.0 for	0.0	0.0 for	0.0	1811
3	Delay	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	513
4	Bag	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	517
5	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	517
6	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
7	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
8	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
9	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
10	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
11	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
12	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
13	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	31
14	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
15	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0

TEST COMPLETED 605.1 SECONDS DVT= 2.6

PHASE 1	THC	CO	NOx	CO2	NMHC
SAMPLE	9.40	47.6	1.4	1.956	2.6
AMBIENT	3.62	0.2	0.0	0.048	.6
GRAMS	0.335	5.088	0.226	3230.63	.224
GMS/MI	0.042	0.637	0.028	404.28	.028
G/Mwgt	0.042	0.637	0.028	404.28	.028

Tdry=	77.6	Tdp =	51.4		
BARO.=	763.40	SEC =	599.9		
NoxKf=	0.918	VOLc=	3253.6		
M.P.G.	20.93	DF =	6.831		
MPGnhv	21.97	MI =	7.991		
R-H =	40.10	KM =	12.844		

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WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.042	0.637	0.028	404.28	.028	M.P.G.	20.93	NHVmpg	21.974
GRAMS/KM	0.026	0.396	0.018	251.53	.017	L/100k	11.24	NHVkpl	9.343

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Date 7/29/10 By:

California Environmental Engineering
2530 S. Birch Street. Santa Ana California
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TEST NUMBER	V6000245	DATE	07-29-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRYSWIENKI	EVAP.FAM.	9GMXR0133810	SPECIF. CO2 Gr.C/gal.	13.4 2316
DRIVER	ANDY GONZALE			FUEL Fract.	.8618
MAKE	CADILLAC	TEST TYPE	EPA78A .LA4	SP. GRAVITY	.7355
MODEL	CTS	SHIFT FILE	AUTO .L_4	N.H.V.	18170
YEAR	2009	INERTIA WGT	4500	WT FACTOR	.43
TANK CAP	7.2	F0_SET_SAE	24.43	WT FACTOR	1
ODOMETER	22820.7	F1_SET_SAE	-0.03240	WT FACTOR	.57
TRANS.	AUTO	F2_SET_SAE	0.02203		
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	08:58:40	END TIME	09:40:04	FINAL ODO.	22831.7

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.5	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	1.2	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.596	5.780	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.844	6.179	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.4	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.000	0.000	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.000	0.000	33.5	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.8	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.583	5.759	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2472.7 SECONDS DVT= 2.5

PHASE 1	THC	CO	NOx	CO2	NMHC					
SAMPLE	16.30	49.8	3.3	1.161	4.6	Tdry=	71.3	Tdp =	49.8	
AMBIENT	3.92	0.2	0.0	0.042	1.9	BARO.=	761.50	SEC =	506.7	
GRAMS	0.591	4.656	0.461	1656.60	.458	NoxKf=	0.906	VOLc=	2845.9	
GMS/MI	0.164	1.295	0.128	460.68	.127	M.P.G.	19.14	DF =	11.476	
G/Mwgt	0.034	0.269	0.027	95.74	.026	MPGnhv	19.18	MI =	3.596	
						R-H =	46.60	KM =	5.780	

PHASE 2	THC	CO	NOx	CO2	NMHC					
SAMPLE	4.58	4.8	0.1	0.780	1.5	Tdry=	72.2	Tdp =	49.9	
AMBIENT	4.12	0.3	0.0	0.044	1.2	BARO.=	761.50	SEC =	872.4	
GRAMS	0.056	0.727	0.024	1870.15	.026	NoxKf=	0.906	VOLc=	4883.6	
GMS/MI	0.015	0.189	0.006	486.51	.006	M.P.G.	18.21	DF =	17.159	
G/Mwgt	0.007	0.095	0.003	243.26	.003	MPGnhv	18.23	MI =	3.844	
						R-H =	45.40	KM =	6.178	

PHASE 3	THC	CO	NOx	CO2	NMHC					
SAMPLE	6.69	14.0	0.2	0.965	2.9	Tdry=	72.3	Tdp =	50.2	
AMBIENT	4.15	0.4	0.0	0.043	1.8	BARO.=	761.50	SEC =	505.8	
GRAMS	0.131	1.270	0.028	1356.02	.076	NoxKf=	0.909	VOLc=	2827.0	
GMS/MI	0.037	0.355	0.008	378.46	.021	M.P.G.	23.38	DF =	13.856	
G/Mwgt	0.010	0.097	0.002	104.07	.005	MPGnhv	23.42	MI =	3.583	
						R-H =	45.70	KM =	5.759	

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WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.052	0.464	0.032	451.43	.035	M.P.G.	19.60	NHVmpg	19.630
GRAMS/KM	0.032	0.289	0.020	280.86	.022	L/100k	12.00	NHVkpl	8.346

****

CEE Quality Audit
Accept ✓ Reject
Date 7/29/10 By:

California Environmental Engineering
2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000230	DATE	07-28-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRY S.	EVAP.FAM.	9GMXR0133810	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	CADILLAC	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CTS	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2009	INERTIA WGT	4500	N.H.V.	18170
TANK CAP	7.2	F0_SET_SAE	24.43	WT FACTOR	.43
ODOMETER	22802	F1_SET_SAE	-0.03240	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.02203	WT FACTOR	.57
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:03:27	END TIME	10:44:43	FINAL ODO.	22813.2

#	EVENT	MILES	Km	TIME	TIME trace HOLD	TIME trace ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for 0.0	0.0 for 0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for 0.0	0.0 for 0.0	1
3	Ready	0.000	0.000	0.5	0.0 for 0.0	0.0 for 0.0	281
4	CRANK	0.000	0.000	0.9	0.0 for 0.0	0.0 for 0.0	795
5	phase 1	3.637	5.846	505.0	0.0 for 0.0	0.0 for 0.0	787
6	phase 2	3.898	6.266	864.0	0.0 for 0.0	0.0 for 0.0	1831
7	eng off	0.000	0.000	1.5	0.0 for 0.0	0.0 for 0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for 0.0	0.0 for 0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for 0.0	0.0 for 0.0	775
10	soak	0.000	0.000	525.0	0.0 for 0.0	0.0 for 0.0	2
11	ready	0.000	0.000	27.1	0.0 for 0.0	0.0 for 0.0	3
12	crank 3	0.000	0.000	1.2	0.0 for 0.0	0.0 for 0.0	835
13	phase 3	3.616	5.812	505.0	0.0 for 0.0	0.0 for 0.0	835
14	delay15	0.000	0.000	15.0	0.0 for 0.0	0.0 for 0.0	3
15	bags	0.000	0.000	1.0	0.0 for 0.0	0.0 for 0.0	7

TEST COMPLETED 2464.8 SECONDS DVT= 1.0

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	9.92	12.7	0.6	1.087	3.4	Tdry=	73.4	Tdp =	51.0
AMBIENT	5.40	0.5	0.1	0.042	1.8	BARO.=	761.50	SEC =	506.4
GRAMS	0.229	1.143	0.071	1538.94	.147	NoxKf=	0.915	VOLc=	2831.0
GMS/MI	0.063	0.314	0.020	423.13	.040	M.P.G.	20.02	DF =	12.302
G/Mwgt	0.013	0.065	0.004	87.82	.008	MPGnhv	21.02	MI =	3.637
						R-H =	45.40	KM =	5.846

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	5.26	4.1	0.1	0.796	1.9	Tdry=	74.8	Tdp =	50.3
AMBIENT	4.86	0.2	0.0	0.043	2.0	BARO.=	761.50	SEC =	870.5
GRAMS	0.055	0.627	0.024	1904.01	.050	NoxKf=	0.910	VOLc=	4860.2
GMS/MI	0.014	0.161	0.006	488.46	.012	M.P.G.	17.36	DF =	16.814
G/Mwgt	0.007	0.080	0.003	244.23	.006	MPGnhv	18.22	MI =	3.898
						R-H =	42.20	KM =	6.265

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	7.66	31.1	0.3	0.985	2.9	Tdry=	73.6	Tdp =	50.0
AMBIENT	4.74	0.5	0.1	0.043	1.8	BARO.=	761.50	SEC =	506.2
GRAMS	0.151	2.851	0.029	1383.08	.092	NoxKf=	0.907	VOLc=	2822.2
GMS/MI	0.042	0.788	0.008	382.49	.025	M.P.G.	22.10	DF =	13.551
G/Mwgt	0.011	0.216	0.002	104.92	.007	MPGnhv	23.21	MI =	3.616
						R-H =	43.40	KM =	5.812

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.032	0.365	0.009	445.83	.022	M.P.G.	19.00	NHVmpg	19.949
GRAMS/KM	0.020	0.227	0.006	277.38	.013	L/100k	12.38	NHVkpl	8.482

****

CEE Quality Audit
Accept ✓ Reject
Date 7/28/10 By:

TEST SUMMARY

Cadillac CTS

Test #	MI	NMHC	CO	NOx	CO2	MPG
V6000230	22802	0.022	0.365	0.009	445.83	19.00
V6000245	22820	0.035	0.464	0.032	451.43	19.60
Standard FTP		0.075	3.4	0.05		
(US 06)						
V6000247	22839	0.028	0.637	0.028	404.28	20.93
Standard SFTP		NMHC+NOX 0.14		CO 8.0		

Honda Civic

V6000395	5406	0.024	0.370	0.005	280.52	30.17
V6000398	5425	0.022	0.298	0.003	280.22	30.22
Standard FTP		0.040	1.7	0.05		
(US 06)						
V6000400	5444	0.005	0.144	0.006		
Standard SFTP		NMHC + NOX 0.14		CO 8.0		

Go Go Green World, Inc.

Laboratory Testing Acronyms

CO – Carbon Monoxide

CO2 – Carbon Dioxide (Green House Gases)

THC – Total Hydrocarbons

NOx – Nitrogen Oxide

PM – Particulate Matter

BSFC – Brake Specific Fuel Consumption

NMHC – Non-Methane Hydrocarbons

www.gogogreenworld.com

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.
13/077,846	03/31/2011	Fred E. McConahay	08749.0006 (P0002)	6279

28221 7590 07/01/2011

PATENT DOCKET ADMINISTRATOR
LOWENSTEIN SANDLER PC
65 LIVINGSTON AVENUE
ROSELAND, NJ 07068

EXAMINER	
ART UNIT	PAPER NUMBER
3783	

MAIL DATE	DELIVERY MODE
07/01/2011	PAPER

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

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

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7/1/11

PATENT DOCKET ADMINISTRATOR
LOWENSTEIN SANDLER PC
65 LIVINGSTON AVENUE
ROSELAND NJ 07068

In re Application of	:	
McConahay et al.	:	DECISION ON PETITION
Application No. 13/077,846	:	TO MAKE SPECIAL UNDER
Filed: 3/31/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **08749.0006 (P0002)**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 5/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3783 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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: 8749P003	Application Number (if known):	Filing date: 03-31-2011
First Named Inventor: Fred E. McConahay		
Title: A CYLINDRICAL HYDROGEN FUEL GENERATOR HAVING TUBULAR CELLS WITH MICROSCOPIC INDENTATIONS		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature /Kevin O. Grange/	Date 03-31-2011
Name (Print/Typed) Kevin O. Grange	Registration Number 60793

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

☐ *Total of ..... forms are submitted.

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

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

Attorney's Docket No. 8749P003 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Fred E. McConahay, et al.

Application No.: not yet assigned

Filed: Herewith

Art unit: not yet assigned

Examiner: not yet assigned

For: A CYLINDRICAL HYDROGEN FUEL GENERATOR HAVING TUBULAR CELLS WITH MICROSCOPIC INDENTATIONS

Confirmation No.: not yet assigned

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

/Leslie Rogan/ March 31, 2011

Leslie Rogan ***Date***

E-filed via EFS-Web
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS

Sir:

Applicants state that special status is sought because the invention materially enhances the quality of the environment. In particular, embodiments described and claimed in the present application are green technologies, and pertain to environmental quality, energy conservation, and greenhouse gas emission reduction, by providing a supplementary fuel system for delivery of hydrogen gas to an engine. The embodiments described and claimed contribute to more efficient utilization and conservation of energy resources by improving the efficiency of fuel burn by an engine, thus, reducing emissions and increasing fuel economy. More specifically, the embodiments described and claimed provide a cylindrical hydrogen fuel generating having tubular cells with microscopic indentations. The cylindrical hydrogen fuel generator generates

hydrogen gas from water using electrolysis to achieve this process. For additional information please see Go Go Green World, Inc.'s website at http://www.gogogreenworld.com.

CONCLUSION

This statement accompanies a Petition to Make Special under the Green Technology Pilot Program.

Please charge any additional fees under 37 CFR §§ 1.16, 1.17, 1.18, 1.20 and 1.21 that may be required to maintain pendency of the present application, or apply any credits to our PTO deposit account number: 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: March 31, 2011

/Kevin O. Grange/
Kevin O. Grange
Reg. No. 60,793

Customer No. 08791
1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,866	03/31/2011	Fred E. McConahay	8749P003	6316

8791 7590 04/28/2011
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER	
ART UNIT	PAPER NUMBER
3783	

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.

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

In re Application of	:	
MCCONAHAY, FRED E. et al	:	DECISION ON PETITION
Application No. 13/077,866	:	TO MAKE SPECIAL UNDER
Filed: March 31, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 8749P003	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March. 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

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

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

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

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

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived. The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner indicates that the claimed invention relates to reduction of greenhouse gas emission. This is not convincing. For example, it is not clear how the claimed hydrogen fuel generator will provide and enhance the quality of the environment or contribute to energy conservation or greenhouse gas reduction.

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

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

The application is currently undergoing pre-examination processing. The application will be forwarded to the Technology Center Art Unit 3783 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

Attorney's Docket No. 8749.7 (P003) PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Fred E. McConahay et al.

Application No.: 13/077,866

Filed: March 31, 2011

Art unit: not yet assigned

Examiner: not yet assigned

For: A CYLINDRICAL HYDROGEN FUEL GENERATOR HAVING TUBULAR CELLS WITH MICROSCOPIC INDENTATIONS

Confirmation No.: 6316

E-filed via EFS-Web
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR RECONSIDERATION

Sir:

In response to the Decision on Petition to Make Special under the Green Technology Pilot Program, mailed April 28, 2011, Petitioners respectfully submit a petition for reconsideration, as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended Petitioners state that special status is sought because the claimed invention materially contributes to at least ii) the more efficient utilization and conservation of energy resources; and iii) greenhouse gas emission reduction. The following description provides a detailed explanation of how the materiality standard is met for the present application.

Using hydrogen as a supplemental fuel in engines has been proposed to increase the performance of the engine. When using hydrogen and oxygen as part of the air-fuel mixture for the engine, the performance of the engine increases, including increasing the mileage (e.g., miles

per gallon (MPG)) and/or reducing the emissions of the engine. The hydrogen gas may be generated through electrolysis of an aqueous solution. The hydrogen gas may be referred to as monatomic hydrogen (HHO) gas, or "Brown Gas," which is created by electrolysis by separating H2O into molecules by passing an electrical current through water or an aqueous solution. Electrolysis is a method of using an electric current to drive an otherwise non-spontaneous chemical reaction.

A hydrogen fuel generator, which produces HHO gas, improves the burn quality of the fuel, reducing any unwanted emissions, producing more power and cleaning out old carbon deposits inside the engine. Using the hydrogen fuel generator as a supplemental fuel system provides an improved fuel system for an engine, addressing the need for drastic emission reductions and improved fuel economy in all engines. The claims of the present application are directed to 1) hydrogen fuel generators; and a 2) system having an engine, an injector, and a hydrogen fuel generator. Claim 1, for example, recites:

> A hydrogen fuel generator, comprising:
> a cylindrical enclosure of metal, wherein the cylindrical enclosure is to operate as a first electrode when coupled to a first terminal of a power source; and
> a fuel cell unit disposed within the cylindrical enclosure, wherein the fuel cell unit comprises:
> a second electrode coupled to a second terminal of the power source; and
> a plurality of conductive tubular cells disposed in a longitudinal direction of the cylindrical enclosure, wherein at least one of the plurality of conductive tubular cells comprises microscopic indentations on one or more surfaces.

The claimed hydrogen fuel generator can be utilized with any engine, regardless of fuel type currently being utilized. (Gas, Diesel, LPG, Bio Diesel, Etc.). The claimed hydrogen fuel generator works along with an existing fuel source to compliment the efficiency of fuel burn within the combustion chamber, thus reducing emissions and increasing fuel economy. The claimed hydrogen fuel generator generates hydrogen gas from water utilizing electrolysis to achieve this process. The claimed hydrogen fuel generator generates a desired amount of hydrogen to be delivered to the engine to achieve various benefits. First, the claimed hydrogen fuel generator **significantly reduces the noxious and toxic engine emission, thereby reducing greenhouse gas emissions and providing cleaner air than engines without the claimed hydrogen fuel generator**. In addition, **hydrogen and oxygen are two of the most abundant elements** available on earth. The hydrogen-per-unit is three times more powerful in energy

produced than gasoline and almost four times that of ethanol. Using the claimed hydrogen fuel generator, the fuel (e.g., gasoline, diesel, or the like) **combusts more efficiently with fewer pollutants in the exhaust**. The **oil may stay cleaner**, the plugs may last longer, the engine may stay cleaner internally, and the engine temperature may drop by several degrees Fahrenheit. It should also be noted that hydrogen, generated by the claimed hydrogen fuel generator, is **a helpful additive to the fuel because the hydrogen burns first inside the engine and the byproduct is steam, which becomes water as it condenses**. The condensation cools the outside of the engine's exhaust. As noted in Petitioners' specification, the claimed hydrogen fuel generator resulted in approximately **20% to 70% improvement of gas mileage**, noting that the overall mileage increase in vehicles may be determined by several factors, such as driving habits, the condition of your vehicle, tire inflation, driving conditions and more. In addition, because hydrogen gas burns at a cooler temperature than diesel, the viscosity of the engine's oil may not break down as quickly. This may **lead to longer periods between oil changes and less wear to the cylinders, hence reducing your overall maintenance costs of the engine**.

The claimed hydrogen fuel generator includes conductive tubular cells disposed in a longitudinal direction of the cylindrical enclosure, the conductive tubular cells including microscopic indentations on one or more surfaces. The claimed microscopic indentations **increase the amount of reactive surface exposed to the aqueous solution, which further increases the excitation of hydrogen molecules, which consequently increases the efficiency of the electrolysis towards optimal hydrogen gas production**.

Claim 18 is also directed to a hydrogen fuel generator. Although claim 19 has different claim limitations, the claimed hydrogen fuel generator of claim 18 also achieves the results and benefits as described above with respect to claim 1. Similarly, claim 20 is directed to a system that includes the claimed hydrogen fuel generator as claimed in claim 18. Accordingly, the claimed hydrogen fuel generator of claim 18 and the system of claim 20 enhance the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases.

Go Go Green World, Inc.'s Generation Series fuel generators, which implement the claimed invention, have completed independent laboratory testing and California Air Resource Board (CARB) approved for all Diesel and Gas Vehicles produce from 1960 to 2010 and beyond. CARB Executive Order (EO)# D-681, issued Nov. 4, 2010. Petitioners submit herewith

documents for the "California Air Resource Board Certified Lab Test Results" of the Generation Series fuel generators. These test results show the more efficient utilization and conservation of energy resource, and the reduction of greenhouse gases. In addition, another company, MeetGreen®, has verified sustainable practices at events that have benefitted from Go Go Green World's technology, indicating that freight transported to and from these events has experienced reduced emissions and cost and improved fuel economy, all of which have sustainable benefits that help to 'green' the event industry.

In sum, the statements provided herein demonstrate that the materiality standard has been met for the present application. In particular, the provided statements demonstrate a relationship between the statements and the claimed subject matter and described how the claimed subject matter enhances the quality of the environment by contributing to ii) the more efficient utilization and conservation of energy resources, and iii) reduction of greenhouse gases.

CONCLUSION

Please charge any additional fees under 37 CFR §§ 1.16, 1.17, 1.18, 1.20 and 1.21 that may be required to maintain pendency of the present application, or apply any credits to our PTO deposit account number: 501358.

Respectfully submitted,

LOWENSTEIN SANDLER LLP

Date: May 26, 2011

/Kevin O. Grange/

Kevin O. Grange
Reg. No. 60,793

Customer No. 28221
590 Forest Avenue
Palo Alto, CA 94301
(640) 433-5748

FINAL REPORT

Exhaust Emission

Of Go Go Green World Hydrogen System on a Cummins ISM &
Detroit Diesel Series 60
Diesel Heavy Duty Engine

All testing Conducted in Accordance with California Air
Resources Board Aftermarket Parts Test Letter
A-2009-357

Testing Conducted By

California Environmental Engineering, LLC
2530 S. Birch Street
Santa Ana, Ca. 92707

CEE is an Independent Emission Testing Facility
Listed on the Recognized Laboratories List
By EPA and CARB

TABLE OF CONTENTS

SECTION 1	Test Engine
SECTION 2	Test Laboratory
SECTION 3	Test Data
SECTION 4	Test Summary

California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7667

TEST VEHICLE

Engine #1

Year	: 2004
Make	: Cummins
Model	: ISM
Eng.#	: 35107360
Eng. Family	: 4CEXH0661MAT

Vehicle #2

Year	: 2007
Make	: Detroit
Model	: Series 60
Eng.#	: 06R0988811
Eng. Family	: 7DDXH14.0ELY

TEST LABORATORY

California Environmental Engineering is an EPA and CARB recognized Emission Testing Facility located in Santa Ana, Ca.. CEE has been in business since 1984. CEE conducts Chassis and Engine Dynamometer Emission testing on vehicles up to 12,000# and Engines up to 1000 HP.

CEE also provides procurement and engineering services. CEE is a current contractor to the CARB. CEE has many product development companies and major manufacturers as clients.

TEST EQUIPMENT

CEE uses a Horiba Anaytical train for emission analyzation, a CEE 4000 variable volumne CVS and a A and D 1000 HP Dynamometer with A and D controls. An AVL Particulate Sampler.

California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7667

C.E.E.
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

ESC TEST REPORT

Report Version 1 5

1. Test

Test Date	08-24-2010	Cell Number	D1000
Test Time	12:12:32 PM	Air Temperature	95.0 F
Test Name	Esc	Atmospheric Pressure	768.1 mmHg
Test Engineer	Jason Diertrich	Relative Humidity	25.9 %
Test Reference	Esc_108	Fuel Type	Diesel

2. Engine Specification

Engine Description	60 Series	Max. Power	370 hp	2100 rpm
Engine ID	Detroi	Max. Torque	1450 lb-ft	1300 rpm
Engine Owner	Go Go Greer	Max. Speed		2100 rpm
Engine Displacement	14800 cc	Idle Speed		630 rpm
Cyls x Bore x Stroke	6 x 106 mm x 38 mm			

3. Cycle Specification

Idle Speed	630 rpm	A Speed	1293 rpm	A Torque	1503 ft-lb
Low Speed	1032 rpm	B Speed	1554 rpm	B Torque	1477 ft-lb
High Speed	2077 rpm	C Speed	1815 rpm	C Torque	1314 ft-lb

4. Steady-StateTest Results

Mode Number Speed-Torque	Speed [rpm]	Torque [lb-ft]	Weight Factor	Power [kW]	Fuel [kg/h]	CO [g/h]	THC [g/h]	CH4 [g/h]	NOx [g/h]	CO2 [g/h]	Heated HC [g/h]	Heated No [g/h]
1 (Idle)	614	-0	0.15	-0.0	1.9	3.7	0.7	4.3	-2.5	5923	-33.8	-12.2
2 (A-100%)	1293	1397	0.08	256.4	59.7	56.1	5.4	8.4	89.6	189138	-32.1	-11.7
3 (B-50%)	1554	738	0.10	162.9	38.6	47.3	1.1	5.0	42.9	122393	-32.8	-11.7
4 (B-75%)	1554	1108	0.10	244.4	57.2	56.7	1.1	4.5	81.0	181401	-32.2	-12.0
5 (A-50%)	1293	751	0.05	137.9	30.3	42.7	1.6	5.2	44.5	95924	-33.2	-12.6
6 (A-75%)	1293	1126	0.05	206.7	46.2	50.6	2.3	5.1	91.9	146503	-32.5	-12.3
7 (A-25%)	1293	376	0.05	69.0	16.4	33.0	0.8	4.5	47.3	51937	-33.5	-12.5
8 (B-100%)	1554	1423	0.09	313.9	73.1	66.6	1.0	3.8	212.2	231563	-31.3	-11.6
9 (B-25%)	1554	369	0.10	81.5	20.1	41.4	0.5	4.4	61.3	63681	-33.4	-12.0
10 (C-100%)	1815	1295	0.08	333.8	81.8	75.0	1.2	3.8	351.7	259225	-30.8	-11.2
11 (C-25%)	1815	328	0.05	84.6	25.2	46.6	0.6	4.4	47.2	79788	-33.2	-11.9
12 (C-75%)	1815	985	0.05	253.8	67.8	68.9	1.5	4.1	84.6	214942	-31.7	-11.4
13 (C-50%)	1815	657	0.05	169.3	50.4	63.5	1.4	4.4	38.3	159623	-32.3	-11.7
				kW	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh
Weighted Totals				170.4	244.0	0.275	0.008	0.028	0.530	773	-0.191	-0.070

Particulate Mass 0.5370 mg Brake Specific Particulates 0.0104 g/kwh

C.E.E.

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

NTE TEST REPORT

Report Version 1.5

1. Test

Test Date	08-24-2010	Cell Number	D1000
Test Time	12:12:32 PM	Air Temperature	95.0 F
Test Name	Esc	Atmospheric Pressure	768.1 mmHg
Test Engineer	Jason Diertrich	Relative Humidity	25.9 %
Test Reference	Esc_108	Fuel Type	Diesel

2. Engine Specification

Engine Description	60 Series	Max. Power	370 hp	2100 rpm
Engine ID	Detroit	Max. Torque	1450 lb-ft	1300 rpm
Engine Owner	Go Go Green	Max. Speed		2100 rpm
Engine Displacement	14800 cc	Idle Speed		630 rpm
Cyls x Bore x Stroke	6 x 106 mm x 38 mm			

3. Cycle Specification

Idle Speed	630 rpm	A Speed	1293 rpm	A Torque	1503 ft-lb
Low Speed	1032 rpm	B Speed	1554 rpm	B Torque	1477 ft-lb
High Speed	2077 rpm	C Speed	1815 rpm	C Torque	1314 ft-lb

4. Steady-StateTest Results

Mode Number Speed-Torque	Speed [rpm]	Torque [lb-ft]	Weight Factor	Power [kW]	Fuel [kg/h]	CO [g/h]	THC [g/h]	CH4 [g/h]	NOx [g/h]	CO2 [g/h]	Heated HC [g/h]	Heated No [g/h]
2 (A-100%)	1293	1397	0.08	256.4	59.7	56.1	5.4	8.4	89.6	189138	-32.1	-11.7
3 (B-50%)	1554	738	0.10	162.9	38.6	47.3	1.1	5.0	42.9	122393	-32.8	-11.7
4 (B-75%)	1554	1108	0.10	244.4	57.2	56.7	1.1	4.5	81.0	181401	-32.2	-12.0
5 (A-50%)	1293	751	0.05	137.9	30.3	42.7	1.6	5.2	44.5	95924	-33.2	-12.6
6 (A-75%)	1293	1126	0.05	206.7	46.2	50.6	2.3	5.1	91.9	146503	-32.5	-12.3
8 (B-100%)	1554	1423	0.09	313.9	73.1	66.6	1.0	3.8	212.2	231563	-31.3	-11.6
10 (C-100%)	1815	1295	0.08	333.8	81.8	75.0	1.2	3.8	351.7	259225	-30.8	-11.2
12 (C-75%)	1815	985	0.05	253.8	67.8	68.9	1.5	4.1	84.6	214942	-31.7	-11.4
13 (C-50%)	1815	657	0.05	169.3	50.4	63.5	1.4	4.4	38.3	159623	-32.3	-11.7
				kW	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh	g/kWh
	Weighted Totals			170.4	244.0	0.275	0.008	0.028	0.530	773	-0.191	-0.070

Particulate Mass 0.5370 mg Brake Specific Particulates 0.0104 g/kwh

CALIFORNIA ENVIRONMENTAL ENGINEERING
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

rpgVersion_Wghtr 1.0

1.1 Cold Start Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	76.0	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.1	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5	%
Test Referenc	Test3HDDT_49	Fuel Type	Diesel	2

1.2 Hot Start Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	78.2	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.2	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	44.6	%
Test Referenc	Test3HDDT_50	Fuel Type	Diesel	2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800 RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100 RPM
Engine Displacement	14800 cc	Max. Speed		2000 RPM
Cyls x Bore x Stroke	0x 0 mm x163 mm	Idle Speed		640 RPM

4.1 Cold Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

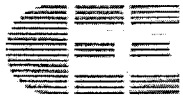
4.2 Hot Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
25.8	-0.065	0.040	0.468	650.2	0.022	0.450	0.0022

4.3 Weighted Cold and Hot Test Results

Work hp	CO g/hp-hr	THC g/hp-hr	NOx g/hp-hr	CO2 g/hp-hr	NMHC g/hp-hr	BSFC lb/hp-hr	PM g/hp-hr
25.8	-0.005	0.039	0.563	648.9	0.021	0.450	0.0021

CEE Quality Audit
Accept ✓ Reject ____
Date 8/9/10 By: [signature]



CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000
Test Time	9:37:00 AM	Air Temperature	76.0 °F
Test Name	Test3HDDT	Atmospheric Pressure	768.1 mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5 %
Test Reference	Test3HDDT_49	Fuel Type	Diesel 2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @ 1800 RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @ 1100 RPM
Engine Displacement	14800 cc	Max. Speed	2000 RPM
Cyls x Bore x Stroke	6× 139 mm ×163 mm	Idle Speed	640 RPM

3. Cycle Specification

Cycle Type	Cold US.HDDT.nrm	Test Speed Idle	638 RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764 RPM
Cycle File	HDDTMap33Denorm1.sc2		

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	4.174	0.651	14.590	0.642	0.570
Ambient	-1.640	-0.443	3.613	-0.015	0.043

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	5.485	1.073	11.150	0.643	0.529	0.544
Mass [g]	9.116	0.880	29.505	16797.8	N/A	0.446

7. Other

Total Volume (Vmix)	50410 SCF	Absolute Humidity	62.77 gr/lb
Dilution Volume	44213 SCF	NOx Correction Factor	0.969
Exhaust Volume	6197 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	8.134	Dilution Factor (DF)	20.86
Particulate Mass	0.058 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
8.000	-3.000	Conc	7.616	-2.856	0.769	-0.089
		Mass [g]	20.154	-2.343		

CEE Quality [illegible]
Accept ✓ Reject
Date 2/9/10 By [illegible]

CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	76.0	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.1	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	47.5	%
Test Reference	Test3HDDT_49	Fuel Type	Diesel	2

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800	RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100	RPM
Engine Displacement	14800 cc	Max. Speed		2000	RPM
Cyls x Bore x Stroke	6x 139 mm x163 mm	Idle Speed		640	RPM

3. Cycle Specification

Cycle Type	Cold US.HDDT.nrm	Test Speed Idle	638	RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764	RPM
Cycle File	HDDTMap33Denorm1.sc2			

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
26.2	0.348	0.034	1.126	641.1	0.017	0.445	0.0017

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	4.174	0.651	14.590	0.642	0.570
Ambient	-1.640	-0.443	3.613	-0.015	0.043

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	5.485	1.073	11.150	0.643	0.529	0.544
Mass [g]	9.116	0.880	29.505	16797.8	N/A	0.446

7. Other

Total Volume (Vmix)	50410 SCF	Absolute Humidity	62.77 gr/lb
Dilution Volume	44213 SCF	NOx Correction Factor	0.969
Exhaust Volume	6197 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	8.134	Dilution Factor (DF)	20.86
Particulate Mass	0.058 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
8.000	-3.000	Conc.	7.616	-2.856	0.769	-0.089
		Mass [g]	20.154	-2.343		

CEE Quality Audit
Accept ✓ Reject ____
Date 2/9/10 By: [signature]

CALIFORNIA ENVIRONMENTAL ENGINEERING

2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

Report Version: 2.0

1. Test

Test Date	08-06-2010	Cell Number	D1000	
Test Time	9:37:00 AM	Air Temperature	78.2	°F
Test Name	Test3HDDT	Atmospheric Pressure	768.2	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity	44.6	%
Test Reference	Test3HDDT_50	Fuel Type	Diesel 2	

2. Engine Specification

Engine Description	60 Series	Max. Power	530 bhp @	1800	RPM
Engine ID	06R0988811	Max. Torque	1850 lb-ft @	1100	RPM
Engine Displacement	14800 cc	Max. Speed		2000	RPM
Cyls x Bore x Stroke	6x 139 mm x163 mm	Idle Speed		640	RPM

3. Cycle Specification

Cycle Type	Hot US.HDDT.nrm	Test Speed Idle	638	RPM
Power Map Name	Test2PowerMap_33Trans.dat	Test Speed Rated	1764	RPM
Cycle File	HDDTMap33Denorm1.sc2			

4. Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
25.8	-0.065	0.040	0.468	650.2	0.022	0.450	0.0022

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	-1.059	1.128	4.259	0.661	0.544
Ambient	0.000	-0.124	-0.317	0.005	-0.009

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	-1.010	1.246	4.560	0.643	0.553	0.693
Mass [g]	-1.675	1.020	12.059	16758.2	N/A	0.568

7. Other

Total Volume (Vmix)	50309 SCF	Absolute Humidity	63.30 gr/lb
Dilution Volume	43998 SCF	NOx Correction Factor	0.970
Exhaust Volume	6309 SCF	Dry to Wet CF	0.980
Dilution (Total/Exhaust)	7.975	Dilution Factor (DF)	20.27
Particulate Mass	0.072 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
3.000	-3.000	Conc.	2.852	-2.852	0.293	-0.091
		Mass [g]	7.542	-2.334		

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CALIFORNIA ENVIRONMENTAL ENGINEERING
2530 S. Birch Street
Santa Ana CA 92707
714 545 9822

ppVersion_Wghs 1.0

1.1 Cold Start Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.5	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		57.8	%
Test Referenc	Test3HDDT_22	Fuel Type	Diesel	2	

1.2 Hot Start Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Referenc	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370 bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450 lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed		2100	RPM
Cyls x Bore x Stroke 0x	0 mm x127 mm	Idle Speed		610	RPM

4.1 Cold Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.5	0.714	0.100	2.659	628.5	0.103	0.436	0.0253

4.2 Hot Start Test Results

Work [bhp-hr]	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

4.3 Weighted Cold and Hot Test Results

Work hp	CO g/hp-hr	THC g/hp-hr	NOx g/hp-hr	CO2 g/hp-hr	NMHC g/hp-hr	BSFC lb/hp-hr	PM g/hp-hr
23.6	0.567	0.103	2.330	613.3	0.107	0.426	0.0220

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Report Version 2.0

1. Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Reference	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370 bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450 lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed		2100	RPM
Cyls x Bore x Stroke	6x 106 mm x127 mm	Idle Speed		610	RPM

3. Cycle Specification

Cycle Type	Hot	US.HDDT.nrm	Test Speed Idle	603 RPM
Power Map Name	Test2PowerMap_982Trans.dat		Test Speed Rated	2100 RPM
Cycle File	HDDTMap982Denorm1.sc2			

4. Test Results

Work [bhp-hr	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	6.319	4.034	19.509	0.566	-0.102
Ambient	-1.874	1.088	-0.378	0.001	0.000

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	7.725	2.992	19.871	0.553	-0.102	3.094
Mass [g]	12.847	2.455	53.829	14451.1	N/A	2.540

7. Other

Total Volume (Vmix)	50438 SCF	Absolute Humidity	71.76 gr/lb
Dilution Volume	43878 SCF	NOx Correction Factor	0.992
Exhaust Volume	6560 SCF	Dry to Wet CF	0.979
Dilution (Total/Exhaust)	7.689	Dilution Factor (DF)	23.63
Particulate Mass	0.647 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
27.000	-3.000	Conc.	25.858	-2.873	2.961	-0.100
		Mass [g]	70.046	-2.358		

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Report Version 2.0

1. Test

Test Date	07-22-2010	Cell Number		D1000	
Test Time	8:52:50 AM	Air Temperature		73.9	°F
Test Name	Test3HDDT	Atmospheric Pressure		767.6	mm.Hg
Test Engineer	Jason Diertrich	Relative Humidity		58.3	%
Test Reference	Test3HDDT_23	Fuel Type	Diesel	2	

2. Engine Specification

Engine Description	ISM11	Max. Power	370	bhp @	2100	RPM
Engine ID	Cummins	Max. Torque	1450	lb-ft @	1200	RPM
Engine Displacement	10800 cc	Max. Speed			2100	RPM
Cyls x Bore x Stroke	6x 106 mm x127 mm	Idle Speed			610	RPM

3. Cycle Specification

Cycle Type	Hot US.HDDT.nrm	Test Speed Idle	603 RPM
Power Map Name	Test2PowerMap_982Trans.dat	Test Speed Rated	2100 RPM
Cycle File	HDDTMap982Denorm1.sc2		

4. Test Results

Work [bhp-hr	CO [g/hp-hr]	THC [g/hp-hr]	NOx [g/hp-hr]	CO2 [g/hp-hr]	NMHC [g/hp-hr]	BSFC [lb/hp-hr]	PM [g/hp-hr]
23.7	0.543	0.104	2.275	610.8	0.107	0.424	0.0214

5. Sample Concentrations

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]
Exhaust	6.319	4.034	19.509	0.566	-0.102
Ambient	-1.874	1.088	-0.378	0.001	0.000

6. Corrected Concentrations and Mass

	CO [ppm]	THC [ppm]	NOx [ppm]	CO2 [%]	CH4 [ppm]	NMHC [ppm]
Conc.	7.725	2.992	19.871	0.553	-0.102	3.094
Mass [g]	12.847	2.455	53.829	14451.1	N/A	2.540

7. Other

Total Volume (Vmix)	50438 SCF	Absolute Humidity	71.76 gr/lb
Dilution Volume	43878 SCF	NOx Correction Factor	0.992
Exhaust Volume	6560 SCF	Dry to Wet CF	0.979
Dilution (Total/Exhaust)	7.689	Dilution Factor (DF)	23.63
Particulate Mass	0.647 mg	Stoichiometric Factor	13.4
		denHC	16.27 g/ft^3

8. Hot Analyzer Results

Sample Concentrations		Corrected Concentrations and Mass			Brake Specific	
No ppm	HHC ppm		No ppm	HHC ppm	No ppm	HHC g/hp-hr
27.000	-3.000	Conc.	25.858	-2.873	2.961	-0.100
		Mass [g]	70.046	-2.358		

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TEST SUMMARY

Cummins ISM

Test	THC	CO	NOx	PM	BSFC
FTP					
Test3HDDT_23	0.103	0.567	2.33	0.022	0.426
Standards	1.3	15.5	4.0	0.10	

Detroit Diesel Series 60

Test #	NMHC	CO	NOX	PM	BSFC
FTP					
Test	0.021	0.005	0.563	0.0021	0.450
Standards FTP	0.14	15.5	1.16	0.01	

Test	NMHC	NMHC+NOX	CO	PM
Euro III	0.028	0.558	0.275	0.01
Standards Euro III	0.14	1.3	15.5	0.01

Test				
NTE	0.028	0.558	0.275	0.01
Standards	0.21	1.95	18.275	0.015

CEE LLC
CALIFORNIA ENVIRONMENTAL ENGINEERING

FINAL REPORT

Exhaust Emission

Of Go Go Green World Hydrogen System on a Cadillac CTS & Honda Civic
Powered by
A Four-Stroke Gasoline Engine

All testing Conducted in Accordance with California Air Resources Board Aftermarket Parts Test Letter A-2009-357

Testing Conducted By

California Environmental Engineering, LLC
2530 S. Birch Street
Santa Ana, Ca. 92707

CEE is an Independent Emission Testing Facility Listed on the Recognized Laboratories List By EPA and CARB

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CEE LLC
CALIFORNIA ENVIRONMENTAL ENGINEERING

TEST VEHICLE

Vehicle #1

Year	: 2009
Make	: Cadillac
Model	: CTS
Vin.#	: 1G6DU57V890168313
Eng. Family	: 9GMXV03.6053
Evap Family	: 9GMXR0133810
Transmission	: Automatic

Vehicle #2

Year	: 2010
Make	: Honda
Model	: Civic
Vin.#	: 19XFA1F58AE049763
Eng. Family	: AHNXV01.8GB9
Evap Family	: AHNXR0106VEA
Transmission	: AUTOMATIC

TEST LABORATORY

California Environmental Engineering is an EPA and CARB recognized Emission Testing Facility located in Santa Ana, Ca.. CEE has been in business since 1984. CEE conducts Chassis and Engine Dynamometer Emission testing on vehicles up to 12,000# and Engines up to 800 HP.

CEE also provides procurement and engineering services. CEE is a current contractor to the CARB. CEE has many product development companies and major manufacturers as clients.

TEST EQUIPMENT

CEE uses a Horiba Anaytical train for emission analyzation, a Horiba CVS and a Mustang Motorcycle Dynamometer with Real Time controls. A Clayton Chassis Dyno & AVL Chassis dyno.

Durability

The durability schedule AMA Route was Developed per Title 40 Part 86 and accepted by the ARB in 1997 . All durability miles are driven by CEE personnel and recorded on a durability log.

California Environmental Engineering - 2530 South Birch Street – Santa Ana, CA 92707 Phone: (714) 545-9822 Fax: (714) 545-7687

California Environmental Engineering
2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000400	DATE	08-13-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	US6AH___.US6	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .U_6	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	1
ODOMETER	5444.6	F1_SET_SAE	-0.10490	WT FACTOR	0
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	0
REMARKS	WITH GO GO HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:48:24	END TIME	10:58:29	FINAL ODO.	5452.6

#	EVENT	MILES	Km	TIME	TIME trace HOLD	TIME trace ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for 0.0	129.6 for 2.6	513
2	US6	8.032	12.910	599.9	0.0 for 0.0	0.0 for 0.0	1811
3	Delay	0.000	0.000	5.0	0.0 for 0.0	0.0 for 0.0	513
4	Bag	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	517
5	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	517
6	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
7	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
8	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
9	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
10	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
11	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
12	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
13	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	31
14	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0
15	END	0.000	0.000	0.0	0.0 for 0.0	0.0 for 0.0	0

TEST COMPLETED 605.1 SECONDS DVT= 5.9

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.20	11.1	0.3	1.320	1.8	Tdry=	74.5	Tdp =	51.4
AMBIENT	3.63	0.3	0.0	0.042	1.8	BARO.=	757.50	SEC =	599.9
GRAMS	0.049	1.154	0.048	2148.60	.041	NoxKf=	0.920	VOLc=	3232.0
GMS/MI	0.006	0.144	0.006	267.51	.005	M.P.G.	31.68	DF =	10.140
G/Mwgt	0.006	0.144	0.006	267.51	.005	MPGnhv	33.26	MI =	8.032
						R-H =	44.40	KM =	12.910

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.006	0.144	0.006	267.51	.005	M.P.G.	31.68	NHVmpg	33.263
GRAMS/KM	0.004	0.089	0.004	166.43	.003	L/100k	7.42	NHVkpl	14.143

****

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2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000398	DATE	08-13-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	.43
ODOMETER	5425.2	F1_SET_SAE	-0.10490	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	.57
REMARKS	WITH GO GO HYDROGEN				
REMARKS	CANISTER REPORT CP103330				
REMARKS	TEST #2				
START TIME	09:37:38	END TIME	10:19:05	FINAL ODO.	5436.6

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.004	0.007	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.5	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	0.9	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.631	5.835	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.889	6.251	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.0	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.003	0.005	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.002	0.003	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.186	0.299	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.019	0.031	37.0	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.9	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.625	5.826	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.003	0.005	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2475.9 SECONDS DVT= 0.3

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	12.11	33.2	0.4	0.762	2.4	Tdry=	72.1	Tdp =	50.7
AMBIENT	3.60	0.3	0.0	0.043	1.8	BARO.=	757.50	SEC =	506.4
GRAMS	0.400	3.052	0.056	1051.87	.366	NoxKf=	0.914	VOLc=	2811.9
GMS/MI	0.110	0.840	0.015	289.69	.100	M.P.G.	29.12	DF =	17.481
G/Mwgt	0.023	0.174	0.003	60.12	.020	MPGnhv	30.60	MI =	3.631
						R-H =	46.90	KM =	5.836

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	3.63	5.4	0.2	0.497	1.7	Tdry=	72.4	Tdp =	51.2
AMBIENT	3.67	1.1	0.4	0.043	1.8	BARO.=	757.50	SEC =	872.0
GRAMS	0.008	0.692	0.000	1142.44	.007	NoxKf=	0.918	VOLc=	4836.2
GMS/MI	0.002	0.178	0.000	293.54	.001	M.P.G.	28.87	DF =	26.913
G/Mwgt	0.001	0.089	0.000	146.77	.000	MPGnhv	30.31	MI =	3.892
						R-H =	47.30	KM =	6.256

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	3.80	5.0	0.0	0.658	1.8	Tdry=	72.9	Tdp =	51.2
AMBIENT	3.65	0.5	0.0	0.042	1.9	BARO.=	757.50	SEC =	505.9
GRAMS	0.015	0.418	0.000	898.94	.013	NoxKf=	0.918	VOLc=	2805.1
GMS/MI	0.004	0.115	0.000	247.98	.003	M.P.G.	34.18	DF =	20.338
G/Mwgt	0.001	0.032	0.000	68.17	.000	MPGnhv	35.89	MI =	3.625
						R-H =	46.50	KM =	5.826

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.025	0.298	0.003	280.22	.022	M.P.G.	30.22	NHVmpg	31.728
GRAMS/KM	0.016	0.186	0.002	174.34	.014	L/100k	7.78	NHVkpl	13.490

****

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2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000395	DATE	08-12-2010	RANGE	AUTO
VEHICLE REF	9000125-2	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	19XFA1F58AE049763	ENGINE FAM.	AHNXV01.8GB9	DENSITY	16.33
OPERATOR	ALEX HERRERA	EVAP.FAM.	AHNXR0106VEA	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	HONDA	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CIVIC LX	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2010	INERTIA WGT	3125	N.H.V.	18170
TANK CAP	5.3	F0_SET_SAE	10.11	WT FACTOR	.43
ODOMETER	5406.9	F1_SET_SAE	-0.10490	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.01917	WT FACTOR	.57
REMARKS	CANISTER REPORT				
REMARKS	CP103329				
REMARKS	WITH GO GO HYDROGEN				
START TIME	10:03:42	END TIME	10:44:56	FINAL ODO.	5417.9

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.4	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	1.2	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.589	5.768	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.826	6.150	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.5	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.000	0.000	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.000	0.000	23.1	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.8	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.584	5.761	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2462.5 SECONDS DVT= 3.3

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	13.65	42.3	0.4	0.759	2.6	Tdry=	72.1	Tdp =	50.1
AMBIENT	4.54	1.0	0.0	0.044	1.9	BARO.=	759.50	SEC =	506.6
GRAMS	0.431	3.844	0.056	1048.68	.394	NoxKf=	0.909	VOLc=	2818.8
GMS/MI	0.120	1.071	0.015	292.19	.109	M.P.G.	28.83	DF =	17.526
G/Mwgt	0.025	0.223	0.003	60.81	.022	MPGnhv	30.30	MI =	3.589
						R-H =	45.90	KM =	5.769

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.12	6.0	0.0	0.487	1.8	Tdry=	72.4	Tdp =	50.3
AMBIENT	4.14	1.1	0.0	0.044	1.9	BARO.=	759.50	SEC =	872.5
GRAMS	0.010	0.790	0.000	1117.94	.008	NoxKf=	0.910	VOLc=	4849.5
GMS/MI	0.003	0.206	0.000	292.19	.002	M.P.G.	29.00	DF =	27.458
G/Mwgt	0.001	0.103	0.000	146.10	.001	MPGnhv	30.44	MI =	3.826
						R-H =	45.70	KM =	6.150

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	4.10	6.0	0.2	0.659	1.9	Tdry=	72.8	Tdp =	50.4
AMBIENT	3.94	0.3	0.0	0.046	1.8	BARO.=	759.50	SEC =	505.8
GRAMS	0.016	0.529	0.028	895.51	.011	NoxKf=	0.911	VOLc=	2807.1
GMS/MI	0.005	0.148	0.008	249.86	.003	M.P.G.	33.92	DF =	20.303
G/Mwgt	0.001	0.041	0.002	68.89	.000	MPGnhv	35.61	MI =	3.584
						R-H =	45.30	KM =	5.761

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.028	0.370	0.005	280.52	.024	M.P.G.	30.17	NHVmpg	31.680
GRAMS/KM	0.017	0.230	0.003	174.53	.015	L/100k	7.80	NHVkpl	13.470

****

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Date 8/13/10 By:

California Environmental Engineering
2530 S. Birch Street, Santa Ana California
****

TEST NUMBER	V6000247	DATE	07-29-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRYSWIENKI	EVAP.FAM.	9GMXR0133810	SPECIF. CO2 Gr.C/gal.	13.4 2316
DRIVER	ANDY GONZALE				
MAKE	CADILLAC	TEST TYPE	US6AH___.US6	FUEL Fract.	.8618
MODEL	CTS	SHIFT FILE	AUTO .U_6	SP. GRAVITY	.7355
YEAR	2009	INERTIA WGT	4500	N.H.V.	18170
TANK CAP	7.2	F2_SET_SAE	24.43	WT FACTOR	1
ODOMETER	22839.7	F1_SET_SAE	-0.03240	WT FACTOR	0
TRANS.	AUTO	F2_SET_SAE	0.02203	WT FACTOR	0
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:39:14	END TIME	10:49:19	FINAL ODO.	22847.7

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.1	0.0 for	0.0	0.0 for	0.0	513
2	US6	7.991	12.844	599.9	0.0 for	0.0	0.0 for	0.0	1811
3	Delay	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	513
4	Bag	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	517
5	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	517
6	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
7	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
8	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
9	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
10	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
11	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
12	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
13	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	31
14	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0
15	END	0.000	0.000	0.0	0.0 for	0.0	0.0 for	0.0	0

TEST COMPLETED 605.1 SECONDS DVT= 2.6

PHASE 1	THC	CO	NOx	CO2	NMHC
SAMPLE	9.40	47.6	1.4	1.956	2.6
AMBIENT	3.62	0.2	0.0	0.048	.6
GRAMS	0.335	5.088	0.226	3230.63	.224
GMS/MI	0.042	0.637	0.028	404.28	.028
G/Mwgt	0.042	0.637	0.028	404.28	.028

Tdry=	77.6	Tdp =	51.4		
BARO.=	763.40	SEC =	599.9		
NoxKf=	0.918	VOLc=	3253.6		
M.P.G.	20.93	DF =	6.831		
MPGnhv	21.97	MI =	7.991		
R-H =	40.10	KM =	12.844		

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.042	0.637	0.028	404.28	.028	M.P.G.	20.93	NHVmpg	21.974
GRAMS/KM	0.026	0.396	0.018	251.53	.017	L/100k	11.24	NHVkpl	9.343

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2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000245	DATE	07-29-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRYSWIENKI	EVAP.FAM.	9GMXR0133810	SPECIF. CO2 Gr.C/gal.	13.4 2316
DRIVER	ANDY GONZALE			FUEL Fract.	.8618
MAKE	CADILLAC	TEST TYPE	EPA78A .LA4	SP. GRAVITY	.7355
MODEL	CTS	SHIFT FILE	AUTO .L_4	N.H.V.	18170
YEAR	2009	INERTIA WGT	4500	WT FACTOR	.43
TANK CAP	7.2	F0_SET_SAE	24.43	WT FACTOR	1
ODOMETER	22820.7	F1_SET_SAE	-0.03240	WT FACTOR	.57
TRANS.	AUTO	F2_SET_SAE	0.02203		
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	08:58:40	END TIME	09:40:04	FINAL ODO.	22831.7

#	EVENT	MILES	Km	TIME	TIME trace	HOLD	TIME trace	ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for	0.0	0.0 for	0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for	0.0	0.0 for	0.0	1
3	Ready	0.000	0.000	0.5	0.0 for	0.0	0.0 for	0.0	281
4	CRANK	0.000	0.000	1.2	0.0 for	0.0	0.0 for	0.0	795
5	phase 1	3.596	5.780	505.0	0.0 for	0.0	0.0 for	0.0	787
6	phase 2	3.844	6.179	864.0	0.0 for	0.0	0.0 for	0.0	1831
7	eng off	0.000	0.000	3.4	0.0 for	0.0	0.0 for	0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for	0.0	0.0 for	0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	775
10	soak	0.000	0.000	525.0	0.0 for	0.0	0.0 for	0.0	2
11	ready	0.000	0.000	33.5	0.0 for	0.0	0.0 for	0.0	3
12	crank 3	0.000	0.000	0.8	0.0 for	0.0	0.0 for	0.0	835
13	phase 3	3.583	5.759	505.0	0.0 for	0.0	0.0 for	0.0	835
14	delay15	0.000	0.000	15.0	0.0 for	0.0	0.0 for	0.0	3
15	bags	0.000	0.000	1.0	0.0 for	0.0	0.0 for	0.0	7

TEST COMPLETED 2472.7 SECONDS DVT= 2.5

PHASE 1	THC	CO	NOx	CO2	NMHC					
SAMPLE	16.30	49.8	3.3	1.161	4.6	Tdry=	71.3	Tdp =	49.8	
AMBIENT	3.92	0.2	0.0	0.042	1.9	BARO.=	761.50	SEC =	506.7	
GRAMS	0.591	4.656	0.461	1656.60	.458	NoxKf=	0.906	VOLc=	2845.9	
GMS/MI	0.164	1.295	0.128	460.68	.127	M.P.G.	19.14	DF =	11.476	
G/Mwgt	0.034	0.269	0.027	95.74	.026	MPGnhv	19.18	MI =	3.596	
						R-H =	46.60	KM =	5.780	

PHASE 2	THC	CO	NOx	CO2	NMHC					
SAMPLE	4.58	4.8	0.1	0.780	1.5	Tdry=	72.2	Tdp =	49.9	
AMBIENT	4.12	0.3	0.0	0.044	1.2	BARO.=	761.50	SEC =	872.4	
GRAMS	0.056	0.727	0.024	1870.15	.026	NoxKf=	0.906	VOLc=	4883.6	
GMS/MI	0.015	0.189	0.006	486.51	.006	M.P.G.	18.21	DF =	17.159	
G/Mwgt	0.007	0.095	0.003	243.26	.003	MPGnhv	18.23	MI =	3.844	
						R-H =	45.40	KM =	6.178	

PHASE 3	THC	CO	NOx	CO2	NMHC					
SAMPLE	6.69	14.0	0.2	0.965	2.9	Tdry=	72.3	Tdp =	50.2	
AMBIENT	4.15	0.4	0.0	0.043	1.8	BARO.=	761.50	SEC =	505.8	
GRAMS	0.131	1.270	0.028	1356.02	.076	NoxKf=	0.909	VOLc=	2827.0	
GMS/MI	0.037	0.355	0.008	378.46	.021	M.P.G.	23.38	DF =	13.856	
G/Mwgt	0.010	0.097	0.002	104.07	.005	MPGnhv	23.42	MI =	3.583	
						R-H =	45.70	KM =	5.759	

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.052	0.464	0.032	451.43	.035	M.P.G.	19.60	NHVmpg	19.630
GRAMS/KM	0.032	0.289	0.020	280.86	.022	L/100k	12.00	NHVkpl	8.346

****

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Date 7/29/10 By:

California Environmental Engineering
2530 S. Birch Street. Santa Ana California
****

TEST NUMBER	V6000230	DATE	07-28-2010	RANGE	AUTO
VEHICLE REF	9000125-1	A.C.	YES	FUEL TYPE	PHASE 2
V.I.N.	1G6DU57V890168313	ENGINE FAM.	9GMXV03.6053	DENSITY	16.33
OPERATOR	LARRY S.	EVAP.FAM.	9GMXR0133810	SPECIF. CO2	13.4
DRIVER	ANDY GONZALE			Gr.C/gal.	2316
MAKE	CADILLAC	TEST TYPE	EPA78A .LA4	FUEL Fract.	.8618
MODEL	CTS	SHIFT FILE	AUTO .L_4	SP. GRAVITY	.7355
YEAR	2009	INERTIA WGT	4500	N.H.V.	18170
TANK CAP	7.2	F0_SET_SAE	24.43	WT FACTOR	.43
ODOMETER	22802	F1_SET_SAE	-0.03240	WT FACTOR	1
TRANS.	AUTO	F2_SET_SAE	0.02203	WT FACTOR	.57
REMARKS	WITH HYDROGEN				
REMARKS					
REMARKS					
START TIME	10:03:27	END TIME	10:44:43	FINAL ODO.	22813.2

#	EVENT	MILES	Km	TIME	TIME trace HOLD	TIME trace ERROR	GrCtrl
1	Ready	0.000	0.000	0.2	0.0 for 0.0	0.0 for 0.0	1
2	Delay 10	0.000	0.000	10.0	0.0 for 0.0	0.0 for 0.0	1
3	Ready	0.000	0.000	0.5	0.0 for 0.0	0.0 for 0.0	281
4	CRANK	0.000	0.000	0.9	0.0 for 0.0	0.0 for 0.0	795
5	phase 1	3.637	5.846	505.0	0.0 for 0.0	0.0 for 0.0	787
6	phase 2	3.898	6.266	864.0	0.0 for 0.0	0.0 for 0.0	1831
7	eng off	0.000	0.000	1.5	0.0 for 0.0	0.0 for 0.0	1835
8	phase 2	0.000	0.000	5.0	0.0 for 0.0	0.0 for 0.0	1827
9	soak+bl	0.000	0.000	15.0	0.0 for 0.0	0.0 for 0.0	775
10	soak	0.000	0.000	525.0	0.0 for 0.0	0.0 for 0.0	2
11	ready	0.000	0.000	27.1	0.0 for 0.0	0.0 for 0.0	3
12	crank 3	0.000	0.000	1.2	0.0 for 0.0	0.0 for 0.0	835
13	phase 3	3.616	5.812	505.0	0.0 for 0.0	0.0 for 0.0	835
14	delay15	0.000	0.000	15.0	0.0 for 0.0	0.0 for 0.0	3
15	bags	0.000	0.000	1.0	0.0 for 0.0	0.0 for 0.0	7

TEST COMPLETED 2464.8 SECONDS DVT= 1.0

PHASE 1	THC	CO	NOx	CO2	NMHC				
SAMPLE	9.92	12.7	0.6	1.087	3.4	Tdry=	73.4	Tdp =	51.0
AMBIENT	5.40	0.5	0.1	0.042	1.8	BARO.=	761.50	SEC =	506.4
GRAMS	0.229	1.143	0.071	1538.94	.147	NoxKf=	0.915	VOLc=	2831.0
GMS/MI	0.063	0.314	0.020	423.13	.040	M.P.G.	20.02	DF =	12.302
G/Mwgt	0.013	0.065	0.004	87.82	.008	MPGnhv	21.02	MI =	3.637
						R-H =	45.40	KM =	5.846

PHASE 2	THC	CO	NOx	CO2	NMHC				
SAMPLE	5.26	4.1	0.1	0.796	1.9	Tdry=	74.8	Tdp =	50.3
AMBIENT	4.86	0.2	0.0	0.043	2.0	BARO.=	761.50	SEC =	870.5
GRAMS	0.055	0.627	0.024	1904.01	.050	NoxKf=	0.910	VOLc=	4860.2
GMS/MI	0.014	0.161	0.006	488.46	.012	M.P.G.	17.36	DF =	16.814
G/Mwgt	0.007	0.080	0.003	244.23	.006	MPGnhv	18.22	MI =	3.898
						R-H =	42.20	KM =	6.265

PHASE 3	THC	CO	NOx	CO2	NMHC				
SAMPLE	7.66	31.1	0.3	0.985	2.9	Tdry=	73.6	Tdp =	50.0
AMBIENT	4.74	0.5	0.1	0.043	1.8	BARO.=	761.50	SEC =	506.2
GRAMS	0.151	2.851	0.029	1383.08	.092	NoxKf=	0.907	VOLc=	2822.2
GMS/MI	0.042	0.788	0.008	382.49	.025	M.P.G.	22.10	DF =	13.551
G/Mwgt	0.011	0.216	0.002	104.92	.007	MPGnhv	23.21	MI =	3.616
						R-H =	43.40	KM =	5.812

****

WEIGHTED	THC	CO	NOx	CO2	NMHC	FUEL ECONOMY			
GRAMS/MI	0.032	0.365	0.009	445.83	.022	M.P.G.	19.00	NHVmpg	19.949
GRAMS/KM	0.020	0.227	0.006	277.38	.013	L/100k	12.38	NHVkpl	8.482

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Date 7/28/10 By:

TEST SUMMARY

Cadillac CTS

Test #	MI	NMHC	CO	NOx	CO2	MPG
V6000230	22802	0.022	0.365	0.009	445.83	19.00
V6000245	22820	0.035	0.464	0.032	451.43	19.60
Standard FTP		0.075	3.4	0.05		
(US 06)						
V6000247	22839	0.028	0.637	0.028	404.28	20.93
Standard SFTP		NMHC+NOX 0.14		CO 8.0		

Honda Civic

V6000395	5406	0.024	0.370	0.005	280.52	30.17
V6000398	5425	0.022	0.298	0.003	280.22	30.22
Standard FTP		0.040	1.7	0.05		
(US 06)						
V6000400	5444	0.005	0.144	0.006		
Standard SFTP		NMHC + NOX 0.14		CO 8.0		

Go Go Green World, Inc.

Laboratory Testing Acronyms

CO – Carbon Monoxide

CO2 – Carbon Dioxide (Green House Gases)

THC – Total Hydrocarbons

NOx – Nitrogen Oxide

PM – Particulate Matter

BSFC – Brake Specific Fuel Consumption

NMHC – Non-Methane Hydrocarbons

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	31628/46100	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith	
First Named Inventor:	Bernard F. Duesel, Jr.				
Title:	COMPACT WASTEWATER CONCENTRATOR USING WASTE HEAT				

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	/Paul C. Craane/	Date	March 31, 2011
Name (Print/Typed)	Paul C. Craane	Registration Number	38,851

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

☐ *Total of 1 forms are submitted.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 31, 2011 Electronic Signature for Paul C. Craane: /Paul C. Craane/

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 31, 2011
Electronic Signature for Paul C. Craane: /Paul C. Craane/

Docket No. 31628/46100
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Bernard F. Duesel, Jr.

Confirmation No.: To be assigned

Application No.: To be assigned

Art Unit: To be assigned

Filed: Concurrently herewith

Examiner: To be assigned

For: COMPACT WASTEWATER CONCENTRATOR USING WASTE HEAT

STATEMENT OF SPECIAL STATUS

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

Dear Sir:

This paper accompanies the applicants' request to participate in, and petition to make special under, the green technology pilot program (Form PTO/SB/420) as set forth in U.S. Patent and Trademark Office notices published at 74 FED. REG. 64666-69 (Dec. 8, 2009) and 75 FED. REG. 69049-50 (Nov. 10, 2010). On behalf the applicants, the undersigned states the following:

1. The above-captioned application, filed herewith pursuant to 35 USC § 111(a), is a non-reissue, non-provisional utility application.

2. The application includes 2 independent claim, 20 total claims, and no multiple dependent claims.

3. Special status is sought because the instant application is directed to a single invention that materially enhances the quality of the environment by contributing to the restoration or maintenance of basic life-sustaining elements, in particular water. Moreover, the invention performs this enhancement in an energy efficient

manner, and thus may be viewed as materially contributing to the more efficient utilization and conservation of energy resources.

As to the invention's contribution to the restoration and maintenance of life-sustaining elements (specifically water), the present invention is directed to a concentrator system that may be used to concentrate contaminated water, which may be flowback or produced water (such as from operation of natural gas wells), leachate (such as from a landfill) or other forms of wastewater (such as from an accident or natural disaster). See the instant application, para. [0035]. By concentrating the contaminants, the volume of water that must be disposed of as contaminated wastewater may be minimized. Furthermore, as a consequence of the evaporative process used, water may be returned to the environment (in the form of water vapor) free of the contaminants that have been retained in the concentrator reservoir. See para. [0058].

As to the invention's efficient utilization and conservation of energy resources, the present invention may function by utilizing waste heat, for example that generated by the combustion of landfill gases. As noted, these gases must be combusted in any event to eliminate methane and other gases prior to release to the atmosphere. See the instant application, para. [0043]. [1] Rather than releasing the heat produced by combustion into the environment, the heated gases may be used in the concentrator according to the present invention. See para. [0011]. Furthermore, the heated gases are used in a direct heat transfer process, the advantages and efficiencies of which are discussed in the application relative to indirect heat transfer processes, for example. See paras. [0007], [0037], [0038]. As such, the present invention may not only utilize heat that would otherwise be

[1] For other alternative waste heat sources, see para. [0034], many of which are renewable sources.

exhausted into the environment, but may do so in an energy efficient manner when compared with other systems for wastewater concentration.

Moreover, because concentration of the contaminated water may be carried out by the present system at the source of the contaminated water, the volume of contaminated water that needs to be transported away from the location of the well, landfill, accident, etc. may be reduced. As a direct consequence, the energy resources expended in transporting the contaminated water for disposal may be reduced. Further, as the energy resources expended typically are in the form of fossil fuels, the combustion of which (in the engine of a tractor-trailer transport vehicle, for example) may produce one or more greenhouse gases, a further consequence of the conservation of energy resources is a reduction in greenhouse gas emissions of the overall process involved in treating and removing the contaminated water.

4. The accompanying petition was prepared using Form PTO/SB/420, and is being filed electronically using the Patent Office's electronic filing system.

5. The accompanying petition is being filed concurrently with the above-captioned application and, therefore, is being filed at least one day prior to the date that a first Patent Office action appears in the Patent Application Information Retrieval system.

6. The accompanying petition contains a request for early publication in compliance with 37 CFR § 1.219 and payment of the publication fee set forth in 37 CFR § 1.18(d).

Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, the examiner is urged to contact the undersigned attorney.

Dated: March 31, 2011

Respectfully submitted,

By /Paul C. Craane/
Paul C. Craane
Registration No.: 38,851
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive
6300 Willis Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Applicant

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,889	03/31/2011	Bernard F. Ducsel JR.	31628/46100	6359

4743 7590 05/13/2011

MARSHALL, GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE
6300 WILLIS TOWER
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EXAMINER	
ART UNIT	PAPER NUMBER
1771	

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):

mgbdocket@marshallip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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MARSHALL, GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE
6300 WILLIS TOWER
CHICAGO IL 60606-6357

5/13/11

In re Application of	:	
Duesel et al.	:	DECISION ON PETITION
Application No. 13/077,889	:	TO MAKE SPECIAL UNDER
Filed: 3/31/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **31628/46100**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 3/31/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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:	31628/46101	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith	
First Named Inventor:	Bernard F. Duesel, Jr.				
Title:	COMPACT WASTEWATER CONCENTRATOR USING WASTE HEAT				

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	/Paul C. Craane/	Date	March 31, 2011
Name (Print/Typed)	Paul C. Craane	Registration Number	38,851

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

☐ *Total of 1 forms are submitted.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 31, 2011 Electronic Signature for Paul C. Craane: /Paul C. Craane/

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 31, 2011
Electronic Signature for Paul C. Craane: /Paul C. Craane/

Docket No. 31628/46101
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Bernard F. Duesel, Jr.

Confirmation No.: To be assigned

Application No.: To be assigned

Art Unit: To be assigned

Filed: Concurrently herewith

Examiner: To be assigned

For: COMPACT WASTEWATER CONCENTRATOR USING WASTE HEAT

STATEMENT OF SPECIAL STATUS

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

Dear Sir:

This paper accompanies the applicants' request to participate in, and petition to make special under, the green technology pilot program (Form PTO/SB/420) as set forth in U.S. Patent and Trademark Office notices published at 74 FED. REG. 64666-69 (Dec. 8, 2009) and 75 FED. REG. 69049-50 (Nov. 10, 2010). On behalf the applicants, the undersigned states the following:

1. The above-captioned application, filed herewith pursuant to 35 USC § 111(a), is a non-reissue, non-provisional utility application.

2. The application includes 2 independent claim, 20 total claims, and no multiple dependent claims.

3. Special status is sought because the instant application is directed to a single invention that materially enhances the quality of the environment by contributing to the restoration or maintenance of basic life-sustaining elements, in particular water. Moreover, the invention performs this enhancement in an energy efficient

manner, and thus may be viewed as materially contributing to the more efficient utilization and conservation of energy resources.

As to the invention's contribution to the restoration and maintenance of life-sustaining elements (specifically water), the present invention is directed to a concentrator system that may be used to concentrate contaminated water, which may be flowback or produced water (such as from operation of natural gas wells), leachate (such as from a landfill) or other forms of wastewater (such as from an accident or natural disaster). See the instant application, para. [0035]. By concentrating the contaminants, the volume of water that must be disposed of as contaminated wastewater may be minimized. Furthermore, as a consequence of the evaporative process used, water may be returned to the environment (in the form of water vapor) free of the contaminants that have been retained in the concentrator reservoir. See para. [0058].

As to the invention's efficient utilization and conservation of energy resources, the present invention may function by utilizing waste heat, for example that generated by the combustion of landfill gases. As noted, these gases must be combusted in any event to eliminate methane and other gases prior to release to the atmosphere. See the instant application, para. [0043].[1] Rather than releasing the heat produced by combustion into the environment, the heated gases may be used in the concentrator according to the present invention. See para. [0011]. Furthermore, the heated gases are used in a direct heat transfer process, the advantages and efficiencies of which are discussed in the application relative to indirect heat transfer processes, for example. See paras. [0007], [0037], [0038]. As such, the present invention may not only utilize heat that would otherwise be

[1] For other alternative waste heat sources, see para. [0034], many of which are renewable sources.

exhausted into the environment, but may do so in an energy efficient manner when compared with other systems for wastewater concentration.

Moreover, because concentration of the contaminated water may be carried out by the present system at the source of the contaminated water, the volume of contaminated water that needs to be transported away from the location of the well, landfill, accident, etc. may be reduced. As a direct consequence, the energy resources expended in transporting the contaminated water for disposal may be reduced. Further, as the energy resources expended typically are in the form of fossil fuels, the combustion of which (in the engine of a tractor-trailer transport vehicle, for example) may produce one or more greenhouse gases, a further consequence of the conservation of energy resources is a reduction in greenhouse gas emissions of the overall process involved in treating and removing the contaminated water.

4. The accompanying petition was prepared using Form PTO/SB/420, and is being filed electronically using the Patent Office's electronic filing system.

5. The accompanying petition is being filed concurrently with the above-captioned application and, therefore, is being filed at least one day prior to the date that a first Patent Office action appears in the Patent Application Information Retrieval system.

6. The accompanying petition contains a request for early publication in compliance with 37 CFR § 1.219 and payment of the publication fee set forth in 37 CFR § 1.18(d).

Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, the examiner is urged to contact the undersigned attorney.

Dated: March 31, 2011

Respectfully submitted,

By /Paul C. Craane/
Paul C. Craane
Registration No.: 38,851
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive
6300 Willis Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Applicant

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/077,901	03/31/2011	Bernard F. Duesel JR.	31628/46101	6380

4743 7590 05/13/2011

MARSHALL, GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE
6300 WILLIS TOWER
CHICAGO, IL 60606-6357

EXAMINER	
ART UNIT	PAPER NUMBER
1771	

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):

mgbdocket@marshallip.com

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MARSHALL, GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE
6300 WILLIS TOWER
CHICAGO IL 60606-6357

5/3/11

In re Application of	:	
Duesel et al.	:	DECISION ON PETITION
Application No. 13/077,901	:	TO MAKE SPECIAL UNDER
Filed: 3/31/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **31628/46101**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 3/31/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13077903	Confirmation Number	6385	Filing Date	2011-03-31
Attorney Docket Number (optional)	Haa-002	Art Unit	3612	Examiner	
First Named Inventor	Maurice S. Haagenson				
Title of Invention	Improved Golf Cart Curtain Assembly				

Attention: Office of Petitions

An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Maurice	S.	Haagenson	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

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

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/Mark S. Hubert/	Date (YYYY-MM-DD)	2011-07-27
Name	Mark S. Hubert	Registration Number	50540

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

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

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

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

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

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

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

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

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

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

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

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

UNITED STATES 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
Maurice S. Haagenson

Application No. 13077903

Filed: March 31,2011

Attorney Docket No. Haa-002

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

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 27-JUL-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

UNITED STATES 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
RONALD R. TARRANT

Application No. 13077944

Filed:

Attorney Docket No. 30233.01

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

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 31-MAR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13077944	Confirmation Number	6449	Filing Date	2011-03-31
Attorney Docket Number (optional)	30233.01	Art Unit		Examiner	
First Named Inventor	RONALD R. TARRANT				
Title of Invention	GAME FIELD DRESSING TOOL				

Attention: Office of Petitions
An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
RONALD	R.	TARRANT	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18.
Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

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

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/ROBERT B. LYONS/	Date (YYYY-MM-DD)	2011-03-31
Name	ROBERT B. LYONS	Registration Number	40708

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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THOMPSON PATENT LAW OFFICES PC
4205 LANCASTER LANE NORTH
SUITE 104
PLYMOUTH MN 55441

MAILED

SEP 20 2011

OFFICE OF PETITIONS

In re Application of :
GRAJCAR, Zdenko :
Application No. 13/077,955 : DECISION ON PETITION
Filed: March 31, 2011 : TO WITHDRAW
Attorney Docket No. 12-35 : FROM RECORD
:

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) or 37 C.F.R. § 10.40 filed September 07, 2011.

The request is **NOT APPROVED.**

A review of the file record indicates that Customer Number 88145 does not have power of attorney in this patent application nor is there any statement or evidence of record of employment in or otherwise being engaged in the proceedings in this patent application. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

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

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-4231.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

Cc: **ZDENKO GRAJCAR**
5455 HIGHWAY 169 NORTH
PLYMOUTH, MN 55442

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI 100 TW TAIWAN

MAILED

OCT 18 2011

OFFICE OF PETITIONS

In re Application of
Fu-Hao Chen et al.
Application No. 13/077,987
Filed: April 1, 2011
Attorney Docket Number: 35474-US-PA

ON PETITION

This is a decision on the REQUEST FOR CORRECTED FILING RECEIPT OF NONPROVISIONAL APPLICATION, filed October 6, 2011, which is being treated as a petition under 37 CFR 1.182, to correct the name of the third inventor.

The petition is **DISMISSED**.

Petitioner submits that while the name of the third inventor in the instant matter is Kuo-Tung Tiao, the name of the third inventor was listed in provisional application no. 61/369,085, filed July 30, 2010, as Golden Tiao. Petitioner therefore requests that the name of the third joint inventor of the above-identified application be changed to Golden Tiao to be consistent with the provisional application.

Petitioner has not provided any evidence to show what the legal name of the third inventor is, whether it is Golden Tiao or Kuo-Tung Tiao.

A change of name for consistency purposes is not a sufficient basis for changing the name. Petitioner must verify, with evidence, the legal name of the third inventor before a petition can be granted and the official record changed.

Until such time as the information requested above is provided, this application cannot be granted.

Telephone inquiries concerning this matter should be directed to the undesigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

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

PTO/SB/425 (03-11)

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

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
13/078,135	
First Named Inventor:	**Title of Invention:**
Katsunori AZUMA	Power Semiconductor Module

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signature /Michael H. Jacobs/	Date June 7, 2011
Name (Print/Typed) Michael H. Jacobs	Practitioner Registration Number 41,870

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

Privacy Act Statement

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

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

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

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United States Patent and Trademark Office
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CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

MAILED
JUN 13 2011
OFFICE OF PETITIONS

In re Application of	:	
Katsunori et al.	:	
Application No. 13/078,135	:	DECISION ON PETITION
Filed: April 1, 2011	:	
Attorney Docket No. 104165.63495US	:	

This is a decision on the request filed June 7, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on April 1, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [ ] basic filing fee, [ ] search fee and/or [ ] examination fee

The relevant item(s) was/were filed on June 7, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,193	04/01/2011	Masayuki Nashiki	MNL-2635-989	6959

7590 12/21/2011

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER	
BENSON, WALTER	

ART UNIT	PAPER NUMBER
2837	

NOTIFICATION DATE	DELIVERY MODE
12/21/2011	ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

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

The petition is granted.

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

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

Betty Powell

Patent Publication Branch
Office of Data Management

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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:		Filing date:	April 1, 2011
First Named Inventor:	GYGI, Steven P.		
Title of the Invention:	Methods, Compositions and Kits for High Throughput Kinase Activity Screening Using Mass Spectrometry and Stable Isotopes		

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/US2009/059329

The international filing date of the corresponding PCT application(s) is/are: October 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-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:	GYGI, Steven P.

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
1,8, 10, 12, 20, 22,	1,8 10, 12, 20, 22,	Original claims
33, 40, 42, 48, 51, 55	33, 40, 42, 48, 51, 55	Original claims
2	2-4	condensed to reduce number of claims
5	5, 6	condensed to reduce number of claims
9	9,11	condensed to reduce number of claims
21	25-27	condensed to reduce number of claims
23	23,24	condensed to reduce number of claims
28	28, 29	condensed to reduce number of claims
30	30, 31	condensed to reduce number of claims
34	34-36	condensed to reduce number of claims
37	37-39	condensed to reduce number of claims
41	41,49	condensed to reduce number of claims
43	43-47	condensed to reduce number of claims
52	53-54	condensed to reduce number of claims

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

Signature Sonia K. Guterman	Date April 1, 2011
Name (Print/Typed) Sonia K. Guterman	Registration Number 44,729

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,203		Steven P. Gygi .	36373-031US (310)	6981

48425 7590 05/24/2011

LAWSON & WEITZEN, LLP
88 BLACK FALCON AVE
SUITE 345
BOSTON, MA 02210

EXAMINER	
ART UNIT	PAPER NUMBER
1656	

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

LAWSON & WEITZEN, LLP
88 BLACK FALCON AVE
SUITE 345
BOSTON, MA 02210

MAY 24 2011

In re Application of	:	DECISION ON REQUEST TO
GYGI ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/078,203	:	PROSECUTION HIGHWAY
Filed: April 1, 2011	:	PROGRAM AND PETITION
Attorney Docket No. 36373-031US (310)	:	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 1, 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

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

LAWSON & WEITZEN, LLP
88 BLACK FALCON AVE
SUITE 345
BOSTON MA 02210

MAILED
JUL 08 2011
OFFICE OF PETITIONS

In re Application of :
GYGI et al. :
Application No. 13/078,203 : DECISION ON PETITION
Filed: April 1, 2011 :
Attorney Docket No. 36373-031US (310) :

This is in response to the petition filed June 21, 2011, requesting that the above-referenced application be accorded a filing date of April 1, 2011, which is being treated as a petition under 37 CFR 1.53(e)(2).

The application papers in the above-identified application were deposited on April 1, 2011. However, on April 28, 2011, the Office of Patent Application Processing mailed applicants a "Notice of Incomplete Nonprovisional Application," notifying applicants that the application papers had not been accorded a filing date because the application was deposited without drawings.

As stated in MPEP § 601.01(f), it is the practice of the Office to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

MPEP § 601.01(f) also states that:

> A nonprovisional application having at least one claim, or a provisional application having at least some disclosure, directed to the subject matter discussed above for which a drawing is usually not considered essential for a filing date, describing drawing figure(s) in the specification, but filed without drawings will be treated as an application filed without all of the drawing figures referred to in the specification as discussed in MPEP § 601.01(g), so long as the application contains something that can be construed as a written description.

This application contains at least one method claim. Therefore, the application should have been treated as an application filed without all of the drawing figures referred to in the specification as discussed in MPEP § 601.01(g).

MPEP § 601.01(g) states that if an application is filed without all of the drawing figure(s) referred to in the specification, a "Notice of Omitted Item(s)" is mailed indicating that the application has been accorded a filing date, but is lacking some of the figures of drawings described in the specification.

Any amendment to include the inadvertently omitted drawing(s) must comply with 37 CFR 1.57(a) and 37 CFR 1.121 and will be considered by the examiner.

To the extent the instant petition requests a filing date of April 1, 2011, with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, no petition fee is necessary and will be refunded in due course.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to April 1, 2011;**
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing, and;**
- **for issuance of a filing receipt.**

Entry of any amendment will be determined by the examiner.

Any inquiries related to this decision should be directed to the undersigned at (571) 272- 3211.

C. T. Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2011_0545A	Application Number (if known): New	Filing date: April 1, 2011

First Named Inventor: Michael K. Branham

Title: MOBILE MODULAR SOLAR POWER 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 /Andrew L. Dunlap/ 2011.04.01 08:50:51 -04'00'	Date April 1, 2011
Name (Print/Typed) Andrew L. Dunlap	Registration Number 60,554

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

☐ *Total of _____ forms are submitted.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	Attorney Docket No. 2011_0545A
Michael K. BRANHAM	:	
Serial No. NEW	:	
Filed April 1, 2011	:	
MOBILE MODULAR SOLAR POWER SYSTEM	:	

STATEMENT OF SPECIAL STATUS

AND REQUEST FOR EARLY PUBLICATION

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

Sir:

This Statement of Special Status and Request for Early Publication accompanies a Petition To Make Special Under the Green Technology Pilot Program.

As required by the Green Technology Pilot Program, the Applicant submits that the claims of the present application are directed to a single invention that materially enhances the quality of the environment, and 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.

Furthermore, as required by the Green Technology Pilot Program, the Applicant submits that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), the Applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements of the Green Technology Pilot Program.

The USPTO is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.492, which may be required by this paper to Deposit Account No. 23-0975.

Moreover, the 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.

Respectfully submitted,

Michael K. BRANHAM

By /Andrew L. Dunlap/
2011.04.01 08:50:33 -04'00'

Andrew L. Dunlap
Registration No. 60,554
Attorney for Applicant

ALD/led
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
April 1, 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.
13/078,245	04/01/2011	Michael K. Branham	2011_0545A	7067

513 7590 05/13/2011

WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington, DC 20005-1503

EXAMINER	
ART UNIT	PAPER NUMBER
2858	

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):

ddalecki@wenderoth.com
eoa@wenderoth.com

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WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington DC 20005-1503

5/13/11

In re Application of	:	
Branham	:	DECISION ON PETITION
Application No. 13/078,245	:	TO MAKE SPECIAL UNDER
Filed: 4/1/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **2011_0545A**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/1/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 2858 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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

PTO/SB/20PCT-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:	13/078,248	Filing date:	4/1/2011
First Named Inventor:	William H. Shepard		
Title of the Invention:	METHODS OF FORMING COMPOSITE MATERIALS		

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/US2011/030887

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

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

4/1/2011

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-US (09-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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.:	13/078,248
First Named Inventor:	William H. Shepard

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

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on 6/30/2011

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on 6/30/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
		The patentable PCT claims identified differ from the
1-2	1-2	corresponding U.S. claims only in that the PCT claims
4-11	4-11	include multiple dependencies and the U.S. claims do not.
13	13	
16-20	16-20	
22-25	22-25	
		Applicant previously filed a Request for First Action Interview
		(Pilot Program) for this application. To the extent that it is not
		possible to proceed under both the PPH and the First Action
		Interview Program, Applicant requests that this application
		proceed under the PPH program.

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

Signature /Michael R. Hamlin/	Date August 22, 2011
Name (Print/Typed) Michael R. Hamlin	Registration Number 54,149

Privacy Act Statement

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

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

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

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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,248	04/01/2011	William H. Shepard	05918-0540001 / VGCP No.	7074

26161 7590 11/10/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
1746	

NOTIFICATION DATE	DELIVERY MODE
11/10/2011	ELECTRONIC

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

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

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

PATDOCTC@fr.com

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NOV 10 2011 BC

In re application of	:	DECISION ON REQUEST TO
William H. Shepard	:	PARTICIPATE IN PATENT
Serial No. 13/078,248	:	PROSECUTION HIGHWAY
Filed: April 01, 2011	:	PROGRAM AND
Attorney Docket No: 05918-0540001/VGCP	:	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 August 22, 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 APO, IPA, JPO, KIPO, NBPR, NPI, EPO, Rospatent, IPOS, SPTO, PRV, UK IPO 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

MAY 23 2011

GREENBERG TRAURIG (NJ)
200 PARK AVE.
P.O. BOX 677
FLORHAM PARK NJ 07932

In re Application of: Zorovich et al.
Application No.: 13/078252
Filed: April 1, 2011
Title: METHOD AND APPARATUS FOR MAKING FROZEN COMESTIBLES

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on April 1, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

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

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

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

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

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.3, 6, 6.1, 6.4, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, 6.2, 6.3, and 6.5 above.

Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-6; the "accelerated examination support document" comprising pages 1-44, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 62 subclasses 457.1-457.5; class 426 subclasses 109, 389, 134; class 249 subclasses 53R, 66.1, 115, 120; class 425 subclass 126.2; class 220 subclasses 592.01, 592.04, 592.12, 592.15, 507, 23.88; class D15 subclass 90.

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

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

not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.

In the instant petition, petitioner does not address each limitation and where it is (or state that it is not) found in each closest prior art. There is not a direct one to one correspondence of the claim limitations and portion of the reference which discloses the limitation. Not all dependent claim limitations are addressed relative to all the references. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, while applicant has discussed the references with regard to anticipation, the references are not discussed relative to obviousness as required by 37 CFR 1.111(b) and (c). Petitioner's discussion in section 9(C)(1) indicates what is not shown in individual references and does not collectively discuss the limitations that are patentable relative to obviousness.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, the 35 U.S.C. 112 first paragraph showing is not made limitation by limitation. Additionally, showing of 35 U.S.C. 112 first paragraph support is not found for priority application 12/321,237.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700

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P.O. Box 1450
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JUL 12 2011

GREENBERG TRAURIG (NJ)
200 PARK AVE.
P.O. BOX 677
FLORHAM PARK NJ 07932

In re Application of: Zorovich et al.
Application No.: 13/078252
Filed: April 1, 2011
Title: METHOD AND APPARATUS FOR MAKING FROZEN COMESTIBLES

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on June 23, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

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

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,267	04/01/2011	Hiroyuki HAKOI	HWB-4578-109	7106

23117 7590 04/19/2011

NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER	
ART UNIT	PAPER NUMBER
2871	

MAIL DATE	DELIVERY MODE
04/19/2011	PAPER

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

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

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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

In re Application of
HAKOI et al.
Application No.: 13/078,267
Filed: 01 April 2011
Attorney Docket No.: HWB-4578-109
For: PRODUCTION METHOD OF LIQUID CRYSTAL DISPLAY INCLUDING SCANNING EXPOSURE

: 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 01 April 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

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09629
MORGAN LEWIS & BOCKIUS LLP (WA)
1111 Pennsylvania Avenue N.W.
Washington, DC 20004

MAILED

JAN 10 2012

PCT LEGAL ADMINISTRATION

In re Application of
HIRAI *et al*
Application No.: 13/078,285
Filing Date: April 1, 2011
Attorney Docket No.: 068022-5058-01
For: PRIMER SET FOR AMPLIFYING UGT1A1 GENE, REAGENT FOR AMPLIFYING UGT1A1 GENE CONTAINING THE SAME, AND THE USES THEREOF

DECISION

This is a decision on the "Petition Under 37 CFR §§ 1.78(a)(3)" filed October 18, 2011, for acceptance of an unintentionally delayed claim under 35 U.S.C. §§ 120 for the benefit of priority to U.S. Application No. 12/293,954.

The petition is **DISMISSED AS MOOT**.

In the present case, the 35 U.S.C. § 120 reference was picked up on the first filing receipt. MPEP § 201.11, Section III.E states, in relevant part:

> If the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification or an application data sheet (ADS) as required by 37 CFR 1.78(a) (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under37 CFR 1.17(t) are not required. Applicant is still required to submit the reference in compliance with 37 CFR 1.78(a) by filling an amendment to the first sentence(s) of the specification or an ADS. See MPEP § 201.11.

As such, a petition under 37 CFR 1.78 is not required. The $1,410.00 petition fee has been credited back to Deposit Account No. 50-0310.

It is noted that the amendment to the specification filed with the subject petition contains an improper incorporation by reference statement. An incorporation by reference statement added after an application's filing date is not effective because no new matter can be added to an application after its filing date (*see* 35 U.S.C. § 132(a)).

Petitioner's attention is directed to Dart Industries v. Banner, 636 F.2d 684, 207 USPQ 273 (C.A.D.C. 1980), where the court drew a distinction between a permissible 35 U.S.C. § 120 statement and the impermissible introduction of new matter by way of incorporation by reference in a 35 U.S.C. § 120 statement. The court specifically stated:

> Section 120 merely provides a mechanism whereby an application becomes entitled to benefit of the filing date of an earlier application disclosing the same subject matter. Common subject matter must be disclosed, in both applications, either specifically or by an express incorporation-by-reference of prior disclosed subject matter. Nothing in section 120 itself operates to carry forward any disclosure from an earlier application. In re deSeversky, supra at 674, 177 USPQ at 146-147. Section 120 contains no magical disclosure-augmenting powers able to pierce new matter barriers. It cannot, therefore, "limit" the absolute and express prohibition against new matter contained in section 251.

In order for the incorporation by reference statement to be effective as a proper safeguard against the omission of a portion of a prior application, the incorporation by reference statement must be included in the specification-as-filed, or in an amendment specifically referred to in an oath or declaration executing the application. *See* In re deSeversky, *supra*. *Note also* MPEP 201.06(c)(IV).

Applicants must provide a substitute amendment (complying with 37 CFR 1.121) removing the improper incorporation by reference statement to add the later claim.

Any further correspondence with respect to this matter may be filed electronically via the USPTO EFS-Web, by facsimile to the Office of PCT Legal Administration at (571) 273-04559, or if mailed 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.

Any questions concerning this decision may be directed to James Thomson at (571) 272-3302.

Bryan Lin
Legal Examiner
Office of PCT Legal Administration

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	13078340
Filing Date	01-Apr-2011
First Named Inventor	Walter Presz
Art Unit	3745
Examiner Name	
Attorney Docket Number	FDWT 200042US01
Title	HIGH EFFICIENCY ROTOR BLADES FOR A FLUID TURBINE

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 27885

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

10.40(c)(5)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	FloDesign Wind Turbine Corp.
Address	380 Main Street
City	Wilbraham
State	MA
Postal Code	01095
Country	US

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/ Richard M. Klein /
Name	Richard M. Klein
Registration Number	33000

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Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : September 16,2011

In re Application of :

Walter Presz

Application No : 13078340

Filed : 01-Apr-2011

Attorney Docket No : FDWT 200042US01

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 September 16,2011

The request is **APPROVED.**

The request was signed by Richard M. Klein (registration no. 33000) on behalf of all attorneys/agents associated with Customer Number 27885 . All attorneys/agents associated with Cusotmer Number 27885 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 FloDesign Wind Turbine Corp.
Name2
Address 1 380 Main Street
Address 2
City Wilbraham
State MA
Postal Code 01095
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

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OFFICE OF PETITIONS

WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON MA 02210-2206

Applicants: Karen Silence, et al.
Appl. No.: 13/078,351
Filing Date: April 1, 2011
Title: STABILIZED SINGLE DOMAIN ANTIBODIES
Attorney Docket: A0848.70006US02
Pub. No.: US 20110178277 A1
Pub. Date: July 21, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on September 1, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains an error in the foreign priority data.

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 the priority data is not a material error under 37 CFR 1.221(b). The error 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.

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

[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).

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

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	13078366
Filing Date	01-Apr-2011
First Named Inventor	Walter Presz
Art Unit	3745
Examiner Name	
Attorney Docket Number	FDWT 200051US01
Title	FLUID TURBINE

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 27885

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

10.40(c)(5)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	FloDesign Wind Turbine Corp.
Address	380 Main Street
City	Wilbraham
State	MA
Postal Code	01095
Country	US

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/ Richard M. Klein /
Name	Richard M. Klein
Registration Number	33000

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Alexandria, VA 22313-1450
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Decision Date : September 14,2011

In re Application of :

Walter Presz

Application No : 13078366

Filed : 01-Apr-2011

Attorney Docket No : FDWT 200051US01

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 September 14,2011

The request is **APPROVED.**

The request was signed by Richard M. Klein (registration no. 33000) on behalf of all attorneys/agents associated with Customer Number 27885 . All attorneys/agents associated with Cusotmer Number 27885 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 FloDesign Wind Turbine Corp.
Name2
Address 1 380 Main Street
Address 2
City Wilbraham
State MA
Postal Code 01095
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.

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Decision Date : September 16,2011

In re Application of :

Walter Presz

Application No : 13078382

Filed : 01-Apr-2011

Attorney Docket No : FDWT-200053US01

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 September 16,2011

The request is **APPROVED.**

The request was signed by Richard M. Klein (registration no. 33000) on behalf of all attorneys/agents associated with Customer Number 27885 . All attorneys/agents associated with Cusotmer Number 27885 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 FloDesign Wind Turbine Corp.
Name2
Address 1 380 Main Street
Address 2
City Wilbraham
State MA
Postal Code 01095
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	13078382
Filing Date	01-Apr-2011
First Named Inventor	Walter Presz
Art Unit	3745
Examiner Name	
Attorney Docket Number	FDWT-200053US01
Title	FLUID TURBINES

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 27885

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

10.40(c)(5)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	FloDesign Wind Turbine Corp.
Address	380 Main Street
City	Wilbraham
State	MA
Postal Code	01095
Country	US

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/ Richard M. Klein /
Name	Richard M. Klein
Registration Number	33000

UNITED STATES PATENT AND TRADEMARK OFFICE

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

SCHWEGMAN LUNDBERG &
WOESSNER PA
PO BOX 2938
MINNEAPOLIS MN 55402

MAILED

FEB 14 2012

OFFICE OF PETITIONS

In re Application of	:	DECISION
Thornwall, et al.	:	ON PETITION
Application No. 13/078,431	:	
Filed: April 1, 2011	:	
Attorney Docket Number: 3404.023US1	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed April 1, 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 the only practical medium by which to disclose the subject matter. See, e.g. MPEP 608.02, Section IX, which states that drawing symbols can be used to indicate various materials where the material is an important feature 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 2821.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo
Petitions Attorney
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:	not yet assigned
Confirmation No.	not yet assigned
Applicants:	BRETON, David L., et al.
Filed:	1 April 2011
TC/A.U.:	1736 (prospective)
Examiner:	Iqbal, Syed Taha (prospective)
Docket No.:	34276US1
Title:	GASIFICATION SYSTEM AND PROCESS WITH STAGED SLURRY ADDITION

Customer No.: 28841

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

STATEMENT SUPPORTING SPECIAL STATUS:
GREEN TECHNOLOGY PILOT PROGRAM

Dear Commissioner:

The current application deals with an improvement to hydrocarbon gasification technology. It is well accepted in the art that gasification processes allow for more efficient utilization of hydrocarbon resources for applications such as power generation, as compared to the conventional combustion of solid hydrocarbons (such as coal or petroleum coke). In addition, gasification is conducted at high pressures, which allows (1) more efficient separation and sequestration of CO_2 from the exhaust gas for potential subterranean re-injection, and (2) more efficient treatment of the exhaust gas to remove compounds (such as sulfur-containing compounds) that may damage the environment. Therefore, the current application has the potential to materially enhance the quality of the environment by preventing the pollution of earth's atmosphere.

Respectfully Submitted,

Date: 1 April 2011

By: /Kyle W. Sherrill/

Registration No. 62,130
Email: kyle.w.sherrill@conocophillips.com
(281) 293-1077
(281) 293-2127 (Fax)

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

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 34276US1	Application Number (if known):	Filing date: 1 APRIL 2011

First Named Inventor: BRETON, David L.

Title: GASIFICATION SYSTEM AND PROCESS WITH STAGED SLURRY ADDITION

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: Copy USSN 12/640,226; Preliminary Amendment; Request for filing Continuation Application; ADS

Signature /Kyle W. Sherrill/	Date 01 APRIL 2011
Name (Print/Typed) Kyle W. Sherrill	Registration Number 62130

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 6 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

***The following is a summary of the requirements** (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):*

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

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.
13/078,461	04/01/2011	David L. BRETON	34276US1	7520

28841 7590 05/13/2011

ConocoPhillips Company
IP Services Group Attn: DOCKETING
600 N. Dairy Ashford
Bldg. ML-1065
Houston, TX 77079

EXAMINER	
ART UNIT	PAPER NUMBER
1736	

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):

Legal-IP@conocophillips.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

ConocoPhillips Company
IP Services Group Attn: DOCKETING
600 N. Dairy Ashford
Bldg. ML-1065
Houston TX 77079

5/13/11

In re Application of	:	
Breton et al.	:	DECISION ON PETITION
Application No. 13/078,461	:	TO MAKE SPECIAL UNDER
Filed: 4/1/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **34276US1**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/1/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1736 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: ENVI-003	Application Number (if known): Unknown	Filing date: 4/1/2011
First Named Inventor: Spencer S. Awbrey		
Title: Systems and Methods for Processing Glycerol		

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: Supplement to Petition to Make Special

Signature /Robb D. Edmonds/	Date 4/1/2011
Name (Print/Typed) Robb D. Edmonds	Registration Number 46,681

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

☐ *Total of ..... forms are submitted.

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

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Spencer S. Awbrey *et al.*	§	Examiner:	Unknown
Serial No.: Unknown	§	Group Art Unit:	Unknown
Filed: April 1, 2011	§	Docket No:	ENVI-003
For: Systems and Methods for Producing Glycerol	§	Confirmation No.:	Unknown
	§	Date:	April 1, 2011

SUPPLEMENT TO PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM – 37 C.F.R. § 1.107

This Supplement to Petition to Make Special is submitted in conjunction with a Petition to Make Special Under the Green Technology Pilot Program.

REMARKS

In order to establish that the present application is eligible to be made special under the Green Technology Pilot Program, Applicant's representative puts forth the following statements:

The Petition to Make Special under the Green Technology Pilot Program is warranted because the present application materially contributes to at least one of: (A) the quality of the environment and (B) more efficient utilization and conservation of energy resources.

In support of the present application's contribution to the environment and/or more efficient utilization and conservation of energy resources Applicant refers the examiner to Paragraphs [0003] to [0005] of the specification. As described therein, the present application provides material that contributes to the quality of the environment and/or a more efficient utilization and conservation of energy resources by providing new methods for processing glycerol-containing feeds, more particularly waste glycerol generated during production of biodiesel.

Conclusion

Applicant believes the present application is in condition to be made special under the Green Technology Pilot Program and requests that such status be granted. Applicant invites the Green Technology Representative to telephone the undersigned Attorney if there are any issues not satisfactorily addressed.

Respectfully submitted,

April 1, 2011
Date

/Robb D. Edmonds/
Robb D. Edmonds
Attorney for Applicant
Registration No. 46,681

EDMONDS & NOLTE, P.C.
16815 Royal Crest Drive
Suite 130
Houston, Texas 77058
Phone: 281-480-2700
Fax: 281-480-2701

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.
13/078,479	04/01/2011	Spencer S. Awbrey	ENVI-003	7560

60935 7590 05/13/2011
Edmonds Nolte, PC
16815 ROYAL CREST DRIVE
SUITE 130
HOUSTON, TX 77058

EXAMINER	
ART UNIT	PAPER NUMBER
1781	

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):

docketing@edmondsnolte.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

5/13/11

Edmonds Nolte, PC
16815 ROYAL CREST DRIVE
SUITE 130
HOUSTON TX 77058

In re Application of	:	
Awbrey et al.	:	DECISION ON PETITION
Application No. 13/078,479	:	TO MAKE SPECIAL UNDER
Filed: 4/1/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **ENVI-003**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/1/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1781 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

MAILED
MAR 22 2012
OFFICE OF PETITIONS

In re Application of	:	
McLeod et al.	:	
Application No. 13/078,485	:	ON PETITION
Filed: 04/01/2011	:	
Attorney Docket No. 85256-799932	:	

This is in response to the Petition To Accept Color Drawings Under 37 CFR 1.84(a)(2), filed in the United States Patent and Trademark Office (USPTO) on April 1, 2011.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioner's argument has been considered, but is not persuasive. The Office has determined that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. As such, color drawings or photographs are not necessary for an understanding of the invention sought to be patented. The petition is therefore dismissed.

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

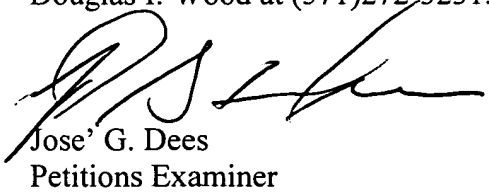
By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

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

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2882.

Telephone inquiries regarding this decision should be directed to Senior Petitions Attorney Douglas I. Wood at (571)272-3231.



Jose' G. Dees
Petitions Examiner
Office of Petitions

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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/078,517	Filing date:	April 1, 2011
First Named Inventor:	Leland H. Lyon		
Title of the Invention:	DOWN-THE-HOLE DRILL HAMMER HAVING AN EXTENTABLE DRILL BIT 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/US2011/030916

The international filing date of the corresponding PCT application(s) is/are:
April 1, 2011

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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.:	13/078,517
First Named Inventor:	Leland H. Lyon

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 October 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 October 18, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
2	2	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
3	3	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
4	4	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
5	5	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
6	6	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
7	7	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
8	8	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
9	9	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
10	10	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
11	11	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
12	12	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.
13	13	Claims are the same, except for the inclusion of reference numerals in the PCT Application claims.

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

Signature Y. Jae Kim	Date 2011-10-20
Name (Print/Typed) Y. Jae Kim	Registration Number 53128

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.

OCT 03 2011
PANITCH SCHWARZE BELISARIO & NADEL

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

KIM Y.JAE

PANITCH SCHWARZE BELISARIO & NADEL LLP ONE COMMERCE SQUARE, SUITE 2200 2005 MARKET STREET PHILADELPHIA PA 19103 USA

PCT

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

(PCT Rule 44.1)

Date of mailing *(day/month/year)*	28 SEPTEMBER 2011 (28.09.2011)
Applicant's or agent's file reference: 066019-24WO	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No.: **PCT/US2011/030916**	International filing date *(day/month/year)*: **01 APRIL 2011 (01.04.2011)**
Applicant: **CENTER ROCK INC. et al**	

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

   Filing of amendments and statement under Article 19:

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

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

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

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

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

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

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

4. **Reminders**

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

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

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

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

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

Name and mailing address of the ISA/KR: Korean Intellectual Property Office, Government Complex-Daejeon, 189 Cheongsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea	Authorized officer: COMMISSIONER
Facsimile No. 82-42-472-7140	Telephone No. 82-42-481-8754

Form PCT/ISA/220 (July 2010)

* Attention

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

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

ID : PCT international application number
PW : **FK3HRK87**

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

Homepage: http://www.ipkcenter.com
Email: ipkc@ipkcenter.com
Phone: +1 703 388 1066
Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
066019-24WO		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2011/030916	**01 APRIL 2011 (01.04.2011)**	01 APRIL 2010 (01.04.2010)
Applicant		
CENTER ROCK INC. et al		

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

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

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

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      ☒ the international application in the language in which it was filed
      ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.
2. ☐ **Certain claims were found unsearchable** (See Box No. II)
3. ☐ **Unity of invention is lacking** (See Box No. III)
4. With regard to the **title,**
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established by this Authority to read as follows:
5. With regard to the **abstract,**
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. With regard to the drawings,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 3
      ☐ as suggested by the applicant.
      ☒ as selected by this Authority, because the applicant failed to suggest a figure.
      ☐ as selected by this Authority, because this figure better characterizes the invention.
   b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2011/030916

A. CLASSIFICATION OF SUBJECT MATTER

E21B 10/32(2006.01)i, E21B 4/06(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)

E21B 10/32; E21B 4/14; E21B 1/38; E21B 10/38

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

Korean utility models and applications for utility models
Japanese utility models and applications for utility models

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

eKOMPASS(KIPO internal) & Keywords: drill, hammer

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2010-0059284 A1 (LYON et al.) 11 March 2010 See the abstract; paragraphs [0033],[0035],[0054]; figures 1,2,13	1-13
A	US 5881827 A (IKEDA et al.) 16 March 1999 See the abstract; columns 2,4; figure 1	1-13
A	US 2006-0096785 A1 (WALTER et al.) 11 May 2006 See the abstract; paragraphs [0036]-[0040]; figure 1	1-13

☐ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents,such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
28 SEPTEMBER 2011 (28.09.2011)	**28 SEPTEMBER 2011 (28.09.2011)**

Name and mailing address of the ISA/KR
Korean Intellectual Property Office
Government Complex-Daejeon, 189 Cheongsa-ro,
Seo-gu, Daejeon 302-701, Republic of Korea
Facsimile No. 82-42-472-7140

Authorized officer
CHOI, Jeong Sik
Telephone No. 82-42-481-8446

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2011/030916

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2010-0059284 A1	11.03.2010	AU 2009-231791 A1	08.10.2009
		AU 2010-208528 A1	05.08.2010
		CA 2718669 A1	08.10.2009
		US 2010-0187017 A1	29.07.2010
		US 2011-0036636 A1	17.02.2011
		WO 2009-124051 A2	08.10.2009
		WO 2010-088057 A1	05.08.2010
		WO 2011-062925 A2	26.05.2011
		WO 2011-062925 A3	26.05.2011
US 5881827 A	16.03.1999	GB 2310229 A	20.08.1997
		JP 09-217578 A	19.08.1997
		JP 2998097 B2	11.01.2000
		KR 10-0461525 B1	06.04.2005
US 2006-0096785 A1	11.05.2006	AU 2003-266036 A1	29.03.2004
		CA 2401917 A1	06.03.2004
		WO 2004-022904 A1	18.03.2004

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
KIM Y.JAE

PANITCH SCHWARZE BELISARIO & NADEL LLP ONE COMMERCE SQUARE, SUITE 2200 2005 MARKET STREET PHILADELPHIA PA 19103 USA

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing *(day/month/year)*	**28 SEPTEMBER 2011 (28.09.2011)**
Applicant's or agent's file reference 066019-24WO	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2011/030916	**01 APRIL 2011 (01.04.2011)**	01 APRIL 2010 (01.04.2010)

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

E21B 10/32(2006.01)i, E21B 4/06(2006.01)i

Applicant

CENTER ROCK INC. et al

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

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

2. **FURTHER ACTION**

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

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

Name and mailing address of the ISA/KR	Date of completion of this opinion	Authorized officer
Korean Intellectual Property Office Government Complex-Daejeon, 189 Cheongsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	28 SEPTEMBER 2011 (28.09.2011)	CHOI, Jeong Sik Telephone No.82-42-481-8446

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2011/030916

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of :

   ☒ the international application in the language in which it was filed

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

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:

   a. a sequence listing filed or furnished
      ☐ on paper
      ☐ in electronic form

   b. time of filing or furnishing
      ☐ contained in the international application as filed.
      ☐ filed together with the international application in electronic form.
      ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additioanl copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2011/030916

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	1-13	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-13	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 2010-0059284 A1 (LYON et al.) 11 March 2010
D2: US 5881827 A (IKEDA et al.) 16 March 1999
D3: US 2006-0096785 A1 (WALTER et al.) 11 May 2006

1. Novelty and Inventive Step

Claims 1 and 7 are independent claims.
The subject matter of claims 1 and 7 differs from these prior art documents in that the drilling lug segment is slidably engaged with a distal end of the drill stem and movable between an initial position and an extended position. And it is not obvious to a person skilled in the art by the documents, taken alone or in combination. Therefore, claims 1 and 7 meet the requirements of PCT Article 33(2) and (3) with respect to novelty and inventive step.

Claims 2-6 are dependent on claim 1, and claims 8-13 are dependent on claim 7. Therefore, claims 2-6 and 8-13 meet the requirements of PCT Article 33(2) and (3).

2. Industrial Applicability
Claims 1-13 are industrially applicable under PCT Article 33(4).

Listing of Claims for International Patent Application No. PCT/US2011/030916

(Claims 1-13 have been indicated as having novelty, inventive step and industrial applicability)

1. A down-the-hole drill hammer assembly comprising:

a housing (2);

a drill stem (16) at least partially housed within the housing, the drill stem including an abutment surface (17);

a drilling lug segment (14) slidably engaged with a distal end portion (65) of the drill stem and movable between an initial configuration and an extended configuration, the drilling lug segment including a proximal end (44) engageable with the abutment surface of the drilling lug segment; and

a pilot drill bit (12) mounted to a distal end portion of the drill stem, the pilot drill bit including:

an open proximal end (15) for receiving a portion of the drill stem, and

a lateral wall (21) that includes an opening (28) having the drilling lug segment positioned therein,

wherein the drill stem is movable between first and second positions within the pilot drill bit, and in moving to the second position, the drill stem moves the drilling lug segment to the extended configuration.

2. The down-the-hole drill hammer assembly of claim 1, wherein the drill stem further comprises a substantially frustroconically shaped distal tip (66) and the abutment surface (17) is located adjacent the frustroconically shaped tip and proximate a lateral side of the drill stem.

3. The down-the-hole drill hammer assembly of claim 2, wherein the drilling lug segment (14) slidingly engages a surface of the frustroconically shaped tip (66) of the drill stem.

4. The down-the-hole drill hammer assembly of claim 1, the drill stem includes a thrust shoulder (62), the pilot drill bit includes a thrust surface (35) and in the extended configuration, the thrust shoulder is engaged with the thrust surface and the abutment surface is engaged with the proximal end of the drilling lug segment.

5. The down-the-hole drill hammer assembly of claim 1, further comprising a retaining element (38) mounted to one of the pilot drill bit and the drill stem, and positioned between the pilot drill bit and the drill stem to prevent the drill stem from withdrawing from the pilot drill bit.

6. The down-the-hole drill hammer assembly of claim 1, wherein the drilling lug segment (14) is housed substantially completely within the pilot drill bit in the initial configuration.

7. An extendable drill bit assembly comprising:

a pilot drill bit (12) for mounting to a drill stem (16), the pilot drill bit including:

a cylindrical body (13),

an open proximal end (15) and a hollow interior (33) for receiving a distal end segment (54) of the drill stem,

a thrust surface (35) proximate the open proximal end,

a distally facing wall segment (19) having:

a plurality of cutting inserts (20), and

a proximally facing inner surface (19a), and

a lateral wall (21) extending between the thrust surface and the distally facing wall segment having an opening (28) partially formed by the proximally facing inner surface and a sloped surface (11) that is sloped relative to a longitudinal axis of the pilot drill bit; and

a drilling lug segment (14) partially housed within the opening and moveable between a first position substantially within the pilot drill bit and a second extended position extending radially outwardly through the opening of the lateral wall of the pilot drill bit, the drilling lug segment having:

a curved distally facing surface (40) slidably engaged with the proximally facing inner surface of the distally facing wall segment,

a proximal end portion having a convex apex thrust surface (47) for engaging a thrust shoulder (17) of the drill stem, and

a correspondingly sloped proximal surface (48) that engages the sloped surface of the opening of the lateral wall.

8. The extendable drill bit assembly of claim 7, wherein in the second position, the convex apex thrust surface (47) is positioned within the hollow interior of the pilot drill bit.

9. The extendable drill bit assembly of claim 7, wherein the pilot drill bit further comprises a retaining element (38) mounted to an interior surface of the pilot drill bit proximate the thrust surface.

10. The extendable drill bit assembly of claim 9, wherein the pilot drill bit includes a circumferential recess (34) about the interior surface of the pilot drill bit for mounting the retaining element.

11. The extendable drill bit assembly of claim 9, wherein the retaining element is a split ring (38).

12. The extendable drill bit assembly of claim 7, wherein the lateral wall of the pilot drill bit comprising three openings (28a, 28b, 28c) and the expandable drill bit comprises three drilling lug segments (14a, 14b, 14c).

13. The extendable drill bit assembly of claim 7, wherein the lateral wall of the pilot drill bit further comprises an externally facing groove (26) extending substantially from the distally facing wall segment to the proximally facing thrust surface.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

PANITCH SCHWARZE BELISARIO & NADEL LLP
ONE COMMERCE SQUARE
2005 MARKET STREET, SUITE 2200
PHILADELPHIA PA 19103

MAILED

FEB 27 2012

OFFICE OF PETITIONS

In re Application of
Leland H. Lyon, et al.
Application No.: 13/078,517
Filed: April 1, 2011
Attorney Docket No.: 066019-24U1
For: DOWN-THE-HOLE DRILL HAMMER HAVING AN EXTENDABLE DRILL BIT.....

: 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 October 20, 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 Terri Johnson at 571-272-2991.

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

David Bucci
Petitions Examiner
Office of Petitions

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 10.001	Application Number (if known): 13078528	Filing date: 04/01/2011
First Named Inventor: Jun Liu		
Title: SOLAR PANEL AND EQUIPMENT MOUNTING APPARATUS FOR ROOFS		

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: Petition Support Document

Signature /Alan M. Flum/	Date 2011-04-01
Name (Print/Typed) Alan M. Flum	Registration Number 64843

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

☐ *Total of ..... forms are submitted.

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

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,528	04/01/2011	Jun Liu	10.001	7695

91020 7590 05/18/2011

Stone Creek LLC
Alan M Flum
2019 NE 179 Street P67
Ridgefield, WA 98642

EXAMINER	
ART UNIT	PAPER NUMBER
3633	

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):

alan@stonecreekpatents.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 17 2011

Stone Creek LLC
Alan M Flum
2019 NE 179 Street P67
Ridgefield WA 98642

In re Application of	:	
JUN LIU	:	DECISION ON PETITION
Application No. 13/078,528	:	TO MAKE SPECIAL UNDER
Filed: April 1, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 10.001	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 1, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

The petition is granted for claims 5, 8, 11 and 16 directed to a combination of the mounting equipment and solar photovoltaic panels. The mounting equipment by itself does not meet the requirement of the green technology pilot program as the mounting equipment is just a supporting structure which cannot generate energy or collect solar energy from the sun to generate electricity through the photovoltaic effect. The mounting equipment by itself does not materially contribute to the development of renewable energy resources.

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 Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3633 for action on the merits commensurate with this decision.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,557	04/01/2011	Matthew T. Kane	3595.479US03AE	7767

24113 7590 04/21/2011

PATTERSON THUENTE CHRISTENSEN PEDERSEN, P.A.
4800 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS, MN 55402-2100

EXAMINER	
ART UNIT	PAPER NUMBER
1781	

MAIL DATE	DELIVERY MODE
04/21/2011	PAPER

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

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

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Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
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4/21/11

CST

In re application of
Matthew Kane et al
Serial No. 13/078,557
Filed: April 1, 2011
For: GRANULATED MONOCALCIUM PHOSPHATE PRODUCT CONTAINING ABRASIVITY AND LUBRICITY ADDITIVES

DECISION ON PETITION TO MAKE SPECIAL

This is a decision on the petition filed on April 1, 2011 to make the above-identified application special under the accelerated examination program.

The petition to make the application special is **DISMISSED.**

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview;

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner;

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

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

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

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support

under 35 USC 112, first paragraph, in each such application in which such supports exists;

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

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition, section II, subsections 1-4, are considered to have been met. However, the petition fails to comply with condition II, subsections 5 and 6.

First, it appears that the search is incomplete. Note that a search in Class 426/subclasses 560 and 623, as well as Class 74/subclasses 31-33, is also required.

Furthermore, it appears that applicant has claimed priority to provisional application 61/295,463 on page 1 of the present specification, however on page 52 of the Accelerated Examination Support Document (AESD), applicant references provisional application 61/251,602. As it appears that provisional application 61/295,463 has the same title as the present specification, clarification is required. Specifically, it is required that petitioner provide a showing of where each limitation of each of the claims finds support under 35 USC 112, first paragraph, in the written description of provisional application 61/295,463.

DECISION

For the above-stated reasons, the petition is dismissed. The application will therefore be taken up by the examiner in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Application No. 13/078,557

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

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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.
13/078,557	04/01/2011	Matthew T. Kane	3595.479US03AE	7767

24113 7590 05/26/2011

PATTERSON THUENTE CHRISTENSEN PEDERSEN, P.A.
4800 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS, MN 55402-2100

EXAMINER	
ART UNIT	PAPER NUMBER
1789	

MAIL DATE	DELIVERY MODE
05/26/2011	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.

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MAY 26 2011

CST

In re application of	:	
Matthew Kane et al	:	
Serial No. 13/078,557	:	DECISION ON PETITION
Filed: April 1, 2011	:	TO MAKE SPECIAL
For: GRANULATED MONOCALCIUM	:	
PHOSPHATE PRODUCT CONTAINING	:	
ABRASIVITY AND LUBRICITY ADDITIVES	:	

This is a decision on the Request for Reconsideration of Petition to Make Special under the Accelerated Examination Program filed on May 23, 2011 to make the above-identified application special.

The petition to make the application special is **GRANTED.**

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

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

9. Proceedings Outside the Normal Examination Process:
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

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O"SHEA GETZ P.C.
C/O CPA GLOBAL
P.O. BOX 52050
MINNEAPOLIS MN 55402

MAILED

MAY 20 2011

OFFICE OF PETITIONS

In re Application of	:	
El-Aini et al.	:	
Application No. 13/078,567	:	ON PETITION
Filed: April 1, 2011	:	
Attorney Docket No. PA-0011755-US	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 7, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the applicant, Yehia M. El-Aini. Accordingly, the above-identified application has been accorded "special" status.

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

This matter is being referred to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,570	04/01/2011	Laurence Hubert	A1055-US-CNT	7794

25453 7590 03/30/2012

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XEROX CORPORATION
100 CLINTON AVE SOUTH
MAILSTOP: XRX2-020
ROCHESTER, NY 14644

EXAMINER	
WOO, ISAAC M	
ART UNIT	**PAPER NUMBER**
2155	

NOTIFICATION DATE	DELIVERY MODE
03/30/2012	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):

usa.ogc.docket@xerox.com
OfficeAction@xerox.com

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Timothy E. Bianchi
Patent Documentation Center
Xerox Corporation
100 Clinton Ave, South
Mail Stop: XRX2-020
Rochester, NY 14644

In re Application of:
Laurence HUBERT
Appl. No.: 13/078,570
Filed: April 1, 2011
For: SYSTEM WITH USER DIRECTED ENRICHMENT

DECISION ON PETITION
UNDER 37 CFR 1.59

This is a decision on the petition under 37 CFR 1.59(b), filed on 08 February 2012, to expunge the materials submitted pursuant to MPEP § 724.02.

The petition is **GRANTED**.

Petitioner requests that the materials in a sealed envelopes submitted on 08 February 2012 be expunged from the record. Petitioner states that the materials are trade secret. The petition fee set forth in 37 CFR 1.17(g) has been paid.

Applicant is required to retain a copy of the expunged materials for the life of any patent, which issues on the above-identified application.

The expunged materials have been removed from the official file and will be forwarded to the shred room to be shredded. The petition and support document have been closed from public view.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3613.

/Vincent N. Trans/
Vincent N. Trans, QAS
Technology Center 2100
Computer Architecture and Software

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HONIGMAN MILLER SCHWARTZ &
COHN LLP
350 EAST MICHIGAN AVENUE
SUITE 300
KALAMAZOO, MI 49007-3800

MAILED
MAR 14 2012
OFFICE OF PETITIONS

In re Application of	:	DECISION ON REQUEST TO
Marty Stromquist, et al.	:	PARTICIPATE IN THE PATENT
Application No.: 13/078,584	:	PROSECUTION HIGHWAY
Filed: 01 April 2011	:	PROGRAM AND PETITION
Attorney Docket No.: 231123-310456	:	TO MAKE SPECIAL UNDER
For: MULTI-FUNCTIONAL ISOLATION	:	37 CFR 1.102(a)
TOOL AND METHOD OF USE	:	

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 19 January 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 CIPO, 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 CIPO, 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. 364 (b) to a PCT application filed in the CIPO, 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 CIPO 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 CIPO 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) from each of the CIPO 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 CIPO application is a first action allowance then no office action from the CIPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the CIPO 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 CIPO examiner in the CIPO 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 Sherry D. Brinkley at 571-272-3204.

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

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NOV 21 2011
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WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON MA 02210-2206

Applicants: Timothy M. Swager, et al.
Appl. No.: 13/078,658
Filing Date: April 1, 2011
Title: EMISSIVE POLYMERS AND DEVICES INCORPORATING THESE POLYMERS
Attorney Docket: M0925.70125US04
Pub. No.: US 20110175035 A1
Pub. Date: July 21, 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 DISMISSED.

Applicant requests that the application be republished because the patent application publication contains material errors wherein the inventor's country of citizenship is not correct and the preliminary amendment filed with the application on April 1, 2011 was not included in the publication.

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 on the front page of the publication wherein the inventor's country of citizenship is incorrect is not a material error under 37 CFR 1.221(b). The mistake 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.

[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).

Also, the error noted by requestor with respect to the preliminary amendment is not an Office error. The patent application publication does not include a mistake regarding the failure to include the preliminary amendment to the specification because patent application publications are not required to include preliminary amendments. See 37 CFR 1.215(a). The "failure to include an amendment is not an Office error." See MPEP 1130(b).

37 C.F.R. 1.215(a) states that the patent application publication may also be based upon amendments to the specification (other than the abstract or the claims) that are reflected in a substitute specification under § 1.125(b), amendments to the abstract under § 1.121(b), amendments to the claims that are reflected in a complete claim listing under § 1.121(c), and amendments to the drawings under §1.121(d), provided that such substitute specification or amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. (emphasis added) 37 CFR 1.215(c) states that applicant may file an amended copy of the application for publication purposes, but such amendments, including a substitute specification, must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under title 35, United States Code, whichever is later.

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
OR
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

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Seed IP Law Group PLLC
701 Fifth Avenue
Suite 5400
Seattle, WA 98104

MAILED

FEB 03 2012

OFFICE OF PETITIONS

In re Application of Chafeev et al. :
Application No. 13/078,678 :
Filing Date: April 1, 2011 : Decision on Request
Attorney Docket No. 980057.433D2 :
Pub. No. US 2011/0251224 A1 :
Pub. Date: October 13, 2011 :

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed December 13, 2011.

The request is **granted**.

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Telephone inquiries regarding this communication may be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
Petitions Examiner
Office of Petitions

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2723-2/JLW	Application Number (if known):	Filing date: April 1, 2011

First Named Inventor: Dhanushan Balachandreswaran

Title: AN INTEGRATED PHOTOVOLTAIC MODULE

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 April 1, 2011
Name (Print/Typed) Alan Macek	Registration Number 64683

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

■ *Total of 1 forms are submitted.

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,724	04/01/2011	Dhanushan Balachandreswaran	2723-2/JLW	8163

38735 7590 08/19/2011

DIMOCK STRATTON LLP
20 QUEEN STREET WEST, 32nd FLOOR, BOX 102
TORONTO, ON M5H 3R3
CANADA

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

MAIL DATE	DELIVERY MODE
08/19/2011	PAPER

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

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

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DIMOCK STRATTON LLP
20 QUEEN STREET WEST, 32nd FLOOR, BOX 102
TORONTO ON M5H 3R3 CA CANADA

AUG 19 2011

In re Application of :
Dhanushan Balachandreswaran et al. :
Application No. 13/078,724 :
Filed: April 01, 2011 :
Attorney Docket No. 2723-2/JLW :

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 April 01, 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
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ROSENTHAL PAUERSTEIN SANDOLOSKI AGATHER LLP
755 EAST MULBERRY STREET AVE
SUITE 200
SAN ANTONIO TX 78212

MAILED
JUN 30 2011
OFFICE OF PETITIONS

In re Application of	:	
Guglielmo et al.	:	
Application No. 13/078,755	:	ON PETITION
Filed: April 1, 2011	:	
Attorney Docket No. 81211.00024	:	

This is a decision on the petition under 37 C.F.R. § 1.182, filed April 29, 2011, to change the name of an inventor.

The petition is **GRANTED.**

The name will be changed from Frank Murphy to Frank W. Murphy, III.

This matter is being directed to the Office of Patent Application Processing for further pre-examination processing. Thereafter, the application will be referred to Technology Center AU 2832 for examination on the merits.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3206. All other inquiries should be directed to OPAP or the TC.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

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Rosenthal Pauerstein Sandoloski Agather LLP
755 EAST MULBERRY STREET AVE
SUITE 200
SAN ANTONIO TX 78212

MAILED

SEP 29 2011

OFFICE OF PETITIONS

In re Application of :
Guglielmo, et al. :
Application No. 13/078,755 : ON PETITION
Filed: April 1, 2011 :
Attorney Docket No. 81211.00024 :

This is in response to the "RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION DATED APRIL 14, 2011 FILED UNDER 37 C.F.R. 1.57(a) And PRELIMINARY AMENDMENT TO NONPROVISIONAL APPLICATION SERIAL NO. 13/078,755," filed May 18, 2011, requesting that the above-referenced application be accorded a filing date of April 1, 2011. This petition is being treated pursuant to 37 CFR 1.53(e)(2)[1].

Application papers in the above-identified application were deposited on April 1, 2011. However, on April 14, 2011, the Office of Patent Application Processing mailed applicants a "Notice of Incomplete Nonprovisional Application," notifying applicants, *inter alia*, that the application papers had not been accorded a filing date because the application was deposited without drawings. In response, applicants timely filed this petition. Applicants request that the application be amended to include the inadvertently omitted drawings on the basis that the application as filed contained a prior benefit claim under 37 CFR 1.55 or 1.78.

Petitioners' arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method claim. MPEP 601.01(f) provides that:

> It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

---

[1] Any request for review of a notification pursuant to paragraph (e)(1) of this section, or a notification that the original application papers lack a portion of the specification or drawing(s), must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in § 1.17(f). In the absence of a timely (§ 1.181(f)) petition pursuant to this paragraph, the filing date of an application in which the applicant was notified of a filing error pursuant to paragraph (e)(1) of this section will be the date the filing error is corrected.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

> [i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

Please note that no petition is required and that the amendment must comply with 37 CFR 1.57(a) and 37 CFR 1.121. See MPEP § 201.17. Any amendment to include the inadvertently omitted drawing(s) will be considered by the examiner.

To the extent the instant petition requests a filing date of April 1, 2011 with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, the petition fee is being refunded.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

X **correction of the filing date to April 1, 2011**;
X **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing** and
X **for issuance of a filing receipt.**

Applicants should file a formal amendment to include the omitted drawings.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
Jacek Borysow

Application No. 13078777

Filed: April 1,2011

Attorney Docket No. ISOS003US

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

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 24-AUG-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

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

Application Information

Application Number	13078777	Confirmation Number	8306	Filing Date	2011-04-01
Attorney Docket Number (optional)	ISOS003US	Art Unit	2877	Examiner	
First Named Inventor	Jacek Borysow				
Title of Invention	RAMAN SPECTROMETER FOR MONITORING TRACES OF DISSOLVED ORGANIC AND INORGANIC SUBSTANCES				

Attention: Office of Petitions

An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Manfred		Fink	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18.
Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

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

● (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/John Temple Keller/	Date (YYYY-MM-DD)	2011-08-03
Name	John Temple Keller	Registration Number	63099

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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MAILED
AUG 22 2011
OFFICE OF PETITIONS

HULSEY IP INTELLECTUAL PROPERTY LAWYERS, P.C.
919 CONGRESS AVENUE, SUITE 919
AUSTIN TX 78701

In re Application of :
BORYSOW, et al :
Application No. 13/078,777 : DECISION ON PETITION
Filed: April 1, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. ISOS003US : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 3, 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 made by registered attorney John Temple Keller, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

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

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2800.

The application is being forwarded to Technology Center Art Unit 2877 for action on the merits commensurate with this decision.

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

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: PA5526US	Application Number (if known): 13/078,889	Filing date: April 1, 2011

First Named Inventor: Andy Thompson

Title: Conversion of Saponifiable Lipids into Fatty Esters

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: Preliminary Amendment

Signature /K. Brian Bathurst/	Date September 6, 2011
Name (Print/Typed) K. Brian Bathurst	Registration Number 51442

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

☐ *Total of _____ forms are submitted.

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

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/078,889	04/01/2011	Andy Thompson	PA5526US	8550

22830 7590 09/27/2011

CARR & FERRELL LLP
120 CONSTITUTION DRIVE
MENLO PARK, CA 94025

EXAMINER	
ART UNIT	PAPER NUMBER
1622	

MAIL DATE	DELIVERY MODE
09/27/2011	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.

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SEP 2 7 2011

CARR & FERRELL LLP
120 CONSTITUTION DRIVE
MENLO PARK CA 94025

In re Application of

THOMPSON, Andy *et al.*	:	DECISION ON PETITION
Application No. 13/078889	:	TO MAKE SPECIAL UNDER
Filed: April 1, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. PA5526US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed September 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1622 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

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CARR & FERRELL LLP
120 CONSTITUTION DRIVE
MENLO PARK CA 94025

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JAN 03 2012

OFFICE OF PETITIONS

In re Application of :
Jeffrey Hippler et al. :
Application No. 13/078,889 : ON PETITION
Filed: April 11, 2011 :
Attorney Docket No.: PA5526US :

This is a decision on the petition under 37 CFR 1.182, filed December 20, 2011, to change the order of the names of the inventors.

The petition is **GRANTED**.

The instant petition has been submitted with an updated Application Data Sheet.

The order of the names of the inventors has been changed as follows:

(1) Jeffrey Hippler;
(2) Andy Thompson
(3) Lea Dulatas
(4) Louis A. Kapicak

A corrected filing receipt reflecting the correct order of the names of the inventors is attached.

This matter is being referred to Technology Center 1622 for further examination in due course.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

/Patricia Faison-Ball/

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

ATTACHMENT: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/078,889	04/01/2011	1622	879	PA5526US	22	3

CONFIRMATION NO. 8550

CORRECTED FILING RECEIPT

22830
CARR & FERRELL LLP
120 CONSTITUTION DRIVE
MENLO PARK, CA 94025

Date Mailed: 01/03/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Jeffrey Hippler, Alameda, CA;
Andy Thompson, Oakland, CA;
Lea Dulatas, Albany, CA;
Louis A. Kapicak, Cross Lanes, WV;

Power of Attorney: The patent practitioners associated with Customer Number 22830

Domestic Priority data as claimed by applicant

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)

If Required, Foreign Filing License Granted: 04/12/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/078,889**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: Yes
**** SMALL ENTITY ****

Title

Conversion of Saponifiable Lipids into Fatty Esters

Preliminary Class

554

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Alexandria, VA 22313-1450
www.uspto.gov

PVOPTIX
282 CASITAS BULEVAR
LOS GATOS CA 95032

MAILED

MAY 23 2011

OFFICE OF PETITIONS

In re Application of :
CAMPBELL, James P. et al. :
Application No. 13/078,916 : DECISION ON PETITION
Filed: April 01, 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 April 29, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by James P. Campbell attesting that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

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

The application is being forwarded to the Technology Center Art Unit 2812 for action on the merits commensurate with this decision.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

HAZEN PATENT GROUP, LLC
1534 W. ISLANDIA DR.
GILLBERT AZ 85233

MAILED

MAY 10 2011

OFFICE OF PETITIONS

In re Application of	:	
Pekrul, Merton W.	:	
Application No. 13/078,962	:	ON PETITION
Filed: April 2, 2011	:	
Attorney Docket No. MERT0009	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 7, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the applicant's attorney. Accordingly, the above-identified application has been accorded "special" status.

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

This matter is being referred to the Technology Center Art Unit 3741 for action on the merits commensurate with this decision.

Liana Walsh
Petitions Examiner
Office of Petitions

Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan

The United States Patent and Trademark Office (USPTO) considers the effects of the earthquake and resulting tsunami in Japan on March 11, 2011, to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146 for affected patent and trademark applicants, patentees, reexamination parties, and trademark owners. Since this catastrophic event occurred outside the United States and did not result in a postal service interruption in the United States Postal Service, the USPTO has no authority to designate a postal service emergency as authorized by 35 U.S.C. 21(a).

For patent applications and reexamination proceedings pending in the USPTO as of March 11, 2011, having one or more inventors, an assignee, or a correspondence address in areas of Japan affected by the earthquake and tsunami, in which a reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding, and for which the statutory or non-statutory time period set for response has not yet expired, the USPTO will, on applicant's request, or a reexamination party's request, withdraw the Office communication and reissue it. The request must be made prior to expiration of the statutory or non-statutory time period set for response and within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956). The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice will be treated as a representation that the need for the reissuance of the Office communication was due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Form PTO/SB/425 will be available in EFS-Web and on the USPTO Web site at http://www.uspto.gov/forms/index.jsp. The use of form PTO/SB/425 is encouraged to facilitate processing of the request.

For patentees who were unable to timely pay a patent maintenance fee due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee and the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment when the patentee files the maintenance fee payment with a petition to accept a delayed maintenance fee under 37 CFR 1.378(c). *See* 37 CFR 1.183.

Patentees who seek to pay a maintenance fee during the six-month grace period following the window to pay the maintenance fee with a request to waive the surcharge in 37 CFR 1.20(h), must mail the payment and request to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or via facsimile to: 571-273-6500.

The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice with the payment of the maintenance fee during the grace period will be treated as a representation that the late payment of the fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(h). This waiver may only be appropriately requested where the original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011, and the delay in paying the fee was due to the effects of the earthquake and tsunami of March 11, 2011.

The USPTO advises patentees who need to file a petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami of March 11, 2011, where the maintenance fee payment was required to have been paid after March 10, 2011, to promptly file a petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/*66* – **Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))** accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)) and either a copy of this notice or form PTO/SB/425. The inclusion of a copy of this notice will be treated as a representation that the delay in payment of the maintenance fee was due to the effects of the earthquake and resulting tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(i). The petition must filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

Patentees are reminded that a petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c). A petition to accept a delayed maintenance fee payment filed later than twenty-four months after the expiration date of the patent must be filed under 37 CFR 1.378(b) and include a showing that the delay in payment was unavoidable. A petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami may be submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

For applicants who file a nonprovisional application on or after March 11, 2011, and prior to April 12, 2011, without an executed oath or declaration or payment of the basic filing fee, search fee, and/or examination fee due to the earthquake and tsunami of March 11, 2011, the USPTO will waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee. Patent applicants seeking waiver of the surcharge must include either form PTO/SB/425 or a copy of this notice, along with the executed oath or declaration or the basic filing fee,

search fee, or examination fee. The inclusion of a copy of this notice will be treated as a representation that the late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.16(f). The reply to the Notice to File Missing Parts requiring the oath or declaration or the filing fees may be submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent-related inquiries concerning this notice may be directed to the Office of Patent Legal Administration at (571) 272-7704 ((571) 272-7703 for reexamination), or by e-mail at PatentPractice@uspto.gov.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, in which a an Office action (final, non-final, or other), a notice of allowance, or other Office notice requiring a response (hereinafter collectively referred to as "Office communication") is outstanding, the USPTO will, upon request, withdraw the Office communication and reissue it. The request must be made prior to the deadline for responding to the Office communication, and indicate that the need for the reissuance of the Office communication is due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via e-mail to TMFeedback@uspto.gov or by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451. If necessary, changes of correspondence address should be provided.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, that were abandoned or cancelled due to inability to timely respond to a trademark-related Office communication due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the petition fee (set by regulation, rather than statute) to revive the abandoned application or cancelled registration. Either a petition by regular mail to the address set forth in the preceding paragraph, or the Trademark Electronic Application System (TEAS) "Request for Reinstatement" form should be used, and must include a verified statement that the failure to respond to the Office communication was due to the effects of the earthquake and resulting tsunami.

Trademark-related inquiries concerning this notice may be directed to the Trademark Office of Petitions by telephone at (571) 272-8950, by facsimile at (571) 273-8950, or by e-mail at TMFeedback@uspto.gov.

The USPTO cannot grant waivers or extensions of dates or requirements set by statute. For example, the following patent-related time periods cannot be extended by the Director: (1) the period set forth in 35 U.S.C. 119(a)-(d) to file a nonprovisional patent application claiming the benefit of a prior-filed foreign application; (2) the twelve-month time period set forth in 35 U.S.C. 119(e) during which a nonprovisional application claiming the benefit of a prior filed provisional application must be filed in order to

obtain benefit of the provisional application's filing date; (3) the copendency requirement of 35 U.S.C. 120 between a parent application which issues as a patent and a later filed child application, which requires that the child application be filed prior to issuance of the parent application; (4) the three-month time period to pay the issue fee set forth in 35 U.S.C. 151; (5) the 35 U.S.C. 304 two-month time period from the date of patentee service, for a requester to file, in an *ex parte* reexamination, a reply to a statement filed by the patentee; and (6) the 35 U.S.C. 314(b)(2) thirty-day time period from the date of service, for a requester to file, in an *inter partes* reexamination, written comments addressing issues raised by an Office action or the patentee's response to the action. The following statutory trademark-related time periods cannot be extended and statutory fees cannot be waived by the Director: (1) the 36-month period set forth in 15 U.S.C. 1051(d) within which a statement of use must be filed and the associated fee(s); (2) the periods set forth in 15 U.S.C. 1058, 1141(k) for filing affidavits of continued use or excusable nonuse and the associated fee(s); (3) the period set forth in 15 U.S.C. 1059 for filing a renewal and the associated fee(s); and (4) the periods set forth in 15 U.S.C. 1063 and 1064 for filing an opposition or cancellation proceeding at the Trademark Trial and Appeal Board.

Date: 3/17/11

David J. Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

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DITTHAVONG MORI & STEINER, P.C.
918 PRINCE STREET
ALEXANDRIA VA 22314

MAILED

MAY 27 2011

OFFICE OF PETITIONS

In re Application of	:	
Junichiro Onaka.	:	
Application No. 13/079,023	:	DECISION ON PETITION
Filed: April 4, 2011	:	
Attorney Docket No. P5212US00	:	

This is a decision on the request filed May 25, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on April 4, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [x] basic filing fee, [x] search fee and/or [x] examination fee

The relevant item(s) was/were filed on May 25, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan

The United States Patent and Trademark Office (USPTO) considers the effects of the earthquake and resulting tsunami in Japan on March 11, 2011, to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146 for affected patent and trademark applicants, patentees, reexamination parties, and trademark owners. Since this catastrophic event occurred outside the United States and did not result in a postal service interruption in the United States Postal Service, the USPTO has no authority to designate a postal service emergency as authorized by 35 U.S.C. 21(a).

For patent applications and reexamination proceedings pending in the USPTO as of March 11, 2011, having one or more inventors, an assignee, or a correspondence address in areas of Japan affected by the earthquake and tsunami, in which a reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding, and for which the statutory or non-statutory time period set for response has not yet expired, the USPTO will, on applicant's request, or a reexamination party's request, withdraw the Office communication and reissue it. The request must be made prior to expiration of the statutory or non-statutory time period set for response and within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956). The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice will be treated as a representation that the need for the reissuance of the Office communication was due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Form PTO/SB/425 will be available in EFS-Web and on the USPTO Web site at http://www.uspto.gov/forms/index.jsp. The use of form PTO/SB/425 is encouraged to facilitate processing of the request.

For patentees who were unable to timely pay a patent maintenance fee due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee and the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment when the patentee files the maintenance fee payment with a petition to accept a delayed maintenance fee under 37 CFR 1.378(c). *See* 37 CFR 1.183.

Patentees who seek to pay a maintenance fee during the six-month grace period following the window to pay the maintenance fee with a request to waive the surcharge in 37 CFR 1.20(h), must mail the payment and request to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or via facsimile to: 571-273-6500.

The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice with the payment of the maintenance fee during the grace period will be treated as a representation that the late payment of the fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(h). This waiver may only be appropriately requested where the original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011, and the delay in paying the fee was due to the effects of the earthquake and tsunami of March 11, 2011.

The USPTO advises patentees who need to file a petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami of March 11, 2011, where the maintenance fee payment was required to have been paid after March 10, 2011, to promptly file a petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/*66* – **Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))** accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)) and either a copy of this notice or form PTO/SB/425. The inclusion of a copy of this notice will be treated as a representation that the delay in payment of the maintenance fee was due to the effects of the earthquake and resulting tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(i). The petition must filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

Patentees are reminded that a petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c). A petition to accept a delayed maintenance fee payment filed later than twenty-four months after the expiration date of the patent must be filed under 37 CFR 1.378(b) and include a showing that the delay in payment was unavoidable. A petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami may be submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

For applicants who file a nonprovisional application on or after March 11, 2011, and prior to April 12, 2011, without an executed oath or declaration or payment of the basic filing fee, search fee, and/or examination fee due to the earthquake and tsunami of March 11, 2011, the USPTO will waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee. Patent applicants seeking waiver of the surcharge must include either form PTO/SB/425 or a copy of this notice, along with the executed oath or declaration or the basic filing fee,

search fee, or examination fee. The inclusion of a copy of this notice will be treated as a representation that the late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.16(f). The reply to the Notice to File Missing Parts requiring the oath or declaration or the filing fees may be submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent-related inquiries concerning this notice may be directed to the Office of Patent Legal Administration at (571) 272-7704 ((571) 272-7703 for reexamination), or by e-mail at PatentPractice@uspto.gov.

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For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, that were abandoned or cancelled due to inability to timely respond to a trademark-related Office communication due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the petition fee (set by regulation, rather than statute) to revive the abandoned application or cancelled registration. Either a petition by regular mail to the address set forth in the preceding paragraph, or the Trademark Electronic Application System (TEAS) "Request for Reinstatement" form should be used, and must include a verified statement that the failure to respond to the Office communication was due to the effects of the earthquake and resulting tsunami.

Trademark-related inquiries concerning this notice may be directed to the Trademark Office of Petitions by telephone at (571) 272-8950, by facsimile at (571) 273-8950, or by e-mail at TMFeedback@uspto.gov.

The USPTO cannot grant waivers or extensions of dates or requirements set by statute. For example, the following patent-related time periods cannot be extended by the Director: (1) the period set forth in 35 U.S.C. 119(a)-(d) to file a nonprovisional patent application claiming the benefit of a prior-filed foreign application; (2) the twelve-month time period set forth in 35 U.S.C. 119(e) during which a nonprovisional application claiming the benefit of a prior filed provisional application must be filed in order to

obtain benefit of the provisional application's filing date; (3) the copendency requirement of 35 U.S.C. 120 between a parent application which issues as a patent and a later filed child application, which requires that the child application be filed prior to issuance of the parent application; (4) the three-month time period to pay the issue fee set forth in 35 U.S.C. 151; (5) the 35 U.S.C. 304 two-month time period from the date of patentee service, for a requester to file, in an *ex parte* reexamination, a reply to a statement filed by the patentee; and (6) the 35 U.S.C. 314(b)(2) thirty-day time period from the date of service, for a requester to file, in an *inter partes* reexamination, written comments addressing issues raised by an Office action or the patentee's response to the action. The following statutory trademark-related time periods cannot be extended and statutory fees cannot be waived by the Director: (1) the 36-month period set forth in 15 U.S.C. 1051(d) within which a statement of use must be filed and the associated fee(s); (2) the periods set forth in 15 U.S.C. 1058, 1141(k) for filing affidavits of continued use or excusable nonuse and the associated fee(s); (3) the period set forth in 15 U.S.C. 1059 for filing a renewal and the associated fee(s); and (4) the periods set forth in 15 U.S.C. 1063 and 1064 for filing an opposition or cancellation proceeding at the Trademark Trial and Appeal Board.

Date: 3/17/11

David J. Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

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DITTHAVONG MORI & STEINER, P.C.
918 PRINCE STREET
ALEXANDRIA VA 22314

MAILED

JUN 08 2011

OFFICE OF PETITIONS

In re Application of :
Uematsu et al. :
Application No. 13/079,025 : DECISION ON PETITION
Filed: April 4, 2011 :
Attorney Docket No. P5213US00 :

This is a decision on the request filed June 3, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on April 4, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [x] basic filing fee, [x] search fee and/or [x] examination fee

The relevant item(s) was/were filed on June 3, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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U S ARMY RESEARCH LABORATORY
ATTN: RDRL-LOC-I
2800 POWDER MILL RD
ADELPHI MD 20783-1197

MAILED

JUL 05 2011

OFFICE OF PETITIONS

In re Application of :
Michael Wraback et al. :
Application No. 13/079,097 : DECISION ON PETITION
Filed: April 4, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. ARL 08-04 : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 20, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by an attorney on behalf of inventor Paul H. Shen, attesting to his/her age. The above-identified application has been accorded "special" status.

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

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

The application is being forwarded to the Technology Center Art Unit 2881 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/079,224	04/04/2011	Walter Bennage	3572B-000210/US	9324

7590 04/10/2012

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER	
ROSS, DANA	
ART UNIT	**PAPER NUMBER**
3725	
MAIL DATE	**DELIVERY MODE**
04/10/2012	PAPER

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

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

The petition is granted.

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

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

Patent Publication Branch
Office of Data Management

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MAILED

JUN 17 2011

OFFICE OF PETITIONS

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

In re Application of :
HSU, et al :
Application No. 13/079,267 : DECISION ON PETITION
Filed: April 4, 2011 : TO WITHDRAW
Attorney Docket No. 43305.12.0.62.1.1 : 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 April 27, 2011.

The request is **NOT APPROVED.**

The request to withdraw from record cannot be approved because the change of correspondence address cannot be accepted. The Office will either change the correspondence address of record to the most current address information provided for an assignee of the entire interest who properly became of record under 37 CFR 3.71 or, if no assignee of the entire interest has properly been made of record under 37 CFR 3.71, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

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

Therefore, as there is currently no Statement under 37 CFR 3.73(b) with the current assignee information of record in the instant application, the Office cannot change the correspondence address as indicated on the Request to Withdraw at this time.

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

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

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

cc: DERMATRENDS, INC.
3109 WEST 50TH STREET, #337
MINNEAPOLIS, MN 55410

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INTELLECTUAL PROPERTY GROUP
200 SOUTH SIXTH STREET, SUITE 4000
MINNEAPOLIS MN 55402

MAILED

AUG 22 2011

OFFICE OF PETITIONS

In re Application of	:	
HSU, et al	:	
Application No. 13/079,267	:	DECISION ON PETITION
Filed: April 4, 2011	:	TO WITHDRAW
Attorney Docket No. 43305.12.0.62.1.1	:	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 August 12, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office 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 37 CFR 10.40(c).

The request was signed by Philip M. Goldman on behalf of the attorneys of record associated with Customer No. 22859.

The attorneys of record associated with Customer No. 22859 have been withdrawn.

Applicant is reminded that there is no attorney of record at this time.

The correspondence address of record has been changed and the new correspondence address is the address indicated below until otherwise properly notified.

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

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

cc: DERMATRENDS, INC.
3109 WEST 50TH STREET, #337
MINNEAPOLIS MN 55410

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/079,267	04/04/2011	Tsung-Min Hsu	43305.12.0.62.1.1

CONFIRMATION NO. 9401

22859
FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
200 SOUTH SIXTH STREET, SUITE 4000
MINNEAPOLIS, MN 55402

POA ACCEPTANCE LETTER

OC000000049375216

Date Mailed: 08/19/2011

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/12/2011.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/mteklemichael/

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

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PETER K. TRZYNA, ESQ.
P O BOX 7131
CHICAGO IL 60680

MAILED

MAY 1 8 2011

OFFICE OF PETITIONS

In re Application of :
Jared Polis, et al. :
Application No. 13/079,304 : DECISION ON PETITION
Filed: April 4, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. Concom-P7-11 : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 5, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the applicant, Samuel Wu declaring that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

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

The application is being forwarded to the Technology Center Art Unit 2447 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/079,351	04/04/2011	Byung Sun AHN	103-1123C	9589

38209 7590 05/25/2011

STANZIONE & KIM, LLP
919 18TH STREET, N.W.
SUITE 440
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
2854	

MAIL DATE	DELIVERY MODE
05/25/2011	PAPER

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

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

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STANZIONE & KIM, LLP
919 18TH STREET, N.W.
SUITE 440
WASHINGTON DC 20006

In re Application of:	:	
Byung S. AHN, *et al.*	:	DECISION ON PETITION TO
Serial No.: 13/079351	:	MAKE SPECIAL FOR NEW
Filed: 4 April 2011	:	APPLICATION UNDER 37
Title: IMAGE FORMING APPARATUS AND METHOD THEREOF	:	C.F.R. § 1.102 & M.P.E.P. § 708.2
	:	

This is a decision on the petition filed on 4 April 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:
1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the application;

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3. include a statement that applicant agrees to make an election without traverse in a telephone interview;

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner; and

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation; and

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

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

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

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists; and

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

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition (section II, subsections 1-5) are considered to have been met. However, the petition fails to comply with the

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all the conditions set forth in section II, subsection 6. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirements of section II, subsection 6.1, the petition is required to provide an information disclosure statement (IDS) in compliance with 37 CFR 1.98. The IDS fails to include a legible copy of either of the cited foreign patent, that is, JP 09-288395 & CN 1501185.

Regarding the requirements of section II, subsection 6.2, the petition is required to identify all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. For example, in reference to US Patent No. 5,196,897, by Trask, it appears that Trask discloses a discharge reversal unit (duplexing mechanism 100 and reverse roller 52) arranged in a rear region of the main body to feed the print medium from the feeding unit toward the rear panel of the main body in a forward direction and to cause the print medium to move in a reverse direction (see col. 4, lines 53-63).

Regarding the requirements of section II, subsection 6.3, the petition is required to provide a detailed explanation of how each of the claims are patentable over each of the references cited with particularity as required by 37 CFR 1.111(b) and (c). That is, the petition must specifically point out specific claim language that patentably distinguishes over the prior art. On top of page 16, in reference to Trask, the AE Support Document states that, "the media sheet bearing print medium bearing page one cannot be 'selectively feed to either the discharge port to discharge the print medium or to a duplex-print circulation path,' but can only be fed to the duplex-print circulation path." If this statement were true, then the media sheet bearing print medium bearing page one would never discharge, and would perpetually circulate through the duplex-print circulation path. Furthermore, this statement appears in direct contradiction to the teachings of Trask. Again see col. 4, lines 53-63, and note that the duplex/simplex select arm 106 determines whether the medium sheet enters either the first reverse path 101 (duplex path) or second reverse paths 102 (discharge path).

DECISION

For the above-stated reasons, the petition is **dismissed**.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petition is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

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Any inquiry regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/079,351	04/04/2011	Byung Sun AHN	103-1123C	9589

38209 7590 07/11/2011

STANZIONE & KIM, LLP
919 18TH STREET, N.W.
SUITE 440
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
2854	

MAIL DATE	DELIVERY MODE
07/11/2011	PAPER

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

The time period for reply, if any, is set in the attached communication.

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STANZIONE & KIM, LLP
919 18TH STREET, N.W.
SUITE 440
WASHINGTON DC 20006

In re Application of:	:	
AHN, *et al.*	:	DECISION ON PETITION TO
Serial No.: 13/079351	:	MAKE SPECIAL FOR NEW
Filed: 4 April, 2011	:	APPLICATION UNDER 37
Title: **IMAGE FORMING APPARATUS AND METHOD THEREOF**	:	C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) filed 4 April 2011, and request for reconsideration of petition decision filed 23 June 2011.

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

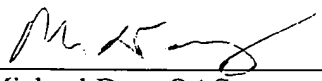
   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.



Michael Day, QAS
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

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PETER K. TRZYNA, ESQ.
P O BOX 7131
CHICAGO IL 60680

MAILED

MAY 1 8 2011

OFFICE OF PETITIONS

In re Application of	:	
Jared Polis, et al.	:	
Application No. 13/079,363	:	DECISION ON PETITION
Filed: April 4, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. Concom-P8-11	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 5, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement from the applicant, Samuel Wu declaring that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 2447 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
Petitions Examiner
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:	13/079,423	Filing date:	April 04, 2011
First Named Inventor:	Masayuki ENDOU		
Title of the Invention:	RESIST MATERIAL AND PATTERN FORMATION METHOD USING THE RESIST MATERIAL		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2009/004214

The international date of the corresponding PCT application(s) is/are: August 28, 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.:	13/079,423
First Named Inventor:	Masayuki ENDOU

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 4, 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 4, 2011

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
4	4	substantially the same
5	5	substantially the same
6	6	substantially the same
7	7	substantially the same
8	8	substantially the same
9	9	substantially the same
10	10	substantially the same
11	11	substantially the same
12	12	substantially the same
13	13	substantially the same
14	14	substantially the same
15	15	substantially the same
16	16	substantially the same
17	17	substantially the same
18	18	substantially the same
19	19	substantially the same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature AAMER S. AHMED 58,958	Date April 15, 2011
for Name (Print/Typed) Michael E. Fogarty	Registration Number 36,139

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.
13/079,423	04/04/2011	Masayuki Endou	085393-0535	9713

7590 06/08/2011

McDERMONTT WILL & EMERY LLP
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER	
ART UNIT	PAPER NUMBER
1722	

MAIL DATE	DELIVERY MODE
06/08/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES 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 8 2011

CT

In re application of	:	DECISION ON REQUEST TO
Masayuki Endou et al	:	PARTICIPATE IN PATENT
Serial No. 13/079,423	:	PROSECUTION HIGHWAY
Filed: April 4, 2011	:	PROGRAM AND
For: RESIST MATERIAL AND PATTERN FORMATION METHOD USING THE RESIST MATERIAL	:	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 April 15, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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 fail because:

(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

It is noted that while a copy of the International Search Report is present in the current application, a copy of the Written Opinion of the International Searching Authority has not been provided.

Furthermore, as a copy of the Written Opinion of the International Searching Authority has not been provided, it is unclear if at least one claim in the PCT application is free of any observations in Box VIII in the latest work product in the international stage. If at least one claim in the PCT application has novelty, inventive step, and industrial applicability and is not free of any observations in Box VIII in the latest work product in the international stage, applicant must identify and explain why the claim(s) is/are not subject to the observations in Box VIII

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) and indexed with the following 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.

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.
13/079,423	04/04/2011	Masayuki Endou	085393-0535	9713

7590 06/16/2011

McDERMONTT WILL & EMERY LLP
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER	
ART UNIT	PAPER NUMBER
1722	

MAIL DATE	DELIVERY MODE
06/16/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES 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 16 2011

CT

In re application of Masayuki Endou et al Serial No. 13/079,423 Filed: April 4, 2011 For: RESIST MATERIAL AND PATTERN FORMATION METHOD USING THE RESIST MATERIAL	: : : : : : :	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a supplemental 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 21, 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.

It is noted that the petition filed on April 21, 2011 was initially dismissed because a copy of the Written Opinion of the International Searching Authority had not been provided. However, upon a review of the file, it is noted that a copy of the Written Opinion of the International Searching Authority was provided by applicant.

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

PETER K. TRZYNA, ESQ.
P O BOX 7131
CHICAGO IL 60680

MAILED

MAY 18 2011

OFFICE OF PETITIONS

In re Application of	:	
Jared Polis, et al.	:	
Application No. 13/079,438	:	DECISION ON PETITION
Filed: April 4, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. Concom-P9-11	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 5, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement from the applicant, Samuel Wu declaring that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 2192 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
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

NIKOLAI & MERSEREAU, P.A.
900 SECOND AVENUE SOUTH
SUITE 820
MINNEAPOLIS, MN 55402

MAILED

JUN 08 2011

OFFICE OF PETITIONS

In re Application of	:	
Kawatra et al.	:	
Application No. 13/079,459	:	ON PETITION
Filed: April 04, 2011	:	
Attorney Docket No. 20080413.DIV	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 4, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement (PTO/SB/130 form) by the applicant's attorney that the applicant is 65 years of age or more. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 1736 for action on the merits commensurate with this decision.

A. Kelley Collier

Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PETER K. TRZYNA, ESQ.
P O BOX 7131
CHICAGO IL 60680

MAILED

MAY 1 8 2011

OFFICE OF PETITIONS

In re Application of :
Jared Polis, et al. :
Application No. 13/079,533 : DECISION ON PETITION
Filed: April 4, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. Concom-P10-11 : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 5, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement from the applicant, Samuel Wu declaring that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 2447 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
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

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED
MAR 12 2012
OFFICE OF PETITIONS

In re Application of :
Kim Soo Ryeol :
Application No. 13/079,550 : ON PETITION
Filed: 04/04/2011 :
Attorney Docket No. 4823-0126PUS1 :

This is in response to the Petition Under 37 C.F.R. § 1.84(a)(2) to Accept Color Drawings and/or Photographs, filed in the United States Patent and Trademark Office (USPTO) on April 4, 2011.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners state that color drawings are necessary because they are the only practical medium by which the subject matter of the present application can be disclosed.

Petitioner's argument has been considered, but is not persuasive. The Office has determined that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. As such, color drawings or photographs are not necessary for an understanding of the invention sought to be patented. The petition is therefore dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2875.

Telephone inquiries regarding this decision should be directed to Senior Petitions Attorney Douglas I. Wood at (571)272-3231.

Jose' G. Dees
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

HUSCH BLACKWELL LLP
HUSCH BLACKWELL SANDERS LLP WELSH & KATZ
120 S RIVERSIDE PLAZA
22ND FLOOR
CHICAGO IL 60606

MAILED

OCT 07 2011

OFFICE OF PETITIONS

In re Application of	:	
Satoru Okamoto et al	:	
Application No. 13/079,552	:	DECISION GRANTING PETITION
Filed: October 4, 2011	:	UNDER 37 CFR 1.313(c)(2)
Attorney Docket No. 0553-0273.02	:	

This is a decision on the petition under 37 CFR 1.313(c)(2), filed October 6, 2011, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). *See* 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on September 14, 2011 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.[1]

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

This application is being referred to Technology Center AU 2871 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed IDS and amendment.

/Karen Creasy/
Karen Creasy
Petitions Examiner
Office of Petitions

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[1] *The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.*

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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CONNOLLY BOVE LODGE & HUTZ LLP
1875 EYE STREET, N.W.
SUITE 1100
WASHINGTON DC 20006

MAILED

FEB 03 2012

OFFICE OF PETITIONS

In re Application of :
Thomas Fritzsching :
Application No. 13/079,617 :
Filed: April 4, 2011 :
Attorney Docket No. 17491-00003-US1 :

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 January 6, 2012, which is being treated as a request to withdraw from employment in a proceeding before the Office under 37 C.F.R. § 10.40.

The request is **DISMISSED**.

A review of the file record indicates that Jennifer A. Harchick does not have power of attorney in this patent application. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

The request to change the correspondence address of record is not accepted in view of Jennifer A. Harchick not having power of attorney. See MPEP §§ 601.03 and 405.

As such, future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant. Additionally, the address given on the request differs from the address of record, therefore, a courtesy copy of this decision is being mailed to the address given on the request; however, the Office will mail all future correspondence solely to the address of record.

Further, it is noted that the request was signed by Jennifer A. Harchick on behalf of herself, but does not include a Customer Number. Accordingly, since the practitioners were appointed by a Customer Number upon filing of the instant application, any Request must reflect withdrawal of practitioners associated with same Customer Number. Additionally, as set forth in MPEP 403(I), the addition or deletion of a practitioner from the list of persons associated with a Customer Number should be done by way of a Request for Customer Number Data Change (PTO/SB/124) and not a Request for Withdrawal As Attorney or Agent and Change of Correspondence Address

(Form PTO/SB/83).

Currently, there is no outstanding Office action that requires a reply.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

cc: Jennifer A. Harchick
7761 White Heron Trail
Alexandria, Virginia 22306

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BLAKELY SOKOLOFF TAYLOR &
ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

MAILED

APR 17 2012

OFFICE OF PETITIONS

In re Application of
Takashi Inagaki
Application No.: 13/079,632
Filed: 4 April 2011
Attorney Docket No.: 8073P1167
For: IMAGE OUTPUT APPARATUS
AND IMAGE OUTPUT 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 6 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:
   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;
3. Examination of the U.S. application has not begun;
4. 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
5. 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.

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.

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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/079,676	04/04/2011	Masaaki IKUTA	SUTOSH.795AUS	1207

20995 7590 10/03/2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER	
ART UNIT	PAPER NUMBER
2482	

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):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com

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www.uspto.gov

Knobbe Martens Olson & Bear LLP
2040 Main Street
Fourteenth Floor
Irvine CA 92614

In re Application of: Ikuta et al.
Application No. 13/079676
Filed: April 04, 2011
For: Electronic Apparatus and Method of Presetting Reception Channel

DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed September 16, 2011, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application for which participation in the PPH program is requested and the corresponding JPO application must have the same priority/filing date;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s); and
   c. A statement that the English translation is accurate;

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as allowable/patentable claim(s) in the JPO application(s);
   b. Note that claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the JPO, or the claims in the USPTO are narrower in scope than the claims in the JPO. In this regard, a claim that is narrower in scope occurs when a JPO claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the JPO is not considered to sufficiently correspond. For example, if the JPO claims only contain claims to a process of manufacturing a product, then the claims in the USPTO are not considered to sufficiently correspond if the

USPTO claims introduce product claims that are dependent on the corresponding process claims; and

c. Submit a claims correspondence table in English;

4. Examination of the U.S. application has not begun;

5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate (if the translation is not a machine translation provided by the JPO);

6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Tod Swann at 571-272-3612.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Tod Swann/
Tod Swann
Quality Assurance Specialist
Technology Center 2400

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MAY 2 3 2011

FAEGRE & BENSON LLP
PATENT DOCKETING - INTELLECTUAL PROPERTY
2200 WELLS FARGO CENTER
90 SOUTH SEVENTH STREET
MINNEAPOLIS MN 55402-3901

In re Application of: James Browning
Application No.: 13/079682
Filed: April 4, 2011
Title: SURGICAL SYSTEM FOR SUPPORTING PELVIC ANATOMY

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on April 4, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.3, 6, 6.1, 6.4, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, 6.2, 6.3, and 6.5 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-6; the "accelerated examination support document" comprising pages 1-19, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 600 subclass 31; class 606 subclasses 139, 140, 141, 142, 143, 144, 152, 153, 154, 155, 156, 157, 158, 232, and 233.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat "the independent claims", nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on www.uspto.gov/web/patents/accelerated/ in "Guidelines for Applicants under the new accelerated examination procedures"):

> *For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are*

not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.

In the instant petition, petitioner does not address each limitation and where it is (or state that it is not) found in each closest prior art. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference.

Additionally, every reference found in the IDS is not discussed. If applicant wishes to cite references that are not required in an AESD for the examiner to consider, applicant may submit such references in a separate IDS in compliance with 37 CFR §1.97 and §1.98. Applicant should clearly identify the IDS of the AESD that is in support of the petition to make special and, similarly, applicant should clearly identify the separate IDS that is not in support of the petition. Consistent with 37 CFR §10.18, any reference submitted in a separate IDS that is not part of an AESD will be treated as a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, the patentability of all the dependent claims is not discussed. While applicant has discussed the references with regard to anticipation for some of the claims, the references are not discussed relative to obviousness as required by 37 CFR 1.111(b) and (c). Petitioner's discussion in section 9(C) indicates what is not shown in individual references and does not collectively discuss the limitations that are patentable relative to obviousness.
A statement that the dependent claims are allowable because the independent claims are patentable is not sufficient. This does not provide guidance to the examiner as to whether the limitations could provide patentability should the examiner find the independent claims unpatentable.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds

support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, the showing of 35 U.S.C. 112 first paragraph support has not been provided for the current application, 13/079682, and for the foreign priority document GB 0025068.8. It is noted that for the current application, the specification does not match the priority document specifications and thus support must be provided separately.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700

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JUL 14 2011

Faegre & Benson LLP
90 South Seventh Street
2200 Wells Fargo Center
Minneapolis MN 55402-3901

In re Application of: James Browning Application No.: 13/079682 Filed: April 4, 2011 Title: SURGICAL SYSTEM FOR SUPPORTING PELVIC ANATOMY	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on June 21, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d). A supplement to the renewed petition was filed on July 13, 2011.

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: UT04012011	Application Number (if known):	Filing date: 04/04/2011

First Named Inventor: Thomas E. Richetti

Title: High Efficiency Reverse Osmosis 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: Eligibility statement per item 3. above

Signature /Philip A Steiner/	Date 04/04/2011
Name (Print/Typed) Philip A Steiner, Esq.	Registration Number 47967

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 01 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PHILIP A STEINER REG #47967
1212 MARSH STREET #3
SAN LUIS OBISPO, CA 93401
(805) 549-8877
(805) 549-8866 (FAX)
ATTORNEY OF RECORD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: US PATENT APPLICATION,	
SERIAL NO.: Unassigned	DATE: April 04, 2011
APPICANT: Thomas E. Richetti	GROUP ART UNIT: Unassigned
FILED: 04/04/2011	EXAMINER: Unassigned
FOR: High Efficiency Reverse Osmosis System	ELIGIBILITY STATEMENT FOR PETITION TO MAKE SPECIAL – GREEN TECHNOLOGY PILOT PROGRAM.
DOCKET: UT04012011	

I, Philip A Steiner, Esq., represent the inventor Thomas E. Richetti in the above referenced patent application (Attorney Docket No. UT04012011). In said patent application, various embodiments of high efficiency reverse osmosis systems are presented which allow for greater utilization and recycling of freshwater generated by the reverse osmosis (RO) process. This freshwater (called concentrate water in applications' specification) is directly discharged and lost as wastewater down drains [0005] in consumer based RO systems, resulting in an 80% loss of otherwise usable fresh water for irrigation and other purposes. The various embodiments presented in applicant's specification allow for recycling of this freshwater in order to recover 40% or more the other waste freshwater, thus enhancing environmental quality without adding waste sodium, chlorides or total dissolved solids to existing wastewater collection systems [0010] or requiring significant use of electrical power. Accordingly, the various embodiments

presented in the application meet the requirements of Category 2 for the more efficient utilization and conservation of energy resources.

Unlike consumer RO units, Commercial RO systems do attempt to recover the concentrate water but require separate recirculating pumps [0009 - 0010; 0013] to recycle the fresh water described above. The recirculating pumps require significant amounts of electrical power in order to recycle the concentrate water thereby generating greenhouse emissions produced by power plants.

In addition, since the various embodiments require no delivery of ion exchange tanks for water softening purposes, vehicular greenhouse emissions are also eliminated. Accordingly, the various embodiments presented in the application meet the requirements of Category 3 for green house gas emission reduction.

Applicant acknowledges 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 for the Green Technology Pilot Program

If the Office has any questions regarding this petition to make special, the Office is invited to contact Applicant's representative at the below listed telephone number. Respect-fully submitted on behalf of Applicant, Thomas E. Richetti this date of April 04, 2011 at San Luis Obispo, California.

/Philip A Steiner/
Philip A Steiner, Esq.
Reg. No. 47,967
Attorney for Applicant
(805) 549-8877
(805) 549-8866 (fax)
pas@cciplaw.com

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office by electronic means on this date of 04/04/2011.
/Philip A Steiner/

Philip A Steiner, Reg. No. 47967

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.
13/079,691	04/04/2011	Thomas E. Richetti	UT04012011	1237

31105 7590 05/25/2011
LAW OFFICE OF PHILIP A STEINER
1212 MARSH STREET
SUITE 3
SAN LUIS OBISPO, CA 93401

EXAMINER	
ART UNIT	PAPER NUMBER
1772	

MAIL DATE	DELIVERY MODE
05/25/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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LAW OFFICE OF PHILIP A STEINER
1212 MARSH STREET
SUITE 3
SAN LUIS OBISPO CA 93401

MAY 25 2011

In re Application of	:	
Richettit	:	DECISION ON PETITION
Application No. 13/079,691	:	TO MAKE SPECIAL UNDER
Filed: 4/4/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **UT04012011**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/4/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Louis Lerman, Allan Brent York, Michael David Henry, Robert Steele, Brian D. Ogonowsky		
Assignee:	Quarkstar, LLC		
Title:	SOLID STATE LIGHT SHEET FOR GENERAL ILLUMINATION HAVING SUBSTRATES FOR CREATING SERIES CONNECTION OF DIES		
Serial No.:	Filed herewith	Filing Date:	April 4, 2011
Examiner:	Not yet assigned	Group Art Unit:	Not yet assigned
Docket No.:	PTE-P-101-3P-1C	Confirmation No.:	

San Jose, California
April 4, 2011

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 23313-1450

PETITION TO MAKE SPECIAL UNDER GREEN TECHNOLOGY PILOT PROGRAM

Dear Commissioner:

A completed form PTO/SB/420 is enclosed herewith requesting that the above-identified application be accepted for the Green Technology Pilot Program for accelerated examination. The below statement provides the additional information requested to qualify for the Program.

The application is a regular utility application filed under 35 USC 111(a).

The application contains three or fewer independent claims and 20 or fewer total claims. The application contains no multiple dependent claims.

Applicants request early publication under 37 CFR 1.219, and the publication fee accompanies this request.

PATENT LAW GROUP LLP
2635 N. FIRST ST.
SUITE 223
SAN JOSE, CA 95134
(408) 382-0480
FAX (408) 382-0481

The patent application relates to a solid state light sheet or strip, containing many LEDs in series, that may be used to replace the standard 2x4 foot fluorescent fixtures found

in almost every office building or replace incandescent bulbs. The yearly market for such conventional lamps in the United States is billions of units. The inventors have invented the first practical light sheet or strip that is cost-effective enough to be a viable replacement for the standard 2x4 foot fluorescent fixtures or incandescent bulbs. The increased energy efficiency of the light sheets/strips is part of the cost-effectiveness calculation. Furthermore, fluorescent lamps contain mercury, which requires special disposal procedures that add to the energy costs. As described below, the total energy savings by companies in America using the light sheet are extremely high.

LED lighting has the potential to dramatically reduce energy consumption in the United States due to its much higher efficiency with respect to conventional light sources such as incandescent, halogen and fluorescent lamps. A study commissioned by DOE in 2009 (Navigant Consulting, February 2010) estimated that demand for fluorescent lighting in commercial applications in 2010 is approximately 22,000 teralumen-hours (2.2×10^{16} lumen-hours), with projected growth to approximately 25,000 teralumen-hours in 2020. Average fluorescent lamp efficacy is estimated by the study at 71 lm/W in 2010, increasing to 75 lm/W in 2020. Assuming an average troffer efficiency of 75% (ranges from 65% in the DOE CALiPER test noted above to 85% for high-efficiency T5 troffers), the average efficacy for fluorescent troffers would be 53 lm/W in 2010 and 56 lm/W in 2020. Based on DOE estimates of efficacy improvements in white LEDs between 2010 and 2020, the luminous efficacy of the LED light sheet should reach113 lm/W by 2015, and 153 lm/W by 2020.

Assuming a projected demand for commercial fluorescent-type lighting of 25,000 teralumen-hours in 2020, a market penetration of 20% of the installed base of fluorescent troffers by LED light sheets in that year would result in a reduction of electricity demand of 52 terawatt-hours per year. This is the amount of electricity produced annually by eight 1,000-MW power plants. The reduction in primary energy (coal, oil, gas, etc.) consumption would be 0.56 quads (0.56×10^{15} Btu) in 2020.

The claims, all directed to LED lighting devices, are broader than a solid light sheet that can be used to replace a 2x4 troffer, and the claimed structures/methods can be used to replace virtually any non-solid state light while being more efficient.

PATENT LAW
GROUP LLP
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SUITE 223
SAN JOSE, CA 95134
(408) 382-0480
FAX (408) 382-0481

If there are any questions, please call the undersigned at (408) 382-0480 ex202.

Certificate of Electronic Transmission	
I hereby certify that this correspondence is being submitted electronically to the United States Patent and Trademark Office on the date shown below.	
/Brian D Ogonowsky/	April 4, 2011
Attorney for Applicant(s)	Date

Respectfully submitted,

/Brian D Ogonowsky/

Brian D Ogonowsky
Attorney for Applicant(s)
Reg. No. 31,988

PATENT LAW GROUP LLP
2635 N. FIRST ST.
SUITE 223
SAN JOSE, CA 95134
(408) 382-0480
FAX (408) 382-0481

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: PTE-P-101-3P-1C	Application Number (if known):	Filing date: April 4, 2011
First Named Inventor: Louis Lerman		
Title: Solid State Light Sheet for General Illumination Having Substrates for Creating Series Connection of Dies		

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: Description of why invention qualifies under program by conserving energy

Signature /Brian D Ogonowsky/	Date April 4, 2011
Name (Print/Typed) Brian D. Ogonowsky	Registration Number 31,988

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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/079,706	04/04/2011	Louis Lerman	PTE-P-101-3P-1C	1275

7590 05/10/2011

Brian D. Ogonowsky
Patent Law Group LLP
Suite 223
2635 North First Street
San José, CA 95134-2049

EXAMINER	
ART UNIT	PAPER NUMBER
2811	

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.

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www.uspto.gov

Brian D. Ogonowsky
Patent Law Group LLP
Suite 223
2635 North First Street
San Jose CA 95134-2049

In re Application of	:	
LERMAN et al.	:	DECISION ON PETITION
Application No. 13/079,706	:	TO MAKE SPECIAL UNDER
Filed: April 04, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. PTE-P-101-3P-1C	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 04, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2811 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Louis Lerman, Allan Brent York, Michael David Henry, Robert Steele, Brian D. Ogonowsky		
Assignee:	Quarkstar, LLC		
Title:	SOLID STATE LIGHT SHEET FOR GENERAL ILLUMINATION HAVING METAL INTERCONNECTOR THROUGH LAYER FOR CONNECTING DIES IN SERIES		
Serial No.:	Filed herewith	Filing Date:	April 4, 2011
Examiner:	Not yet assigned	Group Art Unit:	Not yet assigned
Docket No.:	PTE-P-101-3P-2C	Confirmation No.:	

San Jose, California
April 4, 2011

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 23313-1450

PETITION TO MAKE SPECIAL UNDER GREEN TECHNOLOGY PILOT PROGRAM

Dear Commissioner:

A completed form PTO/SB/420 is enclosed herewith requesting that the above-identified application be accepted for the Green Technology Pilot Program for accelerated examination. The below statement provides the additional information requested to qualify for the Program.

The application is a regular utility application filed under 35 USC 111(a).

The application contains three or fewer independent claims and 20 or fewer total claims. The application contains no multiple dependent claims.

Applicants request early publication under 37 CFR 1.219, and the publication fee accompanies this request.

PATENT LAW GROUP LLP
2635 N. FIRST ST.
SUITE 223
SAN JOSE, CA 95134
(408) 382-0480
FAX (408) 382-0481

The patent application relates to a solid state light sheet or strip, containing many LEDs in series, that may be used to replace the standard 2x4 foot fluorescent fixtures found

in almost every office building or replace incandescent bulbs. The yearly market for such conventional lamps in the United States is billions of units. The inventors have invented the first practical light sheet or strip that is cost-effective enough to be a viable replacement for the standard 2x4 foot fluorescent fixtures or incandescent bulbs. The increased energy efficiency of the light sheets/strips is part of the cost-effectiveness calculation. Furthermore, fluorescent lamps contain mercury, which requires special disposal procedures that add to the energy costs. As described below, the total energy savings by companies in America using the light sheet are extremely high.

LED lighting has the potential to dramatically reduce energy consumption in the United States due to its much higher efficiency with respect to conventional light sources such as incandescent, halogen and fluorescent lamps. A study commissioned by DOE in 2009 (Navigant Consulting, February 2010) estimated that demand for fluorescent lighting in commercial applications in 2010 is approximately 22,000 teralumen-hours (2.2×10^{16} lumen-hours), with projected growth to approximately 25,000 teralumen-hours in 2020. Average fluorescent lamp efficacy is estimated by the study at 71 lm/W in 2010, increasing to 75 lm/W in 2020. Assuming an average troffer efficiency of 75% (ranges from 65% in the DOE CALiPER test noted above to 85% for high-efficiency T5 troffers), the average efficacy for fluorescent troffers would be 53 lm/W in 2010 and 56 lm/W in 2020. Based on DOE estimates of efficacy improvements in white LEDs between 2010 and 2020, the luminous efficacy of the LED light sheet should reach113 lm/W by 2015, and 153 lm/W by 2020.

Assuming a projected demand for commercial fluorescent-type lighting of 25,000 teralumen-hours in 2020, a market penetration of 20% of the installed base of fluorescent troffers by LED light sheets in that year would result in a reduction of electricity demand of 52 terawatt-hours per year. This is the amount of electricity produced annually by eight 1,000-MW power plants. The reduction in primary energy (coal, oil, gas, etc.) consumption would be 0.56 quads (0.56×10^{15} Btu) in 2020.

The claims, all directed to LED lighting devices, are broader than a solid light sheet that can be used to replace a 2x4 troffer, and the claimed structures/methods can be used to replace virtually any non-solid state light while being more efficient.

PATENT LAW
GROUP LLP
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SAN JOSE, CA 95134
(408) 382-0480
FAX (408) 382-0481

If there are any questions, please call the undersigned at (408) 382-0480 ex202.

Certificate of Electronic Transmission	
I hereby certify that this correspondence is being submitted electronically to the United States Patent and Trademark Office on the date shown below.	
/Brian D Ogonowsky/	April 4, 2011
Attorney for Applicant(s)	Date

Respectfully submitted,

/Brian D Ogonowsky/

Brian D Ogonowsky
Attorney for Applicant(s)
Reg. No. 31,988

PATENT LAW GROUP LLP
2635 N. FIRST ST.
SUITE 223
SAN JOSE, CA 95134
(408) 382-0480
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Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: PTE-P-101-3P-2C	Application Number (if known):	Filing date: April 4, 2011
First Named Inventor: Louis Lerman		
Title: Solid State Light Sheet for General Illumination Having Metal Interconnector Through Layer for Connecting Dies in Series		

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: Description of why invention qualifies under program by conserving energy

Signature /Brian D Ogonowsky/	Date April 4, 2011
Name (Print/Typed) Brian D. Ogonowsky	Registration Number 31,988

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.
13/079,717	04/04/2011	Louis Lerman	PTE-P-101-3P-2C	1288

7590 05/10/2011

Brian D. Ogonowsky
Patent Law Group LLP
Suite 223
2635 North First Street
San Jose, CA 95134-2049

EXAMINER	
ART UNIT	PAPER NUMBER
2811	

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.

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Alexandria, VA 22313-1450
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Brian D. Ogonowsky
Patent Law Group LLP
Suite 223
2635 North First Street
San Jose CA 95134-2049

In re Application of	:	
LERMAN et al.	:	DECISION ON PETITION
Application No. 13/079,717	:	TO MAKE SPECIAL UNDER
Filed: April 04, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. PTE-P-101-3P-2C	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 04, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2811 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KENNETH C. SPAFFORD
708 SMITHSON AVENUE
ERIE PA 16511

MAILED

MAY 10 2011

OFFICE OF PETITIONS

In re Application of	:	
Anthony et al.	:	
Application No. 13/079,789	:	ON PETITION
Filed: April 4, 2011	:	
Attorney Docket No. 10016-0022	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 6, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the applicant's attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 2836 for action on the merits commensurate with this decision.

Liana Walsh
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NORTH SHORE PATENTS, P.C.
P.O. BOX 683
MARBLEHEAD, MA 01945

MAILED
JUL 19 2011
OFFICE OF PETITIONS

In re Application of
Christopher Batey et al
Application No. 13/079,794
Filed: April 4, 2011
Attorney Docket No.
GB920100004US1/IBM031

DECISION NOTING JOINDER OF INVENTOR AND PETITION UNDER 37 CFR 1.47(a) MOOT

Papers filed on May 16, 2011 include a Declaration signed by a previously non-signing inventor, Christopher Batey, is in compliance with 37 CFR 1.63.

The petition is **DISMISSED AS MOOT.**

In view of the joinder of the inventors, further consideration under 37 CFR 1.47(a) is moot; this application does not have any rule 1.47(a) status. This application need not be returned to this office for any further consideration under 37 CFR 1.47(a).

This matter is being referred to Technology Center AU 2447 for examination in due course.

Telephone inquiries related to this decision should be directed to Irvin Dingle at (571) 272-3210.

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.
13/079,795	04/04/2011	Jin-Ki Kim	1333-02US-000-00	1456

68256 7590 01/10/2012

MOSAID TECHNOLOGIES INCORPORATED
11 HINES ROAD
Suite 203
Ottawa, ON K2K-2X1
CANADA

EXAMINER	
ART UNIT	PAPER NUMBER
2827	

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):

ipadmin@mosaid.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

MOSAID TECHNOLOGIES INCORPORATED
11 HINES ROAD
Suite 203
Ottawa ON K2K-2X1 CA CANADA

Applicant: Kim
Appl. No.: 13/079,795
Filing Date: April 4, 2011
Title: THREE-DIMENSIONAL PHASE CHANGE MEMORY
Attorney Docket No.: 1333-02US-000-00
Pub. No.: US 2011/0242885 A1
Pub. Date: October 6, 2011

This is a decision on the request for republication of patent application publication under 37 CFR 1.221(a), filed on January 3, 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: 01/13/2012 KKING1
01/03/2012 INTEFSW 00010015 504154 13079795
01 FC:1504 300.00 CR

Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan

The United States Patent and Trademark Office (USPTO) considers the effects of the earthquake and resulting tsunami in Japan on March 11, 2011, to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146 for affected patent and trademark applicants, patentees, reexamination parties, and trademark owners. Since this catastrophic event occurred outside the United States and did not result in a postal service interruption in the United States Postal Service, the USPTO has no authority to designate a postal service emergency as authorized by 35 U.S.C. 21(a).

For patent applications and reexamination proceedings pending in the USPTO as of March 11, 2011, having one or more inventors, an assignee, or a correspondence address in areas of Japan affected by the earthquake and tsunami, in which a reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding, and for which the statutory or non-statutory time period set for response has not yet expired, the USPTO will, on applicant's request, or a reexamination party's request, withdraw the Office communication and reissue it. The request must be made prior to expiration of the statutory or non-statutory time period set for response and within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956). The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice will be treated as a representation that the need for the reissuance of the Office communication was due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Form PTO/SB/425 will be available in EFS-Web and on the USPTO Web site at http://www.uspto.gov/forms/index.jsp. The use of form PTO/SB/425 is encouraged to facilitate processing of the request.

For patentees who were unable to timely pay a patent maintenance fee due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee and the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment when the patentee files the maintenance fee payment with a petition to accept a delayed maintenance fee under 37 CFR 1.378(c). *See* 37 CFR 1.183.

Patentees who seek to pay a maintenance fee during the six-month grace period following the window to pay the maintenance fee with a request to waive the surcharge in 37 CFR 1.20(h), must mail the payment and request to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or via facsimile to: 571-273-6500.

The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice with the payment of the maintenance fee during the grace period will be treated as a representation that the late payment of the fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(h). This waiver may only be appropriately requested where the original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011, and the delay in paying the fee was due to the effects of the earthquake and tsunami of March 11, 2011.

The USPTO advises patentees who need to file a petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami of March 11, 2011, where the maintenance fee payment was required to have been paid after March 10, 2011, to promptly file a petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/*66* – **Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))** accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)) and either a copy of this notice or form PTO/SB/425. The inclusion of a copy of this notice will be treated as a representation that the delay in payment of the maintenance fee was due to the effects of the earthquake and resulting tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(i). The petition must filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

Patentees are reminded that a petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c). A petition to accept a delayed maintenance fee payment filed later than twenty-four months after the expiration date of the patent must be filed under 37 CFR 1.378(b) and include a showing that the delay in payment was unavoidable. A petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami may be submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

For applicants who file a nonprovisional application on or after March 11, 2011, and prior to April 12, 2011, without an executed oath or declaration or payment of the basic filing fee, search fee, and/or examination fee due to the earthquake and tsunami of March 11, 2011, the USPTO will waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee. Patent applicants seeking waiver of the surcharge must include either form PTO/SB/425 or a copy of this notice, along with the executed oath or declaration or the basic filing fee,

search fee, or examination fee. The inclusion of a copy of this notice will be treated as a representation that the late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.16(f). The reply to the Notice to File Missing Parts requiring the oath or declaration or the filing fees may be submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent-related inquiries concerning this notice may be directed to the Office of Patent Legal Administration at (571) 272-7704 ((571) 272-7703 for reexamination), or by e-mail at PatentPractice@uspto.gov.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, in which a an Office action (final, non-final, or other), a notice of allowance, or other Office notice requiring a response (hereinafter collectively referred to as "Office communication") is outstanding, the USPTO will, upon request, withdraw the Office communication and reissue it. The request must be made prior to the deadline for responding to the Office communication, and indicate that the need for the reissuance of the Office communication is due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via e-mail to TMFeedback@uspto.gov or by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451. If necessary, changes of correspondence address should be provided.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, that were abandoned or cancelled due to inability to timely respond to a trademark-related Office communication due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the petition fee (set by regulation, rather than statute) to revive the abandoned application or cancelled registration. Either a petition by regular mail to the address set forth in the preceding paragraph, or the Trademark Electronic Application System (TEAS) "Request for Reinstatement" form should be used, and must include a verified statement that the failure to respond to the Office communication was due to the effects of the earthquake and resulting tsunami.

Trademark-related inquiries concerning this notice may be directed to the Trademark Office of Petitions by telephone at (571) 272-8950, by facsimile at (571) 273-8950, or by e-mail at TMFeedback@uspto.gov.

The USPTO cannot grant waivers or extensions of dates or requirements set by statute. For example, the following patent-related time periods cannot be extended by the Director: (1) the period set forth in 35 U.S.C. 119(a)-(d) to file a nonprovisional patent application claiming the benefit of a prior-filed foreign application; (2) the twelve-month time period set forth in 35 U.S.C. 119(e) during which a nonprovisional application claiming the benefit of a prior filed provisional application must be filed in order to

obtain benefit of the provisional application's filing date; (3) the copendency requirement of 35 U.S.C. 120 between a parent application which issues as a patent and a later filed child application, which requires that the child application be filed prior to issuance of the parent application; (4) the three-month time period to pay the issue fee set forth in 35 U.S.C. 151; (5) the 35 U.S.C. 304 two-month time period from the date of patentee service, for a requester to file, in an *ex parte* reexamination, a reply to a statement filed by the patentee; and (6) the 35 U.S.C. 314(b)(2) thirty-day time period from the date of service, for a requester to file, in an *inter partes* reexamination, written comments addressing issues raised by an Office action or the patentee's response to the action. The following statutory trademark-related time periods cannot be extended and statutory fees cannot be waived by the Director: (1) the 36-month period set forth in 15 U.S.C. 1051(d) within which a statement of use must be filed and the associated fee(s); (2) the periods set forth in 15 U.S.C. 1058, 1141(k) for filing affidavits of continued use or excusable nonuse and the associated fee(s); (3) the period set forth in 15 U.S.C. 1059 for filing a renewal and the associated fee(s); and (4) the periods set forth in 15 U.S.C. 1063 and 1064 for filing an opposition or cancellation proceeding at the Trademark Trial and Appeal Board.

Date: 3/17/11

David J. Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DITTHAVONG MORI & STEINER, P.C.
918 PRINCE STREET
ALEXANDRIA VA 22314

MAILED

JUN 23 2011

OFFICE OF PETITIONS

In re Application of :
Ohkubo et al. :
Application No. 13/079,815 : DECISION ON PETITION
Filed: April 5, 2011 :
Attorney Docket No. P5235US00 :

This is a decision on the request filed June 17, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on April 5, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [x] basic filing fee, [x] search fee and/or [x] examination fee

The relevant item(s) was/were filed on June 17, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

PATENT COOPERATION TREATY

CENTRAL DOCKETING
ATTY A&I CONTACT:
DATE REC'D: AUG 23 2011
☐ FAX ☐ MAIL ☒ FILE
PCT

From the INTERNATIONAL SEARCHING AUTHORITY

To:
THE PROCTER & GAMBLE COMPANY
Global Patent Services
299 E. Sixth Street, Sycamore Bldg., 4th Floor
Cincinnati OH 45202
ETATS-UNIS D'AMERIQUE

GCPE: GE/MWG (LWLS)

AJM-1, JWP SCAN

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 11679ML-SK	Date of mailing *(day/month/year)* 16 August 2011 (16-08-2011)
International application No. PCT/US2011/031174	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
Applicant THE PROCTER & GAMBLE COMPANY	International filing date *(day/month/year)* 5 April 2011 (05-04-2011)

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 338.82.70

   For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. ☐ The applicant is hereby notified that no International search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

   Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

   In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

   For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Name and mailing address of the International Searching Authority European Patent Office, P.B 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer GERAR, Naziha Tel: +31 (0)70 340-4579

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.
11679ML-SK		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2011/031174	05/04/2011	06/04/2010

Applicant

THE PROCTER & GAMBLE COMPANY

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the international Bureau.

This international search report consists of a total of 4 sheets.

[X] it is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      [X] the international application in the language in which it was filed
      [ ] a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. [ ] This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. [ ] With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. [ ] **Certain claims were found unsearchable** (See Box No. II)

3. [ ] **Unity of invention is lacking** (see Box No III)

4. With regard to the **title**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,
   a. the figure of the **drawings** to be published with the abstract is Figure No. _____
      [ ] 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/US2011/031174

A. CLASSIFICATION OF SUBJECT MATTER
INV. C11D3/37 C11D3/386 C11D3/39 C11D17/00
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/49817 A2 (BASF AG [DE]; JAHNS EKKEHARD [DE]; BOECKH DIETER [DE]; BERTLEFF WERNER) 12 July 2001 (2001-07-12)	13
A	claims 1-9	1-12,14, 15
X	WO 2006/063483 A1 (GIVAUDAN SA [CH]; DOW CORNING [US]; DUMAS KRIKORIAN SANDRINE [FR]; GEF) 22 June 2006 (2006-06-22)	13
A	claims 1-8	1-12,14, 15
X	US 2005/112152 A1 (POPPLEWELL LEWIS M [US] ET AL) 26 May 2005 (2005-05-26)	13
A	paragraph [0071] paragraph [0119]	1-12,14, 15

-/--

[X] Further documents are listed in the continuation of Box C. [X] See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier document but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
8 August 2011	16/08/2011

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Richards, Michael

1

Form PCT/ISA/210 (second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2011/031174

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2008/005693 A2 (COLGATE PALMOLIVE CO [US]; FAROOQ AMJAD [US]; HEIBEL MARIJA [US]; PEET) 10 January 2008 (2008-01-10)	13
A	paragraph [0029]	1-12,14, 15
X	WO 2007/062833 A1 (UNILEVER PLC [GB]; UNILEVER NV [NL]; LEVER HINDUSTAN LTD [IN]; FERGUSO) 7 June 2007 (2007-06-07)	13
A	page 14, line 22; claims 1-3	1-12,14, 15
A	ZHANG Z ET AL: "Mechanical properties of Melamine-formaldehyde microcapsules", JOURNAL OF MICROENCAPSULATION, TAYLOR AND FRANCIS, BASINGSTOKE, GB, vol. 18, no. 5, 1 January 2001 (2001-01-01), pages 59<3>-602, XP008139505, ISSN: 0265-2048 cited in the application whole document	1
A,P	WO 2011/020652 A1 (UNILEVER PLC [GB]; UNILEVER NV [NL]; UNILEVER HINDUSTAN [IN]; FERGUSON) 24 February 2011 (2011-02-24) claims 1-13	1-15

1

Form PCT/ISA/210 (continuation of second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2011/031174

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 0149817 A2	12-07-2001	DE 10000223 A1	12-07-2001
		EP 1244768 A2	02-10-2002
		ES 2225464 T3	16-03-2005
		JP 2003524689 A	19-08-2003
		US 2003125222 A1	03-07-2003
WO 2006063483 A1	22-06-2006	CN 101098955 A	02-01-2008
		EP 1828370 A1	05-09-2007
		JP 2008524343 A	10-07-2008
		KR 20070089696 A	31-08-2007
US 2005112152 A1	26-05-2005	AT 399846 T	15-07-2008
		CN 1689693 A	02-11-2005
		ES 2308120 T3	01-12-2008
		US 2005153135 A1	14-07-2005
WO 2008005693 A2	10-01-2008	AU 2007269428 A1	10-01-2008
		CA 2656326 A1	10-01-2008
		CN 101506344 A	12-08-2009
		EP 2046935 A2	15-04-2009
		RU 2009102970 A	10-08-2010
		ZA 200900074 A	31-03-2010
WO 2007062833 A1	07-06-2007	AR 056827 A1	24-10-2007
		CA 2630581 A1	07-06-2007
		CN 101336287 A	31-12-2008
		EP 1954796 A1	13-08-2008
		EP 2319910 A2	11-05-2011
		US 2009275494 A1	05-11-2009
		ZA 200804678 A	27-01-2010
WO 2011020652 A1	24-02-2011	NONE	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Applicant's or agent's file reference see form PCT/ISA/220	Date of mailing *(day/month/year)* see form PCT/ISA/210 (second sheet) **FOR FURTHER ACTION** See paragraph 2 below
International application No. PCT/US2011/031174	International filing date *(day/month/year)* 05.04.2011
Priority date *(day/month/year)* 06.04.2010	
International Patent Classification (IPC) or both national classification and IPC INV. C11D3/37 C11D3/386 C11D3/39 C11D17/00	
Applicant THE PROCTER & GAMBLE COMPANY	

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	see form PCT/ISA/210	Richards, Michael Telephone No. +31 70 340-4267

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2011/031174

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a)).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      ☐ on paper

      ☐ in electronic form

   b. (time)

      ☐ in the international application as filed

      ☐ together with the international application in electronic form

      ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-12, 14, 15
	No:	Claims	13
Inventive step (IS)	Yes:	Claims	1-12, 14, 15
	No:	Claims	13
Industrial applicability (IA)	Yes:	Claims	1-15
	No:	Claims	

2. Citations and explanations

see separate sheet

Item V

Reference is made to the following documents:

D1 WO 01/49817 A2

D2 WO 2006/063483 A1

D3 US 2005/112152 A1

D4 WO 2008/005693 A2

D5 WO 2007/062833 A1

D6 ZHANG Z ET AL: "Mechanical properties of Melamine-formaldehyde microcapsules", JOURNAL OF MICROENCAPSULATION, TAYLOR AND FRANCIS, BASINGSTOKE, GB, vol. 18, no. 5, 1 January 2001 (2001-01-01), pages 59 3-602, XP008139505, ISSN: 0265-2048 cited in the application

Novelty (Article 33(2) PCT)

No novelty objections are raised against claims 1- 12, 14 and 15 in view of the cited art.

Objection however arises against claim 13 which lays claim to a situs treated with a consumer product according to any preceding claim. Such a claim construction is considered as a product by process type claim which may only be allowable if the product is per se novel, see PCT/GL/ISPE/1 5.26. Any of D1 - D5 may thus read onto said claim as all of said documents concern means for treating a situs.

Claim 13 is thus found to lack novelty.

Inventivity (Article 33(3) PCT)

The current application concerns the provision of melamine-formaldehyde encapsulates having solid water soluble benefit agents encapsulated therein.

Microcapsule preparations comprising perfumes and a condensate of melamine-formaldehyde are known from D1, see claim 1. D1 further adds that additional dersive adjuvants may be present in the detersive compositions also comprising the microcapsules. D1 does not however suggest the currently claimed combination of solid water soluble benefit agent and a protective suspension agent encapsulated within a cross-linked melamine formaldehyde shell.

Furthermore although encapsulates of perfume/fragrance and polysiloxane are known from D2 there is no suggestion to add further solid water soluble benefit agents to the encapsulates claimed therein and then to further enrobe in a melamine-formaldehyde shell.

It is thus considered that the subject matter of claim 1, 12, 14 and 15 involves an inventive step.

Possible steps after receipt of the international search report (ISR) and written opinion of the International Searching Authority (WO-ISA)

General information	For all international applications filed on or after 01/01/2004 the competent ISA will establish an ISR. It is accompanied by the WO-ISA. Unlike the former written opinion of the IPEA (Rule 66.2 PCT), the WO-ISA is not meant to be responded to, but to be taken into consideration for further procedural steps. This document explains about the possibilities.
Amending claims under Art. 19 PCT	Within 2 months after the date of mailing of the ISR and the WO-ISA the applicant may file amended claims under Art. 19 PCT directly with the International Bureau of WIPO. The PCT reform of 2004 did not change this procedure. For further information please see Rule 46 PCT as well as form PCT/ISA/220 and the corresponding Notes to form PCT/ISA/220.
Filing a demand for international preliminary examination	In principle, the WO-ISA will be considered as the written opinion of the IPEA. This should, in many cases, make it unnecessary to file a demand for international preliminary examination. If the applicant nevertheless wishes to file a demand this must be done before expiry of 3 months after the date of mailing of the ISR/WO-ISA or 22 months after priority date, whichever expires later (Rule 54bis PCT). Amendments under Art. 34 PCT can be filed with the IPEA as before, normally at the same time as filing the demand (Rule 66.1 (b) PCT). If a demand for international preliminary examination is filed and no comments/amendments have been received the WO-ISA will be transformed by the IPEA into an IPRP (International Preliminary Report on Patentability) which would merely reflect the content of the WO-ISA. The demand can still be withdrawn (Art. 37 PCT).
Filing informal comments	After receipt of the ISR/WO-ISA the applicant may file informal comments on the WO-ISA directly with the International Bureau of WIPO. These will be communicated to the designated Offices together with the IPRP (International Preliminary Report on Patentability) at 30 months from the priority date. Please also refer to the next box.
End of the international phase	At the end of the international phase the International Bureau of WIPO will transform the WO-ISA or, if a demand was filed, the written opinion of the IPEA into the IPRP, which will then be transmitted together with possible informal comments to the designated Offices. The IPRP replaces the former IPER (international preliminary examination report).
Relevant PCT Rules and more information	Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003

BNSDOCID: <XS_... 200704010CK_I >

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:	13/079,877	Filing date:	April 5, 2011
First Named Inventor:	Johan Smets		
Title of the Invention:	Encapsulates		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/031174

The international filing date of the corresponding PCT application(s) is/are: April 5, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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.:	13/079,877
First Named Inventor:	Johan Smets

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 September 15, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on September 15, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 has all the same limitations as claim 1 of the corresponding PCT application.
2-7, 9 and 12	1	US Claims 2-7, 9 and 12 have all the same limitations as set out in the preferably language of claim 1 of the corresponding PCT application.
8	2	US Claim 8 has all the same limitations as claim 2 of the corresponding PCT application.
10	3	US Claim 10 has all the same limitations as claim 1 of the corresponding PCT application.
11	3	US Claim 11 has all the same limitations as set out in the preferably language of claim 3 of the corresponding PCT application.
13 and 14	4	US Claims 13 and 14 have all the same limitations as claim 4 of the corresponding PCT application.
15	5	US Claim 15 has all the same limitations as claim 5 of the corresponding PCT application.
16	6	US Claim 16 has all the same limitations as claim 6 of the corresponding PCT application.
17	7	US Claim 17 has all the same limitations as claim 7 of the corresponding PCT application.
18	8	US Claim 18 has all the same limitations as claim 8 of the corresponding PCT application.
19	9	US Claim 19 has all the same limitations as claim 9 of the corresponding PCT application.
20	10	US Claim 20 has all the same limitations as claim 10 of the corresponding PCT application.
21	12	US Claim 21 has all the same limitations as claim 12 of the corresponding PCT application.
22	14	US Claim 22 has all the same limitations as claim 14 of the corresponding PCT application.
23	15	US Claim 23 has all the same limitations as claim 15 of the corresponding PCT application.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Andrew J. Mueller/	Date September 29, 2011
Name (Print/Typed) Andrew J. Mueller	Registration Number 56,774

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.
13/079,877	04/05/2011	Johan SMETS	11679ML	1646

27752 7590 11/10/2011

THE PROCTER & GAMBLE COMPANY
Global Legal Department - IP
Sycamore Building - 4th Floor
299 East Sixth Street
CINCINNATI, OH 45202

EXAMINER	
ART UNIT	PAPER NUMBER
1761	

MAIL DATE	DELIVERY MODE
11/10/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

11/10/11

WG

In re application of	:	DECISION ON REQUEST TO
Johan Smets et al.	:	PARTICIPATE IN PATENT
Serial No. 13/079,877	:	PROSECUTION HIGHWAY
Filed: April 5, 2011	:	PROGRAM AND
For: ENCAPSULATES	:	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 September 29, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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 fail because Applicant has not submitted a copy of the claims from the PCT application that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language. The request to participate in the PPH program states that a copy of the claims is attached but no such copy filed on September 29, 2011 or any other date is contained in the file.

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 within the time period given, the application will await action in its regular turn.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	13/079,877
Inventor(s)	:	Johan (NMN) SMETS *et al.*
Filed	:	April 5, 2011
Art Unit	:	1761
Examiner	:	Not Yet Assigned
Docket No.	:	11679ML
Confirmation No.	:	1646
Customer No.	:	27752
Title	:	ENCAPSULATES

LETTER TO ACCOMPANY SUBMISSION
OF THE CORRESPONDING PCT CLAIMS

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REMARKS

In response to the Office Action mailed on November 10, 2011, Applicants hereby submit a copy of the claims from the corresponding PCT application that have novelty, inventive step, and industrial applicability. These claims were originally submitted to the PCT in English, so a translation is not necessary.

It is believed that this submission cures the deficiency referenced in the Office Action of November 10, 2011. However, if this is not the case, the Office is encouraged to contact the undersigned.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By */Andrew J. Mueller/*
Andrew J. Mueller
Registration No. 56,774
(513) 983-6851

Date: November 22, 2011
Customer No. 27752

UNITED STATES PATENT AND TRADEMARK OFFICE

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HESPOS & PORCO LLP
110 West 40th Street
Suite 2501
NEW YORK NY 10018

MAILED

JUN 15 2011

OFFICE OF PETITIONS

In re Application of :
Takahiro Kikuchi :
Application Number: 13/079,884 :
Deposited: 04/05/2011 : DECISION ON PETITION
Attorney Docket Number: FP10-203US :

This is a decision on the "PETITION UNDER RULE 57(a) TO ADD INADVERTENTLY OMITTED MATERIAL" filed on May 5, 2011, requesting that the above-identified application be accorded a filing date of April 5, 2011.

BACKGROUND

On April 5, 2011, the application was deposited. The application papers comprised, *inter alia*, 15 pages of specification, including 3 pages containing claims, and an Application Data Sheet (ADS) which includes a claim of foreign priority to prior-filed Japanese application No. 2010-087773, filed on April 6, 2010.

Accordingly, on April 14, 2011, the Office of Patent Application Processing (OPAP) mailed a Notice of Incomplete Nonprovisional Application, stating the application had not been accorded a filing date because the application was deposited without drawings, as required by 35 U.S.C. 113, where necessary for an understanding of the subject matter sought to be patented.

On May 5, 2011, the subject petition under 37 CFR 1.57(a) was filed. Petitioner concedes that drawings were inadvertently omitted from the application papers deposited on April 5, 2011, but requests a filing date of April 5, 2011, because the application claims priority to the above-referenced prior-filed foreign application. Petitioner has also supplied a copy of the foreign Japanese application, an English translation of the foreign Japanese application, and a preliminary amendment, including nine (9) sheets of drawings.

Relying on §1.57(a), applicant asserts that the specification is effectively incorporated by reference.

OPINION

37 CFR 1.57 states, in pertinent part:

> (a) Subject to the conditions and requirements of this paragraph, if all or a portion of the specification or drawing(s) is inadvertently omitted from an application, but the application contains a claim under § 1.55 for priority of a prior-filed foreign application, or a claim under § 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application, that was present on the filing date of the application, and the inadvertently omitted portion of the specification or drawing(s) is completely contained in the prior-filed application, the claim under § 1.55 or § 1.78 shall also be considered an incorporation by reference of the prior-filed application as to the inadvertently omitted portion of the specification or drawing(s).
>
> (1) The application must be amended to include the inadvertently omitted portion of the specification or drawing(s) within any time period set by the Office, but in no case later than the close of prosecution as defined by § 1.114(b), or abandonment of the application, whichever occurs earlier. The applicant is also required to:
>
> (i) Supply a copy of the prior-filed application, except where the prior-filed application is an application filed under 35 U.S.C. 111;
>
> (ii) Supply an English language translation of any prior-filed application that is in a language other than English; and
>
> (iii) Identify where the inadvertently omitted portion of the specification or drawings can be found in the prior-filed application.
>
> ...
>
> (3) If an application is not otherwise entitled to a filing date under § 1.53(b), the amendment must be by way of a petition pursuant to this paragraph, accompanied by the fee set forth in § 1.17(f).

(emphasis added)

A review of the application as filed reveals that it included, in the Application Data Sheet filed with the original application papers deposited on March 3, 2011, a claim to benefit of the prior-filed foreign Japanese application, No. 2010-087773, filed on April 6, 2010.

In view thereof, the petition under § 1.57(a) is **GRANTED**. The amendment will be entered in due course.

Receipt of the petition fee is acknowledged.

This application is being forwarded to the Office of Patent Application Processing (OPAP) for according of a filing date of April 5, 2010, using the application papers received in the Office on that date, as well as the preliminary amendment, including the drawings, filed with the subject petition, and for an indication in the records of the Office that the application, as filed, included nine (9) sheets of drawings.

The application is referred to the Office of Patent Application Processing for further processing. Applicant will receive appropriate notification regarding the fees owed, if any, and other information in due course from OPAP.

Telephone inquiries specific to this decision should be directed to Senior Petitions Attorney Douglas I. Wood at 571.272.3231.

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

Paper No.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON DC 20001-4413

MAILED
DEC 02 2011
OFFICE OF PETITIONS

In re Application of :
Avner Libman, Sharon Hadad : DECISION ACCORDING STATUS
Caroline Obadia, Natan Mizrahi: UNDER 37 C.F.R. § 1.47(a)
Eran Ben-Shmuel and :
Alexander Bilchinsky :
Application No. 13/080,072 :
Filed: April 5, 2011 :
Atty Docket No. 11254.0047-00 :

This is a decision on the PETITION FOR FILING DECLARATION UNDER 37 C.F.R. § 1.47(a) - NONSIGNING INVENTOR filed November 15, 2011.

The petition is **GRANTED**.

The above-identified application was filed on April 5, 2011, with an unexecuted declaration. Accordingly, on April 15, 2011, the Office sent a "Notice to File Missing Parts of Application," requiring an executed oath or declaration and the surcharge for its late filing. This Notice set a two-month time limit for reply with extensions of time obtainable under § 1.136(a).

In response, applicant filed the instant petition (and late surcharge). This petition was made timely by an accompanying petition and extension of time for response within the fifth month. The petition includes a declaration executed by joint inventors Libman, Hadad, Obadia, and Mizrahi on behalf of themselves and on behalf of non-signing joint inventors Ben-Shmuel and Bilchinsky. Applicant asserts that status under 1.47(a) is proper because joint inventors Ben-Shmuel and

Bilchinsky expressly refuse to join in the application. By statements on petition of patent practitioner Darren Jiron and declaration of Rony Krysler, with supporting documentary evidence, applicant shows that inventors Ben-Shmuel and Bilchinsky have expressly refused to join in the application. Attempts to meet with the inventors directly and through two sets of attorneys to review the application (at offices in Israel) and to sign the declaration have been expressly refused.

In view thereof, it is concluded that applicants have made an adequate showing of the nonsiging inventors' refusal to join in the application.

The declaration filed November 15, 2011, has been reviewed and found in compliance with § 1.63. The petition fee has been charged to the Deposit Account, as authorized. The petition includes the last known addresses of non-signing inventors.

All requirements of 37 CFR 1.47(a) have been met.

In view thereof, this application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3219.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Mr. Alexander Bilchinsky
26/40 Moshe Dayan
56450 Monosson-Yahud
Israel

MAILED
DEC 02 2011
OFFICE OF PETITIONS

In re Application of :
Avner Libman, Sharon Hadad :
Caroline Obadia, Natan Mizrahi: LETTER
Eran Ben-Shmuel and :
Alexander Bilchinsky :
Application No. 13/080,072 :
Filed: April 5, 2011 :
Atty Docket No. 11254.0047-00 :

Dear Mr. Bilchinsky:

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. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (571) 272-3219.

Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON DC 20001-4413

UNITED STATES PATENT AND TRADEMARK OFFICE

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Mr. Eran Ben-Shmuel
7 Alumim Street
56541 Savyon
Israel

MAILED
DEC 02 2011
OFFICE OF PETITIONS

In re Application of :
Avner Libman, Sharon Hadad :
Caroline Obadia, Natan Mizrahi: LETTER
Eran Ben-Shmuel and :
Alexander Bilchinsky :
Application No. 13/080,072 :
Filed: April 5, 2011 :
Atty Docket No. 11254.0047-00 :

Dear Mr. Ben-Shmuel:

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. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (571) 272-3219.

Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON DC 20001-4413

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INNOVATION DIVISION
CANTOR FITZGERALD, L.P.
110 EAST 59TH STREET (6TH FLOOR)
NEW YORK NY 10022

MAILED
DEC 09 2011
OFFICE OF PETITIONS

In re Application of	:	
Amaitis, Williams, Tara and Morrissette	:	DECISION ACCORDING STATUS
Application No. 13/080,098	:	UNDER 37 CFR 1.47(a)
Filed: 04/05/2011	:	
Attorney Docket No. 10-2291CIP	:	
Title: MULTI-PROCESS	:	
COMMUNICATION REGARDING	:	
GAMING INFORMATION	:	

This is in response to the petition under 37 CFR 1.47(a) filed November 15, 2011. Applicants obtained an extension of time for response within the fifth month. Thus, the petition is filed timely.

The petition under 37 CFR 1.47(a) is **granted**.

Applicants established that they provided a complete copy of the application to the non-signing inventor. However, the non-signing inventor has constructively refused to join in the application.

The above-identified application and papers have been reviewed and are found to be in compliance with 37 CFR 1.47(a). Accordingly, the above-identified application is hereby accorded Rule 1.47(a) status. As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the last known address provided in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application is being returned to the Office of Patent Application Processing.

Inquiries regarding this decision should be directed to the undersigned at (571) 272-3211.

C. T. Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
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Sunny Tara
35 Moraine Drive
Henderson, NV 89052

MAILED
DEC 09 2011
OFFICE OF PETITIONS

In re Application of :
Amaitis, Williams, Tara and Morrissette :
Application No. 13/080,098 : LETTER
Filed: 04/05/2011 :
Attorney Docket No. 10-2291CIP :
Title: MULTI-PROCESS COMMUNICATION :
REGARDING GAMING INFORMATION :

Dear Mr. Tara:

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.

Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

INNOVATION DIVISION
CANTOR FITZGERALD, L.P.
110 EAST 59TH STREET (6TH FLOOR)
NEW YORK NY 10022

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MAILED

JUN 09 2011

OFFICE OF PETITIONS

MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO IL 60661

In re Application of :
Robert Jones JACKSON et al. : ON PETITION
Application No. 13/080,132 :
Filed: April 5, 2011 :
Atty. Docket No.: 19176US02 :

This is in response to the inclusion of a copy of the decision granting a petition under 37 CFR 1.47(b) in the prior application, with the application papers filed in the above-identified application on April 5, 2011 which is being treated as a request to accord 37 CFR 1.47(b) status to the above-identified application.

The above-identified application is **granted** status under 37 CFR 1.47(b).

Where status under 37 CFR 1.47 is granted in a first application and the non-signing inventor does not later join in the filing by executing an oath or declaration for the application, and another application (a child application) is later filed claiming the benefit of the filing date of the first application and using the declaration of the prior application, status under 37 CFR 1.47 continues to exist in the child application. Prior Application No. 11/936,640 of which the instant application claims priority benefits under 35 USC 120, was accorded 37 CFR 1.47 status.

37 CFR 1.63(d)(3) states:

> *Where the executed oath or declaration of which a copy is submitted for a continuation or divisional application was originally filed in a prior application accorded status under § 1.47, the copy of the executed oath or declaration for such prior application must be accompanied by:*
>
> *(i) a copy of the decision granting a petition to accord § 1.47 status to the prior application, unless all inventors or legal representatives have filed an oath or declaration to join in an application accorded status under § 1.47 of which the continuation or divisional application claims a benefit under 35 U.S.C. 120, 121, or 365(c).*

The above-identified application and papers are now in compliance with 37 CFR 1.47(a). This application is hereby accorded rule 1.47(a) status. As provided in 37 CFR 1.47(c), no notice of this application's filing will be forwarded to the non-signing inventor(s) nor will such notice be published in the Official Gazette[1] since notice regarding the filing of the prior application was given to the non-signing inventor(s).

Telephone inquiries relating to this decision should be directed to Robert DeWitty (571-272-8427).

for David Bucci
Petitions Examiner
Office of Petitions

[1] Note Federal Register, Vol. 65, No. 175; Friday, September 8, 2000.

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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

MAILED

FEB 23 2012

OFFICE OF PETITIONS

In re Application of
Michifumi YOSHIE et al.
Application No.: 13/080,169
Filed: April 5, 2011
Attorney Docket No.: 149177
For: Medical Device

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 22, 2011, to make the above-identified application special.

The request and petition are **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 Joanne Hama at (571) 272-2911 or to the undersigned at (571) 272-7099.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

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

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Commissioner for Patents
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Alexandria, VA 22313-1450
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OLIFF & BERRIDGE, PLC
SUITE 500
277 SOUTH WASHINGTON STREET
ALEXANDRIA VA 22314

MAILED
MAR 14 2012
OFFICE OF PETITIONS

In re Application of:
Ogawa et al.
Application No. 13/080,238
Filed: April 5, 2011
Attorney Docket No. 149178

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 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; (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 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

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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ALSTON & BIRD LLP
PIONEER HI-BRED INTERNATIONAL, INC.
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

MAILED

JUN 10 2011

OFFICE OF PETITIONS

In re Application of
Howard Glenn Damude, et al.
Application No. 13/080,279
Filed: April 5, 2011
Attorney Docket No. 035718/403479

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 April 25, 2011.

The request is **DISMISSED** as moot.

A review of the file record indicates that the power of attorney to Alston & Bird, LLP has been revoked by the assignee of the patent application on May 12, 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

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.
13/080,300	04/05/2011	Barton John Kenyon	PTB-4398-1122	1533

23117 7590 05/18/2011
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER	
YOUNG, RACHEL T	

ART UNIT	PAPER NUMBER
3771	

MAIL DATE	DELIVERY MODE
05/18/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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United States Patent and Trademark Office
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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

In re Application of	:	
KENYON, BARTON JOHN et al	:	DECISION ON REQUEST TO
Application No. 13/080,300	:	PARTICIPATE IN PATENT
Filed: April 5, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. PTB-4398-1122	:	PILOT PROGRAM AND PETITION
For: BREATHABLE GAS APPARATUS WITH HUMIDIFIER	:	TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program under 37 CFR 1.102(a), filed April 5, 2011, to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the IPAU;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s);
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the IPAU application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the IPAU application(s) containing the allowable/patentable claim(s); and
(6) Applicant must submit an IDS listing the documents cited by the IPAU examiner in the IPAU office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

This is to acknowledge that there are currently only 14 claims presented in the case for examination. Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

All other inquiries concerning the examination or status of the application should be directed to the Supervisory Patent Examiner, Justine Yu at 571-272-4835, Art Unit 3771.

This application will be being forwarded to the examiner for action on the merits commensurate with this decision.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 243400	Application Number (if known): 13/080321	Filing date: April 5, 2011

First Named Inventor: Maozhong Gong

Title: SYSTEM AND METHOD FOR DAMPING LC CIRCUITS IN POWER CONVERSION 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 /Allison W. Mages/	Date November 29, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57275

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Maozhong Gong	)
Confirmation No.: 1574	)
	)
Serial No.: 13/080321	)
	)
Filing Date: April 5, 2011	)
	)
Atty Docket No.: 243400	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The invention relates generally to LC circuits and, more specifically, to a method and apparatus for damping of an LC circuit between a power converter and an electric grid. (See [0001]).

Renewable power generation systems include power sources such as solar panels or wind turbines, for example, and power converters for converting power from the power sources into power having an alternating current with controlled amplitude and frequency. It is desirable that the alternating current supplied to an electric grid be synchronous with the grid voltage or current and that harmonic components are minimized. Some power systems use LC filters to minimize high frequency harmonics. (See [0002]).

A typical LC filter includes inductors and capacitors. LC filter resonance is defined as the condition when the inductive reactance and capacitive reactance of the LC filter are of equal magnitude. The frequency at which resonance

occurs is defined as the resonant frequency. Mathematically, the resonance frequency may be expressed as:

$$fr = \frac{1}{2\pi\sqrt{LC}}$$

wherein "L" is the equivalent inductance, "C" is the equivalent capacitance, and "f_r" is the resonant frequency. At the resonant frequency f_r, the impedance of the filter is minimal. Accordingly, a resonance peak may be excited by the high frequency harmonics and delivered to the grid. To attenuate such a resonance peak, a damper for the LC filter may be used. (See [0003]).

One conventional method of damping an LC filter is to couple a physical resistor in series or in parallel with the capacitor of the LC filter. Drawbacks to the resistor embodiment are that an undesirably large amount of power is consumed by the resistor and that the LC filter becomes more bulky because the resistor occupies significant space. (See [0004]).

As compared with motors, when providing power from renewable power sources to an electric grid, there are more variations and transient events. In addition, simulating a physical damping resistor for damping an LC filter in the inverter control may adversely affect stability of power conversion control. (See [0006]).

There is a need in the art to provide an improved method and system for damping an LC circuit between a power source and an electric grid which differs from conventional methods or systems and addresses one or more of the above discussed problems. (See [0007]).

In accordance with one embodiment disclosed herein, a power conversion system comprises a power converter comprising a plurality of semiconductor power switches, an LC filter coupled between an output of the power converter and an electric grid, and a power conversion control system. The LC filter comprises an inductor coupled in series to the electric grid, and a capacitor. The LC filter and the grid result in an equivalent LC circuit comprising an impedance of the LC filter and an impedance of the electric grid. The power conversion control system comprises a damper and a converter controller. The damper receives an LC filter signal and an equivalent LC circuit impedance signal, and generates a damping signal. The converter controller receives a current or voltage reference signal, a current or voltage command signal, and the damping signal to generate control signals for driving switching operations of the semiconductor power switches. (See [0008]).

In accordance with another embodiment disclosed herein, a method is provided for damping an equivalent LC circuit between a power converter and an electric grid. The equivalent LC circuit comprises an impedance of an LC filter coupled between the power converter and the electric grid, an impedance of the electric grid, and a capacitor. The method comprises receiving a current or voltage signal of the capacitor, receiving an equivalent LC circuit impedance, estimating a resonance frequency of the LC circuit according to the equivalent LC circuit impedance, determining a resistance value for obtaining sufficient resonance peak attenuation and maintaining an adequate phase margin of the power converter, generating a damping signal based on the resistance value and

the current or voltage signal of the capacitor; and using the damping signal to generate current or voltage commands to control the power converter. (See [0009]).

In accordance with another embodiment disclosed herein, a power system comprises a photovoltaic power source to generate a direct current at a DC link, and a power conversion system to transform the direct current from the DC link into an alternating current. The power conversion system comprises a power converter comprising a plurality of semiconductor power switches, an LC filter coupled between an output of the power converter and an electric grid, and a power conversion control system. The LC filter comprises an inductor coupled in series to the electric grid, and a capacitor. The LC filter and the grid result in an equivalent LC circuit comprising an impedance of the LC filter and an impedance of the electric grid. The power conversion control system comprises a damper and a converter controller. The damper receives an LC filter signal and an equivalent LC circuit impedance signal, and generates a damping signal. The converter controller receives a current or voltage reference signal, a current or voltage command signal, and the damping signal to generate control signals for driving switching operations of the semiconductor power switches. (See [0010]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the embodiments disclosed herein materially contribute to the discovery or development of renewable energy resources for at least the reason that said embodiments improve the efficiency and stability of renewable power

generation systems that include power sources such as solar panels or wind turbines.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 29, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

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.
13/080,321	04/05/2011	Maozhong Gong	243400_4	1574

52082 7590 12/21/2011

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER	
ZHANG, JUE	
ART UNIT	PAPER NUMBER
2838	

NOTIFICATION DATE	DELIVERY MODE
12/21/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gpo.mail@ge.com
allyson.camaroli@ge.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

DEC 21 2011

In re Application of	:	
GONG et al.	:	DECISION ON PETITION
Application No. 13/080,321	:	TO MAKE SPECIAL UNDER
Filed: April 5, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.: 243400_4	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 29, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, the petition alleges that the claimed invention contributes to the discovery or development of renewable energy resources. The claims are drawn to a power conversion system. The provided statement accompanying the petition states that the system can be used with solar panels or wind turbines. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to development of renewable energy resources. Any argument as to how the claimed invention can be used with is considered speculative as to how a hypothetical end-user might specially apply the claimed invention. Favorable consideration would be given should the claimed invention be limited to solar panels or wind turbines.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the Technology Center Art Unit for action in its regular turn.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Gong, Maozhong	)
Confirmation No.: 1574	)
	)
Serial No.: 13/080321	)
	)
Filing Date: April 5, 2011	)
	)
Atty Docket No.: 243400-4	)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 21 December 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that any argument as to how the claimed invention can be used is considered speculative as to how a hypothetical end-user might specially apply the claimed invention. Applicant does not agree with the comments made in the Decision. According to embodiments of the present invention the power source may comprise a renewable power source such as a photovoltaic module or a wind turbine generator, for example. This is evidenced in claim 17 of the present application. As such, Applicant respectfully disagrees

that the use of embodiments of the present invention with renewable energy sources is speculative.

Applicant respectfully submits that the present invention is generally directed to LC circuits and, more specifically, to a method and apparatus for damping of an LC circuit between a power converter and an electric grid. (see at least paragraph [0001]).

Renewable power generation systems include power sources such as solar panels or wind turbines, for example, and power converters for converting power from the power sources into power having an alternating current with controlled amplitude and frequency. It is desirable that the alternating current supplied to an electric grid be synchronous with the grid voltage or current and that harmonic components are minimized. Some power systems use LC filters to minimize high frequency harmonics. (see at least paragraph [0002]).

A typical LC filter includes inductors and capacitors. LC filter resonance is defined as the condition when the inductive reactance and capacitive reactance of the LC filter are of equal magnitude. The frequency at which resonance occurs is defined as the resonant frequency. Mathematically, the resonance frequency may be expressed as:

$$fr = \frac{1}{2\pi\sqrt{LC}}$$

wherein "L" is the equivalent inductance, "C" is the equivalent capacitance, and "f_r" is the resonant frequency. At the resonant frequency f_r, the impedance of the filter is minimal. Accordingly, a resonance peak may be excited by the high

frequency harmonics and delivered to the grid. To attenuate such a resonance peak, a damper for the LC filter may be used. (see at least paragraph [0003]).

One conventional method of damping an LC filter is to couple a physical resistor in series or in parallel with the capacitor of the LC filter. Drawbacks to the resistor embodiment are that an undesirably large amount of power is consumed by the resistor and that the LC filter becomes more bulky because the resistor occupies significant space. Ma et al., United States Patent Number 6,166,929, described a method of damping an LC filter between a three-phase inverter and a motor by simulating a damping resistor connected in parallel with each output capacitor of the LC filter. The simulation included a determination of how much current would flow through a resistor had it been there and deducting that amount of current from a current command that is used to control the inverter. The damping method described by Ma et al. is very specific to motors and has some of the benefits of a physical damping resistor without the corresponding energy loss. (see at least paragraphs [0004]) and [0005]).

As compared with motors, when providing power from renewable power sources to an electric grid, there are more variations and transient events. In addition, simulating a physical damping resistor for damping an LC filter in the inverter control may adversely affect stability of power conversion control. There is a need in the art to provide an improved method and system for damping an LC circuit between a power source and an electric grid which differs from conventional methods or systems and addresses one or more of the above discussed problems. (see at least paragraphs [0006] and [0007]).

Embodiments disclosed herein are directed to a power conversion system that comprises a power converter comprising a plurality of semiconductor power switches, an LC filter coupled between an output of the power converter and an electric grid, and a power conversion control system. The LC filter comprises an inductor coupled in series to the electric grid, and a capacitor. The LC filter and the grid result in an equivalent LC circuit comprising an impedance of the LC filter and an impedance of the electric grid. The power conversion control system comprises a damper and a converter controller. The damper receives an LC filter signal and an equivalent LC circuit impedance signal, and generates a damping signal. The converter controller receives a current or voltage reference signal, a current or voltage command signal, and the damping signal to generate control signals for driving switching operations of the semiconductor power switches. (see at least paragraph [0008]).

Embodiments of present invention materially contribute to the development of renewable energy by reducing the energy consumed by the resistor and minimizing the harmonic components. These measures aid in reduced power consumption by the power converter, which in turn promotes increased energy production and use of renewable energy sources.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: January 23, 2012

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,321	04/05/2011	Maozhong Gong	243400_4	1574

52082 7590 01/30/2012

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER	
ZHANG, JUE	

ART UNIT	PAPER NUMBER
2838	

NOTIFICATION DATE	DELIVERY MODE
01/30/2012	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):

gpo.mail@ge.com
allyson.carnaroli@ge.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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1/30/12

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of :
Maozhong Gong et al. :
Application No. 13/080,321 :
Filed: April 05, 2011 :
Attorney Docket No. 243400_4 :

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 January 23, 2012, 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), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

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.

/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

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED

MAY 19 2011

OFFICE OF PETITIONS

In re Application of	:	
Bo Widen	:	
Application No. 13/080,339	:	DECISION ON PETITION
Filed: April 5, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 0226-0132PUS2	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 5, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a copy of the applicant's passport proving that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3673 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

Attorney Docket No. RECM-013/04US 314670 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James W. BOHLIG *et al.*	Confirmation No.: TBD
Application No.: TBD *(Divisional of U.S. Appl. No. 12/492,096, filed June 25, 2009)*	Group Art Unit: *To Be Assigned*
Filed: April 5, 2011	Examiner: *To Be Assigned*

For: **ENGINEERED FUEL FEED STOCK**

Via EFS-Web
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

Dear Sir:

A Petition to Make Special Under the Green Technology Pilot Program *(PTO/SB/420)* and a Preliminary Amendment, subject to the grant of the aforementioned petition, are filed concurrently herewith. Applicant respectfully submits that the claimed invention materially contributes to the reduction of green house gas (GHG) emissions by providing, in at least one embodiment an engineered fuel feed stock that when combusted produces less GHG emissions as compared to the known level of GHG emitted of biomasses when combusted. Additionally, the application provides new engineered fuel feed stock for gasification (USPC48/197R, 197A); as well as ways of "harnessing energy from man-made waste" (USPC 75/958; 431/5) and refue-derived fuel (USPC44/552) as recited in claim 1 (an enegineered fuel feed stock comprising components derived from a processed Municipal Solid Waste (MSW) waste stream) and all dependent claims from claim 1 as well as amended claim 58 in the accompanying Preliminary Amendment. As such the instant application is eligible to participate in the Green Technology Pilot Program.

It is believed that no other fee is due in connection with the present filing. However, if a fee is due, please charge our Deposit Account No. 50-1283 from which the undersigned is authorized to draw.

Applicant respectfully requests the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 937-2370 if a phone conference may help advance prosecution.

Dated: April 5, 2011

Respectfully submitted,

USPTO Customer No. 58249
COOLEY LLP
ATTN: Patent Group
500 Boylston Street
Boston, MA 02116-3736
Tel: (617) 937-2370
Fax: (617) 937-2400

COOLEY LLP

//J. Dean Farmer//

By: _____
J. Dean Farmer
Reg. No. 57,917

J

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: RECM-013/04US	Application Number (if known):	Filing date: April 5, 2011
First Named Inventor: James W. BOHLIG		
Title: ENGINEERED FUEL FEED STOCK		

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: First Preliminary Amendment

Signature //J. Dean Farmer//	Date April 5, 2011
Name (Print/Typed) J. Dean Farmer	Registration Number 57,917

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of ..... forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,351	04/05/2011	James W. Bohlig	RECM-013/04US 314670-2083	1644

58249 7590 06/20/2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER	
ART UNIT	PAPER NUMBER
1771	

MAIL DATE	DELIVERY MODE
06/20/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON DC 20001

6/20/11

In re Application of
BOHLIG, JAMES W. et al
Application No. 13/080,351
Filed: 04/05/2011
Attorney Docket No.
RECM-013/04US 314670-2083

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 April 5, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PATENT APPLICATION
Attorney Docket: 55004-cont2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hum, et al.	
Serial No.:	13/080,353	
Filed:	04/05/2011	
For:	Reconfigurable LED Array and Use in Lighting Systems	
Group Art Unit:	not yet assigned	Examiner: not yet assigned

STATEMENT OF SPECIAL STATUS

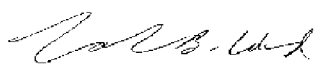
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits a petition to make special under the Green Technology Pilot Program for the above-identified patent application.

Aspects of the invention disclosed by the application pertain to Energy Conversation under category III of Eligibility Requirements under the Green Technology Pilot Program. An early publication in compliance with 37 CFR 1.219 is herein requested, and the publication fee set forth in 37 CFR 1.18(d) is accompanied herein.

Respectfully Submitted,



Calvin B. Ward
Registration No. 30,896
Date: June 2, 2011

18 Crow Canyon Court, Suite 305
San Ramon, CA 94583
Telephone (925) 855-0413
Telefax (925) 401-1731

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 55004-cont2	Application Number (if known): 13/080,353	Filing date: 04/05/2011
First Named Inventor: Hum, et al.		
Title: Reconfigurable LED Array and Use in Lighting 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.

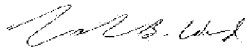
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. 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 6/3/22/2011
Name (Print/Typed) Calvin B. Ward	Registration Number 30,896

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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.
13/080,353	04/05/2011	David Hum	55004-cont2	1648

28241 7590 06/13/2011

THE LAW OFFICES OF CALVIN B. WARD
18 CROW CANYON COURT, SUITE 305
SAN RAMON, CA 94583

EXAMINER	
ART UNIT	PAPER NUMBER
2821	

MAIL DATE	DELIVERY MODE
06/13/2011	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
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THE LAW OFFICES OF CALVIN B. WARD
18 CROW CANYON COURT, SUITE 305
SAN RAMON CA 94583

In re Application of	:	
HUM et al.	:	DECISION ON PETITION
Application No. 13/080,353	:	TO MAKE SPECIAL UNDER
Filed: April 05, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 55004-cont2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on June 03, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2821 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 246919-1 (22402-269)	Application Number (if known): 13/080,384	Filing date: 04-05-2011

First Named Inventor: Donald Ray PERIGO

Title: SYSTEM AND METHOD FOR PROVIDING WIRELESS COMMUNICATION TO A WIND FARM

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date May 23, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,384	04/05/2011	Donald Ray Perigo	246919-1 (22402-269)	1701

45432 7590 06/03/2011

PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

EXAMINER	
ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
06/03/2011	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):

USpatents@armstrongteasdale.com

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JUN 02 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

Allison W. Mages
PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of
PERIGO, Donald R.
Application No. **13/080,384**
Filed: April 05, 2011
Attorney Docket No. 246919-1 (22402-269)

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

Title of Invention: SYSTEM AND METHOD FOR PROVIDING WIRELESS COMMUNICATION TO A WIND FARM

This is a decision on the petition under 37 CFR 1.102, filed **May 24, 2011** to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed **prior** to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must be classified in one of the eligible US classifications listed in section VI of the notice. 2) The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) 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. 5) 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. 6) 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. 7) The petition to make special must be filed electronically. 8) 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. 9) 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 the following item(s): The application must have been filed prior to December 8, 2009 or be a 371filing based on an international application filed **prior** to December 8, 2009 (Effective date of Notice).

In this case, the Image File Wrapper (IFW) of instant application has been reviewed, however there is no evidence of a submission to enter national stage under 35 USC 371, that is evidence of submission of paper for entry into the national stage of a PCT application or establishment of an effective date for provisional rights resulting from the filing of a PCT application under 35 USC 154(d), or evidence of seeking to enter the national stage using PTO-390 form, or evidence that the application is accepted for entry into the national stage, the National Stage Processing Division which mails for PCT/DO/EO/903 indicating the acceptance of the application as a national stage submission under 375 USC 371. Further, PALM records fail to indicate that instant application is a national stage entry of a PCT application (e.g. under "Continuity Data") (see MPEP §1893.03(a) How to identify that an Application is a US National Stage Application).

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 Beatriz Prieto at 571-272-3902.

The application is being forwarded to the Technology Center Art Unit 2473 for action in its regular turn.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400
Network, Multiplexing, Cable and Security

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,384	04/05/2011	Donald Ray Perigo	246919-1 (22402-269)	1701

45432 7590 06/24/2011

PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

EXAMINER	
ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
06/24/2011	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):

uspatents@armstrongteasdale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
www.uspto.gov

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JUN 23 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

Allison W. Mages
PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of :
PERIGO, Donald R. :
Application No. **13/080,384** :
Filed: April 05, 2011 :
Attorney Docket No. 246919-1 (22402-269) :

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

Title of Invention: SYSTEM AND METHOD FOR PROVIDING WIRELESS COMMUNICATION TO A WIND FARM

This is a decision on the Petition under 37 CFR 1.102, filed **05/24/2011**, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010).

Previous decision mailed **06/02/11** is hereby rescinded. The USPTO expanded the eligibility for the pilot program to include applications filed on or after December 8, 2009. (see http://edocket.access.gpo.gov/2010/pdf/2010-28394.pdf)

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 non-provisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Beatriz Prieto at 571-272-3902.

The application is being forwarded to the Technology Center Art Unit TC 2400, (potentially) Art Unit 2447 for action on the merits commensurate with this decision.

/Beatriz Prieto/

Beatriz Prieto,
Workgroup Quality Assurance Specialist
Technology Center 2400
Network, Multiplexing, Cable and Security

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 246919	Application Number (if known): 13/080,384	Filing date: 04-05-2011

First Named Inventor: Donald Ray Perigo

Title: SYSTEM AND METHOD FOR PROVIDING WIRELESS COMMUNICATION TO A WIND FARM

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date October 10, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Donald Ray Perigo	)
Confirmation No.: 1701	)
	)
Serial No.: 13/080,384	)
	)
Filing Date: 04-05-2011	)
	)
Atty Docket No.: 246919	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates generally to providing wireless communication to a wind farm, within a turbine, and more particularly, to providing wireless communication to service areas surrounding a wind turbine. (See [0001]).

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 10, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 5188-0005	Application Number (if known): 13/080,440	Filing date: April 5, 2011

First Named Inventor: Han Gyoul KIM

Title: LIGHTING MODULE AND LIGHTING APPARATUS INCLUDING THE SAME

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Yoon S. Ham/	Date May 10, 2011
Name (Print/Typed) Yoon S. Ham	Registration Number 45,307

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,440	04/05/2011	Han Gyoul KIM	5188-0005	1805

22429 7590 05/16/2011
LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
05/16/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of	:	
KIM et al.	:	DECISION ON PETITION
Application No. 13/080,440	:	TO MAKE SPECIAL UNDER
Filed: April 05, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 5188-0005	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The petition alleges that the claimed invention contributes to more efficient utilization and conservation of energy. The claims are not limited to the light source being an LED. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to more efficient utilization and conservation of energy. Any argument that the claimed invention can be used with LEDs is considered speculate as to how a hypothetical end-user might specially apply the claimed invention. Favorable consideration would be given if the claims were amended to specifically require the light source to be an LED.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action in its regular turn.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Docket No.: 5188-0005 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Conf. No.: 1805
Han Gyoul KIM et al.	:	
Serial No. 13/080,440	:	Group Art Unit: 2875
Filed: 2011-04-05	:	Examiner: n/a

For: LIGHTING DEVICE

RENEWED PETITION TO MAKE SPECIAL
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM
AND
PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

This is in response to the Decision on PETITION TO MAKE SPECIAL mailed May 16, 2011, holding that Item 4 is missing. Applicants further note that favorable consideration would be given if the claims were amended to specifically require an LED.

The claims have been amended accordingly in the attached claim amendments.

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.
13/080,440	04/05/2011	Han Gyoul KIM	5188-0005	1805

22429 7590 06/13/2011

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
06/13/2011	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

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LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of	:	
KIM et al.	:	DECISION ON PETITION
Application No. 13/080,440	:	TO MAKE SPECIAL UNDER
Filed: April 05, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 5188-0005	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 10, 2011 and renewed on June 03, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 5188-0006	Application Number (if known): 13/080,459	Filing date: April 5, 2011

First Named Inventor: Eunhwa KIM

Title: LENS AND LIGHTING DEVICE INCLUDING THE SAME

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. **See Instruction Sheet on page 2.**

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment

Signature /Yoon S. Ham/	Date May 10, 2011
Name (Print/Typed) Yoon S. Ham	Registration Number 45,307

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

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Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,459	04/05/2011	Eunhwa KIM	5188-0006	1847

22429 7590 05/16/2011
LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
05/16/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of	:	
Eunhwa KIM	:	DECISION ON PETITION
Application No. 13/080,459	:	TO MAKE SPECIAL UNDER
Filed: April 05, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 5188-0006	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The petition alleges that the claimed invention contributes to more efficient utilization and conservation of energy. The claims are not limited to the light source being an LED. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to more efficient utilization and conservation of energy. Any argument that the claimed invention can be used with LEDs is considered speculate as to how a hypothetical end-user might specially apply the claimed invention. Favorable consideration would be given if the claims were amended to specifically require the light source to be an LED.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action in its regular turn.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Docket No.: 5188-0006 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Conf. No.: 1847
Eunhwa KIM	:	
Serial No. 13/080,459	:	Group Art Unit: 2875
Filed: 2011-04-05	:	Examiner: n/a

For: LIGHTING DEVICE

RENEWED PETITION TO MAKE SPECIAL
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM
AND
PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

This is in response to the Decision on PETITION TO MAKE SPECIAL mailed May 16, 2011 holding that Item 4 is missing. Applicants further note that favorable consideration would be given if the claims were amended to specifically require an LED.

The claims have been amended accordingly in the attached claim amendments.

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.
13/080,459	04/05/2011	Eunhwa KIM	5188-0006	1847

22429 7590 06/21/2011
LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
06/21/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of	:	
Eunhwa KIM	:	DECISION ON PETITION
Application No. 13/080,459	:	TO MAKE SPECIAL UNDER
Filed: April 05, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 5188-0006	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 10, 2011 and renewed on June 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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GUNN, LEE & CAVE, P.C.
300 CONVENT ST.
SUITE 1080SAN ANTONIO TX 78205

MAILED

NOV 16 2011

OFFICE OF PETITIONS

In re Application of	:	
SIMPSON	:	
Application No. 13/080,476	:	DECISION ON PETITION
Filed: September 22, 2006	:	TO WITHDRAW
Attorney Docket No. April 5, 2011	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) filed October 25, 2011.

The request is **NOT APPROVED**.

A review of the file record indicates that Michael D. Paul does not have power of attorney in this patent application. See 37 C.F.R. § 10.40. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

The Office will no longer approve requests from practitioners to withdraw from applications where the requesting practitioner is acting, or has acted, in a representative capacity pursuant to 37 CFR 1.34. In these situations, the practitioner is responsible for the correspondence the practitioner files in the application while acting in a representative capacity. As such, there is no need for the practitioner to obtain the Office's permission to withdraw from representation. However, practitioners acting in a representative capacity, like practitioners who have a power of attorney in the application, remain responsible for noncompliance with 37 CFR 1.56, as well as 37 CFR 10.18, with respect to documents they file.

All future communications from the Office will continue to be directed to the above-identified address until otherwise properly notified.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-6735.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

cc: RICKEY SIMPSON
111252 BADGER PEAK
SAN ANTONIO TX

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.
13/080,491	04/05/2011	Hideo Shirasaka	6639.P1165	1911

8791 7590 09/14/2011

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER	
ART UNIT	PAPER NUMBER
2482	

MAIL DATE	DELIVERY MODE
09/14/2011	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
P.O. Box 1450
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Blakely Sokoloff Taylor & Zafman LLP
1279 Oakmead Parkway
Sunnyvale Ca 94085-4040

In re Application of: Shirasaka
Application No. 13/080491
Filed: April 05, 2011
For: Television and Electronic Apparatus

DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed August 22, 2011, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application for which participation in the PPH program is requested and the corresponding JPO application must have the same priority/filing date;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s); and
   c. A statement that the English translation is accurate;

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as allowable/patentable claim(s) in the JPO application(s);
   b. Note that claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the JPO, or the claims in the USPTO are narrower in scope than the claims in the JPO. In this regard, a claim that is narrower in scope occurs when a JPO claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the JPO is not considered to sufficiently correspond. For example, if the JPO claims only contain claims to a process of manufacturing a product, then the claims in the USPTO are not considered to sufficiently correspond if the

USPTO claims introduce product claims that are dependent on the corresponding process claims; and

c. Submit a claims correspondence table in English;

4. Examination of the U.S. application has not begun;

5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate (if the translation is not a machine translation provided by the JPO);

6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Tod Swann at 571-272-3612.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Tod Swann/
Tod Swann
Quality Assurance Specialist
Technology Center 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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**BLAKELY SOKOLOFF TAYLOR &
ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040**

MAILED

MAR 09 2012

OFFICE OF PETITIONS

In re Application of
Hideyuki TOMA et al.
Application No.: 13/080,511
Filed: April 05, 2011
Attorney Docket No.: 6639P1161
For: IMAGE CONVERSION APPARATUS
AND IMAGE CONVERSION 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 December 13, 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

Doc Code: PPH.PET.652

Document Description: Petition to make special under Patent Pros Hwy

PTO/SB/20JP (07-09)
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

Application No.:	13080511	Filing Date:	2011-04-05
First Named Inventor:	Hideyuki Toma		
Attorney Docket No.:	6639P1161		
Title of the Invention:	Image Conversion Apparatus and Image Conversion Method		

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: JP 2010-125133

The filing date of the JPO/ PCT application(s) is/are: 2010-05-31

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 2011-04-05

(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 2011-04-05

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 (07-09)
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) BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13080511
First Named Inventor:	Hideyuki Toma

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JPO Application	Explanation regarding the correspondence
Claim 1	Claim 1	U.S. Claim 1 sufficiently corresponds to JPO Claim 1
Claim 3	Claim 2	U.S. Claim 3 sufficiently corresponds to JPO Claim 2
Claim 4	Claim 3	U.S. Claim 4 sufficiently corresponds to JPO Claim 3
Claim 7	Claim 4	U.S. Claim 7 sufficiently corresponds to JPO Claim 4
Claim 8	Claim 5	U.S. Claim 8 sufficiently corresponds to JPO Claim 5
Claim 9	Claim 6	U.S. Claim 9 sufficiently corresponds to JPO Claim 6
Claim 10	Claim 7	U.S. Claim 10 sufficiently corresponds to JPO Claim 7
Claim 11	Claim 8	U.S. Claim 11 sufficiently corresponds to JPO Claim 8
Claim 12	Claim 9	U.S. Claim 12 sufficiently corresponds to JPO Claim 9
Claim 13	Claim 10	U.S. Claim 13 sufficiently corresponds to JPO Claim 10
Claim 14	Claim 11	U.S. Claim 14 sufficiently corresponds to JPO Claim 11
Claim 15	Claim 12	U.S. Claim 15 sufficiently corresponds to JPO Claim 12

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 /William W. Schaal/	Date 2011-12-13
Name (Print/Typed) William W. Schaal	Registration Number 39018

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

MAILED
MAR 14 2012
OFFICE OF PETITIONS

In re Application of
Tokuhiro Sakurai, et al.
Application No.: 13/080,523
Filed: April 5, 2011
Attorney Docket No.: 6639P1164
For: INFORMATION OUTPUT CONTROL APPARATUS AND....

: REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed, January 11, 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 Terri Johnson at 571-272-2991.

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 after the formalities review has been completed.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

MAILED
MAR 29 2012
OFFICE OF PETITIONS

In re Application of:
Sakurai et al.
Application No. 13/080,534
Filed: April 5, 2011
Attorney Docket No. 6639P1163

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 11, 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 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

MAILED
FEB 17 2012
OFFICE OF PETITIONS

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

In re Application of : DECISION ON REQUEST TO
Hideyuki TOMA et al. : PARTICIPATE IN PPH PROGRAM
Application No. 13/080,535 : AND PETITION TO MAKE SPECIAL
Filed: April 5, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 6639P1162
For: IMAGE CONVERSION APPARATUS AND IMAGE CONVERSION METHOD

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 28, 2011 to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH (patent prosecution highway) program and petition to make special require:

(1) (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;

(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; and

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

This application will be forwarded to Technology Center Art Unit 2484 for action commensurate with this decision.

David Bucci
Petitions Examiner
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	13080541
Filing Date	05-Apr-2011
First Named Inventor	Michael Ozog
Art Unit	3628
Examiner Name	JOHN HAYES
Attorney Docket Number	028079.0102C1US
Title	OPTIMIZATION OF MICROGRID ENERGY USE AND DISTRIBUTION

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 32042

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

10.40(c)(5)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	Michael T. Ozog
Address	2625 Redwing Road, Unit 225
City	For Collins
State	CO
Postal Code	80526

Country	US
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Scott A. Chambers/
Name	Scott A. Chambers
Registration Number	37573

UNITED STATES 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 Ozog

Application No : 13080541

Filed : 05-Apr-2011

Attorney Docket No : 028079.0102C1US

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 Scott A. Chambers (registration no. 37573) on behalf of all attorneys/agents associated with Customer Number 32042 . All attorneys/agents associated with Cusotmer Number 32042 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	Michael T. Ozog
Name2	
Address 1	2625 Redwing Road, Unit 225
Address 2	
City	For Collins
State	CO
Postal Code	80526
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

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.
13/080,554	04/05/2011	Eiji Ootsuka	6639P1169	2015

7590 11/22/2011

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER	
KOONTZ, TAMMY J	

ART UNIT	PAPER NUMBER
3974	

MAIL DATE	DELIVERY MODE
11/22/2011	PAPER

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

UNITED STATES PATENT AND TRADEMARK OFFICE

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Rutan & Tucker, LLP.
611 ANTON BLVD
SUITE 1400
COSTA MESA CA 92626

MAILED

FEB 27 2012

OFFICE OF PETITIONS

In re Application of :
Jonathan Peter Deutsch et al. :
Application No. 13/080,566 : DECISION ON PETITION
Filed: April 5, 2011 : TO WITHDRAW
Attorney Docket No. **021404-0024P5** : FROM RECORD
:

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed February 10, 2012.

The request is **NOT APPROVED**.

The request cannot be approved because it lacks the name of the first inventor or the assignee of record that is associated with the address listed in the request. Therefore, the change of correspondence address is considered improper.

The Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71,* or, if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

> *An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.*

The assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, the statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the assignee (*e.g.*, copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (*e.g.*, reel and frame number).

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-4584.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions

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OFFICE OF PETITIONS

Tyco Electronics Corporation
309 Constitution Drive
Mail Stop R34/2A
Menlo Park, CA 94025

In re Application of Chandler et al. :
Application No. 13/080,570 : Decision on Petition
Filing Date: April 5, 2011 :
Attorney Docket No. MP1744-US2 :

This is a decision on the petition under 37 CFR 1.137(b) filed December 29, 2011, which requests revival of the above-identified application.

The petition is **granted**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed June 27, 2011, which set a shortened statutory period for reply of three (3) months. An extension of time under the provisions of 37 CFR 1.136(a) was not obtained. Accordingly, the above-identified application became abandoned on September 28, 2011.

A grantable petition under 37 CFR 1.137(b) must be accompanied by:

(1) The reply required to the outstanding Office action or notice, unless previously filed,
(2) The petition fee, 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 37 CFR 1.137(b) was unintentional.[1]

The petition satisfies the requirements of 37 CFR 1.137(b) in so far as petitioner has supplied (1) a reply in the form of an amendment, (2) the required petition fee of $1,860, and (3) the required statement of unintentional delay. Therefore, the petition is granted and the application is revived.

[1] A terminal disclaimer is also necessary if the application is a design application or if the application was filed on or before June 8, 1995.

The Fee Transmittal submitted with the petition authorizes the Office to charge a deposit account the sum of $1,270 for a three-month extension of time. However, the submission of a payment for an extension of time is unnecessary for relief to be granted under 37 CFR 1.137(b). *See* MPEP 711.03(c)(II)(A). In addition, the Office cannot accept an extension of time fee submitted after the expiration of the maximum extendable time period for reply. Therefore, the Office has not charged the deposit account any sum for an extension of time.

Technology Center Art Unit 2832 will be informed of the instant decision and the application will be further examined in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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LEVISOHN, BERGER , LLP
11 BROADWAY , Suite 615
NEW YORK NY 10004

MAY 2 3 2011

In re Application of: Markowitz et al.
Application No.: 13/080611
Filed: April 5, 2011
Title: INFLATABLE VEHICLES FOR SIMULATING DRIVING FOR USE WITH VIDEO GAMES

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on April 5, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.3, 6, 6.1, 6.3, 6.4, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, 6.2, and 6.5 above. Therefore,

the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-9; the "accelerated examination support document" comprising pages 1-10, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 446 subclass 220; class 472 subclass 134; class D21 subclasses 324-328, 332, 419, 424, 483, 548-550; class 297 subclasses 181 and 452.41 and IPC classes A63F 13/02, 9/24; and A47C 31/00.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat "the independent claims", nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on www.uspto.gov/web/patents/accelerated/ in "Guidelines for Applicants under the new accelerated examination procedures"):

> *For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.*

In the instant petition, petitioner does not address each limitation and where it is (or state that it is not) found in each closest prior art. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, petitioner does not identify the means plus function claim elements. If there are none, a statement to such must be made. Additionally, 35 U.S.C. 112 first paragraph support has not been provided for priority document 61/33673.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700

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JUL 14 2011

LEVISOHN, BERGER , LLP
11 BROADWAY , Suite 615
NEW YORK NY 10004

In re Application of: Markowitz et al. Application No.: 13/080611 Filed: April 5, 2011 Title: INFLATABLE VEHICLES FOR SIMULATING DRIVING FOR USE WITH VIDEO GAMES	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on June 23, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700

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.
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/080,613	Filing date:	04/05/2011
First Named Inventor:	Mohammad Khan		
Title of the Invention:	SYSTEMS, METHODS, AND COMPUTER READABLE MEDIA FOR PERFORMING MULTIPLE TRANSACTIONS THROUGH A SINGLE NEAR FIELD COMMUNICATION (NFC) TAP		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/031293

The international filing date of the corresponding PCT application(s) is/are: 04/05/2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached.
☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.
☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☒ Is attached.
☐ Has already been filed in the above-identified U.S. application on _____

(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/20PCT-KR (06-10)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/080,613
First Named Inventor:	Mohammad Khan

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-21	1-21	Exactly the same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature		Date February 14, 2012
Name (Printed/Typed)	Gregory A. Hunt	Registration Number 41,085

CLAIMS

What is claimed is:

1. A system for performing multiple transactions through a single near field communication (NFC) tap, the system comprising:

a wireless device for storing a plurality of application identifiers (AIDs) that identify a plurality of applications to be processed in a single NFC tap; and

a wireless device reader for detecting a linking application AID in the wireless device that identifies the linking application upon interfacing with the wireless device via the single NFC tap, for accessing the plurality of AIDS using the linking application, and for processing a plurality of applications associated with the plurality of AIDs.

2. The system according to claim 1, wherein the wireless device includes at least one of an NFC card, an NFC handset, an NFC tablet, or a contactless smart card.

3. The system of claim 1, wherein the plurality of AIDs is stored in a linked payment system environment (LPSE) application.

4. The system according to claim 3, wherein the plurality of AIDs is stored in the LPSE application using a graphical user interface of the wireless device.

5. The system according to claim 3, wherein the plurality of AIDs is stored in the LPSE application by the wireless device using location data.

6. The system according to claim 5, wherein the location data identifies a merchant location using GPS data, a smart poster, or triangulation data.

7. The system according to claim 3, wherein the linking application AID is stored in a proximity payment system environment (PPSE) application.

8. The system according to claim 1, wherein the linking application comprises a linked payment system environment (LPSE) application adapted to link the plurality of AIDs and communicate information to the wireless device reader regarding the linked plurality of AIDs upon interfacing the wireless device with the wireless device reader via the single NFC tap.

9. The system according to claim 8, wherein the LPSE application pushes the plurality of linked AIDs corresponding to a plurality of transaction applications to the wireless device reader.

10. The system according to claim 8, wherein the LPSE application communicates a specific order in which to process the linked AIDs to the wireless device reader.

11. A method of performing multiple transactions through a single near field communication (NFC) tap, the method comprising:

storing, at a linking application in a wireless device, a plurality of application identifiers (AIDs) that identify a plurality of applications to be processed in a single NFC tap;

detecting, by a wireless device reader, a linking application AID in the wireless device that identifies the linking application upon interfacing the wireless device with the wireless device reader through the single NFC tap;

accessing, by the wireless device reader, the plurality of AIDs using the linking application; and

processing the plurality of applications associated with the plurality of AIDs through the single NFC tap.

12. The method according to claim 11, wherein storing the plurality of AIDs comprises storing the plurality of AIDs, at a linking application in at least one of an NFC card, an NFC handset, an NFC tablet, or a contactless smart card.

13. The method of claim 11, wherein storing the plurality of AIDs comprises storing the plurality of AIDs in a linked payment system environment (LPSE) application.

14. The method according to claim 13, wherein storing the plurality of AIDS in the LPSE application comprises selecting the plurality of AIDs using a graphical user interface of the wireless device.

15. The method according to claim 13, wherein storing the plurality of AIDS in the LPSE application comprises selecting the plurality of AIDs, by the wireless device, using location data.

16. The method according to claim 11, wherein the linking application AID is stored in a proximity payment system environment (PPSE) application.

17. The method according to claim 11, further comprising communicating information to the wireless device reader regarding the plurality of AIDs using the linking application.

18. The method according to claim 17, wherein communicating information to the wireless device reader comprises communicating an expected number of transactions to the wireless device reader.

19. The method according to claim 17, wherein communicating information to the wireless device reader comprises communicating a specific order in which to process the linked AIDs to the wireless device reader.

20. The method of claim 11, further comprising packaging all payloads in one packet for a point of sale (POS) terminal.

21. A non-transitory computer readable medium having stored thereon comprising computer executable instructions that when executed by a processor of a computer performs steps comprising:

storing, at a linking application in a wireless device, a plurality of application identifiers (AIDs) that identify a plurality of applications to be processed in a single NFC tap;

detecting, by a wireless device reader, a linking application AID in the wireless device that identifies the linking application upon interfacing the wireless device with the wireless device reader through the single NFC tap;

accessing, by the wireless device reader, the plurality of AIDs using the linking application; and

processing the plurality of applications associated with the plurality of AIDs through the single NFC tap.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JENKINS, WILSON, TAYLOR & HUNT, P. A.
3100 Tower Blvd.
Suite 1200
DURHAM, NC 27707

MAILED

MAR 29 2012

OFFICE OF PETITIONS

In re Application of	:
Mohammad Khan, et. al.	: DECISION ON REQUEST TO
Application No.: 13/080,613	: PARTICIPATE IN THE PATENT
Filed: April 5, 2011	: PROSECUTION HIGHWAY
Attorney Docket No.: 1615/47/2	: PROGRAM AND PETITION
For: SYSTEMS, METHODS, AND	: TO MAKE SPECIAL UNDER
COMPUTER READABLE MEDIA FOR	: 37 CFR 1.102(a)
PERFORMING MULTIPLE	:
TRANSACTIONS THROUGH A SINGLE	:
NEAR FIELD COMMUNICATION (NFC)	:
TAP	:

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 14, 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 Australia, Austria, EPO, Finland, JPO, KIPO, NPI, Russia, Spain, Sweden, USPTO, or CHINA;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a

statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan

The United States Patent and Trademark Office (USPTO) considers the effects of the earthquake and resulting tsunami in Japan on March 11, 2011, to be an "extraordinary situation" within the meaning of 37 CFR 1.183 and 37 CFR 2.146 for affected patent and trademark applicants, patentees, reexamination parties, and trademark owners. Since this catastrophic event occurred outside the United States and did not result in a postal service interruption in the United States Postal Service, the USPTO has no authority to designate a postal service emergency as authorized by 35 U.S.C. 21(a).

For patent applications and reexamination proceedings pending in the USPTO as of March 11, 2011, having one or more inventors, an assignee, or a correspondence address in areas of Japan affected by the earthquake and tsunami, in which a reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding, and for which the statutory or non-statutory time period set for response has not yet expired, the USPTO will, on applicant's request, or a reexamination party's request, withdraw the Office communication and reissue it. The request must be made prior to expiration of the statutory or non-statutory time period set for response and within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956). The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice will be treated as a representation that the need for the reissuance of the Office communication was due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Form PTO/SB/425 will be available in EFS-Web and on the USPTO Web site at http://www.uspto.gov/forms/index.jsp. The use of form PTO/SB/425 is encouraged to facilitate processing of the request.

For patentees who were unable to timely pay a patent maintenance fee due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee and the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment when the patentee files the maintenance fee payment with a petition to accept a delayed maintenance fee under 37 CFR 1.378(c). *See* 37 CFR 1.183.

Patentees who seek to pay a maintenance fee during the six-month grace period following the window to pay the maintenance fee with a request to waive the surcharge in 37 CFR 1.20(h), must mail the payment and request to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or via facsimile to: 571-273-6500.

The request must be made by using form PTO/SB/425 (when available) or by making a request accompanied by a copy of this notice. The inclusion of a copy of this notice with the payment of the maintenance fee during the grace period will be treated as a representation that the late payment of the fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(h). This waiver may only be appropriately requested where the original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011, and the delay in paying the fee was due to the effects of the earthquake and tsunami of March 11, 2011.

The USPTO advises patentees who need to file a petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami of March 11, 2011, where the maintenance fee payment was required to have been paid after March 10, 2011, to promptly file a petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/*66* – **Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))** accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)) and either a copy of this notice or form PTO/SB/425. The inclusion of a copy of this notice will be treated as a representation that the delay in payment of the maintenance fee was due to the effects of the earthquake and resulting tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.20(i). The petition must filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

Patentees are reminded that a petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c). A petition to accept a delayed maintenance fee payment filed later than twenty-four months after the expiration date of the patent must be filed under 37 CFR 1.378(b) and include a showing that the delay in payment was unavoidable. A petition to accept a delayed maintenance fee payment due to the effects of the earthquake and tsunami may be submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

For applicants who file a nonprovisional application on or after March 11, 2011, and prior to April 12, 2011, without an executed oath or declaration or payment of the basic filing fee, search fee, and/or examination fee due to the earthquake and tsunami of March 11, 2011, the USPTO will waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee. Patent applicants seeking waiver of the surcharge must include either form PTO/SB/425 or a copy of this notice, along with the executed oath or declaration or the basic filing fee,

search fee, or examination fee. The inclusion of a copy of this notice will be treated as a representation that the late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and tsunami of March 11, 2011, and as a request for *sua sponte* waiver of the surcharge under 37 CFR 1.16(f). The reply to the Notice to File Missing Parts requiring the oath or declaration or the filing fees may be submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Patent-related inquiries concerning this notice may be directed to the Office of Patent Legal Administration at (571) 272-7704 ((571) 272-7703 for reexamination), or by e-mail at PatentPractice@uspto.gov.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, in which a an Office action (final, non-final, or other), a notice of allowance, or other Office notice requiring a response (hereinafter collectively referred to as "Office communication") is outstanding, the USPTO will, upon request, withdraw the Office communication and reissue it. The request must be made prior to the deadline for responding to the Office communication, and indicate that the need for the reissuance of the Office communication is due to the effects of the earthquake and resulting tsunami of March 11, 2011. The request should be sent via e-mail to TMFeedback@uspto.gov or by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451. If necessary, changes of correspondence address should be provided.

For trademark applications and registrations with a correspondence or owner address in areas of Japan affected by the earthquake and tsunami as of March 11, 2011, that were abandoned or cancelled due to inability to timely respond to a trademark-related Office communication due to the effects of the earthquake and resulting tsunami on March 11, 2011, the USPTO will waive the petition fee (set by regulation, rather than statute) to revive the abandoned application or cancelled registration. Either a petition by regular mail to the address set forth in the preceding paragraph, or the Trademark Electronic Application System (TEAS) "Request for Reinstatement" form should be used, and must include a verified statement that the failure to respond to the Office communication was due to the effects of the earthquake and resulting tsunami.

Trademark-related inquiries concerning this notice may be directed to the Trademark Office of Petitions by telephone at (571) 272-8950, by facsimile at (571) 273-8950, or by e-mail at TMFeedback@uspto.gov.

The USPTO cannot grant waivers or extensions of dates or requirements set by statute. For example, the following patent-related time periods cannot be extended by the Director: (1) the period set forth in 35 U.S.C. 119(a)-(d) to file a nonprovisional patent application claiming the benefit of a prior-filed foreign application; (2) the twelve-month time period set forth in 35 U.S.C. 119(e) during which a nonprovisional application claiming the benefit of a prior filed provisional application must be filed in order to

obtain benefit of the provisional application's filing date; (3) the copendency requirement of 35 U.S.C. 120 between a parent application which issues as a patent and a later filed child application, which requires that the child application be filed prior to issuance of the parent application; (4) the three-month time period to pay the issue fee set forth in 35 U.S.C. 151; (5) the 35 U.S.C. 304 two-month time period from the date of patentee service, for a requester to file, in an *ex parte* reexamination, a reply to a statement filed by the patentee; and (6) the 35 U.S.C. 314(b)(2) thirty-day time period from the date of service, for a requester to file, in an *inter partes* reexamination, written comments addressing issues raised by an Office action or the patentee's response to the action. The following statutory trademark-related time periods cannot be extended and statutory fees cannot be waived by the Director: (1) the 36-month period set forth in 15 U.S.C. 1051(d) within which a statement of use must be filed and the associated fee(s); (2) the periods set forth in 15 U.S.C. 1058, 1141(k) for filing affidavits of continued use or excusable nonuse and the associated fee(s); (3) the period set forth in 15 U.S.C. 1059 for filing a renewal and the associated fee(s); and (4) the periods set forth in 15 U.S.C. 1063 and 1064 for filing an opposition or cancellation proceeding at the Trademark Trial and Appeal Board.

Date: 3/17/11

David J. Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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DITTHAVONG MORI & STEINER, P.C.
918 PRINCE STREET
ALEXANDRIA VA 22314

MAILED

JUN 24 2011

OFFICE OF PETITIONS

In re Application of :
Yutaka Okamoto :
Application No. 13/080,682 : DECISION ON PETITION
Filed: April 6, 2011 :
Attorney Docket No. P5211US00 :

This is a decision on the request filed June 22, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on April 6, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [x] basic filing fee, [x] search fee and/or [x] examination fee

The relevant item(s) was/were filed on June 22, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

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.
13/080,705	04/06/2011	Kevin R. Imes	39285-00028	2348

59582 7590 05/12/2011
DICKINSON WRIGHT PLLC
38525 WOODWARD AVENUE
SUITE 2000
BLOOMFIELD HILLS, MI 48304-2970

EXAMINER	
ART UNIT	PAPER NUMBER
3612	

MAIL DATE	DELIVERY MODE
05/12/2011	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

DICKINSON WRIGHT PLLC
38525 WOODWARD AVENUE
SUITE 2000
BLOOMFIELD HILLS MI 48304-2970

In re Application of:
IMES, Kevin et al.
Serial No.: 13/080,705
Filed: April 6, 2011
Docket: **39285-00028**
Title: **MOBILE ENERGY MANAGEMENT SYSTEM**

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on April 6, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 C.F.R. § 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 C.F.R. § 1.51 and in condition for examination;

4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

The application as filed is not eligible for accelerated examination under 37 C.F.R. § 1.102(d) because it is a utility application filed under 37 C.F.R. § 1.111(a), but was not complete under 37 C.F.R. § 1.51, thus not in condition for examination at the time of filing. The mailing of the Notice To File Corrected Application Papers on May 2, 2011 is evidence that the application was not complete and in condition for examination at the time of filing.

Accordingly, the petition is **DENIED**.

The application will therefore be taken up by the examiner in its regular turn.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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GOODWIN PROCTER LLP
ATTN: PATENT ADMINISTRATOR
135 COMMONWEALTH DRIVE
MENLO PARK CA 94025-1105

MAILED

SEP 2 9 2011

OFFICE OF PETITIONS

In re Application of	:	
ABHYANKER	:	
Application No. 13/080,735	:	DECISION ON PETITION
Filed: April 6, 2011	:	TO WITHDRAW
Attorney Docket No. DMP 0011	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed September 16, 2011.

The request is **DISMISSED**.

The Request cannot be accepted because Petitioner has not complied with current USPTO requirements as set forth in 37 CFR 10.40. In this regard, 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 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(c).

Petitioner has not complied with items (1) and (3) of the above-identified certifications.

Further, the request to withdraw from record cannot be approved because the request to change the correspondence address is not acceptable. The Office will either change the correspondence address of record to the most current address information provided for the assignee of the entire interest who properly became of record under 37 CFR 3.71 or, if no assignee of the entire interest has properly been made of record under 37 CFR 3.71, the most current address information provided for the first named inventor. Any change of address to an attorney or firm must be accompanied by a proper power of attorney.

A review of the Office record does not indicate a power of attorney to the Customer Number indicated on the Request for Withdrawal as Attorney or Agent filed September 16, 2011. In this regard, absent a proper of attorney, the Request cannot be approved.

All future communications from the Office will continue to be directed to the above-identified address until otherwise properly notified.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 83180817	Application Number (if known):	Filing date:

First Named Inventor: Erick Michael Lavoie

Title: DIRECTION DETERMINATION FOR ACTIVE PARK ASSIST

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 /Angela M. Brunetti/	Date 4/4/11
Name (Print/Typed) Angela M. Brunetti	Registration Number 41,647

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

■ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program
(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,901	04/06/2011	Erick Michael Lavoie	83180817	2789

77327 7590 05/06/2011

ANGELA M. BRUNETTI, PLLC
3233 Lake Forest Dr.
Sterling Heights, MI 48314

EXAMINER	
ART UNIT	PAPER NUMBER
3611	

NOTIFICATION DATE	DELIVERY MODE
05/06/2011	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):

ANGELA@I3LAW.COM
LISA@I3LAW.COM

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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MAY - 5 2011

ANGELA M. BRUNETTI, PLLC
3233 Lake Forest Dr.
Sterling Heights MI 48314

In re Application of	:	
ERICK LAVOIE	:	DECISION ON PETITION
Application No. 13/080,901	:	TO MAKE SPECIAL UNDER
Filed: April 6, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83180817	:	PILOT PROGRAM

This is a decision on the petitions under 37 CFR 1.102, filed April 6, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election

without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, it is unclear how a parking assist system can contribute to the reduction of energy consumption or reduction of greenhouse gas emissions as a driver still has to drive the vehicle into the parking spot. When a vehicle moves to get into a parking spot, energy is consumed which in turn emits greenhouse gases. The parking assist system may make the task of parking easier for a driver but it does not eliminate the movement of the vehicle to get into the parking spot. The disclosure does not explain how the parking assist system reduces energy consumption or greenhouse gas emissions. Therefore, petitioner's statement of the claimed invention's energy conservation and reduction of greenhouse gas emissions is speculative at best. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI).* Accordingly, it is not agreed that the application on its face meets that materiality standard.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3611 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of: Erick Michael Lavoie

Serial Number: 13/080,901 Group Art Unit: 3611

Filing Date: April 1, 2011 Examiner:

Title: DIRECTION DETERMINATION FOR ACTIVE PARK ASSIST

Attorney Docket Number: 83180817

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being electronically filed with the United States Patent & Trademark Office via EFS-Web and a registered e-Filer certificate.

_____/Lisa E. Brown/_____

_____6/6/11_____ Lisa E. Brown

REQUEST FOR RECONSIDERATION

Commissioner for Patents
Attention: Legal Instruments Examiner Lanna Mai
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir;

Applicants are requesting reconsideration of the decision dismissing the petition under 37 C.F.R. §1.102, filed April 6, 2011, to make the above identified application special under the pilot program for applications pertaining to Green Technologies.

REMARKS

The decision indicated that the petition lacks item 4. The Legal Instruments Examiner indicated that it is unclear how a parking assist system can contribute to the reduction of energy consumption or reduction of greenhouse gas emissions as a driver still has to drive the vehicle to the parking spot.

Petitioners' respectfully traverse and assert that the invention, on its face, meets the materiality standard because the application is directed not just to a park assist system, but to a park assist system for a Hybrid Electric Vehicle, or an Electric Vehicle, which vehicles, in their entirety, are directed to conservation of energy resources and a reduction of greenhouse gas emissions in comparison to a conventional internal combustion powered vehicle.

The present invention is directed to an electric powertrain used in an electric vehicle or a hybrid electric vehicle and takes advantage of the electric motor outputting a direction-indicating speed signal. It is respectfully asserted that on its face and in the claims, the present invention is directed to an electric vehicle. It is well known that such vehicles materially contribute to the more efficient utilization and conservation of energy resources and a reduction of greenhouse gas emission by recapturing wasted energy and using added power from the electric motor to compensate for a loss in peak power output. It is respectfully requested the decision to dismiss be reconsidered.

Respectfully submitted,

ANGELA M. BRUNETTI, PLLC

/Angela M. Brunetti/

Angela M. Brunetti, Reg. No. 41,647
3233 Lake Forest Dr.
Sterling Heights, MI 48314
(480)200-2054

Date: 6/6/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,901	04/06/2011	Erick Michael Lavoie	83180817	2789

77327 7590 07/01/2011

ANGELA M. BRUNETTI, PLLC
3233 Lake Forest Dr.
Sterling Heights, MI 48314

EXAMINER	
KEITH, JACK W	

ART UNIT	PAPER NUMBER
3663	

NOTIFICATION DATE	DELIVERY MODE
07/01/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ANGELA@I3LAW.COM
LISA@I3LAW.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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ANGELA M. BRUNETTI, PLLC
3233 Lake Forest Dr.
Sterling Heights MI 48314

7/01/11

In re Application of :
Lavoie :
Application No. 13/080,901 :
Filed: 4/6/2011 :
Attorney Docket No. **83180817** :

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/6/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3663 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	SUS-031A/7301172002	Application Number (if known):	13/080,910	Filing date:	April 6, 2011
First Named Inventor:	Troy O. McBride				
Title:	SYSTEMS AND METHODS FOR REDUCING DEAD VOLUME IN COMPRESSED-GAS ENERGY STORAGE SYSTEMS				

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims

6. Other attachments: Preliminary Amendment
   Statement of Special Status

Signature	/Matthew T. Currie/	Date	April 11, 2011
Name (Print/Typed)	Matthew T. Currie	Registration Number	58,533

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	McBride *et al.*		
SERIAL NO.:	13/080,910	GROUP NO.:	1733
FILING DATE:	April 6, 2011	EXAMINER:	Not yet assigned
TITLE:	SYSTEMS AND METHODS FOR REDUCING DEAD VOLUME IN COMPRESSED-GAS ENERGY STORAGE SYSTEMS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS IN SUPPORT OF PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

In accordance with the Federal Register notices published December 8, 2009, May 21, 2010, and November 10, 2010, Applicants hereby request to participate in the Green Technology Pilot Program for the above-identified application. Applicants submit that the invention claimed in the above-identified application materially contributes to the development of renewable energy resources and the conservation of energy resources at least because the invention solves a persistent problem with intermittent energy-generation systems (e.g., wind and solar renewable energy) by providing systems for storing and recovering the energy from these sources, thereby making them deployable on a widespread and practical basis – thereby enhancing and promoting the deployment of such systems. Thus, the claimed invention directly contributes to the conservation of energy resources by increasing the practicality and acceptance of renewable energy sources, thereby enabling them to replace fossil-fuel-dependent energy sources.

Specifically, the claimed energy storage and recovery system is useful for the conversion of clean energy stored in the form of compressed gas into, e.g., usable electricity, and vice versa. The system includes a cylinder assembly for compressing gas to store energy and expanding gas to recover energy, and the cylinder assembly includes first and second chambers separated by a movable mechanical boundary mechanism. The cylinder assembly includes "dead space" when the boundary mechanism is disposed at a limit of its travel, and such dead space could lead to decreased efficiency in the energy storage and recovery process. Thus, the system also includes a first mechanism for removably introducing a substantially incompressible fluid into a chamber

to substantially fill the dead space, as well as a second mechanism for introducing gas into the chamber and for removing the gas and at least a portion of the fluid. Thus, when gas is expanded or compressed in the cylinder assembly, the fluid filling the dead space increases efficiency of the energy recovery and storage. As demonstrated by dependent claim 3, the claimed system also encompasses storage of energy originating from an intermittent renewable energy source of wind or solar energy connected to the cylinder assembly, as well as recovery of energy when the intermittent renewable energy source is nonfunctional. Thus, power demands are addressed consistently, regardless of the energy output of the renewable energy source at any particular time.

Applicants believe no additional fees are necessitated by the filing of this paper. However, if any additional fee is due, please charge said fee occasioned by this paper to our Deposit Account No. 50-4047.

Respectfully submitted,

Date: April 11, 2011
Reg. No. 58,533

Electronic Signature: /Matthew T. Currie/
Matthew T. Currie
Attorney for Applicants
Bingham McCutchen LLP
One Federal Street
Boston, Massachusetts 02110

Tel. No.: (617) 951-8293
Fax No.: (617) 951-8736

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,910	04/06/2011	Troy O. McBride	SUS-031A/7301172002	2807

23517 7590 10/11/2011

BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
3748	

MAIL DATE	DELIVERY MODE
10/11/2011	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
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BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON DC 20006

In re Application of :
MCBRIDE, TROY O. . et al :
Application No. 13/080,910 :
Filed: April 6, 2011 :
Attorney Docket No. SUS-031A/7301172002 :

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 April 11, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted.**

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3748 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	SUS-031B/7301172003	Application Number (if known):	13/080,914	Filing date:	April 6, 2011
First Named Inventor:	Troy O. McBride				
Title:	SYSTEMS AND METHODS FOR REDUCING DEAD VOLUME IN COMPRESSED-GAS ENERGY STORAGE SYSTEMS				

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims

6. Other attachments: Preliminary Amendment
   Statement of Special Status

Signature	/Matthew T. Currie/	Date	April 11, 2011
Name (Print/Typed)	Matthew T. Currie	Registration Number	58,533

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	McBride *et al.*		
SERIAL NO.:	13/080,914	GROUP NO.:	1733
FILING DATE:	April 6, 2011	EXAMINER:	Not yet assigned
TITLE:	SYSTEMS AND METHODS FOR REDUCING DEAD VOLUME IN COMPRESSED-GAS ENERGY STORAGE SYSTEMS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS IN SUPPORT OF PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

In accordance with the Federal Register notices published December 8, 2009, May 21, 2010, and November 10, 2010, Applicants hereby request to participate in the Green Technology Pilot Program for the above-identified application. Applicants submit that the invention claimed in the above-identified application materially contributes to the development of renewable energy resources and the conservation of energy resources at least because the invention solves a persistent problem with intermittent energy-generation systems (e.g., wind and solar renewable energy) by providing systems for storing and recovering the energy from these sources, thereby making them deployable on a widespread and practical basis – thereby enhancing and promoting the deployment of such systems. Thus, the claimed invention directly contributes to the conservation of energy resources by increasing the practicality and acceptance of renewable energy sources, thereby enabling them to replace fossil-fuel-dependent energy sources.

Specifically, the claimed energy storage and recovery system is useful for the conversion of clean energy stored in the form of compressed gas into, e.g., usable electricity, and vice versa. The system includes a first cylinder assembly for compressing gas to store energy and/or expanding gas to recover energy over a first range of pressures, and the first cylinder assembly includes first and second separated compartments. The system also includes a second cylinder assembly (also including first and second separated compartments) for compression and/or expansion of gas over a second range of pressures (different from the first range) that overlaps the first range at an intermediate pressure. A connector selectively fluidly connects the first

compartments of the cylinder assemblies, and a compressed-gas reservoir maintains the connector at the intermediate pressure. Thus, "dead space" that might otherwise result during the transfer of gas from one cylinder assembly to the other is reduced or eliminated by the reservoir, thereby increasing efficiency of the energy recovery and storage. As demonstrated by dependent claim 15, the claimed system also encompasses storage of energy originating from an intermittent renewable energy source of wind or solar energy connected to the cylinder assembly, as well as recovery of energy when the intermittent renewable energy source is nonfunctional. Thus, power demands are addressed consistently, regardless of the energy output of the renewable energy source at any particular time.

Applicants believe no additional fees are necessitated by the filing of this paper. However, if any additional fee is due, please charge said fee occasioned by this paper to our Deposit Account No. 50-4047.

Respectfully submitted,

Date: April 11, 2011
Reg. No. 58,533

Electronic Signature: /Matthew T. Currie/
Matthew T. Currie
Attorney for Applicants
Bingham McCutchen LLP
One Federal Street
Boston, Massachusetts 02110

Tel. No.: (617) 951-8293
Fax No.: (617) 951-8736

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,914	04/06/2011	Troy O. McBride	SUS-031B/7301172003	2816

23517 7590 10/21/2011
BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
3753	

MAIL DATE	DELIVERY MODE
10/21/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON DC 20006

In re Application of
MCBRIDE, TROY O. et al
Application No. 13/080,914
Filed: April 6, 2011
Attorney Docket No. SUS-031B/7301172003

DECISION ON PETITION
TO MAKE SPECIALUNDER
THE GREEN ECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 11, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed

invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technologies. This is not convincing. For example, it is not clear how the claimed "a connector selectively fluidly connecting the first compartments of the first and second cylinder assemblies; and a compressed-gas reservoir, fluidly connected to the connector, for maintaining the connector at the intermediate pressure" would enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. It is also not clear where and what the connection is between the claimed subject matter and the green technology. The claims have nothing to do with green technology.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. The application will be forwarded to the Technology Center Art Unit 3753 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	McBride *et al.*		
SERIAL NO.:	13/080,914	GROUP NO.:	1733
FILING DATE:	April 6, 2011	EXAMINER:	Not yet assigned
TITLE:	SYSTEMS AND METHODS FOR REDUCING DEAD VOLUME IN COMPRESSED-GAS ENERGY STORAGE SYSTEMS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Applicants hereby request reconsideration of the decision to dismiss Applicants' petition to make special filed on April 11, 2011. The October 21, 2011 decision indicated that the statement of materiality in the original petition failed to satisfy the requirements of the program. Applicants submit that the invention claimed in the above-identified application materially contributes to the development of renewable energy resources and the conservation of energy resources at least because the invention solves a persistent problem with intermittent energy-generation systems (e.g., wind and solar renewable energy) by providing systems for storing and recovering the energy from these sources, thereby making them deployable on a widespread and practical basis – thereby enhancing and promoting the deployment of such systems. Thus, the claimed invention directly contributes to the conservation of energy resources by increasing the practicality and acceptance of renewable energy sources, thereby enabling them to replace fossil-fuel-dependent energy sources.

Specifically, the claimed energy storage and recovery system is useful for the conversion of clean energy stored in the form of compressed gas into, e.g., usable electricity, and vice versa. The system includes a first cylinder assembly for compressing gas to store energy and/or expanding gas to recover energy over a first range of pressures, and the first cylinder assembly includes first and second separated compartments. The system also includes a second cylinder assembly (also including first and second separated compartments) for compression and/or expansion of gas over a second range of pressures (different from the first range) that overlaps

the first range at an intermediate pressure. A connector selectively fluidly connects the first compartments of the cylinder assemblies, and a compressed-gas reservoir maintains the connector at the intermediate pressure, thereby reducing a volume of dead space in the connector and increasing efficiency of the energy storage and recovery. As demonstrated by dependent claim 15, the claimed system also encompasses storage of energy originating from an intermittent renewable energy source of wind or solar energy connected to the cylinder assembly, as well as recovery of energy when the intermittent renewable energy source is nonfunctional. Thus, power demands are addressed consistently, regardless of the energy output of the renewable energy source at any particular time.

Accordingly, Applicants respectfully request reconsideration and grant of the original Petition to Make Special and that the application undergo accelerated examination. Applicants believe that no fee is required with this request for reconsideration; however, in the event that the Applicants are mistaken, the Director is hereby authorized to charge any fees that should have been filed herewith to our Deposit Account No. 50-4047.

Respectfully submitted,

Date: October 28, 2011
Reg. No. 58,533

Electronic Signature: /Matthew T. Currie/
Matthew T. Currie
Attorney for Applicants
Bingham McCutchen LLP
One Federal Street
Boston, Massachusetts 02110

Tel. No.: (617) 951-8293
Fax No.: (617) 951-8736

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/080,914	04/06/2011	Troy O. McBride	SUS-031B/7301172003	2816

23517 7590 11/02/2011

BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
3753	

MAIL DATE	DELIVERY MODE
11/02/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON DC 20006

In re Application of
MCBRIDE, TROY O. et al
Application No. 13/080,914
Filed: April 6, 2011
Attorney Docket No. SUS-031B/7301172003

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 Oct. 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.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3753 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C.
1100 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

MAILED

JUN 17 2011

OFFICE OF PETITIONS

In re Application of :
Jon H. WERNER, et *al.* :
Application No. 13/081,049 :
Filed: April 6, 2011 :
Attorney Docket No. **2483.098000E/MWR/RDC** :

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 June 15, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others.

The request was signed by Andrew J. Dillon on behalf of all attorneys of record. Andrew J. Dillon has been withdrawn as attorney or agent of record; all other attorneys remain of record.

The correspondence address of record remains unchanged.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7253.

/Monica A. Graves/
Petitions Examiner, Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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NIELDS, LEMACK & FRAME, LLC
176 E. MAIN STREET
SUITE #5
WESTBOROUGH MA 01581

MAILED
MAY 20 2011
OFFICE OF PETITIONS

In re Application of :
ABERG, A.K. Gunnar et al. :
Application No. 13/081,100 : DECISION ON PETITION
Filed: April 06, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **559P036c/p** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 29, 2011 to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement attesting that A.K. Gunnar Aberg is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing. This application will be accorded "special" status when pre-examination processing is done.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (06-09)
Approved for use through 06/30/2009. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13/081,103	Confirmation Number	3225	Filing Date	2011-04-06
Attorney Docket Number (optional)	043829.012302	Art Unit		Examiner	Unassigned
First Named Inventor	Chandra Sekar				
Title of Invention	METHODS FOR MANUFACTURING A PAINT ROLLER AND COMPONENT PARTS THEREOF WITH STRIPS OF COMPOUNDED MATERIAL				

Attention: Office of Petitions
An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Chandra		Sekar	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18.
Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/Richard E. Kurtz/	Date (YYYY-MM-DD)	2011-04-08
Name	Richard E. Kurtz	Registration Number	33936

PTO/SB/130 (06-09)
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of
Chandra SEKAR

Application No. 13081103

Filed:

Attorney Docket No. 043829.012302

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-APR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (06-09)
Approved for use through 06/30/2009. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13/081,114	Confirmation Number	3241	Filing Date	2011-04-06
Attorney Docket Number (optional)	043829.012303	Art Unit		Examiner	Unassigned
First Named Inventor	Chandra Sekar				
Title of Invention	METHODS FOR MANUFACTURING A PAINT ROLLER AND COMPONENT PARTS THEREOF HAVING A COMPOSITE COVER FORMED OF COMPOUNDED MATERIAL				

Attention: Office of Petitions

An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Chandra		Sekar	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/Richard E. Kurtz/	Date (YYYY-MM-DD)	2011-04-08
Name	Richard E. Kurtz	Registration Number	33936

PTO/SB/130 (06-09)
Approved for use through 06/30/2009. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Chandra SEKAR

Application No. 13081114

Filed:

Attorney Docket No. 043829.012303

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-APR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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APR 17 2012
OFFICE OF PETITIONS

GREENBERG TRAURIG (BOS)
ONE INTERNATIONAL PLACE, 20th FL
ATTN: PATENT ADMINISTRATOR
BOSTON MA 02110

In re Application of :
Chin et al. :
Application No. 13/081,184 : DECISION ON PETITION
Filed: April 6, 2011 :
Attorney Docket No. 113130-010110/CIP :

This is a decision on the petition under 37 CFR 1.182, filed, February 29, 2012, to change the order of the named inventors in the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration should be filed within **TWO MONTHS** of the mailing date of this decision in order to be considered timely. 37 CFR 1.181(f). This time period may not be extended pursuant to 37 CFR 1.136.

The petition to change the order of names must be signed by either the attorney or agent of record or all the applicants. See MPEP 605.04(f). A review of the record shows that power of attorney has not been authorized to Seth Milman.

Applicants are strongly encouraged to submit an application data sheet showing the new order of inventor names to ensure appropriate printing of the inventor names in any patent to issue. 37 CFR 1.33(b) requires that amendments and other papers, except for written assertions pursuant to 37 CFR 1.27(c)(2)(ii), filed in the application must be signed by an appropriate party. Therefore, an ADS or a supplemental ADS filed after the filing of an application must be signed in accordance with 37 CFR 1.33(b).

In view of the above, the petition under § 1.182 to amend the order of inventors cannot be granted.

The $400 fee for the petition under 37 CFR 1.182 has been received.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Any questions concerning this matter may be directed to the undersigned at (571) 272-3215.

Charlema Grant
Attorney Advisor
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.123US6	Application Number (if known): 13/081,196	Filing date: April 6, 2011

First Named Inventor: KALE, Aniket

Title: Methods and Systems for Dewatering Algae and Recycling Water Therefrom

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 /Nishat A. Shaikh/	Date April 26, 2011
Name (Print/Typed) Nishat A. Shaikh	Registration Number 66,183

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 2204819.123US6
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	3414
Application No.:	13/081,196	Art Unit:	1772
Filed:	April 6, 2011	Examiner:	TBD
Title:	METHODS AND SYSTEMS FOR DEWATERING ALGAE AND RECYCLING WATER THEREFROM		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction, and improvement of environmental quality by providing, in at least one embodiment, methods for dewatering algae and recycling water therefrom. Algal cultures convert carbon dioxide into carbon chains. This removes carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is an industrial waste product. Its use to feed algae reduces levels of a major greenhouse gas and improves environmental quality. In a preferred embodiment, the method includes adding a water miscible solvent set to the wet algal biomass and waiting an amount of time to permit algal cells of the algal biomass to gather and isolating at least a portion of the gathered algal cells from at least a portion of the solvent set and liquid of the wet algal biomass so that a dewatered algal biomass is generated. The dewatered algal mass can be used

to generate algal products such as biofuels and nutraceuticals. The novel dewatering methods reduce the energy consumption required by traditional dewatering, thereby reducing the energy required to convert an algal mass into a biofuel feedstock. Furthermore, the methods of the present invention allow for the recycling of water and solvents, thereby contributing to environmental quality. As such, the claimed invention should be classified under Art Unit 1771 or 1772.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US6, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: April 26, 2011

/Nishat A, Shaikh/
Nishat A. Shaikh
Registration No.: 66,183
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,196	04/06/2011	Aniket KALE	2204819.00123US6	3414

23483 7590 05/26/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1772	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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5/26/11

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of :
Kale :
Application No. 13/081,196 :
Filed: 4/6/2011 :
Attorney Docket No. **2204819.00123US6** :

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 4/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.123US2	Application Number (if known): 13/081,197	Filing date: April 6, 2011

First Named Inventor: KALE, Aniket

Title: Extraction with Fractionation of Oil and Proteinaceous Materials from Oleaginous Material

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 /Nishat A. Shaikh/	Date April 26, 2011
Name (Print/Typed) Nishat A. Shaikh	Registration Number 66,183

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 2204819.123US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	3415
Application No.:	13/081,197	Art Unit:	1772
Filed:	April 6, 2011	Examiner:	TBD
Title:	EXTRACTION WITH FRACTIONATION OF OIL AND PROTEINACEOUS MATERIAL FROM OLEAGINOUS MATERIAL		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources by providing, in at least one embodiment, biofuels are produced by extracting lipids and coproducts (e.g., proteins) of varying polarity from a wet oleaginous material, such as algae. Algae and other green plants convert carbon dioxide to carbon chains that can be used to generate biofuels. In at least one embodiment, the carbon dioxide is industrial waste that is diverted to grow the algae, thereby contributing to the reduction of carbon dioxide, a greenhouse gas, in the atmosphere. These products can be used as biofuel feedstock, amongst other applications. As such, the claimed invention should be classified under Art Unit 1771 or 1772.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to

charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US2, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: April 26, 2011

/Nishat A. Shaikh/
Nishat A. Shaikh
Registration No.: 66,183
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,197	04/06/2011	Aniket KALE	2204819.00123US2	3415

23483 7590 05/26/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1772	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

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WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

5/26/11

In re Application of :
Kale :
Application No. 13/081,197 :
Filed: 4/6/2011 :
Attorney Docket No. **2204819.00123US2** :

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 4/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.123US3	Application Number (if known): 13/081,204	Filing date: April 6, 2011

First Named Inventor: KALE, Aniket

Title: Selective Extraction of Proteins from Freshwater Algae

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 /Nishat A. Shaikh/	Date April 26, 2011
Name (Print/Typed) Nishat A. Shaikh	Registration Number 66,183

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 2204819.123US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	3431
Application No.:	13/081,204	Art Unit:	1772
Filed:	April 6, 2011	Examiner:	TBD
Title:	SELECTIVE EXTRACTION OF PROTEINS FROM FRESHWATER ALGAE		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for selective extraction and fractionation of algal proteins from a freshwater algal biomass or algal culture. In preferred embodiments, the lipid products that remain in the biomass after selective protein extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is an industrial waste product. This use of carbon dioxide to feed algae reduces levels of a major greenhouse gas. Furthermore, the proteins of the instant invention can be used as renewable sources of dietary protein for humans as well as in animal feedstocks. As the present invention is directed towards single and multistep extraction

processes which allow for efficient separation of algal proteins, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US3, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: April 26, 2011

/Nishat A. Shaikh/
Nishat A. Shaikh
Registration No.: 66,183
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,204	04/06/2011	Aniket KALE	2204819.00123US3	3431

23483 7590 05/26/2011
WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1772	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

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Alexandria, VA 22313-1450
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WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

5/26/11

In re Application of :
Kale :
Application No. 13/081,204 :
Filed: 4/6/2011 :
Attorney Docket No. **2204819.00123US3** :

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 4/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.123US4	Application Number (if known): 13/081,213	Filing date: April 6, 2011

First Named Inventor: KALE, Aniket

Title: Selective Extraction of Proteins from Saltwater Algae

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 /Nishat A. Shaikh/	Date April 26, 2011
Name (Print/Typed) Nishat A. Shaikh	Registration Number 66,183

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 2204819.123US4
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	3446
Application No.:	13/081,213	Art Unit:	1772
Filed:	April 6, 2011	Examiner:	TBD
Title:	SELECTIVE EXTRACTION OF PROTEINS FROM SALTWATER ALGAE		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for selective extraction and fractionation of algal proteins from a saltwater algal biomass or algal culture. In preferred embodiments, the lipid products that remain in the biomass after selective protein extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures convert carbon dioxide into carbon chains. This removes carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is an industrial waste. Feeding the carbon dioxide generated from industrial processes reduces levels of this major greenhouse gas. Furthermore, the proteins of the instant invention can be used as renewable sources of dietary protein for humans as well as in animal feedstocks. As the present

invention is directed towards single and multistep extraction processes which allow for efficient separation of algal proteins, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US4, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: April 26, 2011

/Nishat A. Shaikh/
Nishat A. Shaikh
Registration No.: 66,183
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED-INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,213	04/06/2011	Aniket KALE	2204819.00123US4	3446

23483 7590 05/31/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1645	

NOTIFICATION DATE	DELIVERY MODE
05/31/2011	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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAY 3 1 2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

KALE, Aniket *et al.*	:	DECISION ON PETITION
Application No. 13/081213	:	TO MAKE SPECIAL UNDER
Filed: April 6, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00123US4	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 26th, 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 1645 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

Docket No.: 2204819.123US5
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	3460
Application No.:	13/081,219	Art Unit:	1772
Filed:	April 6, 2011	Examiner:	TBD
Title:	SELECTIVE EXTRACTION OF PROTEINS FROM FRESHWATER OR SALTWATER ALGAE		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for selective extraction and fractionation of algal proteins from a freshwater or saltwater algal biomass or algal culture. In preferred embodiments, the lipid products that remain in the biomass after selective protein extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is industrial waste. Its use to feed algae reduces levels of a major greenhouse gas and improves environmental quality. Furthermore, the proteins of the instant invention can be used as renewable sources of dietary protein for humans as well as in animal feedstocks. As the present invention is directed towards single and multistep extraction processes

which allow for efficient separation of algal proteins, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US5, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: April 26, 2011

/Nishat A. Shaikh/
Nishat A. Shaikh
Registration No.: 66,183
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.123US5	Application Number (if known): 13/081,219	Filing date: April 6, 2011

First Named Inventor: KALE, Aniket

Title: Selective Extraction of Proteins from Freshwater or Saltwater Algae

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 /Nishat A. Shaikh/	Date April 26, 2011
Name (Print/Typed) Nishat A. Shaikh	Registration Number 66,183

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,219	04/06/2011	Aniket KALE	2204819.00123US5	3460

23483 7590 05/26/2011
WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1772	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

MAY 26 2011

In re Application of :
Kale :
Application No. 13/081,219 :
Filed: 4/6/2011 :
Attorney Docket No. **2204819.00123US5** :

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 4/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.123US7	Application Number (if known): 13/081,221	Filing date: April 6, 2011

First Named Inventor: KALE, Aniket

Title: Methods and Systems for Isolating Nutraceutical Products from Algae

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 /Nishat A. Shaikh/	Date April 26, 2011
Name (Print/Typed) Nishat A. Shaikh	Registration Number 66,183

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 2204819.123US7
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	3462
Application No.:	13/081,221	Art Unit:	1772
Filed:	April 6, 2011	Examiner:	TBD
Title:	METHODS AND SYSTEMS FOR ISOLATING NUTRACEUTICAL PRODUCTS FROM ALGAE		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for isolating nutraceuticals products from algae, in particular, of carotenoids and omega-3 rich oil. The methods disclosed in the instant application allow for the product of renewable food products. In preferred embodiments, the lipid products that remain in the biomass after nutraceutical extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is an industrial waste product. Its use to feed algae reduces levels of this major greenhouse gas. Furthermore, the nutraceutical products of the instant invention can be used as renewable sources of food and nutrients for humans as well as in animal

feedstocks. As the present invention is directed towards single and multistep extraction processes which allow for efficient separation of algal nutraceuticals, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US7, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: April 26, 2011

/Nishat A. Shaikh/
Nishat A. Shaikh
Registration No.: 66,183
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

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.
13/081,221	04/06/2011	Aniket KALE	2204819.00123US7	3462

23483 7590 05/26/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1772	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

MAY 26 2011

In re Application of	:	
Kale	:	DECISION ON PETITION
Application No. 13/081,221	:	TO MAKE SPECIAL UNDER
Filed: 4/6/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **2204819.00123US7**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.123US8	Application Number (if known): 13/081,226	Filing date: April 6, 2011

First Named Inventor: KALE, Aniket

Title: Methods and Systems for Producing Biofuels

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 /Nishat A. Shaikh/	Date April 26, 2011
Name (Print/Typed) Nishat A. Shaikh	Registration Number 66,183

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 2204819.123US8
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	3474
Application No.:	13/081,226	Art Unit:	1772
Filed:	April 6, 2011	Examiner:	TBD
Title:	METHODS OF AND SYSTEMS FOR PRODUCING BIOFUELS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods of making biofuels by utilizing the carbon conversion abilities of algae. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is an industrial waste product., The use of carbon dioxide to feed algae reduces levels of a major greenhouse gas. Some embodiments of the instant invention include dewatering substantially intact algal cells to make an algal biomass, extracting neutral lipids from the algal biomass, and esterifying the neutral lipids with a catalyst in the presence of an alcohol. The methods further comprise isolating esters of preferred chain lengths, and hydrogenating and deoxygenating these esters to obtain jet fuel blend stocks and/or diesel blend stocks. As such, the claimed invention should be classified under Art Unit 1771 or 1772.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US8, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: April 26, 2011

/Nishat A. Shaikh/
Nishat A. Shaikh
Registration No.: 66,183
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,226	04/06/2011	Aniket KALE	2204819.00123US8	3474

23483 7590 05/26/2011
WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1772	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

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WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

MAY 26 2011

In re Application of	:	
Kale	:	DECISION ON PETITION
Application No. 13/081,226	:	TO MAKE SPECIAL UNDER
Filed: 4/6/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **2204819.00123US8**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Docket No.: 2204819.123US9
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	3491
Application No.:	13/081,232	Art Unit:	TBD
Filed:	April 6, 2011	Examiner:	TBD
Title:	METHODS OF AND SYSTEMS FOR PRODUCING BIOFUELS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods of making biofuels by utilizing the carbon dioxide conversion abilities of algae. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide is an industrial waste product that is provided to the algae, thereby reducing levels of a major greenhouse gas. Some embodiments of the instant invention include dewatering substantially intact algal cells to make an algal biomass, extracting neutral lipids from the algal biomass, and esterifying the neutral lipids with a catalyst in the presence of an alcohol. The methods further comprise isolating esters of preferred chain lengths, and hydrogenating and deoxygenating these esters to obtain jet fuel blend stocks and/or diesel blend stocks. As such, the claimed invention should be classified under Art Unit 1771 or 1772.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US9, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: April 26, 2011

/Nishat A. Shaikh/
Nishat A. Shaikh
Registration No.: 66,183
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.123US9	Application Number (if known): 13/081,232	Filing date: April 6, 2011

First Named Inventor: KALE, Aniket

Title: Methods and Systems for Producing Biofuels

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 /Nishat A. Shaikh/	Date April 26, 2011
Name (Print/Typed) Nishat A. Shaikh	Registration Number 66,183

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,232	04/06/2011	Aniket KALE	2204819.00123US9	3491

23483 7590 05/26/2011
WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER

ART UNIT	PAPER NUMBER
1772	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

MAY 26 2011

In re Application of :
Kale :
Application No. 13/081,232 :
Filed: 4/6/2011 :
Attorney Docket No. **2204819.00123US9** :

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 4/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 5188-0007	Application Number (if known): 13/081,237	Filing date: April 6, 2011

First Named Inventor: Sungho Hong

Title: LIGHTING APPARATUS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Yoon S. Ham/	Date May 10, 2011
Name (Print/Typed) Yoon S. Ham	Registration Number 45,307

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,237	04/06/2011	Sungho HONG	5188-0007	3503

22429 7590 05/16/2011

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
05/16/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Commissioner for Patents
United States Patent and Trademark Office
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LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of	:	
HONG et al.	:	DECISION ON PETITION
Application No. 13/081,237	:	TO MAKE SPECIAL UNDER
Filed: April 06, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 5188-0007	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The petition alleges that the claimed invention contributes to more efficient utilization and conservation of energy. The claims are not limited to the light source being an LED. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could contribute to more efficient utilization and conservation of energy. Any argument that the claimed invention can be used with LEDs is considered speculate as to how a hypothetical end-user might specially apply the claimed invention. Favorable consideration would be given if the claims were amended to specifically require the light source to be an LED.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action in its regular turn.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Docket No.: 5188-0007 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Conf. No.: 3503
Sungho HONG et al.	:	
Serial No. 13/081,237	:	Group Art Unit: 2875
Filed: 2011-04-06	:	Examiner: n/a

For: LIGHTNG APPARATUS

RENEWED PETITION TO MAKE SPECIAL
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM
AND
PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

This is in response to the Decision on PETITION TO MAKE SPECIAL mailed –May 16, 2011 holding that Item 4 is missing. Applicants further note that favorable consideration would be given if the claims were amended to specifically require an LED.

The claims have been amended accordingly in the attached claim amendments.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,237	04/06/2011	Sungho HONG	5188-0007	3503

22429 7590 06/13/2011

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
2821	

MAIL DATE	DELIVERY MODE
06/13/2011	PAPER

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The time period for reply, if any, is set in the attached communication.

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LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of	:	
HONG et al.	:	DECISION ON PETITION
Application No. 13/081,237	:	TO MAKE SPECIAL UNDER
Filed: April 06, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 5188-0007	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 10, 2011 and renewed on June 03, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2821 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

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:	13/081,389	Filing date:	April 6, 2011
First Named Inventor:	Kurt H. Weiner		
Title of the Invention:	APPARATUS AND METHODS FOR FAST CHEMICAL ELECTRODEPOSITION FOR FABRICATION OF SOLAR CELLS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/036339

The international filing date of the corresponding PCT application(s) is/are: May 12, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/081,389
First Named Inventor:	Kurt H. Weiner

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on January 26, 2012

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on January 26, 2012

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1, 3, 5-13, 18-21, and 24-48	1, 3, 5-13, 18-21, and 24-48	Corresponding claims in the US and PCT applications are identical.
		(Claims in both sets are presented in the same order)
		(i.e., claim 1 of PCT corresponds to claim 1 of PCT application,
		claim 2 of US to claim 2 of PCT....claim 48 of US to claim 48 of PCT)

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Mary R. Olynick/	Date February 29, 2012
Name (Print/Typed) Mary R. Olynick	Registration Number 42963

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BAHRET & ASSOCIATES
320 NORTH MERIDIAN STREET
SUITE 510
INDIANAPOLIS IN 46204

MAILED

OCT 07 2011

OFFICE OF PETITIONS

In re Application of
Simon et al.
Application No. 13/081,443
Filed: April 6, 2011
Attorney Docket No. 13018-27B

DECISION ON PETITION
UNDER 37 CFR 1.78(a)(3)
AND 37 CFR 1.78(a)(6)

This is a decision on the petitions under 37 CFR 1.78(a)(3) and 1.78(a)(6), filed September 9, 2011, to accept an unintentionally delayed claim under 35 U.S.C. § 120 and 119(e) for the benefit of the prior-filed applications as set forth in the amendment filed concurrently with the instant petition.

The petition is **DISMISSED**.

A petition for acceptance of a claim for late priority under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii). In addition, the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) must be accompanied by:

(1) the reference required by 35 U.S.C. §§ 120 and 119(e) and 37 CFR §§ 1.78(a)(2)(i) and 1.78(a)(5)(i) of the prior-filed applications, unless previously submitted;
(2) the surcharge set forth in § 1.17(t); and
(3) a statement that the entire delay between the date the claim was due under 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Commissioner may require additional where there is a question whether the delay was unintentional.

The instant petition does not comply with items (1) and (3) above.

With respect to item (1), a reference to add the above-noted, prior-filed applications on page one following the first sentence of the specification has been included in a concurrently filed amendment. However, the amendment is not acceptable as drafted since it improperly incorporates by reference the prior-filed applications. Petitioner's attention is directed to Dart Industries v. Banner, 636 F.2d 684, 207 USPQ 273 (C.A.D.C. 1980), where the court drew a distinction between a permissible 35 U.S.C. § 120 statement and the impermissible introduction of new matter by way of incorporation by reference in a 35 U.S.C. § 120 statement. The court specifically stated:

> Section 120 merely provides a mechanism whereby an application becomes entitled to benefit of the filing date of an earlier application disclosing the same subject matter. Common subject matter must be disclosed, in both applications, either specifically or by an express incorporation-by-reference

> of prior disclosed subject matter. Nothing in section 120 itself operates to carry forward any disclosure from an earlier application. In re deSeversky, supra at 674, 177 USPQ at 146-147. Section 120 contains no magical disclosure-augmenting powers able to pierce new matter barriers. It cannot, therefore, "limit" the absolute and express prohibition against new matter contained in section 251.

In order for the incorporation by reference statement to be effective as a proper safeguard against the omission of a portion of a prior application, the incorporation by reference statement must be included in the specification-as-filed, or in an amendment specifically referred to in an oath or declaration executing the application. *See* In re deSeversky, *supra*. *Note also* MPEP 201.06(c).

Accordingly, before the petition under 37 CFR 1.78(a)(3) and 1.78(a)(6) can be granted, a substitute amendment[1] deleting the incorporation by reference statement, along with a renewed petition under 37 CFR 1.78(a)(3) and 1.78(a)(6), is required.

With regards to item (3), petitioner has failed to submit a proper unintentional delay statement stating that the entire delay between the date the claim was due under 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional.

Accordingly, before the petition under 37 CFR 1.78(a)(3) and 1.78(a)(6) can be granted, a statement correcting the above matter, along with a renewed petition under 37 CFR 1.78(a)(3) and 1.78(a)(6), is required. No further petition fee is necessary.

Additionally, it is not apparent whether the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute this patent application. In accordance with 37 CFR 1.34(a), the signature appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Window located at:
U.S. Patent and Trademark Office
Customer Service Window Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Any questions concerning this matter may be directed to Joan Olszewski at (571) 272-7751.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

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[1] *Note* 37 CFR 1.121

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BAHRET & ASSOCIATES
320 NORTH MERIDIAN STREET
SUITE 510
INDIANAPOLIS IN 46204

MAILED
JAN 11 2012
OFFICE OF PETITIONS

In re Application of :
Simon et al. :
Application No. 13/081,443 : DECISION ON PETITIONS
Filed: April 6, 2011 : UNDER 37 CFR 1.78(a)(3) AND (a)(6)
Attorney Docket No. 13018-27A :

This is a decision on the renewed petitions under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6), filed November 23, 2011, to accept an unintentionally delayed claim under 35 U.S.C. §§120 and 119(e) for the benefit of the prior-filed applications set forth in the concurrently filed amendment.

The petitions are **GRANTED.**

A petition for acceptance of a claim for late priority under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii). In addition, the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) must be accompanied by:

(1) the reference required by 35 U.S.C. §§ 120 and 119(e) and 37 CFR §§ 1.78(a)(2)(i) and 1.78(a)(5)(i) of the prior-filed application, unless previously submitted;
(2) the surcharge set forth in § 1.17(t); and
(3) a statement that the entire delay between the date the claim was due under 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

Additionally, the instant nonprovisional application must be pending at the time of filing of the reference to the prior-filed provisional application as required by 37 CFR 1.78(a)(5)(ii). Further, the nonprovisional application claiming the benefit of the prior-filed provisional application must have been filed within twelve months of the filing date of the prior-filed provisional application. All the above requirements having been satisfied, the late claim for benefit of priority under 35 U.S.C. §§ 120 and 119(e) is accepted as being unintentionally delayed.

The granting of the petition to accept the delayed benefit claim to the prior-filed applications under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) should not be construed as meaning that this application is entitled to the benefit of the filing date of the prior-filed applications. In order for this application to be entitled to the benefit of the prior-filed applications, all other requirements under 35 U.S.C. §§120 and 1.78(a)(1) and (a)(2) and under 35 U.S.C. §119(e) and 37 CFR 1.78(a)(4) and (a)(5) must be met. Similarly, the fact that the corrected Filing Receipt accompanying this decision on petition includes the prior-filed applications should not be construed as meaning that applicant is entitled to the claim for benefit of priority to the prior-filed applications noted thereon. Accordingly, the examiner will, in due course, consider this benefit claim and determine whether the application is entitled to the benefit of the earlier filing date.

An updated Filing Receipt, which includes the priority claim to the prior-filed applications, was mailed November 4, 2011.

Any questions concerning this matter may be directed to Joan Olszewski at (571) 272-7751. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

This application is being forwarded to Technology Center Art Unit 3762 for consideration by the examiner of the claim under 35 U.S.C. § §120 and 119(e) of the prior-filed nonprovisional and provisional applications.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
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THE CASS LAW FIRM, P.C.
1230 AVENUE OF THE AMERICAS
ROCKEFELLER CENTER, 7TH FLOOR
NEW YORK NY 10020

MAILED

APR 16 2012

OFFICE OF PETITIONS

In re Application of :
Robert Valentine :
Application No. 13/081,484 : DECISION ON PETITION
Filed: April 6, 2011 : TO WITHDRAW
Attorney Docket No. VALENTINE-001-USU : 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 March 20, 2012.

The request is **APPROVED**.

The request was signed by Jean-Paul Cass on behalf of all the practitioners of record.

Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to inventor Robert Valentine at the address indicated below.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Robert Valentine
4295 Verona Avenue
Las Vegas, NV 89120

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/081,484	04/06/2011	Robert Valentine	VALENTINE-001-USU

CONFIRMATION NO. 4042

The Cass Law Firm, P.C.
1230 Avenue of the Americas
Rockefeller Center, 7th Floor
New York, NY 10020

POWER OF ATTORNEY NOTICE

OC000000053729345

Date Mailed: 04/16/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/20/2012.

- 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.

/idingle/

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

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/081,484	04/06/2011	Robert Valentine	VALENTINE-001-USU

CONFIRMATION NO. 4042

Robert Valentine
4295 Verona Avenue
Las Vegas, NV 89120

POA ACCEPTANCE LETTER

OC000000053729346

Date Mailed: 04/16/2012

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/20/2012.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/idingle/

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

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PATENT LAW OFFICES OF DR. NORMAN B. THOT
POSTFACH 10 17 56
RATINGEN 40837 DE GERMANY

MAILED

JUN 20 2011

OFFICE OF PETITIONS

In re Application of :
Thomas Huegle and Ralf Weigel :
Application No. 13/081,511 :
Filed: April 7, 2011 :
Attorney Docket No. DEM 1101 US-PAT :
For: METHOD AND DEVICE FOR :
TREATING BIOGENIC MATERIAL

DECISION GRANTING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47(a), filed June 16, 2011.

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventor Thomas Huegle has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3215.

Charlema Grant
Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Thomas Huegle
Wormatiastr.8
67547 Worms
Germany

MAILED

JUN 20 2011

OFFICE OF PETITIONS

In re Application of
Thomas Huegle and Ralf Weigel
Application No. 13/081,511
Filed: April 7, 2011
Attorney Docket No. DEM 1101 US-PAT
For: METHOD AND DEVICE FOR TREATING BIOGENIC MATERIAL

Dear Sir:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a co-inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3215. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Charlema Grant
Petitions Attorney
Office of Petitions

cc: PATENT LAW OFFICES OF DR. NORMAN B. THOT
POSTFACH 10 17 56
RATINGEN 40837 DE GERMANY

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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PATENT LAW OFFICES OF DR. NORMAN B. THOT
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RATINGEN 40837 DE GERMANY

MAILED
JUL 05 2011
OFFICE OF PETITIONS

In re Application of	:	
HUEGLE and WEIGEL	:	DECISION ACCORDING STATUS
Application No. 13/081,512	:	UNDER 37 CFR 1.47(a)
Filed: 04/07/2011	:	
Attorney Docket No. DEM 1102 US-PAT	:	
Title: METHOD AND APPARATUS FOR PRESSURIZING AND HEAT-TREATING A FLOWABLE SUSPENSION	:	

This is in response to the petition under 37 CFR 1.47(a) filed June 20, 2011.

The petition under 37 CFR 1.47(a) is **granted**.

Applicants established that they provided a complete copy of the application to the non-signing inventor. However, the non-signing inventor expressly refused to join in the application.

The above-identified application and papers have been reviewed and are found to be in compliance with 37 CFR 1.47(a). Accordingly, the above-identified application is hereby accorded Rule 1.47(a) status. As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the last known address provided in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application is being forwarded to Technology Center Art Unit 3744 for examination in due course.

Inquiries regarding this decision should be directed to the undersigned at (571) 272-3211.

C. T. Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Thomas Huegle
Wormatiastr. 8
67547 Worms
Germany

MAILED

JUL 05 2011

OFFICE OF PETITIONS

In re Application of :
HUEGLE and WEIGEL :
Application No. 13/081,512 : LETTER
Filed: 04/07/2011 :
Attorney Docket No. DEM 1102 US-PAT :
Title: METHOD AND APPARATUS FOR :
PRESSURIZING AND HEAT-TREATING A :
FLOWABLE SUSPENSION :

Dear Mr. Huegle:

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.

Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

C. T. Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

PATENT LAW OFFICES OF DR. NORMAN B. THOT
POSTFACH 10 17 56
RATINGEN 40837 DE GERMANY

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13081518	Confirmation Number	4121	Filing Date	2011-04-07
Attorney Docket Number (optional)	3201/45	Art Unit		Examiner	
First Named Inventor	Tzony Siegal				
Title of Invention	DEVICES FOR INTRODUCTION INTO A BODY VIA A SUBSTANTIALLY STRAIGHT CONDUIT TO FORM A PREDEFINED CURVED CONFIGURATION, AND METHODS EMPLOYING SUCH DEVICES				

Attention: Office of Petitions

An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Tzony		Siegal	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/MMF/	Date (YYYY-MM-DD)	2011-04-07
Name	Mark Friedman	Registration Number	33883

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Tzony Siegal

Application No. 13081518

Filed:

Attorney Docket No. 3201/45

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 07-APR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

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.
13/081,610	04/07/2011	Kazuya Hada	110426	4348

38834 7590 06/15/2011

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
ART UNIT	PAPER NUMBER
1746	

NOTIFICATION DATE	DELIVERY MODE
06/15/2011	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):

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 14, 2011

In re application of	:	DECISION ON REQUEST TO
Kazuya Hada et al	:	PARTICIPATE IN PATENT
Serial No. 13/081,610	:	PROSECUTION HIGHWAY
Filed: April 7, 2011	:	PROGRAM AND
For: SYSTEM AND METHOD FOR	:	PETITION TO MAKE SPECIAL
CONTINUOUSLY MANUFACTURING	:	UNDER 37 CFR 1.102(a)
LIQUID CRYSTAL DISPLAY DEVICE	:	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed April 21, 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.
13/081,619	04/07/2011	Varun Akur Venkatesan	2010P04579US	4360

22116 7590 05/24/2011

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER	
ART UNIT	PAPER NUMBER
2624	

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
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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of
VENKATESAN et al.
Application No.: 13/081,619
Filed: 07 April 2011
Attorney Docket No.: 2010P04579US
For: MEASUREMENT OF THREE-DIMENSIONAL MOTION CHARACTERISTICS

: DECISION ON REQUEST TO
: PARTICIPATE IN THE 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 08 April 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 must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the EPO;

(2) Applicant must submit a copy of the allowable/patentable claim(s) from the EPO application(s) 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 EPO application(s);

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of all the office actions from each of the EPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;

(6) Applicant must submit an IDS listing the documents cited by the EPO examiner in the EPO office action along with copies of documents except U.S. patents or U.S. patent application publications; and

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED

FEB 28 2012

OFFICE OF PETITIONS

HOLTZ, HOLTZ, GOODMAN & CHICK PC
220 Fifth Avenue
16TH Floor
NEW YORK NY 10001-7708

In re Application of : DECISION ON REQUEST TO
Mitsuru OKANO : PARTICIPATE IN PPH PROGRAM
Application No. 13/081,708 : AND PETITION TO MAKE SPECIAL
Filed: April 7, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 11139/LH :
For: GRAPH DISPLAY APPARATUS, GRAPH DISPLAY METHOD, AND STORAGE MEDIUM STORING PROGRAM

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 23, 2012 to make the above-identified application special.

The petition is **DISMISSED**.

A grantable request to participate in the PPH (patent prosecution highway) 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 (Japanese Patent Office);

(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 (2) and (4) to (6) above are considered to have been met. However, the request to participate in the PPH program and petition fail to meet requirement (3).

Regarding requirement (3), applicant has failed to indicate whether all the claims of the U.S. application sufficiently correspond to the claims in the JPO application.

Applicant is given **ONE** opportunity with a time period of **ONE MONTH** or **THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected within the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros. Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

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APR 05 2012

OFFICE OF PETITIONS

HOLTZ, HOLTZ, GOODMAN & CHICK PC
220 Fifth Avenue
16TH Floor
NEW YORK NY 10001-7708

In re Application of : DECISION ON REQUEST TO
Mitsuru OKANO : PARTICIPATE IN PPH PROGRAM
Application No. 13/081,708 : AND PETITION TO MAKE SPECIAL
Filed: April 7, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 11139/LH :
For: GRAPH DISPLAY APPARATUS, GRAPH DISPLAY METHOD, AND STORAGE MEDIUM STORING PROGRAM

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 March 27, 2012 to make the above-identified application special.

The petition and request are **GRANTED**.

A grantable request to participate in the PPH (patent prosecution highway) program and petition to make special require:

(1) the U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO (Japanese Patent Office);

(2) applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

(3) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);

(4) examination of the U.S. application has not begun;

(5) applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowability/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and

(6) applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

This application will be forwarded to Technology Center Art Unit 2628 for action commensurate with this decision.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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THORPE NORTH
& WESTERN, LLP.
P.O. BOX 1219
SANDY UT 84091-1219

MAILED
AUG 19 2011
OFFICE OF PETITIONS

In re Application of
Witherspoon, et al.
Application No. 13/081,709
Filed/Deposited: 7 April, 2011
Attorney Docket No. 00540-35153.NP

DECISION ON PETITION

This is a decision on the petition filed on 9 August, 2011, pursuant to 37 C.F.R. §1.47.

The petition as considered pursuant to 37 C.F.R. §1.47(a) is **GRANTED**.

A grantable petition pursuant to 37 C.F.R. §1.47(a) requires: (1) petition and fee; (2) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); (3) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and (4) a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address.

Petitioners always are reminded that for transmission by Email of any document to be accepted by the Office, written acknowledgment of receipt and readability of the message and all applicable attachments of required materials must be provided.

BACKGROUND

The record reflects as follows:

The application was deposited on 7 April, 2011, without, *inter alia*, a fully executed oath/declaration.

On 20 April, 2011, the Office mailed a Notice of Missing Parts requiring, inter alia, a fully-executed oath/declaration.

On 9 August, 2011, Petitioner Jed H. Hansen (Reg. No. 59,106) filed, *inter alia*, a request and fee for extension of time, a petition pursuant to the regulations at 37 C.F.R. §1.47, with an oath/declaration executed by co-inventor Mr. Moneyhun for himself and on behalf of non-signing co-inventor Joe Witherspoon (Mr. Witherspoon), with a statement by Petitioner of Email transmittal (with copies of supporting transmittal documents) of the entire application (description, claims, abstract drawings) to Counsel for Mr. Witherspoon, with acknowledgement of receipt/readability and Mr. Witherspoon's intent not to sign, and a statement of a valid/current/reasonably believed to be last known mailing address for the non-signing inventor (who through Counsel) refused to sign/join. Therefore, it appears that Petitioner provided a showing satisfying the requirements under the Rule to wit: showing/proof that the non-signing inventor actually and/or constructively refused to sign the oath or declaration after having been presented with the application papers (specification: description, claims and drawings); an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; and a statement of the last known address of the non-signing inventor(s)—with diligence in the effort to ascertain the validity of the address set forth as the reasonably believed to be last known/current/valid address. Thus, Petitioner sought to satisfy the requirements pursuant to the Rule and the guidance in the Commentary at MPEP §409.03, and §409.03(a) et seq.), and provide a showing that the non-signing inventor could not be found/refused to sign after diligent effort.

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice and all others who make representations before the Office **must** inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation–since all owe to the Office the continuing duty to disclose.[1]

CONCLUSION

The instant petition under 37 C.F.R. §1.47(a) is **granted** (status is accorded pursuant to 37 C.F.R. §1.47(a).)

As provided in 37 C.F.R. §1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

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[1] See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §11.18, formerly §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office).

The instant application is released to the Office of Patent Application Processing (OPAP) for such processing as required in due course.

Telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2[2]) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).

/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

[2] The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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JOE WITHERSPOON
1315 SANTA ANITA
KAYSVILLE UT 84037

MAILED

AUG 19 2011

OFFICE OF PETITIONS

In re Application of
Witherspoon, et al.
Application No. 13/081,709
Filed/Deposited: 7 April, 2011
Attorney Docket No. 00540-35153.NP

COMMUNICATION

Dear Joe Witherspoon:

You are named as an inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. §116 (United States Code), and 37 C.F.R. §1.47 (Code of Federal Regulations), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as an inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 C.F.R. §1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. §1.63.

Should you elect to join in the application, the contact information for Counsel of Record is set forth at the end of this Communication.

Should you seek to identify independent Counsel, you may find the Patent Attorneys/Agents Search engine of assistance (https://oedci.uspto.gov/OEDCI/).

Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Telephone inquiries regarding this communication may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2[1]) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's/your action(s) and/or inactions. Moreover, the Office can neither advise you nor recommend Counsel in this matter.

/John J. Gillon, Jr./
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

Counsel of Record:
THORPE NORTH
& WESTERN, LLP.
P.O. BOX 1219
SANDY UT 84091-1219

[1] The regulations at 37 C.F.R. §1.2 provide:
§1.2 Business to be transacted in writing.
All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,727	04/07/2011	Kenichi KURI	009289-82061	4587

52989 7590 04/28/2011

James Edward Ledbetter
1875 Eye Street
Suite 1200
Washington, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
2617	

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.

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MAIL

APR 28 2011

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600

James Edward Ledbetter
1875 Eye Street
Suite 1200
Washington DC 20006

In re Application of	:	
KURI, KENICHI et al.	:	DECISION ON REQUEST TO
Application No. 13/081,727	:	PARTICIPATE IN PATENT
Filed: April 07, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. 009289-82061	:	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 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 validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michael Horabik at 571-272-3068.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

The application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Michael Horabik/

Michael Horabik
Quality Assurance Specialist
Technology Center 2600
Communications

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
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Alexander M. Puckett
1527 Poplar Avenue
Salem VA 24153

MAY 16 2011

In re Application of: Alexander Michael Puckett Application No.: 13/081816 Filed: April 7, 2011 Title: UTILITY DEVICE SYSTEM FOR RELEASING OR CAPTURING DISBURSEMENTS FOR THE ATMOSPHERE BY MEANS OF AN AIRCRAFT	: : : : : :	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on April 7, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;
4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

The application as filed is not eligible for the accelerated examination under 37 C.F.R. § 1.102(d) because it was not complete under 37 CFR 1.51 and in condition for examination at the time of filing. The mailing of a Notice to File Missing Parts of Nonprovisional Application on

April 14, 2011 is evidence that the application was not complete and in condition for examination at the time of filing.

For the above-stated reasons, the petition is **DENIED**. The application will therefore be taken up by the examiner for action in its regular turn.

Any inquiry regarding this decision should be directed to Linda Sholl, TC 3700 Special Program Examiner, at (571) 272-4391.

/Linda Sholl/
Linda Sholl
Special Program Examiner
Technology Center 3700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	Application Number (if known): 13/081,816	Filing date: 07-APR-2011

First Named Inventor: Alexander M Puckett

Title: Utility Device System For Releasing Or Capturing Disbursements For The Atmosphere By Means Of An Aircraft

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 /Alexander M Puckett/	Date 07-July-2011
Name (Print/Typed) Alexander M Puckett	Registration Number

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,816	04/07/2011	Alexander M. Puckett		4745

14473 7590 07/25/2011

Alexander M. Puckett
1527 Poplar Avenue
Salem, VA 24153

EXAMINER	
ART UNIT	PAPER NUMBER
3754	

MAIL DATE	DELIVERY MODE
07/25/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Alexander M. Puckett
1527 Poplar Avenue
Salem VA 24153

In re Application of	:	
Puckett, Alexander M.	:	DECISION ON PETITION
Application No. 13/081,816	:	TO MAKE SPECIAL UNDER
Filed: April 7, 2011	:	THE GREEN TECHNOLOGY
	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 14, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to

make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technology. This is not convincing. For example, it is not clear how the claimed gas expelling system will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry Yuen at 571-272-4856. The application is being forwarded to the Technology Center Art Unit 3754 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

Patent Application # - 13081816

Filed: 04-07-2011

Alexander M. Puckett

for

UTILITY DEVICE SYSTEM FOR RELEASING OR CAPTURING DISBURSEMENTS FOR THE ATMOSPHERE BY MEANS OF AN AIRCRAFT

In response to the original dismissal of my Petition for Green Tech Pilot per the letter I received today dated 7/25/2011 regarding Item 4, materiality standard.

I believe that the face of my application directly meets the materiality standard of enhancing environmental quality. I do not wish to press anyone's buttons. I spelled out the invention as best I could for a level that is also to be pondered because I feel it's all spelled out right in front of your eyes. I don't know how else I can state the face value of the invention anymore, than to ask you to consider the work in its entirety.

To address the issue of materiality further: The increases of distillations of our atmosphere at air product facilities to fill the tanks with oxygen also increases the amount of carbon dioxide, nitric oxide, and other gases that are filtered to generate gases we use for commercial products such as refrigeration, welding, anesthesia, etcetera. The quantity of distillants should be amplified as the repetition of my use and our need for oxygen to be replenished or more quantified through my work in the upper atmosphere is protected along with your help, per your interest in the field of patents and your work. This allows for the full spectrum of atmospheric gases to be distilled apart from one another and stored properly as to defend against the increasing power of UV light that is directed at the earth from the sun; oxygen, carbon dioxide, nitric oxide, methane, etcetera. The potential over-abundance of greenhouse gases that come of distillating the atmosphere will allow either breakdowns of these gases through photolysis, the same process that is outlined in my work/application, to a manageable molecule that is bonded with other molecules or elements to store in a more environmentally friendly application; or the over-abundance will allow for storage of these greenhouse gases as whole molecules of carbon dioxide, methane, nitric oxide, etcetera. This is an indirect fact of my work that increases the materiality of my work. This is an aid to greenhouse gas reduction, through distillation and storage that is a direct or indirect product of my work, depending on how you choose to view it.

My work leaves in the open, at the face, the ability for technology to be created that gas or fluids be released during flight that breakdown the greenhouse gases; thereby bringing a "rain" of chemicals that have been engineered to enter our water supplies or land on the ground safely, without causing problems for the creatures of this earth.

I spelled out to you in my application the need for a greater resource to provide oxygen to the upper atmosphere. We need more oxygen because oxygen is the basis of Ozone. The oxygen atom itself will not remain independent. The elemental law of oxygen is that an oxygen atom

will bond with something. It is preferred that an independent atom of oxygen bond with a molecule of oxygen as is needed by humans and general knowledge, O2, to for the ozone molecule that is O3. Ozone is the first line of defense for the penetration of UV light. By our use of oxygen mainly with fossil fuel burnings at power plants and with petroleum engines, we have altered the available supply of oxygen greatly. The overabundance of methane, nitric oxide, carbon dioxide is a problem because these molecules cause an Oxygen atom to bond with them instead of oxygen molecules. This has probably caused a drop of elevation for the ozone layer? It most certainly has caused a dissipated level of ozone. We pay taxes on the ground, excise taxes, because this knowledge of ozone depleting molecules is readily available for gas distillation facilities.

My work also seeks to capture either occasionally for assessments or on an on-going basis as the probability of dictation from the FAA is expected; my work seeks to capture atmosphere from great-heights to aid in the filtering and storage of green-house gases. It seeks to remove the pollutants and return a closely pure source of oxygen.

I hope and trust by now I have proved the materiality of my work. I feel it will enhance the quality of the environment by stabilizing temperatures for the management of our lands on a global scale. We need to do something. The deserts aren't getting smaller, they are getting larger because the planet is getting hotter, and we might have an abundance of silicon that one might consider trying to manage. I feel my work increases the probability and practicality of renewable energy resources by providing an increase of storable gases that could be and are used for producing energy. And I feel my work not only stores greenhouse gases, but it dissipates the levels of greenhouse gases that are causing global warming by increasing the amount of free oxygen in the higher atmosphere where.....don't get me wrong.....we could use it.

We could probably have used my work 1,000 years ago. 10,000 years ago. Since the beginning of life, oxygen has provided and been increased to produce the ozone layer that has allowed for the advancement of life and civilizations that led us to this point, this point that as humans we need to be managing our atmospheres through my work, for the continuity of life on this planet; because we have the ability to reason, because we have been given our lives to govern or be governed by the one's that govern or governed themselves, by the ones that were fit to see that our quality of life is a result of technology, of science. Through patents, and protection, we grow as a society. I like to think we've grown enough to know, that you can now see, that my work would have eventually been needed anyway. But we discovered the keys to flight over 100 years ago and I'm the one that studied to be able to provide for you. The least you can do is pass my work through so it can be mandated that my work be installed on all available aircraft. Not only does my work provide protection for the surface and the skins of humans and animals, my work provides job and tax revenues that we could have used yesterday if only I had the money to get started on this two years when I conceived of it.

I will have to show a copy of the letter I received today to Senator Webb's office. They are also trying to help me get my patent moved "to the front of the line". Unfortunately, there are some missing pieces that are hindering my ability to help you, and in return help myself and get paid. I hope this message renders success, rather than more waiting.

By releasing pure oxygen in the upper atmosphere, we are contributing to the protection granted by the ozone layer. Isn't this the basis of green technology? To replace the oxygen we've been using for travel.

I want the global patent rights to my work. I don't see anyone else using my work for the purpose I described. I don't see the technology installed on planes. I want the global patent rights to my work. Why should someone else get the rights to my work? I've read I have a year, less than a year now, to secure my work. After that, it's my estimation that people are going to have to go to jail, or be killed, because I don't want my work being used by someone else that's not paying me for it. Hence, the acquirement of this patent and the drive I have to sustain life. From my estimates, this planet could sustain 2 trillion people, or 2 trillion lives, from the 13% of arable land available on this planet.

This is my great-grandfather. I'm the third generation, direct first-born living descendent. My great-grandparents had my grandmother 8 years after the awarding ceremony of this Carnegie Medal presentation, enough time for their "gums to digest". I'd say this also add to the materiality of my work.

James H. Johnson, 27, locomotive fireman, saved Henry L. Baker, 2, from being run over by a train, Chilhowie, Virginia, April 9, 1913. Henry got on a track on which a freight train was approaching at a speed of 30 m.p.h. Johnson saw him and went along the running board of the locomotive to the bumper timber. He stooped, put his right hand on the bumper and his left on top of the bumper timber, and lowered his feet to the bottom of the pilot. There was no foot support, and his weight rested on his hands. He put one foot forward and attempted to push Henry off the track. The train was then running about 11 m.p.h. Henry's weight forced Johnson's ankle against the pilot, his toe catching under the flange of the rail and his heel under the pilot. Henry rested on the rail and against Johnson's foot, and his head was nearly under the pilot. Henry was pushed along the rail for a distance of 12 feet, and then Johnson got his foot free and kicked Henry off the track. The train was then going 7 m.p.h. Henry was not seriously injured.

Best Regards,

Alexander M Puckett

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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,816	04/07/2011	Alexander M. Puckett		4745

14473 7590 08/03/2011

Alexander M. Puckett
1527 Poplar Avenue
Salem, VA 24153

EXAMINER	
ART UNIT	PAPER NUMBER
3754	

MAIL DATE	DELIVERY MODE
08/03/2011	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

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Alexander M. Puckett
1527 Poplar Avenue
Salem VA 24153

In re Application of		
PUCKETT, ALEXANDER M.	:	DECISION ON PETITION
Application No. 13/081816	:	TO MAKE SPECIAL UNDER
Filed: April 7, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 27 and July 30, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is dismissed for failure to submit $300.00 early publication fee

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.

A previous decision on the instant petition was mailed on July 25, 2011. The decision stated that petitioner failed to meet item #4 due to a lack of a statement pertaining to the materiality standard. Since the claimed gas expelling system did not meet the materiality standard on its face, such a statement was necessary. Since then, petitioner has provided such a statement which explains the impact of his invention and how it contributes to enhancing environmental quality. The explanation of the invention and how it relates to green technologies is found persuasive. As a result, the petition complies with item #4.

In regard to item 8, petitioner should note that since no request in compliance with 37 CFR 1.219 has been made for the early publication of the present application and the publication fee $300.00 as set forth in 37 CFR 1.18(d) has not been received, the petition is dismissed. The delay to notify the applicant is regretted.

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 3754 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	Application Number (if known): 13/081,816	Filing date: 04/07/2011

First Named Inventor: Alexander M Puckett

Title: UTILITY DEVICE SYSTEM FOR RELEASING OR CAPTURING DISBURSEMENTS FOR THE ATMOSPHERE BY MEANS OF AN AIRCRAFT

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: Alexander M Puckett	Date: 08-07-2011
Name (Print/Typed): Alexander M Puckett	Registration Number:

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/081,816	04/07/2011	Alexander M. Puckett		4745

14473 7590 08/10/2011

Alexander M. Puckett
1527 Poplar Avenue
Salem, VA 24153

EXAMINER	
ART UNIT	PAPER NUMBER
3754	

MAIL DATE	DELIVERY MODE
08/10/2011	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
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Alexander M. Puckett
1527 Poplar Avenue
Salem VA 24153

In re Application of :
PUCKETT, ALEXANDER M. : DECISION ON PETITION
Application No. 13/081816 : TO MAKE SPECIAL UNDER
Filed: 04/07/2011 : THE GREEN TECHNOLOGY
Attorney Docket No. : PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed August 08, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted.**

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3754 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED
AUG 04 2011
OFFICE OF PETITIONS

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI, LLP
TEN POST OFFICE SQUARE
BOSTON, MA 02109

In re Application of
Gilbert D. Beinhocker
Application No. 13/081,845
Filed: April 7, 2011
Attorney Docket No. BEIN-007AX

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 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 from applicant's representative that he is in possession of proof of applicant's age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 2612 for action on the merits commensurate with this decision.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions

Doc Code: PET.RELIEF
Document Description: Certification and Request for Disaster Relief

PTO/SB/425 (03-11)

CERTIFICATION AND REQUEST FOR RELIEF DUE TO EVENTS OF MARCH 11, 2011, IN JAPAN (Page 1 of 2)

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
13081851	
First Named Inventor:	Title of Invention:
Keiichi NAKATSUGAWA	TRANSMITTING APPARATUS AND...

APPLICANT/PATENTEE/REEXAMINATION PARTY HEREBY CERTIFIES AND REQUESTS THE FOLLOWING FOR THE ABOVE-IDENTIFIED APPLICATION/PATENT/REEXAMINATION PROCEEDING.

1. FOR PATENT APPLICATIONS AND REEXAMINATION PROCEEDINGS PENDING IN THE USPTO AS OF MARCH 11, 2011, IN WHICH A COMMUNICATION FROM THE USPTO IS SOUGHT TO BE REMAILED:

   a. One or more inventors, an assignee, or a correspondence address (for the application/proceeding) is in an area of Japan affected by the earthquake and/or tsunami of March 11, 2011.

   b. A reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding on March 11, 2011.

   c. The statutory or non-statutory time period set for response has not yet expired.

   d. Withdrawal and reissuance of the Office communication is requested.

   e. It is acknowledged that if this request is not made within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956), this request may not be granted.

   f. The need for the reissuance of the Office communication was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   g. This request is being sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

2. FOR PATENTEES WHO WERE UNABLE TO TIMELY PAY A PATENT MAINTENANCE FEE DURING THE SIX-MONTH GRACE PERIOD FOLLOWING THE WINDOW TO PAY THE MAINTENANCE FEE:

   a. The original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011.

   b. The delay in paying the fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   c. The USPTO is requested to *sua sponte* waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee.

   d. This request and payment of the maintenance fee during the six-month grace period following the window to pay the maintenance fee is being mailed to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or being transmitted via facsimile to: 571-273-6500.

CERTIFICATION AND REQUEST FOR RELIEF DUE TO EVENTS OF MARCH 11, 2011, IN JAPAN (Page 2 of 2)

3. FOR PATENTEES WHO NEED TO FILE A PETITION TO ACCEPT A DELAYED MAINTENANCE FEE PAYMENT UNDER 37 CFR 1.378(c):

   a. The maintenance fee payment was required to have been paid after March 10, 2011.

   b. A petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/66 – Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))) is being promptly filed accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)).

   c. The delay in payment of the maintenance fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   d. The USPTO is requested to *sua sponte* waive the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment.

   e. It is acknowledged that the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

   f. It is acknowledged that the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c).

   g. This request and the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) is being submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4. FOR NONPROVISIONAL PATENT APPLICATIONS FILED WITHOUT AN EXECUTED OATH OR DECLARATION OR PAYMENT OF THE BASIC FILING FEE, SEARCH FEE, AND/OR EXAMINATION FEE:

   a. The nonprovisional patent application was filed on or after March 11, 2011, and prior to April 12, 2011.

   b. The late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   c. The USPTO is requested to *sua sponte* waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee.

   d. This request, together with the executed oath or declaration or the basic filing fee, search fee, or examination fee, as well as the reply to the Notice to File Missing Parts, is being submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature /Brian S. Myers/	Date April 22, 2011
Name (Print/Typed) Brian S. Myers	Practitioner Registration Number 46947

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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P.O. Box 1450
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MYERS WOLIN, LLC
100 HEADQUARTERS PLAZA
NORTH TOWER, 6TH FLOOR
MORRISTOWN NJ 07960-6834

MAILED

MAY 02 2011

OFFICE OF PETITIONS

In re Application of :
Keiichi Nakatsugawa :
Application No. 13/081,851 : DECISION ON PETITION
Filed: April 7, 2011 :
Attorney Docket No. FJHT 2578 :

This is a decision on the request filed April 22, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan," 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was filed on April 7, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [x] basic filing fee, [x] search fee and/or [x] examination fee

The relevant item(s) was/were filed on April 22, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

The $130.00 surcharge fee will be refunded to petitioner's deposit account in due course.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

ATER WYNNE LLP
1331 NW LOVEJOY ST. SUITE 900
PORTLAND OR 97209-2785

MAILED

MAY 10 2011

OFFICE OF PETITIONS

In re Application of	:	
Egnor et al.	:	
Application No. 13/081,855	:	ON PETITION
Filed: April 7, 2011	:	
Attorney Docket No. 104805-0005	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 7, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the applicant, Terry Egnor, attesting to being over 65 years of age and providing his date of birth. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 2857 for action on the merits commensurate with this decision.

Liana Walsh
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KNOBBE MARTENS OLSON & BEAR, LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

MAILED

JAN 12 2012

OFFICE OF PETITIONS

In re Application of
Takahiro Ozaki
Application No.: 13/081,894
Filed: April 7, 2011
Attorney Docket No.: SUTOSH.800AUS
For: INFORMATION PROCESSING APPARATUS AND DRAG 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 28 November 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.

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.

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 Petitons

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

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MAR 13 2012

OFFICE OF PETITIONS

HAYES, SOLOWAY P.C.
175 CANAL STREET
MANCHESTER NH 03101

In re Application of : DECISION ON REQUEST TO
Scott R. MAGNER et al. : PARTICIPATE IN PPH PROGRAM
Application No. 13/081,922 : AND PETITION TO MAKE SPECIAL
Filed: April 7, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: SURP 10.08 :
For: METHOD AND SYSTEM FOR A DOWN-HOLE CABLE HAVING A LIQUID BONDING MATERIAL

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 28, 2011 to make the above-identified application special.

The petition and request are **DISMISSED.**

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 KIPO (Korean Intellectual Property 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 KIPO 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 KIPO 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 KIPO 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 KIPO 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 KIPO 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 KIPO examiner in the KIPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

Requirements (3) to (4), and (6) above are considered to have been met. However, the request to participate in the PPH program and petition fail to meet requirements (1) to (2) and (5).

Regarding requirement (1), applicant has failed to show that the U.S. application validly claims priority to a KIPO application. Whereas the request indicates the U.S. application claims priority to PCT application PCT/US11/32073, the U.S. application file indicates the PCT claims priority to the U.S. application.

Regarding requirement (2), applicant has failed to provide a copy of the allowed claims from the KIPO application.

Regarding requirement (5), applicant has failed to provide a copy of all the office actions from a KIPO application.

Applicant is given **ONE** opportunity with a time period of **ONE MONTH** or **THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected within the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros. Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No.:	13/081,922	First Named Inventor:	Magner
Filing Date:	April 7, 2011	Attorney Docket No.:	SURP 10.08
Title of the Invention:	Method and System for a Down-Hole Cable having a Liquid Bond Material		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH 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/US11/32073

The international filing date of the corresponding PCT application(s) is/are: April 12, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☐ is attached.

☑ is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)**

☐ is attached.

☑ is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

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 October 19, 2011

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)

☐ are attached.

☑ have already been filed in the above-identified U.S. application on October 19, 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-KR (06-10)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/081,922	First Named Inventor:	Magner

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1-20	1-20	Identical claims and numbering

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /todd a. sullivan/	Date 4/3/2012
Name (Print/Typed) Todd A. Sullivan	Registration Number 47117

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED

APR 18 2012

OFFICE OF PETITIONS

HAYES, SOLOWAY P.C.
175 CANAL STREET
MANCHESTER NH 03101

In re Application of : DECISION ON REQUEST TO
Scott R. MAGNER et al. : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/081,922 : AND PETITION TO MAKE SPECIAL
Filed: April 7, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: SURP 10.08
For: METHOD AND SYSTEM FOR A DOWN-HOLE CABLE HAVING A LIQUID BONDING MATERIAL

This is a decision on the renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed April 3, 2012, to make the above-identified application special.

The request and petition are **GRANTED.**

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Sweden, Nordic Patent Institute, China, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the 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 Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to Technology Center Art Unit 2835 for action commensurate with this decision.

Thurman K Page

David Bucci
Petitions Examiner
Office of Petitions

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JUL 07 2011

GARY R. WAISSI
4336 WEST HACKAMORE DRIVE
PHOENIX AZ 85083

In re Application of: Gary R. Waissi
Application No.: 13/081968
Filed: April 7, 2011
Title: CRANKDISK BEARING ALTERNATIVES FOR THE WAISSI TYPE OPPOSED PISTON INTERNAL COMBUSTION ENGINE

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on April 7, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.1, 5.2, 5.3, 6, 6.1, 6.4, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 6.2, 6.3, and 6.5 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-3; the "accelerated examination support document" comprising pages 1-6, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat "the independent claims", nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on www.uspto.gov/web/patents/accelerated/ in "Guidelines for Applicants under the new accelerated examination procedures"):

> *For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.*

In the instant petition, petitioner does not address each limitation of the claims of the current application and where it is (or state that it is not) found in each closest prior art. For each

limitation of the claims in the current application, applicant must point out where this limitation is found in the prior art or indicate that it is not found. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, the limitations of the claims have not been addressed as to how the limitations provide patentability. Applicant has not pointed out the specific limitations in the claims of the current application that provide patentability.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, each limitation of the claim was not shown as to where in the written description of the specification the support is found. Reference to the figures is not sufficient, applicant must point out were each claim, claim limitation by claim limitation, is found in the written portion of the specification.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700

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OCT 0 5 2011

GARY R. WAISSI
4336 WEST HACKAMORE DRIVE
PHOENIX AZ 85083

In re Application of: Gary R. Waissi Application No.: 13/081968 Filed: April 7, 2011 Title: CRANKDISK BEARING ALTERNATIVES FOR THE WAISSI TYPE OPPOSED PISTON INTERNAL COMBUSTION ENGINE	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on September 9, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700

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In re Application of :
Duma et al. :
Application No. 13/082,022 : ON PETITION
Filed: April 7, 2011 :
Attorney Docket No. **DATCAR.003C1C1** :

This is a decision on the petition under 37 CFR 1.182, to change the order of inventorship, filed August 18, 2011.

The petition is **dismissed as moot**.

The instant petition under 37 CFR 1.182 requests that the inventorship for the application be reflected as Duma, Wright, and LaGuardia. The record reflects that an Application Data Sheet was filed on April 7, 2011, setting forth the inventorship of the application as Duma, Wright, and LaGuardia. On August 18, 2011, an executed declaration under 37 CFR 1.63 was filed citing the inventorship as Wright, LaGuardia, and Duma. The instant petition and Application Data Sheet were filed on August 18, 2011, requesting the inventorhip be cited as Duma, Wright, and LaGuardia.

As the inventorship in the application would be set by the first filing of an executed oath under 37 CFR 1.63, the inventorship of the application would be Wright, LaGuardia, and Duma. The instant petition under 37 CFR 1.182 is appropriate to change the order of inventors. The petition is granted. The order of inventors is noted as Duma, Wright, and LaGuardia. It is noted that an Updated Filing Receipt was mailed August 30, 2011, reflecting the order of inventors as such.

Deposit account 11-1410 will be charged $400.00 for the instant petition fee.

The application file is being directed to Technology Center GAU 2165 for further processing.

Any inquiries related to this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

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Alexandria, VA 22313-1450
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AUG 09 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

Grant Rodolph
Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano TX 75024

In re Application of: CUI, S. et al.
Serial No.: **13/082,045**
Filed: April 07, 2011
Atty Docket No: 4202-11501
Title: METHOD, SYSTEM,TERMINAL AND DEVICE MANAGEMENT SERVER FOR INSTALLING SOFTWARE COMPONENTS

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on **April 07, 2011** to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2)

not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
The twelve-month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application. In addition, Applicant is reminded that due to the dismissal of the previous petition submission, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of contact is Chistopher C. Grant at (571) 272-7294.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400
Networking, Multiplexing, Cable and Security

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,059	04/07/2011	Takashi IWAI	009289-91831	5272

52989 7590 08/11/2011

James Edward Ledbetter
1875 Eye Street
Suite 1200
Washington, DC 20006

EXAMINER	
DOAN, PHUOC HUU	
ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
08/11/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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James Edward Ledbetter
1875 Eye Street
Suite 1200
Washington DC 20006

In re Application of
IWAI et al.
Application No.: 13/082,059
Filed: 07 April 2011
Attorney Docket No.: 009289-91831
For: SEQUENCE ALLOCATING METHOD, TRANSMITTING METHOD AND WIRELESS MOBILE STATION DEVICE

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 07 April 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 provide copies of WO 2008/155904 which was cited by the JPO examiner in the action dated 21 Decembery 2010.

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 – TC 2600

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,059	04/07/2011	Takashi IWAI	009289-91831	5272

52989 7590 08/23/2011

James Edward Ledbetter
1875 Eye Street
Suite 1200
Washington, DC 20006

EXAMINER
DOAN, PHUOC HUU

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
08/23/2011	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.

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James Edward Ledbetter
1875 Eye Street
Suite 1200
Washington DC 20006

In re Application of
IWAI et al.
Application No.: 13/082,059
Filed: 07 April 2011
Attorney Docket No.: 009289-91831
For: SEQUENCE ALLOCATING METHOD, TRANSMITTING METHOD AND WIRELESS MOBILE STATION DEVICE

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 07 April 2011 and renewed 15 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application

i. validly claims priority to an application filed in the JPO, or
ii. validly claims priority to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS, Technology Center 2600

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE WA 98101-2347

MAILED

JAN 06 2012

OFFICE OF PETITIONS

In re Application of	:	
LI, et al.	:	DECISION GRANTING STATUS
Application No. 13/082,133	:	UNDER 37 CFR 1.47(a)
Filed: April 7, 2011	:	
Attorney Docket No. UWOTL136792	:	

This is in response to the petition under 37 CFR 1.47(a), filed September 29, 2011.

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Applicant is encouraged to submit a Supplemental Application Data Sheet (ADS) since the ADS submitted with the petition on September 29, 2011 is not signed as required by 37 CFR 1.33 and 10.18.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/082,196	Filing date:	April 7, 2011
First Named Inventor:	Kyle L. Chubbuck		
Title of the Invention:	BICYCLE SEAT TUBE		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/030393

The international filing date of the corresponding PCT application(s) is/are: March 29, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached

☒ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/082,196
First Named Inventor:	Kyle L. Chubbuck

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 July 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 July 26, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-17	1-17	They are the same.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date August 10, 2011
Name (Print/Typed) Edward A. Schlatter	Registration Number 32297

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,196	04/07/2011	Kyle L. Chubbuck	SPECBIC.292A	5592

20995 7590 11/10/2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER	
BOEHLER, ANNE MARIE M	

ART UNIT	PAPER NUMBER
3611	

NOTIFICATION DATE	DELIVERY MODE
11/10/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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NOV - 9 2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re application of
Kyle Chubbuck
Application No. 13/082,196
Filed: April 7, 2011
For: BICYCLE SEAT TUBE

: **DECISION ON REQUEST TO**
: **PARTICIPATE IN PATENT**
: **PROSECUTION HIGHWAY**
: **PROGRAM AND PETITION**
: **TO MAKE SPECIAL UNDER**
: **37 CFR 1.102(a)**

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed August 10, 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.

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: 11/08/11

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040

MAILED
JAN 3 1 2012
OFFICE OF PETITIONS

In re Application of:
Higuchi et al.
Application No. 13/082,209
Filed: April 7, 2011
Attorney Docket No. 6639P1175

: 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 November 18, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application is

   a. a Paris Convention application which either
      i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
      ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,

   or

   b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
      i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the JPO, or
      ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
      iii. contains no priority claim,

or

c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
    i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the JPO, or
    ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
    iii. contains no priority claim;

2. Applicant must submit a copy of:
    a. The allowable/patentable claim(s) from the JP application(s);
    b. An English translation of the allowable/patentable claim(s), and
    c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
    a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JP application(s), and
    b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
    a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the JP application(s) containing the allowable/patentable claim(s);
    b. An English language translation of the JPO office action; and
    c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
    a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already filed in this application); and
    b. Copies of all the documents cited in the JPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

This request to participate in the PPH program and petition is assessed as follows:

Conditions (1-2) and (4-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition does not appear to meet condition (3).

Regarding the requirement of condition (3), applicant has failed to ensure that all the claims in the U.S. application (currently amended claims filed November 18, 2011) sufficiently correspond to the allowable/patentable claims in the JPO application. Petitioner asserts on the Claims Correspondence Table that "U.S. Claim 9 sufficiently corresponds to JPO Claim 4". However, US claim 9 requires "A non-transitory computer readable medium having stored thereon a program for causing a computer connected to a network to remote-control a video device on the network, the program causing the computer to:", while JPO claim 4 requires "A program for causing a computer connected to a network to remote-control video device on the network, the program causing the computer to:". Additionally, petitioner asserts that "U.S. Claim 15

sufficiently corresponds to JPO Claim 8". However, US claim 15 requires "A non-transitory computer readable medium having stored thereon a program for causing a computer connected to a network to remote-control a video device on the network, the program causing the computer to:", while JPO claim 8 requires "A program for causing a computer connected to a network to remote-control video devices on the network, the program causing the computer to:". The scope of these claims is clearly different. It is applicant's responsibility to ensure that all claims in the US application correspond to the allowed/patentable JPO claims.

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.

/dab/
David Bucci
Petitions Examiner
Office of Petitions

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,237	04/07/2011	Oh-Yong Sung	3422.0013	5675

84278 7590 05/16/2011

Robert D. Atkins
605 W. Knox Road, Suite 104
Tempe, AZ 85284

EXAMINER	
ART UNIT	PAPER NUMBER
3672	

NOTIFICATION DATE	DELIVERY MODE
05/16/2011	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):

main@plgaz.com
moneill@plgaz.com

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MAY 16 2011

Robert D. Atkins
605 W. Knox Road, Suite 104
Tempe AZ 85284

In re application of
Oh-Yong Sung
Application No. 13/082,237
Filed: April 07, 2011
For: ARTIFICIAL GROUND REEF

: **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 April 07, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO, or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the KIPO 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 KIPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest Office action from each of the KIPO application(s) containing the allowable/patentable claim(s) 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 KIPO examiner in the KIPO Office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition fail to include:

(2) Applicant must submit a copy of the allowable/patentable claim(s) from the KIPO application(s) along with an English translation thereof and a statement that the English translation is accurate.
The above requirements are missing from the petition.

(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s);

The "Claims Corresponding Table" of the petition failed to provide an explanation regarding the correspondence of claims 1- 6.
Also see item # 2 above.

(5) Applicant must submit a copy of the latest Office action from each of the KIPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate.

There is no record showing claims 1 - 6 have been allowed in the KIPO application.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. All replies to a decision to dismiss must be submitted by EFS-Web using the document description "Petition to make special under Patent Prosecution Highway."

Any inquiry regarding this decision should be directed to Mikado Buiz, Quality Assurance Specialist, at (571) 272-6578.

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 05/13/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,237	04/07/2011	Oh-Yong Sung	3422.0013	5675

84278 7590 08/22/2011

Patent Law Group: Atkins & Associates P.C.
605 W. Knox Road, Suite 104
Tempe, AZ 85284

EXAMINER	
ARMSTRONG, KYLE	

ART UNIT	PAPER NUMBER
3672	

NOTIFICATION DATE	DELIVERY MODE
08/22/2011	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):

main@plgaz.com
moneill@plgaz.com

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AUG 19 2011

Patent Law Group: Atkins & Associates P.C.
605 W. Knox Road, Suite 104
Tempe AZ 85284

In re application of
Oh-Yong Sung
Application No. 13/082,237
Filed: April 07, 2011
For: ARTIFICIAL GROUND REEF

: **DECISION ON REQUEST TO**
: **PARTICIPATE IN PATENT**
: **PROSECUTION HIGHWAY**
: **PROGRAM AND PETITION**
: **TO MAKE SPECIAL UNDER**
: **37 CFR 1.102(a)**

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 16, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the KIPO 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 KIPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest Office action from each of the KIPO application(s) containing the allowable/patentable claim(s) 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 KIPO examiner in the KIPO 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: 08/18/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,252	04/07/2011	Kazuhiro Nakamura	6639P1173	5712

8791 7590 09/08/2011

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER	
ART UNIT	PAPER NUMBER
2422	

MAIL DATE	DELIVERY MODE
09/08/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

MAILED

SEP 06 2011

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William W. Schaal
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

In re Application of: NAKAMURA, K. et al.
Application No.: **13/082,252**
Filed: April 7, 2011
For: TELEVISION APPARATUS AND ELECTRONIC APPARATUS

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 **August 22, 2011**, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application for which participation in the PPH program is requested and the corresponding JPO application must have the same priority/filing date. In particular, the U.S. application (including national stage entry of a PCT application and a so-called bypass application filed under 35 U.S.C. § 111(a) which validly claims benefit under 35 U.S.C. § 120 to a PCT application):

(a) is an application that validly claims priority under 35 U.S.C. § 119(a) and 37 CFR 1.55 to one or more applications filed with JPO,

Or

(b) is an application which is the basis of a valid priority claim under the Paris Convention for the application filed in JPO

Or

(c) is an application which shares a common priority document with the application filed in JPO

Or

(d) and the JPO application are derived from/related to a PCT application having no priority claim

(2) Applicant must submit a copy of:
a. The allowable/patentable claim(s) from the JPO application(s)
b. An English translation of the allowable/patentable claim(s) and
c. A statement that the English translation is accurate;

If the JPO office action does not explicitly state that a particular claim is allowable, the applicant must include a statement in the request for participation in the PPH program or in the transmittal letter accompanying the request for participation that no rejection has been made in the JPO office action regarding that claim, and therefore, the claim is deemed allowable by JPO.

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s). Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the JPO, or the claims in the USPTO are narrower in scope than the claims in the JPO. In this regard, a claim that is narrower in scope occurs when a JPO claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the JPO is not considered to sufficiently correspond.

b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
a. Documentation of prior office action:
i. a copy of the office action(s)just prior to the "Decision to Grant a Patent" from
each of the JPO application(s) containing the allowable/patentable claim(s) or
ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for
Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from
the JPO is necessary **should** be indicated on the request/petition form;
b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
c. A statement that the English translation is accurate;

(6) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The 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.

It is noted that on remarks filed 08/22/11, petitioner indicated that "[w]e respectfully submit that no Office Action from the JPO application has been submitted herewith because the JPO application was a first action allowance.", however, PTO/SB/20UP filed 08/22/11, petitioner inadvertently marked in 1(a) a copy of the latest JOP office action (other than "Decision to Grant a Patent") in the above-identified JPO applications(s) are attached. Given the above-mentioned remarks, petitioner should have marked that no copy of the latest JPO is attached because the JPO application was allowed in a first action.

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.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400
Networking, Multiplexing, Cable and Security

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 538-1006-110-US	Application Number (if known): 13/082,317	Filing date: April 7, 2011

First Named Inventor: Mateu, Juan

Title: Low Energy, Cold Process Formulation Aid

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 /LCP/	Date 2011-11-23
Name (Print/Typed) Louis C. Paul	Registration Number 53,442

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

■ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Juan R. Mateu and Adam Perle
Application No:	13/082,317
Filed:	April 7, 2011
For:	Low Energy, Cold Process Formulation Aid
Attorney Docket No.:	538-1006-110-US
Confirmation No.:	5863
Group Art Unit:	1617

Commissioner tor Patents
PO Box 1450
Alexandria, VA 22313-1450

Petition to Make Special Under the Green Technology Pilot Program

Dear Sir:

Through this petition, Applicants hereby request to participate in the Green Technology Pilot Program for the above-identified application.

The required fees are paid herewith via EFS-WEB.

Statement of Special Status for the Eligibility Requirement

The application is a non-reissue, non-provisional utillty application. The application contains, after a preliminary amendment submitted herewith, no more than three independent claims and twenty or fewer total claims, and no multiple dependent claims.

Since this application was already published on October 13, 2011 as U.S. Patent Application Publication No. US 2011-0250249 A1, a request for early publication under 37 CFR § 1.219 has not been filed. However, the publication fee $300 set forth in CFR 1.18(d) accompanies this petition request.

Applicants believe the pending claims in the application are directed to a single invention that materially contributes to the more efficient utilization and conservation of energy resources, namely by reducing energy consumption in the production of cosmetic and personal care emulsions. Emulsions, in the form of creams and lotions, are the most common type of products marketed to consumers for skin care, hair care and other aspects of personal hygiene. Traditional emulsions, those of the prior art, consist of two distinct “phases” – oil and water. In the manufacturing process, each of the oil and water phases are separately heated in order to achieve uniform dispersion / mixing of ingredients that are compatible with (i.e., soluble in) a particular emulsion phase. For example, oil soluble ingredients are added to the oil phase of the emulsion with heating, and are mixed until uniform. Next, the oil and water phases are combined, heated, and mixed for an extended period of time until a single homogenous mixture (*i.e.*, an emulsion) is formed. The resulting traditional (prior art) emulsion requires furthering cooling to ambient temperature, necessitating an additional expenditure of energy, before temperature sensitive ingredients can be added in final manufacturing steps.

The claimed invention relates to a novel composition, a cold process formulation aid, and method for using that cold process formulation aid to form an emulsion without the need to expend energy on mixing and heating two separate phases of an emulsion, followed by cooling the heated emulsion. More particularly, the method of making an emulsion using a cold process formulation aid of the present invention allows ingredients to be mixed in one vessel, not two. Thus, the energy otherwise expended to both heat and mix ingredients in an entire vessel is saved. Moreover, the sole vessel in which

ingredients are mixed with the cold process formulation aid of the invention does not require heating, providing yet further energy savings. In short, the present invention achieves substantial, material energy conservation in a similar manner to detergents that allow clothes to be washed in cold water – no heating is required.

By filing this petition, Applicants hereby agree to make an election, without traverse in a telephonic interview and to elect an invention that meets the eligibility requirements set forth in the notice titled, "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, should the Office determine that the claims are not directed to a single invention.

Applicants' Remarks

A preliminary amendment has been submitted herewith to reduce number of claims to have no more than three (3) independent claims and twenty (20) total claims.

The application does not contain any multiple dependent claims.

If the Office believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 212-223-8200.

Dated: November 23, 2011

Respectfully submitted,
Louis C. Paul & Associates, PLLC

Louis C. Paul (Reg. No. 53,442)
150 East 58th Street, 34th Floor
New York, NY 10155
Tel – 212.223.8200
Fax – 212.223.8259

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,317	04/07/2011	Juan R. Mateu	538-1006-110	5863

51523 7590 12/01/2011

Louis C. Paul
Louis C. Paul & Associates, PLLC
150 East 58th Street
34th Floor
New York, NY 10155

EXAMINER	
PIPIC, ALMA	

ART UNIT	PAPER NUMBER
1617	

MAIL DATE	DELIVERY MODE
12/01/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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DEC - 2 2011

Louis C. Paul
Louis C. Paul & Associates, PLLC
150 East 58th Street
34th Floor
New York NY 10155

In re Application of

MATEU, Juan *et al.*	:	DECISION ON PETITION
Application No. 13/082317	:	TO MAKE SPECIAL UNDER
Filed: April 7, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 538-1006-110	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 23, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

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 1617 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.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13082521	Confirmation Number	6244	Filing Date	2011-04-08
Attorney Docket Number (optional)	11-7890	Art Unit		Examiner	
First Named Inventor	Ghetia, Emil N.				
Title of Invention	TOILET PAPER ROLL COVER				

Attention: Office of Petitions

An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Emil	N.	Ghetia	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/Bryan L. Loeffler/	Date (YYYY-MM-DD)	2011-04-08
Name	Bryan L. Loeffler	Registration Number	61810

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Emil N. Ghetia

Application No. 13082521

Filed:

Attorney Docket No. 11-7890

:
:
:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)
:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-APR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WAI MUN LEE
511 HAMILTON AVE
MILPITAS CA 95035

MAILED

MAY 20 2011

OFFICE OF PETITIONS

In re Application of :
Wai Mun Lee :
Application No. 13/082,540 : DECISION ON PETITION
Filed: April 8, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. 091708-0002DIV : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 15, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by inventor Wai Mun Lee attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Upon completion of the pre-examination processing by the Office of Patent Application Processing, this application will be referred to Technology Center 1713 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
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

DAVIDSON BERQUIST JACKSON & GOWDEY LLP
4300 WILSON BLVD., 7TH FLOOR
ARLINGTON VA 22203

MAILED

JUN 06 2011

OFFICE OF PETITIONS

In re Application of :
Speegle et al. :
Application No. 13/082,572 : ON PETITION
Filed: April 8, 2011
Attorney Docket No. 2785-0004 :
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 13, 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 (PTO/SB/130 form) by the applicant that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being referred to the Office of Patent Application Processing for further processing in accordance with this decision on petition.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

ERICSSON INC.
6300 LEGACY DRIVE
M/X EVR 1-C-11
PLANO TX 75024

MAILED
AUG 09 2011
OFFICE OF PETITIONS

In re Application of :
BOBERG, et al :
Application No. 13/082,610 : DECISION ON PETITION
Filed: April 8, 2011 :
Attorney Docket No. P19293-US2 :

This is a decision on the petition under 37 CFR 1.182, filed, July 7, 2011, to change the name of inventor "Stefan Andersson" to – Stefan Jormelius --.

The petition is **GRANTED**.

Office records have been updated to reflect the inventor's change of name. A corrected Filing Receipt, which reflects the inventor's change of name, accompanies this decision on petition.

The petition filed July 7, 2011, was accompanied by the proper fee under 37 CFR 1.182.

Any questions concerning this matter may be directed to Diane Goodwyn at (571) 272-6735.

Any questions concerning the examination or status of the application should be directed to the Technology Center at (571) 272-4000.

This matter is being referred to the Office of Data Management for further processing.

Thurman K. Page
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
13/082,610	04/08/2011	2447	1350	P19293-US2	25	2

CONFIRMATION NO. 6421

CORRECTED FILING RECEIPT

27045
ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO, TX 75024

Date Mailed: 08/08/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Christer Boberg, Residence Not Provided;
Anders Lindgren, Residence Not Provided;
Stefan Jormelius, Residence Not Provided;
Hans Lindgren, Residence Not Provided;
Justus Petersson, Residence Not Provided;

Power of Attorney: The patent practitioners associated with Customer Number 27045

Domestic Priority data as claimed by applicant

This application is a CON of 10/598,770 08/23/2007 PAT 7,945,250
which is a 371 of PCT/SE2005/000348 03/10/2005

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)
SWEDEN 0400622-7 03/12/2004

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 04/19/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/082,610**

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

Title

METHOD AND ARRANGEMENT FOR PROVIDING USER INFORMATION TO A TELECOMMUNICATION CLIENT

Preliminary Class

709

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: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 1286.001	Application Number (if known):	Filing date: 04/08/2011

First Named Inventor: Cameron Richard MacKay

Title: SOLAR AIR HEATING DEVICE

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 /RLS/	Date 04/08/2011
Name (Print/Typed) Richard L. Sampson	Registration Number 37,231

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Atty. Docket No. : 1286.001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MacKay et al.

Confirmation No.: (not yet assigned)

Serial No.: (not yet assigned)

Group Art Unit: (not yet assigned)

Filed: 04/08/2011

Examiner: (not yet assigned)

Title: SOLAR AIR HEATING DEVICE

To: Commissioner for Patents

Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS

Dear Sir:

The above captioned patent application is being submitted with a Petition to Make Special Under the Green Technology Pilot Program. This application is eligible for The Green Technology Pilot Program as it is directed towards solar energy.

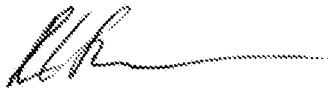
Atty. Docket No. : 1286.001

CONCLUSION

This application is now believed to be in condition for allowance, and such action at an early date is respectfully requested. However, if any matters remain unresolved, the Examiner is encouraged to contact the undersigned by telephone.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 50-0734** referencing docket no. 1286.001. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



Richard L. Sampson
Attorney for Applicants
Registration No. 37,231

Dated: April 8, 2011

SAMPSON & ASSOCIATES, P.C.
50 Congress Street
Suite 519
Boston, MA 02109
Telephone: (617) 557-2900
Facsimile: (617) 557-0077

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.
13/082,680	04/08/2011	Cameron R. MacKay	1286.001	6558

7590 05/04/2011

Richard L. Sampson
SAMPSON & ASSOCIATES, P.C.
50 Congress Street
Boston, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
3749	

MAIL DATE	DELIVERY MODE
05/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Richard L. Sampson
SAMPSON & ASSOCIATES, P.C.
50 Congress Street
Boston MA 02109

In re Application of	:	
MACKAY, CAMERON R. et al	:	DECISION ON PETITION
Application No. 13/082,680	:	TO MAKE SPECIAL UNDER
Filed: April 8, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 1286.001	:	PILOT PROGRAM

It was discovered that the renewed petition filed on April 8, 2011 was timely within the 30 days time period set for request for reconsideration. Therefore, the decision mailed on March 15, 2011 was in error and is hereby vacated.

This is a decision on the renewed petition under 37 CFR 1.102, filed March 4, 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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED

SEP 12 2011

OFFICE OF PETITIONS

ALIX YALE & RISTAS LLP
750 MAIN STREET
SUITE 1400
HARTFORD CT 06103

In re Application of :
Paul N. HUNTLEY et al. : ON PETITION
Application No. 13/082,693 :
Filed: April 8, 2011 :
Atty. Docket No.: SAFSOL/102/US

This is in response to the petition under 37 CFR 1.47(a), filed August 22, 2011.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO (2) MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47 requires:

(1) proof that the inventor cannot be reached or refuses to sign a proper oath or declaration after having been presented with the application papers (specification, claims, and drawings);
(2) the oath or declaration in compliance with 35 U.S.C. 115 and 116;
(3) the fee set forth in section 1.17(g);
and (4) the last known address of the inventor.
The present petition lacks items (1) and (2).

Regarding item (1), the declaration by Mr. Paul N. Huntley asserts that non-signing inventor John Raudat has refused to sign the application Declaration. However, there is no evidence that this refusal was made after the complete application papers including specification, claims, and drawings, were sent to the non-signing inventor.

Regarding item (2), the Declaration included with the petition has a signature in the signature space for inventor John Raudat. However, as the instant petition has been filed

to establish the unavailability of John Raudat, it is unclear as to how this signature was placed thereon. If inventor John Raudat is unavailable or refuses to sign the declaration, his signature space should be left blank.

Further correspondence with respect to this matter should be addressed as follows:

By Mail:
Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

By hand:
U. S. Patent and Trademark Office
Customer Service Window, Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

The centralized facsimile number is **(571) 273-8300.**

Telephone inquiries relating to this decision should be directed to Robert DeWitty (571-272-8427).

for Anthony Knight
Director
Office of Petitions

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13/082,733	Confirmation Number	6671	Filing Date	2011-04-08
Attorney Docket Number (optional)	FTP-04-NP	Art Unit	3749	Examiner	
First Named Inventor	Stuart I. Smedley				
Title of Invention	Demisting Flame Arrestor for an Electrolytic Hydrogen Generator				

Attention: Office of Petitions

An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Stuart	I.	Smedley	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/Sean D. Burdick/	Date (YYYY-MM-DD)	2011-05-09
Name	Sean D. Burdick	Registration Number	51513

PTO/SB/130 (07-09)
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES 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
Stuart I. Smedley

Application No. 13082733

Filed: April 8,2011

Attorney Docket No. FTP-04-NP

:
:
:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)
:

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 09-MAY-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,753	04/08/2011	Su-in LEE	101-1620C2	6730

38209 7590 06/08/2011

STANZIONE & KIM, LLP
919 18TH STREET, N.W.
SUITE 440
WASHINGTON, DC 20006

EXAMINER	
YI, ROY Y	

ART UNIT	PAPER NUMBER
2852	

MAIL DATE	DELIVERY MODE
06/08/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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STANZIONE & KIM, LLP
919 18TH STREET, N.W.
SUITE 440
WASHINGTON DC 20006

In re Application of:	:	
LEE, Su-In	:	DECISION ON PETITION TO
Serial No.: 13/082753	:	MAKE SPECIAL FOR NEW
Filed: April 8, 2011	:	APPLICATION UNDER 37
Title: **IMAGE FORMING APPARATUS AND DEVELOPER CONTAINER THEREFOR**	:	C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) filed April 8, 2011.

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.

/MDay/

Michael Day, QAS
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

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SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 5400
SEATTLE WA 98104

MAILED

JUN 22 2011

OFFICE OF PETITIONS

In re Application of
Marshall et al.
Application No. 13/082,760
Filed: April 8, 2011
Attorney Docket No. 440090.402

ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 8, 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 (PTO/SB/130 form) by applicant's attorney that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Office of Patent Application Processing for further processing in accordance with this decision on petition.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Bollinger *et al.*		
SERIAL NO.:	13/082,808	GROUP NO.:	1733
FILING DATE:	April 8, 2011	EXAMINER:	Not yet assigned
TITLE:	IMPROVING EFFICIENCY OF LIQUID HEAT EXCHANGE IN COMPRESSED-GAS ENERGY STORAGE SYSTEMS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS IN SUPPORT OF PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

In accordance with the Federal Register notices published December 8, 2009, May 21, 2010, and November 10, 2010, Applicants hereby request to participate in the Green Technology Pilot Program for the above-identified application. Applicants submit that the invention claimed in the above-identified application materially contributes to the development of renewable energy resources and the conservation of energy resources at least because the invention solves a persistent problem with intermittent energy-generation systems (e.g., wind and solar renewable energy) by providing systems for storing and recovering the energy from these sources, thereby making them deployable on a widespread and practical basis – thereby enhancing and promoting the deployment of such systems. Thus, the claimed invention directly contributes to the conservation of energy resources by increasing the practicality and acceptance of renewable energy sources, thereby enabling them to replace fossil-fuel-dependent energy sources.

Specifically, the claimed energy storage and recovery method is useful for the conversion of clean energy stored in the form of compressed gas into, e.g., usable electricity, and vice versa. Energy is stored during a gas compression within a cylinder assembly, and during the compression, heat-transfer fluid is introduced to exchange heat with the gas. A portion of the gas dissolves into the heat-transfer fluid, representing trapped energy that might not be recovered in typical systems. So, in accordance with the claimed invention, energy is recovered from the gas effervescing from the heat-transfer fluid after the remaining gas is exhausted from the cylinder assembly. The energy may be recovered by, e.g., a regenerative stroke of the cylinder assembly,

which may also recover energy trapped from any "dead volume" in the cylinder assembly. Thus, the claimed invention increases efficiency of the energy recovery and storage by reclaiming energy that might otherwise be lost. As demonstrated by dependent claim 22, the claimed method also encompasses storage of energy originating from an intermittent renewable energy source of wind or solar energy and recovery of energy when the intermittent renewable energy source is nonfunctional. Thus, power demands are addressed consistently, regardless of the energy output of the renewable energy source at any particular time.

Applicants believe no additional fees are necessitated by the filing of this paper. However, if any additional fee is due, please charge said fee occasioned by this paper to our Deposit Account No. 50-4047.

Respectfully submitted,

Date: April 11, 2011
Reg. No. 58,533

Electronic Signature: /Matthew T. Currie/
Matthew T. Currie
Attorney for Applicants
Bingham McCutchen LLP
One Federal Street
Boston, Massachusetts 02110

Tel. No.: (617) 951-8293
Fax No.: (617) 951-8736

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	SUS-032/7301182001	Application Number (if known):	13/082,808	Filing date:	April 8, 2011
First Named Inventor:	Benjamin Bollinger				
Title:	IMPROVING EFFICIENCY OF LIQUID HEAT EXCHANGE IN COMPRESSED-GAS ENERGY STORAGE SYSTEMS				

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims

6. Other attachments: Preliminary Amendment
   Statement of Special Status

Signature	/Matthew T. Currie/	Date	April 11, 2011
Name (Print/Typed)	Matthew T. Currie	Registration Number	58,533

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/082,808	04/08/2011	Benjamin Bollinger	SUS-032/7301182001	6837

23517 7590 09/20/2011

BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON, DC 20006

EXAMINER	
ART UNIT	PAPER NUMBER
1733	

MAIL DATE	DELIVERY MODE
09/20/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BINGHAM MCCUTCHEN LLP
2020 K Street, N.W.
Intellectual Property Department
WASHINGTON DC 20006

9/20/11

In re Application of :
Bollinger et al. : DECISION ON PETITION
Application No. 13/082,808 : TO MAKE SPECIAL UNDER
Filed: 4/8/2011 : THE GREEN TECHNOLOGY
Attorney Docket No. **SUS-032/7301182001** : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/11/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1733 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
Hovik Azizian

Application No. 13082940

Filed:

Attorney Docket No. 4780-PAT

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-APR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13082940	Confirmation Number	7092	Filing Date	2011-04-08
Attorney Docket Number (optional)	4780-PAT	Art Unit		Examiner	
First Named Inventor	AZIZIAN, Hovik				
Title of Invention	Portable Garment Steaming System				

Attention: Office of Petitions
An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Hrant		Azizian	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18.
Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

◉ (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/Donn K. Harms/	Date (YYYY-MM-DD)	2011-04-08
Name	Donn K. Harms	Registration Number	38911

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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US ARMY RESEARCH LABORATORY
ATTN: RDRL-LOC-I
2800 POWDER MILL RD
ADELPHI MD 20783-1197

MAILED

FEB 15 2012

OFFICE OF PETITIONS

In re Application of	:	
Kwong-Kit Choi	:	DECISION ON PETITION
Application No. 13/082,945	:	
Filed: 04/08/2011	:	*ACCEPTANCE OF COLOR*
Attorney Docket Number: ARL 10-33	:	*DRAWINGS*

This is a decision on the PETITION FOR SUBMITTING COLOR DRAWINGS received in the United States Patent and Trademark Office (USPTO) on April 8, 2011, which is treated as a petition under 37 CFR 1.84(a)(2).

The petition is **GRANTED**.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;

(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.

The petition was accompanied by all of the required fees and drawings. The specification contains the appropriate language. Therefore the petition is GRANTED.

The application is referred to Technology Center Art Unit 2895 for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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Decision Date January 23, 2012

In re Application of Michael SHULTZ

Application No. 13082956

Filed: 08-Apr-2011

Attorney Docket No. 52607-US-CNT

DECISION ON PETITION

UNDER CFR 1.137(b)

This is an electronic decision on the petition under 37 CFR 1.137(b), January 23, 2012 , to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the outstanding Office communication. The date of abandonment is the day after the last day of the period set for reply in the Office action plus any applicable extensions of time properly requested.

The electronic petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of aresponse; (2) the petition fee as set forth in 37 CFR 1.17 (m); and (3) the required statement of unintentional delay have been received. Accordingly, the response is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

This application file is being directed to the Technology Center.

Office of Petitions

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web	PTO/SB/64 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**
Application Number	13082956
Filing Date	08-Apr-2011
First Named Inventor	Michael SHULTZ
Attorney Docket Number	52607-US-CNT
Title	HYDROXAMATE-BASED INHIBITORS OF DEACETYLASES B

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:
(1) Petition fee;
(2) Reply and/or issue fee;
(3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
(4) Statement that the entire delay was unintentional

Petition Fee

- ○ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ○ Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).
- ○ Applicant(s) status remains as SMALL ENTITY.
- ◉ Applicant(s) status remains as other than SMALL ENTITY.

2. Reply and/or fee

- ○ I certify, in accordance with 37 CFR 1.4(d)(4) that the amendment and response have already been filed in the above-identified application on
- ◉ Amendment and response are attached

RCE request,submission, and fee.

- ○ I certify, in accordance with 37 CFR 1.4(d)(4) that the RCE Request, Submission, and Fee have already been filed in the above-identified application on
- ○ RCE Request, Submission, and Fee are attached

Notice of Appeal

○	I certify, in accordance with 37 CFR 1.4(d)(4) that the Notice of Appeal and Fee have already been filed in the above-identified application on
○	Notice of Appeal and Fee are attached

3. Terminal Disclaimer is not required, since the Electronic Petition format is not support for Design applications and applications filed before June 8, 1995. Please file using regular petition format for review by the Office of Petitions.

☒ STATEMENT: 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.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

◉ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.

○ An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.

○ A sole inventor

○ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors

○ A joint inventor; all of whom are signing this e-petition

○ The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/Laura K. Madden/
Name	Laura Madden
Registration Number	48352

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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JOHN S. BEULICK (12729)
C/O ARMSTRONG TEASDALE LLP
7700 FORSYTH BOULEVARD
SUITE 1800
ST. LOUIS MO 63105

: DECISION GRANTING PETITION
: UNDER 37 CFR 1.313(c)(2)

In re Application of
Joshi et al
Application No. 13/082,960
Filed: April 8, 2011
Attorney Docket No. 205649-9 (12729-904)

MAILED
OCT 19 2011
OFFICE OF PETITIONS

This is a decision on the petition under 37 CFR 1.313(c)(2), filed October 17, 2011, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). *See* 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on September 23, 2011 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.[1]

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

This application is being referred to Technology Center AU 3741 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed IDS.

/Karen Creasy/
Karen Creasy
Petitions Examiner
Office of Petitions

[1] *The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.*

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: LS00028US	Application Number (if known): 13/083,066	Filing date: April 8, 2011

First Named Inventor: SCHIRMER, Andreas W.

Title: METHODS AND COMPOSITIONS RELATED TO FATTY ALCOHOL BIOSYNTHETIC ENZYMES

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: 1) Statements of Special Status for the Eligibility Requirements; 2) Preliminary Amendment

Signature	Date December 20, 2011
Name (Print/Typed) Linda R. Judge	Registration Number 42,702

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,066	04/08/2011	Andreas W. Schirmer	LS00028 US	7351

80782 7590 01/23/2012

LS9, Inc.
600 Gateway Boulevard
South San Francisco, CA 94080

EXAMINER	
ART UNIT	PAPER NUMBER
1652	

NOTIFICATION DATE	DELIVERY MODE
01/23/2012	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):

chgpatent@leydig.com
ljudge@ls9.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
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JAN 23 2012

LS9, Inc.
600 Gateway Boulevard
South San Francisco CA 94080

In re Application of :

SCHIRMER, Andreas *et al.*	:	DECISION ON PETITION
Application No. 13/083066	:	TO MAKE SPECIAL UNDER
Filed: April 8, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. LS00028 US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 20, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1652 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

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SCHWEGMAN, LUNDBERG &
WOESSNER PA
PO BOX 2938
MINNEAPOLIS MN 55402

MAILED
MAR 26 2012
OFFICE OF PETITIONS

In re Application of Lopez, et al. Application No. 13/083,081 Filed: April 8, 2011 Attorney Docket Number: 3404.014US1	: : : : :	DECISION ON PETITION

This is in response to the petition under 37 CFR 1.84(a)(2), filed April 8, 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 petition has not met requirement (3) above. In addition, the Office has determined that color drawings are not necessary for an understanding of the invention and are not the only practical medium by which to disclose the subject matter sought to be patented in the utility application.

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 2821 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

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: 83180491	Application Number (if known): 13/083,101	Filing date: April 8, 2011
First Named Inventor: Dennis Craig Reed		
Title: METHOD FOR ADJUSTING ENGINE AIR-FUEL RATIO		

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /John D. Russell/	Date May 18, 2011
Name (Print/Typed) John D. Russell	Registration Number 47,048

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

[X] *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Dennis Craig Reed et al.
Application No.	:	13/083,101
Filed	:	April 8, 2011
Title	:	METHOD FOR ADJUSTING ENGINE AIR-FUEL RATIO
Group Art Unit	:	3747
Confirmation No.	:	7428
Docket No.	:	83180491

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the U.S. Patent and Trademark Office electronic filing system (EFS-Web) to the USPTO on:

May 18, 2011 — Date

/Angie C. Farr/ — Angie C. Farr

STATEMENTS OF SPECIAL STATUS

Applicants respectfully request consideration of the following statement concerning the basis for the special status as well as the following statement pertaining to the materiality standard.

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following basis: the claimed invention materially enhances the quality of the environment.

II. Statement pertaining to the materiality standard.

As a preliminary matter, Applicants note that the following statement refers explicitly to the elements of independent claim 1, which is the broadest claim in many respects.

Applicants submit that the claimed invention materially enhances the quality of the environment by reducing vehicle emissions, such as NOx and CO. Specifically, the claimed invention adjusts an air-fuel ratio based on oxygen sensor frequency and duty cycle. As explained in the Background and Summary of the subject application, catalysts are commonly coupled to engine exhaust systems for reducing regulated engine

emissions. The catalysts may be configured with different coatings to promote catalyst efficiency and reduce catalyst light off time (e.g., the amount of time it takes for a catalyst to reach a predetermined efficiency). However, even with higher performance catalyst coatings, it can be important to control engine exhaust gases entering the catalyst or the catalyst efficiency may degrade.

In one approach, catalyst efficiency may be improved by adjusting engine air-fuel ratio via feedback from a combination of a time varying signal and an output of a post catalyst oxygen sensor. However, if there is an error between the output of the post catalyst oxygen sensor and the time varying signal, a single error adjustment term simultaneously accounts for errors in amplitude, phase, and frequency. As a result, adjusting the engine air-fuel ratio for a phase error in the post catalyst oxygen sensor output may cause an undesirable disturbance in the amplitude and/or frequency of the post catalyst oxygen sensor output. Consequently, it may be somewhat difficult for the output of the post catalyst oxygen sensor to converge to the time varying signal during some operating conditions, reducing the catalyst efficiency improvements of the approach. The claimed invention addresses this issue by providing a method for adjusting air-fuel ratio based on frequency and duty cycle of an oxygen sensor. For example, claim 1 recites:

> A method for adjusting an air-fuel ratio of an engine, comprising:
> adjusting a frequency and duty cycle of an air-fuel ratio applied to engine cylinders based on a duty cycle and frequency derived from an oxygen sensor positioned downstream of a catalyst.

By adjusting an air-fuel ratio supplied to an engine via frequency and duty cycle adjustments, it may be possible for an output of a post catalyst oxygen sensor to converge to a desired response at a faster rate. In particular, when individual adjustments are made to an engine air-fuel ratio for frequency errors and/or duty cycle errors between the output of a post catalyst oxygen sensor and a predetermined signal, it may be possible to compensate for the errors with less affect on other signal attributes. In doing so, catalyst conversion efficiency may be improved and vehicle emissions may be more evenly controlled, thus enhancing the quality of the environment.

Please charge any cost incurred in this filing, along with any other costs, to Deposit Account No. 06-1510.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP

/John D. Russell/
John D. Russell
Registration No. 47,048
Customer No. 36865
Attorney/Agent for Applicants/Assignee
806 S.W. Broadway, Suite 600
Portland, Oregon 97205
Telephone: (503) 459-4141
Facsimile: (503) 459-4142

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,101	04/08/2011	Dennis Craig Reed	83180491	7428

36865 7590 06/16/2011
ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND, OR 97205

EXAMINER	
ART UNIT	PAPER NUMBER
3747	

MAIL DATE	DELIVERY MODE
06/16/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND OR 97205

In re Application of
REED, DENNIS CRAIG
Application No. 13/083101
Filed: April 8, 2011
Attorney Docket No. 83180491

DECISION ON PETITION
TO MAKE SPECIAL UNDER
THE GREEN TECHNOLOGY
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3747 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

TIMOTHY T. TYSON
LAW OFFICES OF LEON D. ROSEN & ASSOCIATES, PC
10960 WILSHIRE BLVD.
SUITE 1220
LOS ANGELES, CA 90024-3714

MAILED

JUL 05 2011

OFFICE OF PETITIONS

In re Application of :
Richard A. Brown, II :
Application No. 13/083,113 : DECISION ON PETITION
Filed: April 8, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. 10/116 : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 8, 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 signed by applicant. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3711 for action on the merits commensurate with this decision.

/AMW/
April M. Wise
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: WYN/2043US/JDJ	Application Number (if known): 13/083,154	Filing date: April 8, 2011
First Named Inventor: Joseph M. Fedeyko		
Title: CATALYSTS FOR THE REDUCTION OF AMMONIA EMISSION FROM RICH-BURN EXHAUST		

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 April 11, 2011
Name (Print/Typed) Christopher R. Lewis	Registration Number 36,201

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.*

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:	13/083,154
Applicants:	Joseph M. Fedeyko et al.
Filed:	April 8, 2011
Title:	CATALYSTS FOR THE REDUCTION OF AMMONIA EMISSION FROM RICH-BURN EXHAUST
TC/A.U.:	1736
Examiner:	To Be Assigned
Confirmation No.:	7528
Docket No.:	WYN/2043US/JDJ

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM - STATEMENTS OF SPECIAL STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the requirements of the Petition to Make Special Under the Green Technology Pilot Program, filed herewith, we respectfully request consideration of the following statements:

1. If the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant hereby agrees to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements of the program.

2. The claims of the above-referenced application are directed to a single invention:

☐ that materially enhances the quality of the environment, or

☒ that materially contributes to:

- ☐ (1) the discovery or development of renewable energy resources;
- ☐ (2) the more efficient utilization and conservation of energy resources; or
- ☒ (3) green house gas emission reduction.

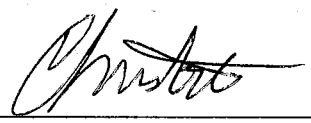
3. The application disclosure is clear on its face that the claimed invention materially contributes to (1) development of renewable energy or energy conservation, or (2)

greenhouse gas emission reduction. To avoid any doubt, a statement signed by the attorney/agent registered to practice before the USPTO, in accordance with 37 CFR 1.33(b), explaining how the materiality standard is met is provided below.

a. The claimed invention of the above-referenced application materially contributes to greenhouse gas emission reduction technologies, namely nitrogen oxides (NO_x), hydrocarbons (HC), and carbon monoxide (CO), and greenhouse gas precursors such as ammonia (NH_3), from the exhaust gas of combustion processes. Specifically, the above-referenced application relates to a system and methods for reducing ammonia (NH_3) emissions from combustion processes, such as engines, using a catalyst article. Currently, there is no regulation on NH_3 emissions for exhaust from combustion systems because there is believed to be no technology commercially available to reduce the NH_3 emissions in such systems, while also meeting the stringent emission regulations for NO_x, HC, and CO emissions. The claimed invention relates to catalysts, and systems and methods that employ the catalysts, which can minimize NH_3 emissions while maintaining NO_x, HC, and CO emissions below existing regulations. Accordingly, the materiality standard is met.

As the requirements of the Green Technology Pilot Program have been met in the above-referenced application, special status and advancement out of turn for examination is respectfully requested.

Respectfully submitted,



Christopher R. Lewis, Reg. No. 36,201
Attorney for Applicants

CRL/JBS/lrb

Dated: April 11, 2011

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith..

1166291_1

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.
13/083,154	04/08/2011	Joseph M. Fedeyko	WYN/2043US/JDJ	7528

95567 7590 05/25/2011

RatnerPrestia (JM)
P.O. Box 980
Valley Forge, PA 19482-0980

EXAMINER	
VANOY, TIMOTHY C	
ART UNIT	PAPER NUMBER
1734	

MAIL DATE	DELIVERY MODE
05/25/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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RatnerPrestia (JM)
P.O. Box 980
Valley Forge PA 19482-0980

MAY 25 2011

In re Application of	:	
Fedeyko et al.	:	DECISION ON PETITION
Application No. 13/083,154	:	TO MAKE SPECIAL UNDER
Filed: 4/8/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **WYN/2043US/JDJ**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/11/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1734 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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: 080390.0106	Application Number (if known): Unassigned	Filing date: Herewith
First Named Inventor: James Russell Monroe		
Title: SYSTEM AND METHOD FOR TORREFACTION AND PROCESSING OF BIOMASS		

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 /s/Brian K. Prewitt/	Date April 8, 2011
Name (Print/Typed) Brian K. Prewitt	Registration Number 60,135

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.*

☐ *Total of ..... forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http:// www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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.
13/083,172	04/08/2011	James Russell Monroe	080390.0106	7576

31625 7590 05/25/2011

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER	
ART UNIT	PAPER NUMBER
1771	

NOTIFICATION DATE	DELIVERY MODE
05/25/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

apatent@bakerbotts.com
crystle.garbade@bakerbotts.com
brittany.marr@bakerbotts.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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www.uspto.gov

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN TX 78701-4039

MAY 25 2011

In re Application of :
Monroe et al. : DECISION ON PETITION
Application No. 13/083,172 : TO MAKE SPECIAL UNDER
Filed: 4/8/2011 : THE GREEN TECHNOLOGY
Attorney Docket No. **080390.0106** : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/8/2011, 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 **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/083,231	Filing date:	April 8, 2011
First Named Inventor:	Peter Ciurea		
Title of the Invention:	Restricted Use Currency		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/032027

The international filing date of the corresponding PCT application(s) is/are: 12 April 2011 (12.04.2011)

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☒ is attached

☐ is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ is attached.

☐ is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/083,231
First Named Inventor:	Peter Ciurea

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

- [■] Is attached
- [ ] Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

- [■] Are attached.
- [ ] Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	The claims in the PCT application are identical to the claims in the US application as filed.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date 11/18/2011
Name (Print/Typed) Patrick. M. Lafferty	Registration Number 63,000

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,237	04/08/2011	Toshiyuki KITO	KATOSH.105AUS	7715

7590 12/29/2011

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NOTIFICATION DATE	DELIVERY MODE
12/29/2011	ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

FORM PET651G (Rev. 08/07)